

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-SEVENTH DAY

(Friday, May 19, 2023)

The Senate met at 11:11 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.

Dr. Charles Moody Jr., The Rock ATX Church, Austin, offered the invocation as follows:

Father, we thank You this day for the gift of life, the gift of leadership, and gift of influence. These leaders have been granted by Your sovereign will the ability to pursue policies that dictate and generate the intertwined future for every citizen of this great state. We seek Your guidance in our decision making, guard us in our internal deliberation, and generate the dialogue we need to bring about Your will for those whom we serve. We see each of these gifts not as positions of privilege or power but as personal responsibility. We hold dear this responsibility this day. Lead us and guide us as we endeavor to make our state, our counties, and our cities a better place for all who live here. In the name of the Lord Jesus Christ I pray. Amen.

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

The motion prevailed without objection.

PHYSICIAN OF THE DAY

Senator Gutierrez was recognized and presented Dr. Christine Camacho of San Antonio as the Physician of the Day.

The Senate welcomed Dr. Camacho, accompanied by Brooklyn Anderson, and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

GUESTS PRESENTED

Senator Campbell, joined by Senator Bettencourt, was recognized and introduced to the Senate Lyndon Baines Johnson (LBJ) Middle School seventh grade students.

The Senate welcomed its guests.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

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

There was no objection.

CONCLUSION OF MORNING CALL

The Presiding Officer at 11:25 a.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE HOUSE BILL 8 ON SECOND READING

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 8** at this time on its second reading:

CSHB 8, Relating to public higher education, including the public junior college state finance 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.

COMMITTEE SUBSTITUTE HOUSE BILL 8 ON THIRD READING

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 8** 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.

GUESTS PRESENTED

Senator Eckhardt was recognized and introduced to the Senate a City of Manor delegation including City Manager Scott Moore; Mayor, Dr. Christopher Harvey; Mayor Pro Tem Emily Hill; Councilmembers Aaron Moreno and Deja Hill; School Board President Monique Celedon; ISD Superintendent, Dr. Robert Sormani; Police Chief Ryan Phipps; Manor ISD Whole Child Program members; and first responders.

The Senate welcomed its guests.

HOUSE BILL 1000 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **HB 1000** at this time on its second reading:

HB 1000, Relating to the composition of districts for the election of members of the Texas House of Representatives.

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

HOUSE BILL 1000 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 1000** be placed on its third reading and final passage.

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

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

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Johnson, Miles.

The bill was read third time and was passed 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.

HOUSE JOINT RESOLUTION 132 ON THIRD READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **HJR 132** at this time on its third reading and final passage:

HJR 132, Proposing a constitutional amendment prohibiting the imposition of an individual net worth or wealth tax.

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

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

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

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

**COMMITTEE SUBSTITUTE
HOUSE BILL 471 ON SECOND READING**

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSHB 471** at this time on its second reading:

CSHB 471, Relating to the entitlement to and claims for benefits for certain first responders and other employees related to illness and injury.

The motion prevailed.

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

The bill was read second time.

Senator Schwertner offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 471** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 177A.003, Local Government Code (page 1, line 51), between the underlined period and "A", insert "(a)".

(2) At the end of added Section 177A.003, Local Government Code (page 1, between lines 57 and 58), insert the following:

(b) At the end of the leave of absence under Subsection (a), the governing body of the political subdivision may extend the leave of absence at full or reduced pay.

(c) If the firefighter, police officer, or emergency medical services personnel is temporarily disabled by a line of duty injury or illness and the leave of absence and any extension granted by the governing body has expired, the person may use accumulated sick leave, vacation time, and other accrued benefits before the person is placed on temporary leave.

(d) If the leave of absence and any extension granted by the governing body has expired, a firefighter, police officer, or emergency medical services personnel who requires additional leave described by this section shall be placed on temporary leave.

(3) In added Section 177A.004(b), Local Government Code (page 2, lines 6-8), strike "leave, provided that the person can perform the essential functions of the job with or without reasonable accommodation." and substitute "leave. Another firefighter, police officer, or emergency medical services personnel may voluntarily do the work of the injured firefighter, police officer, or emergency medical services personnel until the person returns to duty.".

The amendment to **CSHB 471** 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 471 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.

**COMMITTEE SUBSTITUTE
HOUSE BILL 471 ON THIRD READING**

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 471** be placed on its third reading and final passage.

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

Nays: Hall.

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

HOUSE BILL 2754 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 2754** at this time on its second reading:

HB 2754, Relating to the issuance of specialty license plates for retired peace officers.

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 2754 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 2754** 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 1778 ON SECOND READING

On motion of Senator Alvarado and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1778** at this time on its second reading:

HB 1778, Relating to the issuance of specialty license plates to certain professional sports teams.

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 1778 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 **HB 1778** 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 3313 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **HB 3313** at this time on its second reading:

HB 3313, Relating to the use of certain lighting equipment on motorcycles and mopeds.

The motion prevailed.

Senators 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: Hughes, Middleton.

HOUSE BILL 3313 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 3313** 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, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Hughes, Middleton.

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

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Friday, May 19, 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:

HCR 34 Holland

Designating February 10 as Crossing Guard Appreciation Day for a 10-year period ending in 2033.

HCR 110 Burns

Designating October 5 as Texas Teachers' Day for a 10-year period ending in 2033.

HCR 112 Bell, Cecil

Directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to U.S. Army Sergeant Major Jerry L. Bell.

SB 3 Bettencourt Sponsor: Meyer

Relating to providing property tax relief through the public school finance system, exemptions, limitations on appraisals and taxes, and property tax administration.
(Committee Substitute/Amended)

SB 247 Alvarado Sponsor: Perez

Relating to specialty license plates issued for honorary consuls.

SB 261 Springer Sponsor: Ashby

Relating to titling and registration of assembled trailers.

SB 323 Huffman Sponsor: Kitzman

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

SB 629 Menéndez Sponsor: Talarico

Relating to the maintenance, administration, and disposal of opioid antagonists on public and private school campuses and to the permissible uses of money appropriated to a state agency from the opioid abatement account.
(Committee Substitute)

SB 1445 Paxton Sponsor: Goldman

Relating to the continuation and functions of the Texas Commission on Law Enforcement; authorizing a fee.
(Committee Substitute)

SB 1471 Bettencourt Sponsor: Noble

Relating to access by the Texas Education Agency and private schools to certain criminal history records.

SB 1677 Perry Sponsor: Price

Relating to the establishment and administration of Health and Human Services Commission programs providing mental health services to certain individuals in this state.
(Amended)

SB 2040 Springer Sponsor: Clardy

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

(Committee Substitute/Amended)

SB 2601 Hinojosa Sponsor: Canales
Relating to payment of costs related to the relocation of certain utility facilities for state highway projects.
(Amended)

SCR 13 West Sponsor: Dutton
Recognizing the Texas Black Reconstruction Legislators Recognition Act.

SCR 42 Hinojosa Sponsor: Herrero
Designating December 8 as Special Hearts Day for a 10-year period beginning in 2023.

SJR 64 West Sponsor: Talarico
Proposing a constitutional amendment authorizing 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.

Respectfully,

/s/Stephen Brown,

Chief Clerk

House of Representatives

HOUSE BILL 2170 ON SECOND READING

On motion of Senator Alvarado and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2170** at this time on its second reading:

HB 2170, Relating to toll collections by a toll project entity.

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 2170 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 **HB 2170** 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 2157 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 2157** at this time on its second reading:

HB 2157, Relating to the salary of certain employees who transfer within a state agency.

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 2157 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 2157** 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 3014 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 3014** at this time on its second reading:

HB 3014, Relating to the motor vehicle safety inspection of electric vehicles.

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 3014 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 3014** 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)

ACKNOWLEDGMENT

The President acknowledged the presence of the Honorable Dade Phelan, Speaker of the House of Representatives.

The Senate welcomed its guest.

HOUSE BILL ON FIRST READING

The following bill received from the House was read first time and referred to the committee indicated:

HB 213 to Committee on Criminal Justice.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Criminal Justice might meet and consider **HB 213** at 1:00 p.m. today in the Betty King Committee Room, 2E.20.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Perry and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Water, Agriculture, and Rural Affairs might meet and consider the following bills at 1:00 p.m. today in the Press Room, 2E.9: **HB 2947**, **HB 3361**, **HB 3419**.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Local Government might meet and consider the following bills at 1:00 p.m. today in the Betty King Committee Room, 2E.20: **HB 14**, **HB 5160**, **HB 5322**.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Schwertner and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Business and Commerce might meet at 1:00 p.m. today in the Press Room, 2E.9.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Kolkhorst and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Health and Human Services might meet and consider the following bills at 1:00 p.m. today in the Civil Rights Room, 3E.4: **HB 1105**, **HB 3824**, **HB 1667**.

RECESS

On motion of Senator Whitmire, the Senate at 12:44 p.m. recessed until 2:00 p.m. today.

AFTER RECESS

The Senate met at 2:22 p.m. and was called to order by Senator Flores.

HOUSE BILL 3288 ON SECOND READING

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **HB 3288** at this time on its second reading:

HB 3288, Relating to notice of transfer of a used motor vehicle.

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 3288 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 3288** be placed on its third reading and final passage.

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

Nays: Middleton.

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

SENATE RULE 5.14(a) SUSPENDED (Intent Calendar) (Motion In Writing)

Senator Hughes 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 8:00 p.m. today.

HUGHES

The Motion In Writing was read and prevailed without objection.

SENATE BILL 267 WITH HOUSE AMENDMENT

Senator King called **SB 267** 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 267** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to law enforcement agency accreditation, including a grant program to assist agencies in becoming accredited.

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

SECTION 1. Subchapter B, Chapter 403, Government Code, is amended by adding Section 403.0302 to read as follows:

Sec. 403.0302. LAW ENFORCEMENT AGENCY ACCREDITATION GRANT PROGRAM. (a) In this section, "law enforcement agency" has the meaning assigned by Section 1701.165, Occupations Code.

(b) The comptroller shall establish and administer a grant program to provide financial assistance for purposes of becoming accredited as required by the rules adopted under Section 1701.165, Occupations Code, to each law enforcement agency that employs fewer than 250 peace officers.

(c) To be eligible to receive a grant under this section, a law enforcement agency must have executed a contract with an accrediting entity described by Section 1701.165(b), Occupations Code, and complete an initial assessment by the accrediting entity.

(d) Based on the results of the initial assessment completed under Subsection (c), a law enforcement agency may request grant funds for reimbursement of an accreditation fee, staff overtime, or temporary staffing necessary to become accredited.

(e) Grant money provided under this section may only be used by a law enforcement agency for the purposes of becoming accredited. A law enforcement agency may not receive more than one grant under this section.

(f) The amount of a grant awarded under this section may not exceed \$30,000.

(g) The comptroller shall establish:

(1) eligibility criteria for grant applicants;

(2) grant application procedures;

(3) guidelines relating to grant amounts;

(4) procedures for evaluating grant applications, including prioritizing applications from law enforcement agencies employing fewer than 100 peace officers;

(5) procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant; and

(6) procedures for revoking a grant awarded under the program if the law enforcement agency is not accredited within the period specified by the rules adopted under Section 1701.165, Occupations Code.

(h) Not later than December 1 of each year, the comptroller shall submit to the Legislative Budget Board a report that provides the following information for the preceding state fiscal year:

(1) the name of each law enforcement agency that applied for a grant under this section; and

(2) the amount of money distributed to each law enforcement agency that received a grant under this section.

(i) The comptroller may use any revenue available for purposes of this section.

(j) Notwithstanding any other law or rule, beginning September 1, 2029, a law enforcement agency must be accredited as provided by the rules adopted under Section 1701.165, Occupations Code, to be eligible to receive any grant supporting law enforcement operations or equipment acquisition administered by the comptroller other than a grant under this section.

SECTION 2. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.165 to read as follows:

Sec. 1701.165. LAW ENFORCEMENT AGENCY ACCREDITATION. (a) In this section, "law enforcement agency" means:

(1) a law enforcement agency that employs at least 20 peace officers described by Article 2.12(1), (3), (4), (8), or (10), Code of Criminal Procedure, to answer emergency calls for service or conduct patrol operations, traffic enforcement, or criminal investigations; or

(2) a school district police department.

(b) The commission shall adopt rules requiring each law enforcement agency to become accredited and maintain accreditation:

(1) through the Texas Police Chiefs Association Law Enforcement Agency Best Practices Accreditation Program;

(2) by the Commission on Accreditation for Law Enforcement Agencies, Inc.;

(3) by the International Association of Campus Law Enforcement Administrators;

(4) by an accreditation program developed by the Sheriffs' Association of Texas; or

(5) by an association or organization designated by the commission as provided by Subsection (e).

(c) The rules adopted under Subsection (b) must require a law enforcement agency that is not already accredited to:

(1) execute a contract with an approved accrediting entity not later than September 1, 2027; and

(2) become accredited not later than September 1, 2029.

(d) The commission shall implement a program to assist law enforcement agencies in becoming accredited as required by the rules adopted under Subsection (b).

(e) The commission shall periodically review associations and organizations that establish standards of practice for law enforcement agencies and that offer accreditation to agencies that meet those standards. On a majority vote of the commission that accreditation of law enforcement agencies in this state by an association or organization would benefit public safety, the commission may designate the association or organization as an accrediting entity for purposes of Subsection (b)(5).

(f) A law enforcement agency shall annually report the agency's accreditation status, including the applicable accrediting entity described by Subsection (b), to the commission.

(g) The commission shall post on the commission's Internet website a list of all law enforcement agencies that are currently accredited or under contract with an accrediting entity as described by Subsection (b).

SECTION 3. (a) Not later than December 1, 2023, the Texas Commission on Law Enforcement shall adopt the rules required by Section 1701.165, Occupations Code, as added by this Act.

(b) Not later than January 1, 2024, the comptroller shall establish the grant program required by Section 403.0302, Government Code, as added by this Act.

SECTION 4. 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 King moved to concur in the House amendment to **SB 267**.

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

Nays: Sparks.

SENATE BILL 1246 WITH HOUSE AMENDMENT

Senator Huffman called **SB 1246** 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 1246** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Sections 404.0241(b) and (d), Government Code, are amended to read as follows:

(b) At least 10 percent [~~one-quarter~~] of the economic stabilization fund balance must be invested in a manner that ensures the liquidity of that amount.

(d) The comptroller shall adjust the investment of economic stabilization fund money periodically as necessary to ensure that:

(1) at all times at least 10 percent [~~one-quarter~~] of the balance of the economic stabilization fund is invested in a manner that ensures the liquidity of that amount; and

(2) the balance of the economic stabilization fund is sufficient to meet the cash flow requirements of the fund.

The amendment was read.

Senator Huffman moved to concur in the House amendment to **SB 1246**.

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

SENATE BILL 621 WITH HOUSE AMENDMENT

Senator Parker called **SB 621** 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 621** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to the position of chief information security officer in the Department of Information Resources.

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

SECTION 1. Subchapter N-1, Chapter 2054, Government Code, is amended by adding Section 2054.510 to read as follows:

Sec. 2054.510. CHIEF INFORMATION SECURITY OFFICER. (a) In this section, "state information security program" means the policies, standards, procedures, elements, structure, strategies, objectives, plans, metrics, reports, services, and resources that establish the information resources security function for this state.

(b) The executive director, using existing funds, shall employ a chief information security officer.

(c) The chief information security officer shall oversee cybersecurity matters for this state including:

(1) implementing the duties described by Section 2054.059;

(2) responding to reports received under Section 2054.1125;

(3) developing a statewide information security framework;

(4) overseeing the development of statewide information security policies and standards;

(5) collaborating with state agencies, local governmental entities, and other entities operating or exercising control over state information systems or state-controlled data to strengthen this state's cybersecurity and information security policies, standards, and guidelines;

(6) overseeing the implementation of the policies, standards, and guidelines developed under Subdivisions (3) and (4);

(7) providing information security leadership, strategic direction, and coordination for the state information security program;

(8) providing strategic direction to:

(A) the network security center established under Section 2059.101;

and

(B) statewide technology centers operated under Subchapter L; and

(9) overseeing the preparation and submission of the report described by Section 2054.0591.

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

The amendment was read.

Senator Parker moved to concur in the House amendment to **SB 621**.

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

SENATE BILL 780 WITH HOUSE AMENDMENT

Senator Hughes called **SB 780** 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 on Third Reading

Amend **SB 780** on third reading in SECTION 1 of the bill as follows:

- (1) In the recital, strike "(3), (4), and (5)" and substitute "(3) and (4)".
- (2) In amended Section 262.301(1)(D)(ii), Family Code, immediately following the underlined semicolon, insert "or".
- (3) Strike added Sections ~~262.301~~(1)(E) and (F), Family Code, and substitute the following:

(E) a fire department.

- (4) Strike added Section 262.301(4), Family Code, and renumber subsequent subdivisions of the section accordingly.

The amendment was read.

Senator Hughes moved to concur in the House amendment to **SB 780**.

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

SENATE BILL 944 WITH HOUSE AMENDMENT

Senator Kolkhorst called **SB 944** 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 944** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to the commitment order for individuals with intellectual disabilities who are committed to state supported living centers.

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

SECTION 1. The heading to Section 593.013, Health and Safety Code, is amended to read as follows:

Sec. 593.013. ~~[REQUIREMENT OF]~~ INTERDISCIPLINARY TEAM RECOMMENDATION.

SECTION 2. Section 593.013(a), Health and Safety Code, is amended to read as follows:

(a) Except as provided by Section 593.0511, a [A] person may not be admitted or committed to a residential care facility unless an interdisciplinary team recommends that placement.

SECTION 3. Section 593.041(d), Health and Safety Code, is amended to read as follows:

(d) Except as provided by Section 593.0511, a [A] person may not be committed to the department for placement in a residential care facility under this subchapter unless a report by an interdisciplinary team recommending the placement has been completed during the six months preceding the date of the court hearing on the

application. If the report and recommendations have not been completed or revised during that period, the court shall order the report and recommendations on receiving the application.

SECTION 4. Section 593.050(d), Health and Safety Code, is amended to read as follows:

(d) The Texas Rules of Evidence apply. The results of the determination of an intellectual disability and the current interdisciplinary team report and recommendations, except in the case of a long-term placement under Section 593.0511, shall be presented in evidence.

SECTION 5. Subchapter C, Chapter 593, Health and Safety Code, is amended by adding Section 593.0511 to read as follows:

Sec. 593.0511. LONG-TERM PLACEMENT WITHOUT INTERDISCIPLINARY TEAM RECOMMENDATION. A court may commit a proposed resident to long-term placement in a residential care facility without an interdisciplinary team recommendation under Section 593.013 if the court determines beyond a reasonable doubt that the proposed resident meets the requirements for commitment to a residential care facility under Section 593.052.

SECTION 6. Section 593.052(a), Health and Safety Code, is amended to read as follows:

(a) A proposed resident may not be committed to a residential care facility unless:

(1) the proposed resident is a person with an intellectual disability;

(2) a petition to the court to issue a commitment order by the guardian of the proposed resident or, if the proposed resident is a minor, the parent of the proposed resident or the current interdisciplinary team report and recommendations, if applicable, show [evidence is presented showing] that because of the proposed resident's intellectual disability, the proposed resident:

(A) represents a substantial risk of physical impairment or injury to the proposed resident or others; or

(B) is unable to provide for and is not providing for the proposed resident's most basic personal physical needs;

(3) the proposed resident cannot be adequately and appropriately habilitated in an available, less restrictive setting; and

(4) the residential care facility provides habilitative services, care, training, and treatment appropriate to the proposed resident's needs.

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

The amendment was read.

Senator Kolkhorst moved to concur in the House amendment to **SB 944**.

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

SENATE BILL 1849 WITH HOUSE AMENDMENT

Senator Kolkhorst called **SB 1849** 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 1849** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to an interagency reportable conduct search engine, standards for a person's removal from the employee misconduct registry and eligibility for certification as certain Texas Juvenile Justice Department officers and employees, and the use of certain information by certain state agencies to conduct background checks.

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

SECTION 1. Sections 22.094(a), (b), and (e), Education Code, are amended to read as follows:

(a) A person described by Section 22.093(b) and who is the subject of a report that alleges misconduct described by Section 22.093(c)(1)(A) or (B) or who is identified as having engaged in that misconduct using the interagency reportable conduct search engine established under Chapter 810, Health and Safety Code, is entitled to a hearing on the merits of the allegations of misconduct under the procedures provided by Chapter 2001, Government Code, to contest the allegation in the report or search engine.

(b) On receiving a report filed under Section 22.093(f) or making an identification described by Subsection (a), the commissioner shall promptly send to the person who is the subject of the report or identification a notice that includes:

(1) a statement informing the person that the person must request a hearing on the merits of the allegations of misconduct within the period provided by Subsection (c);

(2) a request that the person submit a written response within the period provided by Subsection (c) to show cause why the commissioner should not pursue an investigation; and

(3) a statement informing the person that if the person does not timely submit a written response to show cause as provided by Subdivision (2), the agency shall provide information indicating the person is under investigation in the manner provided by Subsection (d).

(e) If a person entitled to a hearing under Subsection (a) does not request a hearing as provided by Subsection (c), the commissioner shall:

(1) based on the report filed under Section 22.093(f) or the identification described by Subsection (a), make a determination whether the person engaged in misconduct; and

(2) if the commissioner determines that the person engaged in misconduct described by Section 22.093(c)(1)(A) or (B), instruct the agency to add the person's name to the registry maintained under Section 22.092.

SECTION 2. Section 253.010, Health and Safety Code, is amended to read as follows:

Sec. 253.010. REMOVAL FROM REGISTRY. (a) The Health and Human Services Commission [~~department~~] may remove a person from the employee misconduct registry if, after receiving a written request from the person, the commission [~~department~~] determines that the person does not meet the requirements for inclusion in the employee misconduct registry.

(b) The executive commissioner by rule may establish:

(1) criteria for a person to submit a request for removal under Subsection (a); and

(2) a process for the Health and Human Services Commission to determine whether the person meets the requirements for inclusion in the employee misconduct registry.

SECTION 3. Title 9, Health and Safety Code, is amended by adding Subtitle D to read as follows:

SUBTITLE D. INTERAGENCY SAFETY INITIATIVES

CHAPTER 810. INTERAGENCY REPORTABLE CONDUCT SEARCH ENGINE

Sec. 810.001. DEFINITIONS. In this chapter:

(1) "Client" means a child, an individual with a disability, or an elderly individual receiving services or care from a participating state agency, a designated user, or a facility or entity that is licensed, certified, or otherwise regulated by a participating state agency.

(2) "Department" means the Department of Information Resources.

(3) "Designated user" means a person designated by the department or a participating state agency under Section 810.004 to use the search engine.

(4) "License" has the meaning assigned by Section 2001.003, Government Code.

(5) "Participating state agency" means a state agency listed in Section 810.002.

(6) "Reportable conduct" means a participating state agency's determination:

(A) that an individual engaged in abuse, neglect, exploitation, or misconduct; and

(B) for which the agency has:

(i) provided any required notice or opportunity to contest the determination; and

(ii) issued a final determination.

(7) "Search engine" means the interagency reportable conduct search engine established under this chapter.

Sec. 810.002. APPLICABILITY. This chapter applies to the following state agencies:

(1) the Department of Family and Protective Services;

(2) the Health and Human Services Commission;

(3) the Texas Education Agency; and

(4) the Texas Juvenile Justice Department.

Sec. 810.003. ESTABLISHMENT OF INTERAGENCY REPORTABLE CONDUCT SEARCH ENGINE. (a) The department, in collaboration with each participating state agency, shall establish an interagency reportable conduct search engine for persons to search information on reportable conduct in accordance with this chapter and rules adopted under this chapter maintained by:

(1) the Department of Family and Protective Services in the central registry established under Section 261.002, Family Code;

(2) the Health and Human Services Commission in the employee misconduct registry established under Chapter 253;

(3) the Texas Education Agency in the registry established under Section 22.092, Education Code; and

(4) the Texas Juvenile Justice Department in the integrated certification information system and in any informal list the Texas Juvenile Justice Department maintains.

(b) The department shall ensure the search engine results are machine-readable and accessible to each participating state agency and designated users in accordance with this chapter for the purpose of identifying individuals who may be ineligible for employment, a contract, certification, or licensure based on reportable conduct.

Sec. 810.004. ELIGIBILITY TO ACCESS SEARCH ENGINE; USER CREDENTIALS. (a) The executive head of each participating state agency shall designate agency employees or contractors who are eligible to access the search engine and the agency's automation systems to determine whether an individual has engaged in reportable conduct.

(b) In addition to the eligible individuals described by Subsection (a), each participating state agency shall designate additional users who are eligible to access the search engine and may require those users to determine whether an individual has engaged in reportable conduct. The additional designated users may include controlling persons, hiring managers, or administrators of:

(1) licensed or certified long-term care providers, including:

(A) home and community support services agencies licensed under

Chapter 142;

(B) nursing facilities licensed under Chapter 242;

(C) assisted living facilities licensed under Chapter 247;

(D) prescribed pediatric extended care centers licensed under Chapter

248A;

(E) intermediate care facilities for individuals with an intellectual disability licensed under Chapter 252;

(F) state supported living centers, as defined by Section 531.002; and

(G) day activity and health services facilities licensed under Chapter

103, Human Resources Code;

(2) providers under a Section 1915(c) waiver program, as defined by Section 531.001, Government Code;

(3) juvenile probation departments and registered juvenile justice facilities;

(4) independent school districts, districts of innovation, open-enrollment charter schools, other charter entities, as defined by Section 21.006, Education Code, regional education service centers, education shared services arrangements, or any other educational entity or provider that is authorized to access the registry established under Section 22.092, Education Code;

(5) private schools that:

(A) offer a course of instruction for students in this state in one or more grades from prekindergarten through grade 12; and

(B) are:

(i) accredited by an organization recognized by the Texas Education Agency or the Texas Private School Accreditation Commission;

(ii) listed in the database of the National Center for Education Statistics of the United States Department of Education; or

(iii) otherwise authorized by Texas Education Agency rule to access the search engine; and

(6) nonprofit teacher organizations approved by the commissioner of education for the purpose of participating in the tutoring program established under Section 33.913, Education Code.

(c) The department and each participating state agency shall develop a process to issue user credentials to each designated user that authorizes the user to access the search engine. The process must require the revocation of user credentials for a person who is no longer eligible to access the search engine.

Sec. 810.005. INFORMATION ACCESSIBLE THROUGH SEARCH ENGINE; ADDITIONAL INFORMATION SHARING. (a) For each individual identified by a participating state agency as having engaged in reportable conduct, the search engine results for that individual must include:

(1) the individual's full name;

(2) at least one of the following:

(A) the individual's date of birth; or

(B) the last four digits of the individual's social security number;

(3) at least one of the following:

(A) information relevant to determining whether the individual is eligible for employment, a contract, certification, or licensure; or

(B) the type or a description of the reportable conduct;

(4) any available date on which:

(A) the reportable conduct occurred; or

(B) a final determination was issued on the reportable conduct; and

(5) the participating state agency that maintains the reportable conduct information.

(b) An individual who engaged in reportable conduct that requires the individual's inclusion in search engine results is not entitled to notice or an opportunity for a hearing before the individual's information is included in the search engine results or shared with the department, a participating state agency, or a designated user in accordance with this chapter and rules adopted under this chapter.

(c) A participating state agency may share with other participating agencies additional information on an individual included in search engine results to supplement the information contained in those results for purposes authorized under this chapter.

Sec. 810.006. REQUIRED SEARCH QUERY AND USE OF SEARCH ENGINE RESULTS. (a) Each participating state agency and designated user shall conduct a search query using the search engine to determine whether an individual who may have access to a client has engaged in reportable conduct and, if the individual has engaged in reportable conduct, whether the individual is ineligible for:

(1) employment, a volunteer position, or a contract with the agency, the user, or a facility or entity licensed, certified, or otherwise regulated by the agency; or

(2) licensure or certification by the agency in a profession or for the operation of a facility or entity that the agency regulates.

(b) A participating state agency's or designated user's determination under Subsection (a) that an individual is ineligible for employment, a volunteer position, a contract, a license, or a certification must be based on standards authorized or required by law, including agency rules.

(c) A participating state agency or designated user must conduct a search query required under Subsection (a) before the agency or user employs, places in a volunteer position, enters into a contract with, or issues a license or certification to an individual. Each participating state agency by rule shall establish procedures for conducting periodic search queries using the search engine to monitor whether an individual the agency or a designated user employs, places in a volunteer position, contracts with, or issues a license or certification to engages in reportable conduct.

(d) Each participating state agency, including the Texas Education Agency in collaboration with the State Board for Educator Certification, by rule may:

(1) authorize an individual who is determined to have engaged in reportable conduct to be employed or placed in a volunteer position by, enter into a contract with, or receive a license or certification from the agency or a designated user in accordance with standards prescribed by agency rules and as otherwise permitted by law; and

(2) prescribe the manner in which information contained in search engine results may be used based on:

(A) the nature of the reportable conduct;

(B) the date the reportable conduct occurred;

(C) the severity of the reportable conduct; and

(D) any other factors the agency determines necessary.

(e) Notwithstanding any provision of this chapter, a private school is not required to conduct search queries using the search engine for the purposes described by this chapter.

Sec. 810.007. NOTICE AND HEARING. (a) A participating state agency or designated user that does not enter into a contract with or issue a license or certification to an individual based on a determination of the individual's ineligibility under Section 810.006 shall notify the individual of that determination.

(b) Each participating state agency may provide an individual to whom notice is provided under this section an opportunity for a hearing regarding the determination of the individual's ineligibility under Section 810.006 on the individual's written request. The hearing must be conducted in accordance with Chapter 2001, Government Code.

(c) Notwithstanding any other law, in a hearing conducted under this section a participating state agency:

(1) is not required to prove that an individual engaged in reportable conduct; and

(2) must prove by a preponderance of the evidence that an individual is ineligible under Section 810.006.

Sec. 810.008. OFFICE OF INTERAGENCY COORDINATION ON REPORTABLE CONDUCT. (a) The Office of Interagency Coordination on Reportable Conduct is established within the Department of Family and Protective Services to facilitate:

(1) coordination among the department and each participating state agency in administering this chapter; and

(2) communication between the department, each participating state agency, designated users, interested persons, and the public regarding any relevant search engine information.

(b) The Department of Family and Protective Services, in collaboration with the department and each other participating state agency, shall adopt rules on the establishment and operation of the Office of Interagency Coordination on Reportable Conduct.

Sec. 810.009. MEMORANDUM OF UNDERSTANDING. The department and each participating state agency shall enter into a memorandum of understanding on the implementation and administration of this chapter. The memorandum must specify each agency's roles and duties with respect to establishing and maintaining the search engine.

Sec. 810.010. CONFIDENTIALITY. Information contained in search engine results and additional information shared by a participating state agency under Section 810.005(c), including documents, is confidential and not subject to disclosure under Chapter 552, Government Code.

SECTION 4. Section 42.056(b), Human Resources Code, is amended to read as follows:

(b) The department shall conduct background checks using:

(1) the information provided under Subsection (a);

(2) the information made available by the Department of Public Safety under Section 411.114, Government Code, or by the Federal Bureau of Investigation or other criminal justice agency under Section 411.087, Government Code;

(3) the department's records of reported abuse and neglect; ~~and~~

(4) any other registry, repository, or database required by federal law;

(5) any information provided by the Texas Juvenile Justice Department under a memorandum of understanding; and

(6) the interagency reportable conduct search engine established under Chapter 810, Health and Safety Code.

SECTION 5. Section 42.159(c), Human Resources Code, is amended to read as follows:

(c) The department shall conduct background and criminal history checks using:

(1) the information provided under Subsection (a) or (b), as applicable;

(2) the information made available by the Department of Public Safety under Section 411.114, Government Code, or by the Federal Bureau of Investigation or other criminal justice agency under Section 411.087, Government Code; ~~and~~

(3) the department's records of reported abuse and neglect;

(4) any information provided by the Texas Juvenile Justice Department under a memorandum of understanding; and

(5) the interagency reportable conduct search engine established under Chapter 810, Health and Safety Code.

SECTION 6. Section 42.206(c), Human Resources Code, is amended to read as follows:

(c) The department shall conduct background and criminal history checks using:

(1) the information provided under Subsection (a) or (b), as applicable;

(2) the information made available by the Department of Public Safety under Section 411.114, Government Code, or by the Federal Bureau of Investigation or another criminal justice agency under Section 411.087, Government Code; ~~and~~

(3) the department's records of reported abuse and neglect;

(4) any information provided by the Texas Juvenile Justice Department under a memorandum of understanding; and

(5) the interagency reportable conduct search engine established under Chapter 810, Health and Safety Code.

SECTION 7. The heading to Section 222.053, Human Resources Code, is amended to read as follows:

Sec. 222.053. REVOCATION OR SUSPENSION OF CERTIFICATION OR PROVISIONAL CERTIFICATION.

SECTION 8. Section 222.053, Human Resources Code, is amended by adding Subsection (f) to read as follows:

(f) In this section, "certification" includes a provisional certification.

SECTION 9. Subchapter B, Chapter 222, Human Resources Code, is amended by adding Section 222.054 to read as follows:

Sec. 222.054. CERTIFICATION OR PROVISIONAL CERTIFICATION INELIGIBILITY. (a) In this section, "certification" includes a provisional certification.

(b) The department may designate as permanently ineligible for certification under this chapter an individual who has been terminated from employment with the department for engaging in conduct that demonstrates the individual is not suitable for certification under this chapter.

(c) The executive director may convene, in person or telephonically, a panel of three board members to determine if a former department employee's continued eligibility to obtain a certification under this chapter threatens juveniles in the juvenile justice system. If the panel determines an individual's eligibility for certification threatens juveniles in the juvenile justice system, the department shall temporarily designate the individual as ineligible for certification until an administrative hearing is held under Subsection (d). The hearing must be held as soon as possible following the temporary designation. The executive director may convene a panel under this subsection only if the danger posed by the person's continued eligibility for certification is imminent. The panel may hold a telephonic meeting only if immediate action is required and convening the panel at one location is inconvenient for any member of the panel.

(d) A person is entitled to a hearing before the State Office of Administrative Hearings if the department proposes to designate a person as permanently ineligible for certification.

(e) A person may appeal a ruling or order issued under this section to a district court in the county in which the person resides or in Travis County. The standard of review is under the substantial evidence rule.

SECTION 10. (a) In this section, "search engine" means the interagency reportable conduct search engine established under Chapter 810, Health and Safety Code, as added by this Act.

(b) As soon as practicable after the effective date of this Act, the Department of Information Resources shall collaborate with the Department of Family and Protective Services, the Health and Human Services Commission, the Texas Education Agency, and the Texas Juvenile Justice Department to establish the search engine as required by Chapter 810, Health and Safety Code, as added by this Act.

(c) The establishment of the search engine may take place in phases in accordance with an implementation plan developed by the state agencies listed under Subsection (b) of this section in collaboration with the Office of Interagency Coordination on Reportable Conduct established under Section 810.008, Health and Safety Code, as added by this Act. The implementation plan may include a pilot phase.

(d) At the conclusion of the implementation plan described by Subsection (c) of this section, each state agency and other persons authorized to use the search engine shall use the search engine as required by Chapter 810, Health and Safety Code, as added by this Act.

SECTION 11. As soon as practicable after the effective date of this Act, the commissioner of the Department of Family and Protective Services, the executive commissioner of the Health and Human Services Commission, the commissioner of education, and the Texas Juvenile Justice Board shall adopt rules as necessary to implement the changes in law made by this Act.

SECTION 12. This Act takes effect September 1, 2023.

The amendment was read.

Senator Kolkhorst moved to concur in the House amendment to **SB 1849**.

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

SENATE BILL 576 WITH HOUSE AMENDMENT

Senator Menéndez called **SB 576** 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 576** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to the reporting, investigation, and prosecution of the criminal offense of financial abuse of an elderly individual.

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

SECTION 1. Section 48.1522(a), Human Resources Code, is amended to read as follows:

(a) Except as provided by Subsection (b), if during the course of the department's or another state agency's investigation of reported abuse, neglect, or exploitation, including an investigation of reported abuse, neglect, or exploitation under Subchapter F, a caseworker of the department or other state agency, as applicable, or the caseworker's supervisor has cause to believe that the elderly person or person with a disability has been abused, neglected, or exploited by another person in a manner that constitutes a criminal offense under any law, including Sections [Section] 22.04 and 32.55, Penal Code, the caseworker or supervisor shall:

(1) immediately notify an appropriate law enforcement agency, unless the law enforcement agency reported the alleged abuse, neglect, or exploitation to the department; and

(2) provide the law enforcement agency with a copy of the investigation report of the department or other state agency, as applicable, in a timely manner.

SECTION 2. Subchapter F, Chapter 48, Human Resources Code, is amended by adding Section 48.2535 to read as follows:

Sec. 48.2535. FORWARDING CERTAIN REPORTS OF CRIMINAL CONDUCT TO LAW ENFORCEMENT. On receipt by the department of a report of alleged abuse or exploitation under this subchapter that the department believes constitutes an offense under Section 32.55, Penal Code, the department shall immediately notify an appropriate law enforcement agency, regardless of whether the report alleges conduct that constitutes abuse or exploitation for purposes of this subchapter.

SECTION 3. Section 32.55, Penal Code, is amended by adding Subsection (f) to read as follows:

(f) There is a rebuttable presumption that any transfer, appropriation, or use of an elderly individual's money or other property by a person described by Subsection (b)(5) is wrongful for purposes of Subsection (a)(2) or (3) if it is shown on the trial of the offense that the actor knew or should have known that, at the time of the offense, the elderly individual had been diagnosed with dementia, Alzheimer's disease, or a related disorder.

SECTION 4. Section 48.2535, Human Resources Code, as added by this Act, applies only to a report received by the Department of Family and Protective Services on or after the effective date of this Act.

SECTION 5. Section 32.55(f), Penal Code, as added 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 6. This Act takes effect September 1, 2023.

The amendment was read.

Senator Menéndez moved to concur in the House amendment to **SB 576**.

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

SENATE BILL 975 WITH HOUSE AMENDMENT

Senator Menéndez called **SB 975** 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 975** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to the procedures for the issuance of a personal identification certificate to a person whose driver's license is surrendered.

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

SECTION 1. Section 521.101(m), Transportation Code, is amended to read as follows:

(m) The department shall adopt procedures for the issuance of a personal identification certificate to a person who surrenders the person's driver's license at the time of applying for the certificate. The procedures:

(1) must be in compliance with federal guidelines governing the issuance of identification documents;

(2) may require the person issued a personal identification certificate to update information previously provided to the department under Section 521.142; ~~and~~

(3) except as provided by Subdivision (2), may not require a person to provide additional identification documents unless required for compliance with federal guidelines described by Subdivision (1); and

(4) must require that the person issued a personal identification certificate

be:

(A) notified that the person's voter registration information will need to be updated to include the identification number of the newly issued certificate; and

(B) provided an opportunity to update the person's voter registration information at the time of applying for the certificate to include the identification number of the newly issued certificate.

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

The amendment was read.

Senator Menéndez moved to concur in the House amendment to **SB 975**.

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

SENATE BILL 2139 WITH HOUSE AMENDMENT

Senator Parker called **SB 2139** 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 2139** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED
AN ACT

relating to the establishment of the Opportunity High School Diploma program.

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

SECTION 1. Chapter 130, Education Code, is amended by adding Subchapter O to read as follows:

SUBCHAPTER O. OPPORTUNITY HIGH SCHOOL DIPLOMA PROGRAM

Sec. 130.451. DEFINITIONS. In this subchapter:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "General academic teaching institution" has the meaning assigned by Section 61.003.

(3) "Program," unless the context indicates otherwise, means the Opportunity High School Diploma program established under this subchapter.

Sec. 130.452. PURPOSE. The purpose of the program is to provide an alternative means by which adult students enrolled in a workforce education program at a public junior college may earn a high school diploma at the college through concurrent enrollment in a competency-based education program that enables students to demonstrate knowledge substantially equivalent to the knowledge required to earn a high school diploma in this state.

Sec. 130.453. ADMINISTRATION. The coordinating board shall administer the program in consultation with the Texas Education Agency and the Texas Workforce Commission.

Sec. 130.454. APPROVAL OF ALTERNATIVE HIGH SCHOOL DIPLOMA PROGRAM. (a) A public junior college may submit to the coordinating board an application to participate in the program. The application must propose an alternative competency-based high school diploma program to be offered for concurrent enrollment to adult students without a high school diploma who are enrolled in a workforce education program at the college. The proposed program may include any combination of instruction, curriculum, achievement, internships, or other means by which a student may attain knowledge sufficient to adequately prepare the student for postsecondary education or additional workforce education.

(b) A public junior college may submit an application under Subsection (a) together with one or more public junior colleges, general academic teaching institutions, public school districts, or nonprofit organizations with whom the proposed program described by that subsection will be offered as provided by Subsection (e).

(c) The coordinating board may approve not more than five public junior colleges to participate in the program.

(d) Subject to Subsection (c), the coordinating board shall review and approve a public junior college's application to participate in the program if the board determines that the college's proposed program described by Subsection (a) will provide instruction and assessments appropriate to ensure that a student who

successfully completes the proposed program demonstrates levels of knowledge sufficient to adequately prepare the student for postsecondary education or additional workforce education. The coordinating board may coordinate with the Texas Education Agency as necessary to make a determination under this subsection.

(e) A public junior college approved to participate in the program may:

(1) enter into an agreement with one or more public junior colleges, general academic teaching institutions, public school districts, or nonprofit organizations to offer the program described by Subsection (a); and

(2) offer the program described by Subsection (a) at any campus of the college or an entity with which the college has entered into an agreement under Subdivision (1).

Sec. 130.455. AWARD OF HIGH SCHOOL DIPLOMA. (a) A public junior college participating in the program may award a high school diploma to a student enrolled in the alternative competency-based high school diploma program offered by the college under the program if the student performs satisfactorily on assessment instruments prescribed by coordinating board rule.

(b) A high school diploma awarded under the program is equivalent to a high school diploma awarded under Section 28.025.

Sec. 130.456. FUNDING. (a) The coordinating board and the Texas Workforce Commission shall coordinate to jointly identify funding mechanisms, including grants, interagency contracts, financial aid, or subsidies, available to public junior colleges and students to encourage and facilitate participation in the program.

(b) A public junior college participating in the program is entitled to receive funding under Section 130.003 for the program in the manner provided by coordinating board rule.

Sec. 130.457. REPORT. Not later than December 1, 2026, the coordinating board shall submit to the legislature a progress report on the effectiveness of the program and any recommendations for legislative or other action. This section expires September 1, 2027.

Sec. 130.458. RULES. The coordinating board may adopt rules as necessary to implement this subchapter.

SECTION 2. 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 2139**.

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

COMMITTEE SUBSTITUTE HOUSE BILL 90 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 90** at this time on its second reading:

CSHB 90, Relating to benefits for certain members of the Texas military forces and survivors of members of the Texas military forces.

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 90 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 90** 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 4742 ON SECOND READING

Senator LaMantia moved to suspend the regular order of business to take up for consideration **HB 4742** at this time on its second reading:

HB 4742, Relating to a study by the Texas Water Development Board of issues faced by communities with artificial drainage systems.

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 4742 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 4742** 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 2002 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 2002** at this time on its second reading:

HB 2002, Relating to preferred provider benefit plan out-of-pocket expense credits for payments made by an insured directly to a physician or health care provider.

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 2002 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 2002** 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 3536 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 3536** at this time on its second reading:

HB 3536, Relating to a commercial landlord's remedies regarding certain unlawful activities on the premises of commercial rental property.

The bill was read second time.

Senator Paxton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3536** (senate committee report) in SECTION 1 of the bill, amending Section 93.013(a), Property Code, by striking added Subdivision (3) of that subsection (page 1, lines 39 through 44) and substituting the following:

(3) operating, maintaining, or advertising a massage establishment, as defined by Section 455.001, Occupations Code, that:

(A) is not exempt from licensing requirements under state or federal law and:

(i) has never been issued a license by the Texas Department of Licensing and Regulation; or

(ii) the license for which was suspended, revoked, or refused renewal by the Texas Department of Licensing and Regulation after the establishment obtained a right of possession in the leased premises; or

(B) was issued a citation, administrative penalty, civil penalty, or other civil or criminal sanction for:

(i) violating a local ordinance that relates to an offense listed in Subdivision (1) or (2) of this subsection;
(ii) operating a sexually oriented business; or
(iii) violating Section 455.202, Occupations Code.

The amendment to **HB 3536** 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 3536 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 3536 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 3536** 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 3132 ON SECOND READING

On motion of Senator Eckhardt and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3132** at this time on its second reading:

HB 3132, Relating to an optional designation on a driver's license or personal identification certificate indicating that a person is deaf or hard of hearing.

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 3132 ON THIRD READING

Senator Eckhardt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3132** 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 3311 ON SECOND READING

On motion of Senator Middleton and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3311** at this time on its second reading:

HB 3311, Relating to the process of selecting representatives of the insurance industry to serve on the board of directors of the Texas Windstorm Insurance Association.

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 3311 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 **HB 3311** 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 4844 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 4844** at this time on its second reading:

HB 4844, Relating to the use of a broker for the sale of real property by the Nueces County Hospital 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 4844 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 4844** 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 3323 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **HB 3323** at this time on its second reading:

HB 3323, Relating to food system security and resiliency planning.

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

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

Nays: Campbell, Creighton, Hall, Hancock, Hughes, King, Kolkhorst, Middleton, Parker, Schwertner.

The bill was read second time.

Senator West offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3323** (senate committee report) as follows:

(1) In SECTION 1 of the bill, strike added Section 23.005, Agriculture Code (page 3, lines 1 through 40).

(2) In SECTION 1 of the bill, strike added Section 23.006(a), Agriculture Code (page 3, lines 41 through 46), and substitute the following:

(a) The department shall report to the legislature biannually on the activities of the office and council. The report must contain a description of the activities of the council under this chapter.

(3) Strike SECTION 4 of the bill (page 3, line 66, through page 4, line 2).

(4) Renumber the SECTIONS of the bill and the provisions of added Chapter 23, Agriculture Code, and conform any references to those provisions as appropriate.

The amendment to **HB 3323** 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 3323 as amended was passed to third reading by the following vote: Yeas 21, Nays 10.

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

Nays: Campbell, Creighton, Hall, Hancock, Hughes, King, Kolkhorst, Middleton, Parker, Schwertner.

**COMMITTEE SUBSTITUTE
HOUSE BILL 527 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSHB 527** at this time on its second reading:

CSHB 527, Relating to exemption of certain civil actions from being subject to a motion to dismiss on the basis of involving the exercise of certain constitutional rights.

The motion prevailed.

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

The bill was read second time and was passed to 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, Schwertner.

**COMMITTEE SUBSTITUTE
HOUSE BILL 527 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 **CSHB 527** be placed on its third reading and final passage.

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

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

Nays: Hall, Schwertner.

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

HOUSE BILL 2876 ON SECOND READING

On motion of Senator Alvarado and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2876** at this time on its second reading:

HB 2876, Relating to the issuance of specialty license plates for industrial firefighters; authorizing a fee.

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 2876 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 **HB 2876** 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 3323 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 3323** be placed on its third reading and final passage:

HB 3323, Relating to food system security and resiliency planning.

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

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

Nays: Campbell, Creighton, Hall, Hancock, Hughes, Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 10.

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

Nays: Campbell, Creighton, Hall, Hancock, Hughes, King, Kolkhorst, Middleton, Parker, Schwertner.

HOUSE BILL 2071 ON SECOND READING

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **HB 2071** at this time on its second reading:

HB 2071, Relating to certain public facilities used to provide affordable housing.

The motion prevailed.

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

The bill was read second time.

Senator Bettencourt offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2071** (senate committee report) by striking all below the enacting clause (page 1, line 22 through page 9, line 17) and substituting the following:

SECTION 1. Section 303.021, Local Government Code, is amended by adding Subsection (d) to read as follows:

(d) A corporation or a sponsor may finance, own, or operate a multifamily residential development only if:

(1) the corporation or sponsor complies with all applicable provisions of this chapter; and

(2) the development is located:

(A) inside the area of operation of the sponsor, if the sponsor is a housing authority; or

(B) if the sponsor is not a housing authority, inside the boundaries of the sponsor, without regard to whether the sponsor is authorized to own property or provide services outside the boundaries of the sponsor.

SECTION 2. Subchapter B, Chapter 303, Local Government Code, is amended by adding Section 303.0415 to read as follows:

Sec. 303.0415. APPLICABILITY OF LAWS RELATING TO CONFLICT OF INTEREST. A member of the board of a corporation or a member of the governing body of a sponsor of a corporation is subject to the same restrictions as a local public official under Chapter 171.

SECTION 3. The heading to Section 303.042, Local Government Code, is amended to read as follows:

Sec. 303.042. TAXATION; EXEMPTION.

SECTION 4. Subchapter B, Chapter 303, Local Government Code, is amended by adding Section 303.0421, and a heading is added to that section to read as follows:

Sec. 303.0421. MULTIFAMILY RESIDENTIAL DEVELOPMENTS OWNED BY PUBLIC FACILITY CORPORATIONS.

SECTION 5. Section 303.0421, Local Government Code, as added by this Act, is amended by adding Subsections (a), (c), (d), (g), (h), and (i) to read as follows:

(a) This section applies to a multifamily residential development that is owned by a corporation created under this chapter, except that this section does not apply to a multifamily residential development that:

(1) has at least 20 percent of its residential units reserved for public housing units;

(2) participates in the Rental Assistance Demonstration program administered by the United States Department of Housing and Urban Development;

(3) receives financial assistance administered under Chapter 1372, Government Code, or receives financial assistance from another type of tax-exempt bond; or

(4) receives financial assistance administered under Subchapter DD, Chapter 2306, Government Code.

(c) A multifamily residential development that is owned by a corporation created under this chapter by a housing authority and to which Subsection (a) applies must hold a public hearing, at a meeting of the authority's governing body, to approve the development.

(d) Notwithstanding Subsection (b), an occupied multifamily residential development that is acquired by a corporation and to which Subsection (a) applies is eligible for an exemption under Section 303.042(c) for:

(1) the one-year period following the date of the acquisition, regardless of whether the development complies with the requirements of Subsection (b); and

(2) a year following the year described by Subdivision (1) only if the development comes into compliance with the requirements of Subsection (b) not later than the first anniversary of the date of the acquisition.

(g) Subsection (f) does not apply to taxes imposed on a multifamily residential development by a conservation and reclamation district created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, that provides water, sewer, or drainage services to the development, unless the applicable corporation has entered into a written agreement with the district to make a payment to the district in lieu of taxation, in the amount specified in the agreement.

(h) Subject to Subsection (i), an exemption under Section 303.042(c) for a multifamily residential development to which Subsection (a) applies expires:

(1) for an occupied multifamily residential development that is acquired by a corporation, on the 30th anniversary of the date of the acquisition by the corporation; and

(2) for a multifamily residential development not described by Subdivision (1), on the 60th anniversary of the date the development receives, from the corporation or the corporation's sponsor, the final approval under this chapter that is necessary to obtain the exemption.

(i) An exemption under Section 303.042(c) for a multifamily residential development to which Subsection (a) applies may be extended for the same term of years applicable to the length of the development's exemption under Subsection (h) if:

(1) in the five-year period preceding the expiration of the exemption under Subsection (h), the corporation provides notice of the extension to the governing body of the municipality in which the development is located or, if the development is not located in a municipality, the county in which the development is located;

(2) the extension is approved in the same manner as was required for the preceding approval of the exemption; and

(3) the development is in compliance with, and maintains compliance with, this section and Section 303.0425.

SECTION 6. Section 303.042(c), Local Government Code, is amended to read as follows:

(c) Subject to Section 303.0421(h), a [A] corporation is engaged exclusively in performance of charitable functions and is exempt from taxation by this state or a municipality or other political subdivision of this state. Bonds issued by a corporation under this chapter, a transfer of the bonds, interest on the bonds, and a profit from the sale or exchange of the bonds are exempt from taxation by this state or a municipality or other political subdivision of this state.

SECTION 7. Sections 303.042(d), (e), and (f), Local Government Code, are transferred to Section 303.0421, Local Government Code, as added by this Act, redesignated as Sections 303.0421(b), (e), and (f), Local Government Code, and amended to read as follows:

(b) Notwithstanding Section 303.042(c) and subject to Subsections (c) and (d) of this section, an [~~(d) A~~] exemption under Section 303.042(c) [this section] for a multifamily residential development to which Subsection (a) applies is available [which is owned by a public facility corporation created by a housing authority under this chapter and which does not have at least 20 percent of its units reserved for public housing units, applies] only if:

(1) the requirements under Section 303.0425 are met [housing authority holds a public hearing, at a regular meeting of the authority's governing body, to approve the development]; [and]

(2) at least:

(A) 10 percent of the units in the multifamily residential development are reserved for occupancy as lower income housing units, as defined under Section 303.0425; and

(B) 40 [50] percent of the units in the multifamily residential development are reserved for occupancy as moderate income housing units, as defined under Section 303.0425;

(3) the corporation delivers to the presiding officer of the governing body of each taxing unit in which the development is to be located written notice of the development, at least 30 days before the date:

(A) the corporation takes action to approve a new multifamily residential development or the acquisition of an occupied multifamily residential development; and

(B) of any public hearing required to be held under this section;

(4) if a majority of the members of the board are not elected officials, the development is approved by the governing body of the municipality in which the development is located or, if the development is not located in a municipality, the county in which the development is located;

(5) for an occupied multifamily residential development that is acquired by a corporation and not otherwise subject to a land use restriction agreement under Section 2306.185, Government Code:

(A) not less than 15 percent of the total gross cost of the existing development, as shown in the settlement statement, is expended on rehabilitating, renovating, reconstructing, or repairing the development, with initial expenditures and construction activities:

(i) beginning not later than the first anniversary of the date of the acquisition; and

(ii) finishing not later than the third anniversary of the date of the acquisition; or

(B) at least 25 percent of the units are reserved for occupancy as lower income housing units, as defined under Section 303.0425, and the development is approved by the governing body of the municipality in which the development is located or, if the development is not located in a municipality, the county in which the development is located; and

(6) not less than 30 days before final approval of the development:

(A) the corporation or corporation's sponsor conducts, or obtains from a professional entity that has experience underwriting affordable multifamily residential developments and does not have a financial interest in the applicable development, developer, or public facility user, an underwriting assessment of the proposed development that allows the corporation to make a good faith determination that:

(i) for an occupied multifamily residential development acquired by a corporation, the total annual amount of rent reduction on the income-restricted units provided at the development will be not less than 60 percent of the estimated amount of the annual ad valorem taxes that would be imposed on the property without an exemption under Section 303.042(c) for the second, third, and fourth years after the date of acquisition by the corporation; and

(ii) for a newly constructed multifamily residential development, the development would not be feasible without the participation of the corporation; and

(B) the corporation publishes on its Internet website a copy of the underwriting assessment described by Paragraph (A) ~~[by individuals and families earning less than 80 percent of the area median family income].~~

(e) For the purposes of Subsection (a) ~~[(d)]~~, a "public housing unit" is a residential ~~[dwelling]~~ unit for which the landlord receives a public housing operating subsidy. It does not include a unit for which payments are made to the landlord under the federal Section 8 Housing Choice Voucher Program.

(f) Notwithstanding Sections 303.042(a) and (b) and except as otherwise provided by this section [Subsections (a) and (b)], during the period [of time] that a corporation owns a particular public facility that is a multifamily residential development:

(1) [7] a leasehold or other possessory interest in the real property of the public facility granted by the corporation shall be treated in the same manner as a leasehold or other possessory interest in real property granted by an authority under Section 379B.011(b); and

(2) the materials used by a person granted a possessory interest described by Subdivision (1) to improve the real property of the public facility shall be exempt from all sales and use taxes because the materials are for the benefit of the corporation.

SECTION 8. Subchapter B, Chapter 303, Local Government Code, is amended by adding Sections 303.0425, 303.0426, and 303.0427 to read as follows:

Sec. 303.0425. ADDITIONAL REQUIREMENTS FOR BENEFICIAL TAX TREATMENT RELATING TO CERTAIN PUBLIC FACILITIES. (a) In this section:

(1) "Developer" means a private entity that constructs a development, including the rehabilitation, renovation, reconstruction, or repair of a development.

(2) "Housing choice voucher program" means the housing choice voucher program under Section 8, United States Housing Act of 1937 (42 U.S.C. Section 1437f).

(3) "Lower income housing unit" means a residential unit reserved for occupancy by an individual or family earning not more than 60 percent of the area median income, adjusted for family size, as defined by the United States Department of Housing and Urban Development.

(4) "Moderate income housing unit" means a residential unit reserved for occupancy by an individual or family earning not more than 80 percent of the area median income, adjusted for family size, as defined by the United States Department of Housing and Urban Development.

(5) "Public facility user" means a public-private partnership entity or a developer or other private entity that has an ownership interest or a leasehold or other possessory interest in a public facility that is a multifamily residential development.

(b) The percentage of lower and moderate income housing units reserved in each category of units in the development, based on the number of bedrooms per unit, must be the same as the percentage of each category of housing units reserved in the development as a whole.

(c) The monthly rent charged per unit may not exceed:

(1) for a lower income housing unit, 30 percent of 60 percent of the area median income, adjusted for family size, as defined by the United States Department of Housing and Urban Development; or

(2) for a moderate income housing unit, 30 percent of 80 percent of the area median income, adjusted for family size, as defined by the United States Department of Housing and Urban Development.

(d) In calculating the income of an individual or family for a lower or moderate income housing unit, the public facility user must use the definition of annual income described in 24 C.F.R. Section 5.609, as implemented by the United States

Department of Housing and Urban Development. If the income of a tenant exceeds an applicable limit at the time of the renewal of a lease agreement for a residential unit, the provisions of Section 42(g)(2)(D), Internal Revenue Code of 1986, apply in determining whether the unit may still qualify as a lower or moderate income housing unit.

(e) The public facility user may not:

(1) refuse to rent a residential unit to an individual or family because the individual or family participates in the housing choice voucher program; or

(2) use a financial or minimum income standard that requires an individual or family participating in the housing choice voucher program to have a monthly income of more than 250 percent of the individual's or family's share of the total monthly rent payable for a unit.

(f) A public facility user may require an individual or family participating in the housing choice voucher program to pay the difference between the monthly rent for the applicable unit and the amount of the monthly voucher if the amount of the voucher is less than the rent.

(g) A corporation that owns or leases to a public facility user a public facility used as a multifamily residential development shall publish on its Internet website information about the development's:

(1) compliance with the requirements of this section; and

(2) policies regarding tenant participation in the housing choice voucher program.

(h) The public facility user shall:

(1) affirmatively market available residential units directly to individuals and families participating in the housing choice voucher program; and

(2) notify local housing authorities of the multifamily residential development's acceptance of tenants in the housing choice voucher program.

(i) Each lease agreement for a residential unit in a multifamily residential development subject to this section must provide that:

(1) the landlord may not retaliate against the tenant or the tenant's guests by taking an action because the tenant established, attempted to establish, or participated in a tenant organization;

(2) the landlord may only choose to not renew the lease if the tenant:

(A) is in material noncompliance with the lease, including nonpayment of rent;

(B) committed one or more substantial violations of the lease;

(C) failed to provide required information on the income, composition, or eligibility of the tenant's household; or

(D) committed repeated minor violations of the lease that:

(i) disrupt the livability of the property;

(ii) adversely affect the health and safety of any person or the right to quiet enjoyment of the leased premises and related development facilities;

(iii) interfere with the management of the development; or

(iv) have an adverse financial effect on the development, including the failure of the tenant to pay rent in a timely manner; and

(3) to not renew the lease, the landlord must serve a written notice of proposed nonrenewal on the tenant not later than the 30th day before the effective date of nonrenewal.

(j) A tenant may not waive the protections provided by Subsection (i).

(k) Requirements under this subchapter relating to the reservation of income-restricted residential units or income restrictions applicable to tenants of a multifamily residential development subject to this subchapter must be documented in a land use restriction agreement or a similar restrictive instrument that:

(1) ensures that the applicable restrictions are in effect for not less than 10 years; and

(2) is recorded in the real property records of the county in which the development is located.

(l) An agreement or instrument recorded under Subsection (k) may be terminated if the development that is the subject of the agreement or instrument:

(1) is the subject of a foreclosure sale; or

(2) becomes ineligible for an exemption under Section 303.042(c) for a reason other than the failure to comply with restrictions recorded in the agreement or instrument.

Sec. 303.0426. AUDIT REQUIREMENTS FOR CERTAIN MULTIFAMILY RESIDENTIAL DEVELOPMENTS. (a) In this section:

(1) "Department" means the Texas Department of Housing and Community Affairs.

(2) "Developer" has the meaning assigned by Section 303.0425.

(3) "Public facility user" has the meaning assigned by Section 303.0425.

(b) A public facility user of a multifamily residential development claiming an exemption under Section 303.042(c) and to which Section 303.0421 applies must annually submit to the department and the chief appraiser of the appraisal district in which the development is located an audit report for a compliance audit, prepared at the expense of the public facility user and conducted by an independent auditor or compliance expert with an established history of providing similar audits on housing compliance matters, to:

(1) determine whether the public facility user is in compliance with Sections 303.0421 and 303.0425; and

(2) identify the difference in the rent charged for income-restricted residential units and the estimated maximum market rents that could be charged for those units without the rent or income restrictions.

(c) Not later than the 60th day after the date of receipt of the audit conducted under Subsection (b), the department shall examine the audit report and publish a report summarizing the findings of the audit. The report must:

(1) be made available on the department's Internet website;

(2) be issued to a public facility user that has an interest in a development that is the subject of an audit, the comptroller, the applicable corporation, the governing body of the corporation's sponsor, and, if the corporation's sponsor is a housing authority, the elected officials who appointed the housing authority's governing board; and

(3) describe in detail the nature of any failure to comply with the requirements in Sections 303.0421 and 303.0425.

(d) If an audit report submitted under Subsection (b) indicates noncompliance with Sections 303.0421 and 303.0425, a public facility user:

(1) must be given:

(A) written notice from the department or appropriate appraisal district that:

(i) is provided not later than the 45th day after the date a report has been submitted under Subsection (b);

(ii) specifies the reasons for noncompliance;

(iii) contains at least one option for a corrective action to resolve the noncompliance; and

(iv) informs the public facility user that failure to resolve the noncompliance will result in the loss of an exemption under Section 303.042(c);

(B) 60 days after the date notice is received under this subdivision, to resolve the matter that is the subject of the notice; and

(C) if a matter that is the subject of a notice provided under this subdivision is not resolved to the satisfaction of the department and the appropriate appraisal district during the period provided by Paragraph (B), a second notice that informs the public facility user of the loss of the exemption under Section 303.042(c) due to noncompliance with Sections 303.0421 and 303.0425; and

(2) is considered to be in compliance with Sections 303.0421 and 303.0425 if notice under Subdivision (1)(A) is not provided as specified by Subparagraph (i) of that paragraph.

(e) An exemption under Section 303.042(c) does not apply for a tax year in which a multifamily residential development that is owned by a public facility corporation created under this chapter is determined by the department based on an audit conducted under Subsection (b) to not be in compliance with the requirements of Section 303.0421 or 303.0425.

(f) The initial audit report required by Subsection (b) is due not later than June 1 of the year following the first anniversary of:

(1) the date of acquisition for an occupied multifamily residential development that is acquired by a corporation; or

(2) the date a new multifamily residential development first becomes occupied by one or more tenants.

(g) Subsequent audit reports following the issuance of the initial audit report under Subsection (f) are due not later than June 1 of each year.

(h) Not later than June 1 of each year for which an audit is required under Subsection (b), a public facility user of a multifamily residential development claiming an exemption under Section 303.042(c) and to which Section 303.0421 applies shall pay to the department a fee of \$40 per unit contained in the development, as determined by the audit, to reimburse the department for expenses related to the audit.

(i) An independent auditor or compliance expert may not prepare an audit under Subsection (b) for more than three consecutive years for the same public facility user. After the third consecutive audit, the independent auditor or compliance expert may prepare an audit only after the second anniversary of the preparation of the third consecutive audit.

(j) The department shall adopt forms and reporting standards for the auditing process.

(k) An audit conducted under Subsection (b) is subject to disclosure under Chapter 552, Government Code, except that information containing tenant names, unit numbers, or other tenant identifying information may be redacted.

Sec. 303.0427. STUDY OF TAX EXEMPTIONS FOR MULTIFAMILY RESIDENTIAL DEVELOPMENTS OWNED BY PUBLIC FACILITY CORPORATIONS. (a) In this section, "board" means the Legislative Budget Board.

(b) The board shall conduct a study that assesses the long-term effects on the state's funding and revenue, including funding for public education, of ad valorem tax exemptions and sales and use tax exemptions for multifamily housing developments under Sections 303.042(c) and 303.0421(f).

(c) Not later than December 10, 2024, the board shall submit to the governor, the lieutenant governor, and the speaker of the house of representatives a report on the results of the study. The report must include an estimate of:

(1) the funding or revenue that the state has lost as a result of the exemptions; and

(2) the potential increase in funding or revenue that would result from the repeal of the exemptions.

(d) The board may delegate any authority granted to the board under this section that the board determines is necessary to conduct the study under this section.

(e) This section expires January 1, 2025.

SECTION 9. Section 392.005, Local Government Code, is amended by amending Subsections (c) and (d) and adding Subsection (c-1) to read as follows:

(c) An exemption under this section for a multifamily residential development which is owned by ~~[(i) a public facility corporation created by a housing authority under Chapter 303, (ii)]~~ a housing development corporation~~], or [(iii)]~~ a similar entity created by a housing authority, other than a public facility corporation created by a housing authority under Chapter 303, and which does not have at least 20 percent of its residential units reserved for public housing units, applies only if:

(1) the authority holds a public hearing, at a regular meeting of the authority's governing body, to approve the development; and

(2) at least 50 percent of the units in the multifamily residential development are reserved for occupancy by individuals and families earning less than 80 percent of the area median ~~[family]~~ income, adjusted for family size.

(c-1) An exemption under this section for a multifamily residential development which is owned by a public facility corporation created by a housing authority under Chapter 303 applies only if:

(1) at least 50 percent of units in the multifamily residential development are reserved for occupancy by individuals and families earning not more than 80 percent of the area median income, adjusted for family size; and

(2) the development:

(A) has at least 20 percent of its residential units reserved for public housing units;

(B) participates in the Rental Assistance Demonstration program administered by the United States Department of Housing and Urban Development;

(C) receives financial assistance administered under Chapter 1372, Government Code, or receives financial assistance from another type of tax-exempt bond; or

(D) receives financial assistance administered under Subchapter DD, Chapter 2306, Government Code.

(d) For the purposes of Subsections [~~Subsection~~] (c) and (c-1), a "public housing unit" is a residential [~~dwelling~~] unit for which the owner receives a public housing operating subsidy. It does not include a unit for which payments are made to the landlord under the federal Section 8 Housing Choice Voucher Program.

SECTION 10. (a) Subject to Subsections (b), (c), and (d) of this section, Sections 303.0421 and 303.0425, Local Government Code, as added by this Act, apply only to a tax imposed for a tax year beginning on or after the effective date of this Act.

(b) Subject to Subsections (c) and (d) of this section, Sections 303.0421 and 303.0425, Local Government Code, as added by this Act, apply only to a multifamily residential development that is approved on or after the effective date of this Act by a public facility corporation or the sponsor of a public facility corporation, in accordance with Chapter 303, Local Government Code. A multifamily residential development that was approved by a public facility corporation or the sponsor of a public facility corporation before the effective date of this Act is governed by the law in effect on the date the development was approved by the corporation or sponsor, and the former law is continued in effect for that purpose.

(c) Subject to Subsection (d) of this section, Section 303.0421(d), Local Government Code, as added by this Act, applies only to an occupied multifamily residential development that is acquired by a public facility corporation on or after the effective date of this Act. An occupied multifamily residential development that is acquired by a public facility corporation before the effective date of this Act is governed by the law in effect on the date the development was acquired by the public facility corporation, and the former law is continued in effect for that purpose.

(d) Notwithstanding any other provision of this section:

(1) Section 303.0426, Local Government Code, as added by this Act, applies to all multifamily residential developments to which Section 303.0421 applies and with respect to which an exemption is sought or claimed under Section 303.042(c); and

(2) the initial audit report required to be submitted under Section 303.0426(b), Local Government Code, as added by this Act, for a multifamily residential development that was approved or acquired by a public facility corporation before the effective date of this Act must be submitted by the later of:

(A) the date established by Section 303.0426(f), Local Government Code, as added by this Act; or

(B) June 1, 2024.

SECTION 11. Not later than January 1, 2024, the Texas Department of Housing and Community Affairs shall adopt rules necessary to implement Section 303.0426, Local Government Code, as added by this Act.

SECTION 12. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

The amendment to **HB 2071** was read.

Senator Bettencourt offered the following amendment to Floor Amendment No. 1:

Floor Amendment No. 2

Amend Floor Amendment No. 1 to **HB 2071** by Bettencourt (88R30438) in SECTION 8 of the floor substitute, by striking added Section 303.0426(h), Local Government Code (page 14, lines 12 through 18), and relettering subsequent subsections and references to those subsections accordingly.

The amendment to Floor Amendment No. 1 to **HB 2071** was read and was adopted by a viva voce vote.

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

Question recurring on the adoption of Floor Amendment No. 1 to **HB 2071**, the amendment as amended was adopted by a viva voce vote.

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

HB 2071 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, West.

HOUSE BILL 2071 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2071** 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, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Whitmire, Zaffirini.

Nays: Gutierrez, Menéndez, West.

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

HOUSE BILL 3492 ON SECOND READING

Senator Springer moved to suspend the regular order of business to take up for consideration **HB 3492** at this time on its second reading:

HB 3492, Relating to county and municipal authority to impose certain value-based fees and require disclosure of certain information related to subdivision construction.

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

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

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

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 3492 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 3492** be placed on its third reading and final passage.

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

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

Nays: Alvarado, Eckhardt, Gutierrez, Menéndez, Miles, Whitmire.

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

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

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

HOUSE BILL 2590 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 2590** at this time on its second reading:

HB 2590, Relating to the designation of a portion of Farm-to-Market Road 40 in Lubbock County as The Maines Brothers Band Highway.

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 2590 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 2590** 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 409 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 409** at this time on its second reading:

CSHB 409, Relating to the governance and administration of the Texas Indigent Defense Commission and to certain disclosures made in relation to the provision of funding for indigent defense services.

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 409 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 **CSHB 409** 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 3730 ON SECOND READING

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3730** at this time on its second reading:

HB 3730, Relating to the directory of users of the centralized telephone service for entities in the capitol complex.

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 3730 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 3730** 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 3558 ON SECOND READING

On motion of Senator Alvarado and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3558** at this time on its second reading:

HB 3558, Relating to the operation of a motor vehicle at an intersection with a stop sign.

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 3558 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 **HB 3558** 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 3310 ON SECOND READING

On motion of Senator Middleton and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3310** at this time on its second reading:

HB 3310, Relating to deadlines for the claims appraisal process of the Texas Windstorm Insurance Association.

The bill was read second time.

Senator Middleton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3310** (senate committee report) in SECTION 2 of the bill adding a rulemaking requirement (page 1, line 44), by striking "Not later than January 1, 2024, the" and substituting "The".

The amendment to **HB 3310** 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 3310 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 3310 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 **HB 3310** 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.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Friday, May 19, 2023 - 2

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

SB 1045 Huffman Sponsor: Murr
Relating to the creation of the Fifteenth Court of Appeals with jurisdiction over certain civil cases, the compensation of the justices of that court, and the jurisdiction of the courts of appeals in this state.
(Committee Substitute/Amended)

THE HOUSE HAS CONCURRED IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES:

HB 6 (125 Yeas, 10 Nays, 2 Present, not voting)

HB 207 (140 Yeas, 0 Nays, 3 Present, not voting)

HB 282 (140 Yeas, 0 Nays, 2 Present, not voting)

HB 679 (133 Yeas, 8 Nays, 2 Present, not voting)

HB 697 (139 Yeas, 2 Nays, 2 Present, not voting)

HB 730 (139 Yeas, 1 Nays, 2 Present, not voting)

HB 916 (137 Yeas, 3 Nays, 2 Present, not voting)

HB 1195 (140 Yeas, 0 Nays, 2 Present, not voting)

HB 1263 (138 Yeas, 4 Nays, 2 Present, not voting)

HB 1416 (141 Yeas, 1 Nays, 2 Present, not voting)

HB 1442 (132 Yeas, 1 Nays, 3 Present, not voting)

HB 1699 (131 Yeas, 8 Nays, 3 Present, not voting)

HB 1712 (141 Yeas, 0 Nays, 2 Present, not voting)

HB 1900 (136 Yeas, 0 Nays, 2 Present, not voting)

HB 2127 (84 Yeas, 58 Nays, 1 Present, not voting)

HB 2719 (137 Yeas, 0 Nays, 2 Present, not voting)

HB 2929 (140 Yeas, 0 Nays, 2 Present, not voting)

HB 3099 (139 Yeas, 3 Nays, 2 Present, not voting)

HB 3287 (142 Yeas, 0 Nays, 2 Present, not voting)

HB 3765 (120 Yeas, 21 Nays, 2 Present, not voting)

HB 3928 (140 Yeas, 0 Nays, 2 Present, not voting)

HB 4504 (137 Yeas, 3 Nays, 2 Present, not voting)

HB 4595 (142 Yeas, 0 Nays, 2 Present, not voting)

HB 4611 (139 Yeas, 0 Nays, 2 Present, not voting)

HB 5303 (121 Yeas, 13 Nays, 2 Present, not voting)

HB 5311 (127 Yeas, 9 Nays, 3 Present, not voting)

THE HOUSE HAS REFUSED TO CONCUR IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

HB 473

House Conferees: Hull - Chair/Allison/Johnson, Ann/Leo-Wilson/Morales Shaw

HB 1277

House Conferees: Cain - Chair/Collier/Isaac/Lujan/Manuel

HB 1515

House Conferees: Clardy - Chair/Bell, Keith/Canales/Craddick/Holland

HB 2121

House Conferees: Paul - Chair/Murr/Perez/Thompson, Ed/Turner

THE HOUSE HAS GRANTED THE REQUEST OF THE SENATE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

SB 409

House Conferees: Leach - Chair/Cook/Morales, Christina/Schatzline/Thompson, Senfronia

SB 773

House Conferees: Toth - Chair/Burrows/Cain/Campos/Price

THE HOUSE HAS DISCHARGED ITS CONFEREES AND CONCURRED IN SENATE AMENDMENTS TO THE FOLLOWING MEASURES:

HB 2354 (136 Yeas, 2 Nays, 2 Present, not voting)

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

HOUSE BILL 1913 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1913** at this time on its second reading:

HB 1913, Relating to the designation of a portion of Farm to Market Road 2526 in Eastland County as the Sergeant Barbara Fenley Memorial Highway.

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 1913 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 1913** 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 2835 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2835** at this time on its second reading:

HB 2835, Relating to the designation of a portion of State Highway 144 in Hood and Somervell Counties as the Ed Shipman Memorial Highway.

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 2835 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 2835** 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 4077 ON SECOND READING

On motion of Senator Eckhardt and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4077** at this time on its second reading:

HB 4077, Relating to the procedure for qualifying for an exemption from ad valorem taxation of the residence homestead of an elderly person.

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 4077 ON THIRD READING

Senator Eckhardt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4077** 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 2920 ON SECOND READING**

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2920** at this time on its second reading:

CSHB 2920, Relating to the distribution, posting, or provision of information regarding postsecondary education and career opportunities and to the confidentiality of certain information relating to persons provided assistance in accessing postsecondary education.

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 2920 ON THIRD READING**

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2920** 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 17 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business to take up for consideration **CSHB 17** at this time on its second reading:

CSHB 17, Relating to the enforcement of criminal offenses by district attorneys, criminal district attorneys, and county attorneys.

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

HOUSE BILL 2837 ON SECOND READING

Senator Schwertner moved to suspend the regular order of business to take up for consideration **HB 2837** at this time on its second reading:

HB 2837, Relating to prohibiting a person or entity from surveilling, reporting, or tracking the purchase of firearms, ammunition, and accessories through the use of certain merchant category codes; imposing a civil penalty.

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

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

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

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2837** (senate committee printing) as follows:

(1) Strike SECTION 1 of the bill (page 1, lines 26 and 27), and substitute the following:

ARTICLE 1. SECOND AMENDMENT FINANCIAL PRIVACY

(2) Redesignate SECTION 2 of the bill as SECTION 1.01 (page 1, line 28).

(3) Redesignate SECTION 3 of the bill as SECTION 1.02 (page 2, line 15).

(4) Redesignate SECTION 4 of the bill as SECTION 1.03 (page 3, line 53).

(5) Strike SECTIONS 5 and 6 of the bill (page 3, lines 57-62).

(6) Add the following appropriately numbered ARTICLES and SECTIONS to the bill and renumber the remaining ARTICLES and SECTIONS of the bill accordingly:

ARTICLE __. GENERAL PROVISIONS

SECTION __.01. SHORT TITLE. This Act shall be known as the Robb Elementary Firearm Safety Act.

SECTION __.02. PURPOSE. The purpose of this Act is to ensure the State of Texas is meeting its responsibility to protect the health and safety of all Texans by enacting common sense, evidence-based firearm safety laws. Texans deserve to live free from the threat and fear of firearm violence.

SECTION __.03. FINDINGS. The legislature finds that:

(1) the State of Texas mourns the loss of 19 innocent children and two teachers in a senseless attack on Robb Elementary School in Uvalde, Texas, on May 24, 2022;

(2) the shooting at Robb Elementary School is the second deadliest school shooting in the history of the United States;

(3) the victims of the attack are Makenna Lee Elrod, 10; Layla Salazar, 11; Maranda Mathis, 11; Nevaeh Bravo, 10; Jose Manuel Flores, Jr., 10; Xavier Lopez, 10; Tess Marie Mata, 10; Rojelio Torres, 10; Eliahna "Ellie" Amyah Garcia, 9; Eliahna A. Torres, 10; Annabell Guadalupe Rodriguez, 10; Jackie Cazares, 9; Uziyah Garcia, 10; Jayce Carmelo Luevanos, 10; Maite Yuleana Rodriguez, 10; Jailah Nicole Silguero, 10; Amerie Jo Garza, 10; Alexandria "Lexi" Aniyah Rubio, 10; Alithia Ramirez, 10; Irma Garcia, fourth grade teacher; and Eva Mireles, fourth grade teacher;

(4) three of the ten deadliest mass shootings in modern United States history have occurred in Texas in the past five years;

(5) the following mass shootings have occurred in Texas:

(A) 26 people were killed in Sutherland Springs, Texas, in 2017;

(B) 23 people were killed in Killeen, Texas, in 1991;

(C) 23 people were killed in El Paso, Texas, in 2019;

(D) 21 people were killed in Uvalde, Texas, in 2022;

(E) 17 people were killed at The University of Texas at Austin in 1966;

(F) 13 people were killed in Killeen, Texas, in 2009; and

(G) 10 people were killed in Santa Fe, Texas, in 2018;

(6) firearm homicide rates for children under 18 have more than doubled in Texas between 2014 and 2020;

(7) from 2015 to 2020, Texas lost 572 children to firearm homicides, more than any other state; and

(8) overall firearm homicide rates in Texas have increased 66 percent from 2014 to 2020.

ARTICLE __. UNLAWFUL POSSESSION AND TRANSFER OF CERTAIN ASSAULT WEAPONS

SECTION __.01. Chapter 46, Penal Code, is amended by adding Section 46.055 to read as follows:

Sec. 46.055. UNLAWFUL POSSESSION OF ASSAULT WEAPON. (a) In this section, "assault weapon" means:

(1) a semiautomatic centerfire rifle that has the capacity to accept a detachable magazine and has:

(A) a pistol grip that protrudes conspicuously beneath the action of the firearm;

(B) a folding or telescoping stock;

(C) a thumbhole stock;

(D) a second handgrip or a protruding grip that can be held by the non-trigger hand;

(E) a flash suppressor; or

(F) a grenade launcher or flare launcher;

(2) a semiautomatic centerfire rifle that has a fixed magazine that holds more than 10 rounds of ammunition;

(3) a semiautomatic centerfire rifle that has an overall length of less than 30 inches;

(4) a semiautomatic shotgun that has the capacity to accept a detachable magazine;

(5) a semiautomatic shotgun that has a folding (or) telescoping stock and has:

(A) a thumbhole stock; or

(B) a second handgrip or a protruding grip that can be held by the non-trigger hand;

(6) a semiautomatic pistol that has the capacity to accept a detachable magazine and has:

(A) a second handgrip or a protruding grip that can be held by the non-trigger hand;

(B) an ammunition magazine that attaches to the pistol outside of the pistol grip;

(C) a threaded barrel capable of accepting a flash suppressor, forward handgrip, or silencer; or

(D) a shroud that is attached to or partially or completely encircles the barrel and that permits the shooter to hold the firearm with the non-trigger hand without being burned;

(7) a semiautomatic pistol that has a fixed magazine that holds more than 10 rounds of ammunition;

(8) a revolving cylinder shotgun; or

(9) a conversion kit, part, or combination of parts from which an assault weapon can be assembled or with which a firearm may be converted into a weapon described by Subdivision (1), (2), (3), (4), (5), (6), (7), or (8).

(b) A person who is younger than 21 years of age commits an offense if the person knowingly possesses an assault weapon.

(c) An offense under this section is a state jail felony.

(d) It is a defense to prosecution under this section that:

(1) the actor possessed the assault weapon for the actual discharge of official duties as:

(A) a peace officer, as defined by Section 1.07; or

(B) a member of the armed forces or state military forces, as defined by Section 431.001, Government Code; or

(2) the actor lawfully possessed the assault weapon on August 31, 2023.

(e) This section does not apply to an assault weapon that has been rendered permanently inoperable.

(f) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

SECTION .02. Section 46.06, Penal Code, is amended by amending Subsections (a), (c), and (d) and adding Subsections (c-1) and (e) to read as follows:

(a) A person commits an offense if the person:

(1) sells, rents, leases, loans, or gives a handgun to any person knowing that the person to whom the handgun is to be delivered intends to use it unlawfully or in the commission of an unlawful act;

(2) intentionally or knowingly sells, rents, leases, or gives or offers to sell, rent, lease, or give:

(A) a [to any child younger than 18 years of age any firearm,] club, [or] location-restricted knife, or firearm other than an assault weapon to a person younger than 18 years of age; or

(B) an assault weapon to a person younger than 21 years of age;

(3) intentionally, knowingly, or recklessly sells a firearm or ammunition for a firearm to any person who is intoxicated;

(4) knowingly sells a firearm or ammunition for a firearm to any person who has been convicted of a felony before the fifth anniversary of the later of the following dates:

(A) the person's release from confinement following conviction of the felony; or

(B) the person's release from supervision under community supervision, parole, or mandatory supervision following conviction of the felony;

(5) sells, rents, leases, loans, or gives a firearm [~~handgun~~] to any person knowing that an active protective order is directed to the person to whom the firearm [~~handgun~~] is to be delivered;

(6) knowingly purchases, rents, leases, or receives as a loan or gift from another a firearm [~~handgun~~] while an active protective order is directed to the actor; or

(7) while prohibited from possessing a firearm under state or federal law, knowingly makes a material false statement on a form that is:

(A) required by state or federal law for the purchase, sale, or other transfer of a firearm; and

(B) submitted to a [~~licensed~~] firearms dealer licensed under [~~as defined by~~] 18 U.S.C. Section 923.

(c) It is an affirmative defense to prosecution under Subsection (a)(2)(A) [~~(a)(2)~~] that the transfer was to a minor whose parent or the person having legal custody of the minor had given written permission for the sale or, if the transfer was other than a sale, the parent or person having legal custody had given effective consent.

(c-1) It is a defense to prosecution under Subsection (a)(2)(B), (a)(5), or (a)(6) that the transfer was to a person who provided evidence to the actor that the person is:

(1) a peace officer, as defined by Section 1.07; or

(2) a member of the armed forces or state military forces, as defined by Section 431.001, Government Code.

(d) An offense under this section is a Class A misdemeanor, except that:

(1) an offense under Subsection (a)(2)(A) [~~(a)(2)~~] is a state jail felony if the weapon that is the subject of the offense is a handgun; ~~and~~

(2) an offense under Subsection (a)(2)(B) or (a)(7) is a state jail felony; and

(3) an offense under Subsection (a)(5) or (a)(6) is a state jail felony if the weapon that is the subject of the offense is an assault weapon.

(e) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

SECTION .03. Section 46.06(b), Penal Code, is amended by adding Subdivision (3) to read as follows:

(3) "Assault weapon" has the meaning assigned by Section 46.055.

SECTION .04. The change in law made by this article 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.

ARTICLE __. REGULATION OF FIREARM TRANSFERS

SECTION .01. Title 6, Business & Commerce Code, is amended by adding Chapter 205 to read as follows:

CHAPTER 205. REGULATION OF FIREARM TRANSFERS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 205.001. DEFINITIONS. In this chapter:

(1) "Firearm" has the meaning assigned by Section 46.01, Penal Code.

(2) "Licensed firearms dealer" means a person who is licensed as a firearms dealer under 18 U.S.C. Section 923.

SUBCHAPTER B. NATIONAL INSTANT CRIMINAL BACKGROUND CHECK FOR PRIVATE FIREARM TRANSFERS

Sec. 205.051. NATIONAL INSTANT CRIMINAL BACKGROUND CHECK REQUIRED FOR PRIVATE TRANSFER OF FIREARM. A person may not sell or otherwise transfer a firearm to another person unless:

(1) the person is a licensed firearms dealer;

(2) the person sells or transfers the firearm to a licensed firearms dealer; or

(3) before the firearm is delivered to the person to whom the firearm is being sold or transferred, the person selling or transferring the firearm delivers the firearm to a licensed firearms dealer to retain possession of the firearm until the dealer conducts a national instant criminal background check in the manner required by 18 U.S.C. Section 922 and verifies that the person to whom the firearm is being sold or transferred may lawfully possess a firearm.

Sec. 205.052. DUTIES OF LICENSED FIREARMS DEALER. (a) If a licensed firearms dealer receives a firearm under Section 205.051(3), the dealer shall conduct a national instant criminal background check in the manner required by 18 U.S.C. Section 922 to verify that the person to whom the firearm is being sold or transferred may lawfully possess a firearm.

(b) If a licensed firearms dealer determines that the person to whom the firearm is being sold or transferred may not lawfully possess a firearm, the dealer shall return the firearm to the person selling or transferring the firearm.

(c) If a licensed firearms dealer determines that the person to whom the firearm is being sold or transferred may lawfully possess a firearm, the dealer shall transfer the firearm as directed by the person selling or transferring the firearm.

(d) A licensed firearms dealer to whom a firearm is delivered under Section 205.051(3) may collect a reasonable fee from the person who is selling or transferring the firearm.

Sec. 205.053. EXCEPTION. This subchapter does not apply to:

(1) a transfer of a firearm to a person by inheritance or bequest on the death of the owner of the firearm; or

(2) a sale or other transfer of a firearm by the owner of the firearm if the transferor and the transferee are related within the third degree by consanguinity or within the second degree by affinity as determined under Chapter 573, Government Code.

Sec. 205.054. OFFENSE. (a) A person who violates this subchapter commits an offense.

(b) An offense under this section is a Class A misdemeanor.

(c) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

SUBCHAPTER C. REQUIREMENTS FOR CERTAIN FIREARM SALES BY LICENSED FIREARMS DEALERS

Sec. 205.101. WAITING PERIOD REQUIRED FOR CERTAIN SALES OF FIREARMS; OFFENSE. (a) A licensed firearms dealer who sells a firearm to a person in exchange for money or other consideration commits an offense if the licensed firearms dealer delivers the firearm to the person to whom the firearm is being sold before the later of:

(1) the third business day after the date on which the firearm was sold to the person; or

(2) the date on which the licensed firearms dealer verifies, by conducting a national instant criminal background check in the manner required by 18 U.S.C. Section 922, that the person to whom the firearm is being sold may lawfully possess a firearm.

(b) This section does not apply to the sale of a firearm to a person who is:

(1) a peace officer, as defined by Section 1.07, Penal Code; or

(2) a member of the armed forces or state military forces, as defined by

Section 431.001, Government Code.

(c) An offense under this section is a state jail felony.

(d) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

(e) A licensed firearms dealer shall make records of firearm sales available for inspection by a law enforcement agency during regular business hours.

ARTICLE __. PROTECTIVE ORDERS

SECTION __.01. Article 7B.005(a), Code of Criminal Procedure, is amended to read as follows:

(a) In a protective order issued under this subchapter, the court may:

(1) order the alleged offender to take action as specified by the court that the court determines is necessary or appropriate to prevent or reduce the likelihood of future harm to the applicant or a member of the applicant's family or household; or

(2) prohibit the alleged offender from:

(A) communicating:

(i) directly or indirectly with the applicant or any member of the applicant's family or household in a threatening or harassing manner; or

(ii) in any manner with the applicant or any member of the applicant's family or household except through the applicant's attorney or a person appointed by the court, if the court finds good cause for the prohibition;

(B) going to or near the residence, place of employment or business, or child-care facility or school of the applicant or any member of the applicant's family or household;

(C) engaging in conduct directed specifically toward the applicant or any member of the applicant's family or household, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person; and

(D) possessing a firearm, unless the alleged offender possesses the firearm for the actual discharge of the alleged offender's official duties as:

(i) [is] a peace officer, as defined by Section 1.07, Penal Code; or

(ii) a member of the armed forces or state military forces, as defined by Section 431.001, Government Code, [actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision].

SECTION __.02. Article 7B.006(a), Code of Criminal Procedure, is amended to read as follows:

(a) Each protective order issued under this subchapter, including a temporary ex parte order, must contain the following prominently displayed statements in boldfaced type, in capital letters, or underlined:

"A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF AS MUCH AS \$500 OR BY CONFINEMENT IN JAIL FOR AS LONG AS SIX MONTHS, OR BOTH."

"NO PERSON, INCLUDING A PERSON WHO IS PROTECTED BY THIS ORDER, MAY GIVE PERMISSION TO ANYONE TO IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER. DURING THE TIME IN WHICH THIS ORDER IS VALID, EVERY PROVISION OF THIS ORDER IS IN FULL FORCE AND EFFECT UNLESS A COURT CHANGES THE ORDER."

"IT IS UNLAWFUL FOR ANY PERSON WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS A FIREARM OR AMMUNITION, OTHER THAN A PERSON WHO POSSESSES A FIREARM FOR THE ACTUAL DISCHARGE OF THE PERSON'S OFFICIAL DUTIES AS A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, OR AS A MEMBER OF THE ARMED FORCES OR STATE MILITARY FORCES, AS DEFINED BY SECTION 431.001, GOVERNMENT CODE [ACTIVELY ENGAGED IN EMPLOYMENT AS A SWORN, FULL TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION, WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS A FIREARM OR AMMUNITION]."

SECTION .03. Chapter 7B, Code of Criminal Procedure, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. EXTREME RISK PROTECTIVE ORDER

Art. 7B.151. DEFINITIONS. In this subchapter:

(1) "Bodily injury" and "serious bodily injury" have the meanings assigned by Section 1.07, Penal Code.

(2) "Family," "family violence," and "household" have the meanings assigned by Chapter 71, Family Code.

(3) "Firearm" has the meaning assigned by Section 46.01, Penal Code.

Art. 7B.152. APPLICATION FOR EXTREME RISK PROTECTIVE ORDER.

(a) An application for a protective order under this subchapter may be filed by:

(1) a member of the respondent's family or household;

(2) a parent, guardian, or conservator of a person who is:

(A) under 18 years of age; and

(B) a member of the respondent's family or household; or

(3) a peace officer.

(b) An application must:

(1) include:

(A) detailed allegations, based on personal knowledge of a person described by Subsection (a), regarding any dangerous behavior or conduct exhibited by the respondent, including any behavior or conduct related to the respondent's use of firearms;

(B) information concerning the quantity, type, and location of any firearms the applicant believes to be in the respondent's possession or control, if any;

(C) any other relevant facts indicating a need for a protective order under this subchapter; and

(D) a statement that the applicant believes the respondent poses an immediate and present danger of causing bodily injury, serious bodily injury, or death to any person, including the respondent, as a result of the respondent's access to firearms; and

(2) be signed by the applicant under an oath that, to the knowledge and belief of the applicant, the facts and circumstances contained in the application are true.

(c) An application for a protective order under this subchapter may be filed in a district court, juvenile court having the jurisdiction of a district court, statutory county court, or constitutional county court in the county in which the applicant or the respondent resides.

Art. 7B.153. CONFIDENTIALITY OF CERTAIN INFORMATION. On receiving an application containing specific health information concerning the respondent, the court shall order the clerk to:

- (1) strike the information from the public records of the court; and
- (2) maintain a confidential record of the information for use only by the

court.

Art. 7B.154. TEMPORARY EX PARTE ORDER. (a) If the court finds from the information contained in an application for a protective order under this subchapter that there is reasonable cause to believe that the respondent poses an immediate and present danger of causing bodily injury, serious bodily injury, or death to any person, including the respondent, as a result of the respondent's access to firearms, the court, without further notice to the respondent and without a hearing, may issue a temporary ex parte order prohibiting the respondent from purchasing, owning, possessing, or controlling a firearm.

(b) In a temporary ex parte order, the court may order the respondent to:

(1) not later than 24 hours after the time the order is issued, relinquish any firearms owned by or in the actual or constructive possession or control of the respondent to a law enforcement agency for holding in the manner provided by Article 18.192; and

(2) if applicable, surrender to the court the respondent's license to carry a handgun issued under Subchapter H, Chapter 411, Government Code.

Art. 7B.155. HEARING; ISSUANCE OF PROTECTIVE ORDER. (a) Not later than the 14th day after the later of the date an application is filed or the date a temporary ex parte order is issued, the court shall hold a hearing on the issuance of the protective order.

(b) The court shall provide personal notice of the hearing to the respondent.

(c) In determining whether to issue a protective order under this article, the court:

(1) shall consider:

(A) any history of threats or acts of violence by the respondent directed at any person, including the respondent;

(B) any history of the respondent using, attempting to use, or threatening to use physical force against another person;

(C) any recent violation by the respondent of an order issued:

(i) under another provision of Chapter 7B or under Article 17.292;

(ii) under Section 6.504 or Chapter 85, Family Code;

(iii) under Chapter 83, Family Code, if the temporary ex parte order has been served on the respondent; or

(iv) by another jurisdiction as provided by Chapter 88, Family

Code;

(D) any arrest or conviction of the respondent for:

(i) an offense under Section 42.072, Penal Code; or

(ii) an offense involving violence, including family violence;

(E) any conviction of the respondent for an offense under Section 42.09, 42.091, or 42.092, Penal Code; and

(F) evidence related to the respondent's current or recent abuse of a controlled substance or alcohol, not including any evidence of previous treatment for or recovery from abusing a controlled substance or alcohol; and

(2) may consider any other relevant factor including:

(A) any previous violation by the respondent of an order described by Subdivision (1)(C); and

(B) evidence regarding the respondent's recent acquisition of firearms, ammunition, or other deadly weapons.

(d) At the close of the hearing, if the court finds by clear and convincing evidence that the respondent poses an immediate and present danger of causing bodily injury, serious bodily injury, or death to any person, including the respondent, as a result of the respondent's access to firearms, the court shall issue a protective order that includes a statement of the required finding.

(e) If the court does not make the finding described by Subsection (d), the court shall, as applicable, rescind any temporary ex parte order issued under Article 7B.154 and return the respondent's license to carry a handgun.

Art. 7B.156. CONTENTS OF PROTECTIVE ORDER. In a protective order issued under Article 7B.155, the court shall:

(1) prohibit the person who is subject to the order from purchasing, owning, possessing, or controlling a firearm for the duration of the order;

(2) order the person to:

(A) not later than 24 hours after the time the order is issued, relinquish any firearms owned by or in the actual or constructive possession or control of the person to a law enforcement agency for holding in the manner provided by Article 18.192; and

(B) if applicable, surrender to the court the person's license to carry a handgun issued under Subchapter H, Chapter 411, Government Code; and

(3) suspend a license to carry a handgun issued under Subchapter H, Chapter 411, Government Code, that is held by the person.

Art. 7B.157. DURATION OF PROTECTIVE ORDER. (a) A protective order issued under Article 7B.155 is effective until the first anniversary of the date the order was issued.

(b) The court may renew a protective order issued under Article 7B.155 for a period not to exceed one year after the order's original expiration date. Before renewing the order the court must hold a hearing after providing personal notice of the hearing to the person who is the subject of the order.

(c) A person who is the subject of a protective order may file a motion not earlier than the 91st day after the date on which the order was initially issued or renewed, as applicable, requesting that the court review the order and determine whether there is a continuing need for the order. After a hearing on the motion, if the court fails to make the finding that there is no continuing need for the order, the order remains in effect until the date the order expires as provided by this article.

(d) At a hearing to renew or rescind a protective order under this article, the court shall consider the factors described by Article 7B.155(c).

Art. 7B.158. NOTICE TO DEPARTMENT OF PUBLIC SAFETY. (a) Not later than 24 hours after the time a protective order is issued under Article 7B.155, the clerk of the issuing court shall provide the following to the Department of Public Safety:

(1) the complete name, race, and sex of the person who is the subject of the order;

(2) any known identifying number of the person, including a social security number, driver's license number, or state identification number;

(3) the person's date of birth;

(4) if surrendered to the court, the person's license to carry a handgun issued under Subchapter H, Chapter 411, Government Code; and

(5) a copy of the order suspending the person's license to carry a handgun under Subchapter H, Chapter 411, Government Code.

(b) On receipt of an order suspending a license to carry a handgun, the department shall:

(1) record the suspension of the license in the records of the department;

(2) report the suspension to local law enforcement agencies, as appropriate;

and

(3) if the license was not surrendered to the court, demand surrender of the suspended license from the license holder.

(c) Not later than the 30th day after the date the protective order is rescinded or expires under Article 7B.157, the clerk of the issuing court shall notify the Department of Public Safety of the rescission or expiration, as applicable.

Art. 7B.159. APPLICATION OF OTHER LAW. To the extent applicable, except as otherwise provided by this subchapter, Title 4, Family Code, applies to a protective order issued under this subchapter.

SECTION .04. Articles 17.292(c) and (g), Code of Criminal Procedure, are amended to read as follows:

(c) The magistrate in the order for emergency protection may prohibit the arrested party from:

(1) committing:

(A) family violence or an assault on the person protected under the order; or

(B) an act in furtherance of an offense under Section 20A.02 or 42.072, Penal Code;

(2) communicating:

(A) directly with a member of the family or household or with the person protected under the order in a threatening or harassing manner;

(B) a threat through any person to a member of the family or household or to the person protected under the order; or

(C) if the magistrate finds good cause, in any manner with a person protected under the order or a member of the family or household of a person protected under the order, except through the party's attorney or a person appointed by the court;

(3) going to or near:

(A) the residence, place of employment, or business of a member of the family or household or of the person protected under the order; or

(B) the residence, child care facility, or school where a child protected under the order resides or attends; or

(4) possessing a firearm, unless the person possesses the firearm for the actual discharge of the person's official duties as:

(A) ~~is~~ a peace officer, as defined by Section 1.07, Penal Code; or

(B) a member of the armed forces or state military forces, as defined by Section 431.001, Government Code ~~[actively engaged in employment as a sworn, full time paid employee of a state agency or political subdivision].~~

(g) An order for emergency protection issued under this article must contain the following statements printed in bold-face type or in capital letters:

"A VIOLATION OF THIS ORDER BY COMMISSION OF AN ACT PROHIBITED BY THE ORDER MAY BE PUNISHABLE BY A FINE OF AS MUCH AS \$4,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE YEAR OR BY BOTH. AN ACT THAT RESULTS IN A SEPARATE OFFENSE MAY BE PROSECUTED AS A SEPARATE MISDEMEANOR OR FELONY OFFENSE, AS APPLICABLE, IN ADDITION TO A VIOLATION OF THIS ORDER. IF THE ACT IS PROSECUTED AS A SEPARATE FELONY OFFENSE, IT IS PUNISHABLE BY CONFINEMENT IN PRISON FOR AT LEAST TWO YEARS. THE POSSESSION OF A FIREARM BY A PERSON, OTHER THAN A PERSON WHO POSSESSES A FIREARM FOR THE ACTUAL DISCHARGE OF THE PERSON'S OFFICIAL DUTIES AS A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, OR AS A MEMBER OF THE ARMED FORCES OR STATE MILITARY FORCES, AS DEFINED BY SECTION 431.001, GOVERNMENT CODE ~~[ACTIVELY ENGAGED IN EMPLOYMENT AS A SWORN, FULL TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION]~~, WHO IS SUBJECT TO THIS ORDER MAY BE PROSECUTED AS A SEPARATE OFFENSE PUNISHABLE BY CONFINEMENT OR IMPRISONMENT.

"NO PERSON, INCLUDING A PERSON WHO IS PROTECTED BY THIS ORDER, MAY GIVE PERMISSION TO ANYONE TO IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER. DURING THE TIME IN WHICH THIS ORDER IS VALID, EVERY PROVISION OF THIS ORDER IS IN FULL FORCE AND EFFECT UNLESS A COURT CHANGES THE ORDER."

SECTION .05. Chapter 18, Code of Criminal Procedure, is amended by adding Article 18.192 to read as follows:

Art. 18.192. HOLDING AND DISPOSITION OF FIREARM RELINQUISHED UNDER EXTREME RISK PROTECTIVE ORDER. (a) A law enforcement officer who takes possession of a firearm from a person who is the subject of an extreme risk protective order issued under Subchapter D, Chapter 7B, shall immediately provide the person a written copy of the receipt for the firearm and a written notice of the procedure for the return of a firearm under this article.

(b) Not later than the seventh day after the date a firearm subject to disposition under this article is received, the law enforcement agency holding the firearm shall notify the court that issued the extreme risk protective order that the person who is the subject of the order has relinquished the firearm.

(c) Not later than the 30th day after the date the extreme risk protective order is rescinded or expires, the clerk of the court shall notify the law enforcement agency of the rescission or expiration.

(d) Not later than the 30th day after the date the law enforcement agency holding a firearm subject to disposition under this article receives the notice described by Subsection (c), the law enforcement agency shall conduct a check of state and national criminal history record information to verify whether the person may lawfully possess a firearm under 18 U.S.C. Section 922(g) and under the law of this state.

(e) If the check conducted under Subsection (d) verifies that the person may lawfully possess a firearm, the law enforcement agency shall provide to the person by certified mail written notice stating that the firearm may be returned to the person if the person submits a written request before the 121st day after the date of the notice.

(f) An unclaimed firearm that is received under an extreme risk protective order issued under Subchapter D, Chapter 7B, may not be destroyed or forfeited to the state.

(g) The law enforcement agency holding the firearm may provide for the firearm to be sold by a firearms dealer licensed under 18 U.S.C. Section 923 if:

(1) the check conducted under Subsection (d) shows that the person may not lawfully possess a firearm; or

(2) the notice is provided under Subsection (e) and the person does not submit, before the 121st day after the date of the notice, a written request for the return of the firearm.

(h) The proceeds from the sale of a firearm under this article shall be paid to the owner of the seized firearm, less the cost of administering this article with respect to the firearm.

SECTION .06. Section 85.022(b), Family Code, is amended to read as follows:

(b) In a protective order, the court may prohibit the person found to have committed family violence from:

(1) committing family violence;

(2) communicating:

(A) directly with a person protected by an order or a member of the family or household of a person protected by an order, in a threatening or harassing manner;

(B) a threat through any person to a person protected by an order or a member of the family or household of a person protected by an order; and

(C) if the court finds good cause, in any manner with a person protected by an order or a member of the family or household of a person protected by an order, except through the party's attorney or a person appointed by the court;

(3) going to or near the residence or place of employment or business of a person protected by an order or a member of the family or household of a person protected by an order;

(4) going to or near the residence, child-care facility, or school a child protected under the order normally attends or in which the child normally resides;

(5) engaging in conduct directed specifically toward a person who is a person protected by an order or a member of the family or household of a person protected by an order, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person;

(6) possessing a firearm, unless the person possesses the firearm for the actual discharge of the person's official duties as:

(A) [is] a peace officer, as defined by Section 1.07, Penal Code; or

(B) a member of the armed forces or state military forces, as defined by Section 431.001, Government Code [~~actively engaged in employment as a sworn, full time paid employee of a state agency or political subdivision~~]; and

(7) harming, threatening, or interfering with the care, custody, or control of a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code, that is possessed by or is in the actual or constructive care of a person protected by an order or by a member of the family or household of a person protected by an order.

SECTION .07. Section 85.026(a), Family Code, is amended to read as follows:

(a) Each protective order issued under this subtitle, including a temporary ex parte order, must contain the following prominently displayed statements in boldfaced type, capital letters, or underlined:

"A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF AS MUCH AS \$500 OR BY CONFINEMENT IN JAIL FOR AS LONG AS SIX MONTHS, OR BOTH."

"NO PERSON, INCLUDING A PERSON WHO IS PROTECTED BY THIS ORDER, MAY GIVE PERMISSION TO ANYONE TO IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER. DURING THE TIME IN WHICH THIS ORDER IS VALID, EVERY PROVISION OF THIS ORDER IS IN FULL FORCE AND EFFECT UNLESS A COURT CHANGES THE ORDER."

"IT IS UNLAWFUL FOR ANY PERSON WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS A FIREARM OR AMMUNITION, OTHER THAN A PERSON WHO POSSESSES A FIREARM FOR THE ACTUAL DISCHARGE OF THE PERSON'S OFFICIAL DUTIES AS A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, OR AS A MEMBER OF THE ARMED FORCES OR STATE MILITARY FORCES, AS DEFINED BY SECTION 431.001, GOVERNMENT CODE [~~ACTIVELY ENGAGED IN EMPLOYMENT AS A SWORN, FULL TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION, WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS A FIREARM OR AMMUNITION~~]."

"IF A PERSON SUBJECT TO A PROTECTIVE ORDER IS RELEASED FROM CONFINEMENT OR IMPRISONMENT FOLLOWING THE DATE THE ORDER WOULD HAVE EXPIRED, OR IF THE ORDER WOULD HAVE EXPIRED NOT LATER THAN THE FIRST ANNIVERSARY OF THE DATE THE PERSON IS RELEASED FROM CONFINEMENT OR IMPRISONMENT, THE ORDER IS AUTOMATICALLY EXTENDED TO EXPIRE ON:

"(1) THE FIRST ANNIVERSARY OF THE DATE THE PERSON IS RELEASED, IF THE PERSON WAS SENTENCED TO CONFINEMENT OR IMPRISONMENT FOR A TERM OF MORE THAN FIVE YEARS; OR

"(2) THE SECOND ANNIVERSARY OF THE DATE THE PERSON IS RELEASED, IF THE PERSON WAS SENTENCED TO CONFINEMENT OR IMPRISONMENT FOR A TERM OF FIVE YEARS OR LESS."

"A VIOLATION OF THIS ORDER BY COMMISSION OF AN ACT PROHIBITED BY THE ORDER MAY BE PUNISHABLE BY A FINE OF AS MUCH AS \$4,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE YEAR, OR BOTH. AN ACT THAT RESULTS IN FAMILY VIOLENCE MAY BE PROSECUTED AS A SEPARATE MISDEMEANOR OR FELONY OFFENSE. IF THE ACT IS PROSECUTED AS A SEPARATE FELONY OFFENSE, IT IS PUNISHABLE BY CONFINEMENT IN PRISON FOR AT LEAST TWO YEARS."

SECTION _.08. Subchapter D, Chapter 411, Government Code, is amended by adding Section 411.0522 to read as follows:

Sec. 411.0522. INFORMATION CONCERNING EXTREME RISK PROTECTIVE ORDER. (a) The department by rule shall establish a procedure to provide information concerning a person who is the subject of an extreme risk protective order to the Federal Bureau of Investigation for inclusion in the National Instant Criminal Background Check System.

(b) The procedure must require the department to provide any information received under Article 7B.158, Code of Criminal Procedure, to the Federal Bureau of Investigation not later than 24 hours after the time the department received the information.

SECTION _.09. Section 411.172(a), Government Code, is amended to read as follows:

(a) A person is eligible for a license to carry a handgun if the person:

(1) is a legal resident of this state for the six-month period preceding the date of application under this subchapter or is otherwise eligible for a license under Section 411.173(a);

(2) is at least 21 years of age;

(3) has not been convicted of a felony;

(4) is not charged with the commission of a Class A or Class B misdemeanor or equivalent offense, or of an offense under Section 42.01, Penal Code, or equivalent offense, or of a felony under an information or indictment;

(5) is not a fugitive from justice for a felony or a Class A or Class B misdemeanor or equivalent offense;

(6) is not a chemically dependent person;

(7) is not incapable of exercising sound judgment with respect to the proper use and storage of a handgun;

(8) has not, in the five years preceding the date of application, been convicted of a Class A or Class B misdemeanor or equivalent offense or of an offense under Section 42.01, Penal Code, or equivalent offense;

(9) is fully qualified under applicable federal and state law to purchase a handgun;

(10) has not been finally determined to be delinquent in making a child support payment administered or collected by the attorney general;

(11) has not been finally determined to be delinquent in the payment of a tax or other money collected by the comptroller, the tax collector of a political subdivision of the state, or any agency or subdivision of the state;

(12) is not currently:

(A) restricted under a court protective order, including an extreme risk protective order issued under Subchapter D, Chapter 7B, Code of Criminal Procedure;
or

(B) subject to a restraining order affecting the spousal relationship, other than a restraining order solely affecting property interests;

(13) has not, in the 10 years preceding the date of application, been adjudicated as having engaged in delinquent conduct violating a penal law of the grade of felony; and

(14) has not made any material misrepresentation, or failed to disclose any material fact, in an application submitted pursuant to Section 411.174.

SECTION 10. Sections 411.187(a) and (c), Government Code, are amended to read as follows:

(a) The department shall suspend a license under this section if the license holder:

(1) is charged with the commission of a Class A or Class B misdemeanor or equivalent offense, or of an offense under Section 42.01, Penal Code, or equivalent offense, or of a felony under an information or indictment;

(2) fails to notify the department of a change of address, name, or status as required by Section 411.181;

(3) commits an act of family violence and is the subject of an active protective order rendered under Title 4, Family Code; ~~[or]~~

(4) is arrested for an offense involving family violence or an offense under Section 42.072, Penal Code, and is the subject of an order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(5) is the subject of an active protective order issued under Subchapter D, Chapter 7B, Code of Criminal Procedure.

(c) The department shall suspend a license under this section:

(1) for 30 days, if the person's license is subject to suspension for a reason listed in Subsection (a)(2) ~~[(3), or (4), except as provided by Subdivision (2)]~~;

(2) ~~[for not less than one year and not more than three years, if the person's license:~~

~~[(A) is subject to suspension for a reason listed in Subsection (a), other than the reason listed in Subsection (a)(1); and~~

~~[(B) has been previously suspended for the same reason;~~

~~(3)]~~ until dismissal of the charges, if the person's license is subject to suspension for the reason listed in Subsection (a)(1); or

(3) [(4)] for the duration of or the period specified by:

(A) the protective order issued under Title 4, Family Code, if the person's license is subject to suspension for the reason listed in Subsection (a)(3) ~~[(a)(5)]~~; ~~[or]~~

(B) the order for emergency protection issued under Article 17.292, Code of Criminal Procedure, if the person's license is subject to suspension for the reason listed in Subsection (a)(4); or

(C) the extreme risk protective order issued under Subchapter D, Chapter 7B, Code of Criminal Procedure, if the person's license is subject to suspension for the reason listed in Subsection (a)(5) [~~(a)(6)~~].

SECTION .11. Chapter 37, Penal Code, is amended by adding Section 37.083 to read as follows:

Sec. 37.083. FALSE REPORT REGARDING REQUEST FOR EXTREME RISK PROTECTIVE ORDER. (a) A person commits an offense if, with intent to deceive, the person makes a statement that the person knows to be false to a peace officer relating to a request that the officer file an application for an extreme risk protective order under Subchapter D, Chapter 7B, Code of Criminal Procedure.

(b) An offense under this section is a Class B misdemeanor.

(c) If conduct that constitutes an offense under this section also constitutes an offense under another law, the actor may be prosecuted under this section, the other law, or both.

SECTION .12. Section 46.04, Penal Code, is amended by amending Subsections (c) and (e) and adding Subsections (c-1) and (c-2) to read as follows:

(c) A person [~~other than a peace officer, as defined by Section 1.07, actively engaged in employment as a sworn, full time paid employee of a state agency or political subdivision,~~] who is subject to an order issued under Section 6.504 or Chapter 85, Family Code, under Article 17.292 or Subchapter A, Chapter 7B, Code of Criminal Procedure, or by another jurisdiction as provided by Chapter 88, Family Code, commits an offense if the person possesses a firearm after receiving notice of the order and before expiration of the order.

(c-1) It is a defense to prosecution under Subsection (c) that the actor possessed the firearm for the actual discharge of official duties as:

(1) a peace officer, as defined by Section 1.07; or

(2) a member of the armed forces or state military forces, as defined by Section 431.001, Government Code.

(c-2) A person commits an offense if, after receiving notice that the person is subject to an extreme risk protective order issued under Subchapter D, Chapter 7B, Code of Criminal Procedure, and before rescission or expiration of the order, the person purchases, owns, possesses, or controls a firearm in violation of the order.

(e) An offense under Subsection (a) is a felony of the third degree. An offense under Subsection (a-1), (b), [~~or~~] (c), or (c-2) is a Class A misdemeanor.

SECTION .13. Not later than October 1, 2023, the Department of Public Safety shall adopt rules as required by Section 411.0522, Government Code, as added by this article.

SECTION .14. The change in law made by this article relating to the contents of a protective order or a magistrate's order for emergency protection applies to an order issued on or after the effective date of this Act. An order issued before that date is governed by the law as it existed immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION _15. Section 46.04, Penal Code, as amended by this article, 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.

ARTICLE __. EFFECTIVE DATE; SEVERABILITY

SECTION _01. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION _02. This Act takes effect September 1, 2023.

The amendment to **HB 2837** was read.

(Senator Flores in Chair)

POINT OF ORDER

Senator Hall raised a point of order that Floor Amendment No. 1 to **HB 2837** was not germane to the body of the bill.

POINT OF ORDER RULING

The Presiding Officer ruled that the point of order was well-taken and sustained.

HB 2837 was passed to third reading 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.

(Senator King in Chair)

COMMITTEE SUBSTITUTE

HOUSE BILL 420 ON SECOND READING

On motion of Senator Flores and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 420** at this time on its second reading:

CSHB 420, Relating to the offense of providing an alcoholic beverage to a minor; increasing a criminal penalty.

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 420 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 **CSHB 420** 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 17 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 17** be placed on its third reading and final passage:

CSHB 17, Relating to the enforcement of criminal offenses by district attorneys, criminal district attorneys, and county attorneys.

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

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

Nays: Alvarado, Eckhardt, Gutierrez, Johnson, Miles.

The bill was read third time and was passed 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.

HOUSE BILL 2837 ON THIRD READING

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2837** be placed on its third reading and final passage:

HB 2837, Relating to prohibiting a person or entity from surveilling, reporting, or tracking the purchase of firearms, ammunition, and accessories through the use of certain merchant category codes; imposing a civil penalty.

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

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

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Miles, Whitmire.

The bill was read third time and was passed 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.

(President in Chair)

**COMMITTEE SUBSTITUTE
HOUSE BILL 1181 ON SECOND READING**

Senator Paxton moved to suspend the regular order of business to take up for consideration **CSHB 1181** at this time on its second reading:

CSHB 1181, Relating to access to sexually explicit material on the Internet or electronic devices; providing civil penalties.

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 King in Chair)

Senator Paxton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 1181** (senate committee report) by striking all below the enacting clause (page 1, line 27 through page 4, line 63) and substituting the following:

SECTION 1. Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 129B to read as follows:

**CHAPTER 129B. LIABILITY FOR ALLOWING MINORS TO ACCESS
PORNOGRAPHIC MATERIAL**

Sec. 129B.001. DEFINITIONS. In this chapter:

(1) "Commercial entity" includes a corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legally recognized business entity.

(2) "Distribute" means to issue, sell, give, provide, deliver, transfer, transmute, circulate, or disseminate by any means.

(3) "Minor" means an individual younger than 18 years of age.

(4) "News-gathering organization" includes:

(A) an employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, who is acting within the course and scope of that employment and can provide documentation of that employment with the newspaper, news publication, or news source; and

(B) an employee of a radio broadcast station, television broadcast station, cable television operator, or wire service who is acting within the course and scope of that employment and can provide documentation of that employment.

(5) "Publish" means to communicate or make information available to another person or entity on a publicly available Internet website.

(6) "Sexual material harmful to minors" includes any material that:

(A) the average person applying contemporary community standards would find, taking the material as a whole and with respect to minors, is designed to appeal to or pander to the prurient interest;

(B) in a manner patently offensive with respect to minors, exploits, is devoted to, or principally consists of descriptions of actual, simulated, or animated displays or depictions of:

(i) a person's pubic hair, anus, or genitals or the nipple of the female breast;

(ii) touching, caressing, or fondling of nipples, breasts, buttocks, anuses, or genitals; or

(iii) sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, excretory functions, exhibitions, or any other sexual act; and

(C) taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

(7) "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event. The term includes records from mortgage, education, and employment entities.

Sec. 129B.002. PUBLICATION OF MATERIAL HARMFUL TO MINORS. (a) A commercial entity that knowingly and intentionally publishes or distributes material on an Internet website, including a social media platform, more than one-third of which is sexual material harmful to minors, shall use reasonable age verification methods as described by Section 129B.003 to verify that an individual attempting to access the material is 18 years of age or older.

(b) A commercial entity that performs the age verification required by Subsection (a) or a third party that performs the age verification required by Subsection (a) may not retain any identifying information of the individual.

Sec. 129B.003. REASONABLE AGE VERIFICATION METHODS. (a) In this section, "digital identification" means information stored on a digital network that may be accessed by a commercial entity and that serves as proof of the identity of an individual.

(b) A commercial entity that knowingly and intentionally publishes or distributes material on an Internet website or a third party that performs age verification under this chapter shall require an individual to:

(1) provide digital identification; or

(2) comply with a commercial age verification system that verifies age using:

(A) government-issued identification; or

(B) a commercially reasonable method that relies on public or private transactional data to verify the age of an individual.

Sec. 129B.004. SEXUAL MATERIALS HEALTH WARNINGS. A commercial entity required to use reasonable age verification methods under Section 129B.002(a) shall:

(1) display the following notices on the landing page of the Internet website on which sexual material harmful to minors is published or distributed and all advertisements for that Internet website in 14-point font or larger:

"TEXAS HEALTH AND HUMAN SERVICES WARNING: Pornography is potentially biologically addictive, is proven to harm human brain development, desensitizes brain reward circuits, increases conditioned responses, and weakens brain function."

"TEXAS HEALTH AND HUMAN SERVICES WARNING: Exposure to this content is associated with low self-esteem and body image, eating disorders, impaired brain development, and other emotional and mental illnesses."

"TEXAS HEALTH AND HUMAN SERVICES WARNING: Pornography increases the demand for prostitution, child exploitation, and child pornography."; and

(2) display the following notice at the bottom of every page of the Internet website in 14-point font or larger:

"U.S. SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

ADMINISTRATION HELPLINE:

1-800-662-HELP (4357)

THIS HELPLINE IS A FREE, CONFIDENTIAL INFORMATION SERVICE (IN ENGLISH OR SPANISH) OPEN 24 HOURS PER DAY, FOR INDIVIDUALS AND FAMILY MEMBERS FACING MENTAL HEALTH OR SUBSTANCE USE DISORDERS. THE SERVICE PROVIDES REFERRAL TO LOCAL TREATMENT FACILITIES, SUPPORT GROUPS, AND COMMUNITY-BASED ORGANIZATIONS."

Sec. 129B.005. APPLICABILITY OF CHAPTER. (a) This chapter does not apply to a bona fide news or public interest broadcast, website video, report, or event and may not be construed to affect the rights of a news-gathering organization.

(b) An Internet service provider, or its affiliates or subsidiaries, a search engine, or a cloud service provider may not be held to have violated this chapter solely for providing access or connection to or from a website or other information or content on the Internet or on a facility, system, or network not under that provider's control, including transmission, downloading, intermediate storage, access software, or other services to the extent the provider or search engine is not responsible for the creation of the content that constitutes sexual material harmful to minors.

Sec. 129B.006. CIVIL PENALTY; INJUNCTION. (a) If the attorney general believes that an entity is knowingly violating or has knowingly violated this chapter and the action is in the public interest, the attorney general may bring an action in a Travis County district court or the district court in the county in which the principal place of business of the entity is located in this state to enjoin the violation, recover a civil penalty, and obtain other relief the court considers appropriate.

(b) A civil penalty imposed under this section for a violation of Section 129B.002 or 129B.003 may be in an amount equal to not more than the total, if applicable, of:

(1) \$10,000 per day that the entity operates an Internet website in violation of the age verification requirements of this chapter;

(2) \$10,000 per instance when the entity retains identifying information in violation of Section 129B.002(b); and

(3) if, because of the entity's violation of the age verification requirements of this chapter, one or more minors accesses sexual material harmful to minors, an additional amount of not more than \$250,000.

(c) The amount of a civil penalty under this section shall be based on:

(1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation;

(2) the history of previous violations;

(3) the amount necessary to deter a future violation;

(4) the economic effect of a penalty on the entity on whom the penalty will be imposed;

(5) the entity's knowledge that the act constituted a violation of this chapter;
and

(6) any other matter that justice may require.

(d) The attorney general may recover reasonable and necessary attorney's fees and costs incurred in an action under this section.

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

The amendment to **CSHB 1181** 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 1181 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.

COMMITTEE SUBSTITUTE HOUSE BILL 1181 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 1181** 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 3444 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 3444** at this time on its second reading:

HB 3444, Relating to the classification of transportation districts by the Texas Transportation Commission.

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 3444 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 3444** 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 5010 ON SECOND READING

Senator Hall moved to suspend the regular order of business to take up for consideration **HB 5010** at this time on its second reading:

HB 5010, Relating to the classification of a grievance filed with the State Bar of Texas.

The motion prevailed by the following vote: Yeas 21, Nays 9, Present-not voting 1.

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

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

Present-not voting: Hinojosa.

The bill was read second time.

Senator Hall offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 5010** (senate committee printing) in SECTION 1 of the bill, amending Section 81.073, Government Code, as follows:

(1) Strike added Section 81.073(a)(1)(B), Government Code (page 1, lines 34 through 36), and substitute the following:

(B) is submitted by:

(i) a family member of a ward in a guardianship proceeding that is the subject of the grievance;

(ii) a family member of a decedent in a probate matter that is the subject of the grievance;

(iii) a trustee of a trust or an executor of an estate if the matter that is the subject of the grievance relates to the trust or estate;

(iv) the judge, prosecuting attorney, defense attorney, court staff member, or juror in the legal matter that is the subject of the grievance;

(v) a trustee in a bankruptcy that is the subject of the grievance; or

(vi) any other person who has a cognizable individual interest in or connection to the legal matter or facts alleged in the grievance; or

(2) Strike added Section 81.073(a)(2)(B), Government Code (page 1, lines 42 through 44), and substitute the following:

(B) the grievance is submitted by a person other than a person described by Subdivision (1)(B); or

The amendment to **HB 5010** 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 5010 as amended was passed to third reading by the following vote: Yeas 22, Nays 8, Present-not voting 1.

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

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

Present-not voting: Hinojosa.

HOUSE BILL 1553 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 1553** at this time on its second reading:

HB 1553, Relating to the definition of amusement ride for purposes of amusement ride regulation.

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 1553 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 1553** 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 4057 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **HB 4057** at this time on its second reading:

HB 4057, Relating to the inclusion of a property in a conservation district by certain municipalities.

The motion prevailed.

Senators Miles, West, and Zaffirini 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: Miles, West, Zaffirini.

HOUSE BILL 4057 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 4057** 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, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Whitmire.

Nays: Miles, West, Zaffirini.

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

HOUSE BILL 73 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 73** at this time on its second reading:

HB 73, Relating to limitation of certain liability of owners, lessees, and occupants of land in connection with livestock and agricultural land.

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 73 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 73** 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 1217 ON SECOND READING

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1217** at this time on its second reading:

CSHB 1217, Relating to the administration of and procedures relating to early voting by personal appearance.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 1217** (senate committee report) in SECTION 3 of the bill, amending Section 85.006(e), Election Code, as follows:

- (1) On page 2, line 9, between "12" and "hours", insert "consecutive".
- (2) On page 2, line 12, between "six" and "hours", insert "consecutive".

The amendment to **CSHB 1217** 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 1217 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.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1217 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 **CSHB 1217** 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 4128 ON SECOND READING

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **HB 4128** at this time on its second reading:

HB 4128, Relating to associate judges for guardianship proceedings and protective services proceedings in certain courts.

The motion prevailed.

Senator Hall 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 except as follows:

Nays: Hall.

HOUSE BILL 4128 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 4128** be placed on its third reading and final passage.

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

Nays: Hall.

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

HOUSE BILL 4142 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4142** at this time on its second reading:

HB 4142, Relating to the award of attorney's fees in an action to enforce a motor vehicle mortgagee's lien.

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 4142 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 4142** 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 2334 ON SECOND READING

Senator Paxton moved to suspend the regular order of business to take up for consideration **HB 2334** at this time on its second reading:

HB 2334, Relating to an exemption from the plumbing licensing law for certain work performed on certain private property.

The motion prevailed by the following vote: Yeas 24, Nays 7.

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

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

The bill was read second time and was passed to third reading by the following vote: Yeas 24, Nays 7. (Same as previous roll call)

HOUSE BILL 1434 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 1434** at this time on its second reading:

HB 1434, Relating to the staggering of terms of aldermen of the governing body of a Type A general-law municipality.

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 1434 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 1434** be placed on its third reading and final passage.

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

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

(Senator Birdwell in Chair)

HOUSE BILL 1661 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 1661** at this time on its second reading:

HB 1661, Relating to the age limit for a beginning position in a police department under municipal civil service.

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 1661 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 1661** 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 3485 ON SECOND READING

Senator Johnson moved to suspend the regular order of business to take up for consideration **HB 3485** at this time on its second reading:

HB 3485, Relating to a contractor's or subcontractor's right to elect not to proceed with additional work under a contract.

The motion prevailed.

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

The bill was read second time and was passed to 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.

HOUSE BILL 3485 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 3485** 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 3208 ON SECOND READING

Senator LaMantia moved to suspend the regular order of business to take up for consideration **HB 3208** at this time on its second reading:

HB 3208, Relating to the refund of premiums on the cancellation of Texas Windstorm Insurance Association policies by insureds.

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

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

Nays: Bettencourt, Hall, Hughes, Middleton, Sparks.

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 3208 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 3208** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Hall, Hughes, Middleton, Sparks.

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

HOUSE BILL 2065 ON SECOND READING

Senator Middleton moved to suspend the regular order of business to take up for consideration **HB 2065** at this time on its second reading:

HB 2065, Relating to nonrenewal of certain private passenger automobile insurance policies for the insured's failure to cooperate in a third-party liability claim or action.

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 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: Creighton.

HOUSE BILL 2065 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 **HB 2065** 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 5310 ON SECOND READING

Senator King moved to suspend the regular order of business to take up for consideration **HB 5310** at this time on its second reading:

HB 5310, Relating to the creation of the Tarrant County Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

The motion prevailed.

Senators Hall, 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 5310 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 5310** 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 291 ON SECOND READING

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 291** at this time on its second reading:

HB 291, Relating to occupational driver's licenses and to the renewal of driver's licenses.

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 291 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 291** 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 2636 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 2636** at this time on its second reading:

HB 2636, Relating to liability of a recreational vehicle park or campground entity for injuries arising from certain activities.

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 2636 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 2636** 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 1457 ON SECOND READING

On motion of Senator Blanco and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1457** at this time on its second reading:

HB 1457, Relating to required military informed care or military cultural competency training for certain personnel of entities that provide mental health services to veterans or veterans' families before award of a state agency grant.

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 1457 ON THIRD READING

Senator Blanco moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1457** 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 2314 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 2314** at this time on its second reading:

HB 2314, Relating to filing death benefits claims under the workers' compensation system.

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 2314 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 2314** 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 3860 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 3860** at this time on its second reading:

HB 3860, Relating to the liability of county tax assessor-collectors for certain acts of deputies.

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 3860 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 3860** 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 891 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 891** at this time on its second reading:

HB 891, Relating to the use of expert testimony in certain suits affecting the parent-child relationship.

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 891 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 891** 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 103 ON SECOND READING

On motion of Senator Sparks and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 103** at this time on its second reading:

HB 103, Relating to the appointment of a retired or former judge as a visiting judge in certain counties.

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 103 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 103** 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 4928 ON SECOND READING

Senator Springer moved to suspend the regular order of business to take up for consideration **HB 4928** at this time on its second reading:

HB 4928, Relating to the continuation of certain health care provider participation programs in certain counties.

The motion prevailed.

Senators 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: Hughes, Middleton.

HOUSE BILL 4928 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 4928** 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, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Hughes, Middleton.

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

HOUSE BILL 1647 ON SECOND READING

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1647** at this time on its second reading:

HB 1647, Relating to health benefit plan coverage of clinician-administered drugs.

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 1647 ON THIRD READING

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1647** 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 3372 ON SECOND READING

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3372** at this time on its second reading:

HB 3372, Relating to the reporting of political contributions, including in-kind contributions, and expenditures made using a credit card.

The bill was read second time.

Senator Parker offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3372** (senate committee report) in SECTION 1 of the bill by striking added Sections 254.044(a)(2) and (b), Election Code (page 1, lines 37 through 49), and substituting the following:

(2) for a political contribution for which a processing fee is paid by the person making the political contribution in excess of the political contribution amount, report as a political contribution the full amount, including the amount paid in excess of the political contribution amount.

(b) The commission may not require a candidate or officeholder who accepts a political contribution described by Subsection (a)(2) to report as a political expenditure the excess amount paid as a processing fee by the person making the political contribution.

The amendment to **HB 3372** 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 3372 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 3372 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 3372** 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 5010 ON THIRD READING

Senator Hall moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 5010** be placed on its third reading and final passage:

HB 5010, Relating to the classification of a grievance filed with the State Bar of Texas.

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

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

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Miles, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 8, Present-not voting 1.

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

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

Present-not voting: Hinojosa.

**COMMITTEE SUBSTITUTE
HOUSE BILL 3697 ON SECOND READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSHB 3697** at this time on its second reading:

CSHB 3697, Relating to county regulation of subdivisions and approval of subdivision plans or plats.

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 Bettencourt offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 3697** as follows:

(1) On page 2, strike lines 13 and 14 and replace with the following:

"SECTION 4. Sections 232.101, Local Government Code, is amended by amending subsections (a) and (b) and adding a new subsection (d) as follows:"

(2) After page 2, line 43, insert the following:

"(d) A rule related to plats, development permits, and subdivisions of land may not require any analysis, study, document, agreement, or similar requirement that this not otherwise specifically required by statute."

The amendment to **CSHB 3697** was read and was adopted by a viva voce vote.

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

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSHB 3697** (senate committee report) as follows:

(1) Strike the recital to SECTION 4 of the bill (page 2, lines 13 and 14) and substitute the following:

SECTION 4. Section 232.101, Local Government Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(2) In SECTION 4 of the bill, in amended Section 232.101(b)(4), Local Government Code (page 2, line 34), between "(4)" and "the", insert "except as provided by Subsection (b-1),".

(3) In SECTION 4 of the bill, immediately after amended Section 232.101(b), Local Government Code (page 2, between lines 43 and 44), insert the following:

(b-1) A county that has a population of more than 370,000 and contains more than eight municipalities, each with a population of less than 2,000, may regulate the minimum size of a lot, dimensions of a lot, minimum width of a lot frontage, minimum distance a lot must be set back from a road or property line, or another component of lot density on a particular tract of land that the county may otherwise regulate under other law.

(4) Strike SECTION 5 of the bill, repealing Sections 232.103 and 232.104, Local Government Code (page 2, lines 44 and 45).

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

SECTION _____. Section 232.103, Local Government Code, is amended to read as follows:

Sec. 232.103. LOT FRONTAGES. Subject to Sections 232.101(b) and (b-1), by [By] an order adopted and entered in the minutes of the commissioners court and after a notice is published in a newspaper of general circulation in the county, the commissioners court may adopt reasonable standards for minimum lot frontages on existing county roads and establish reasonable standards for the lot frontages in relation to curves in the road.

SECTION _____. Section 232.104, Local Government Code, is amended to read as follows:

Sec. 232.104. SET-BACKS. Subject to Sections 232.101(b) and (b-1), by [By] an order adopted and entered in the minutes of the commissioners court and after a notice is published in a newspaper of general circulation in the county, the commissioners court may establish reasonable building and set-back lines as provided by Chapter 233 without the limitation period provided by Section 233.034(c) [233.004(e)].

The amendment to **CSHB 3697** was read and was adopted by a viva voce vote.

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

Nays: Eckhardt.

CSHB 3697 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 3697 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3697** 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 433 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 433** at this time on its second reading:

HB 433, Relating to the definition of a commercial 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 433 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 433** 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 1914 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 1914** at this time on its second reading:

HB 1914, Relating to compensatory time accrued by an employee of the Texas Department of Criminal Justice.

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 1914 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 1914** 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 4446 ON SECOND READING

Senator Springer moved to suspend the regular order of business to take up for consideration **HB 4446** at this time on its second reading:

HB 4446, Relating to certain licensing and permitting requirements for game rooms; authorizing an occupational permit or license; authorizing a fee.

The motion prevailed.

Senators Hall, 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: Hall, Hancock, Hughes, Middleton.

HOUSE BILL 4446 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 4446** be placed on its third reading and final passage.

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

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

Nays: Hall, Hancock, Hughes, Middleton.

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

HOUSE BILL 3104 ON SECOND READING

The Presiding Officer laid before the Senate **HB 3104** on its second reading. The bill had been read second time, amended, and further consideration postponed to a time certain of 11:00 a.m. today:

HB 3104, Relating to the temporary exemption of certain tangible personal property related to certain connected data center projects from sales and use taxes.

Question: Shall **HB 3104** as amended be passed to third reading?

VOTE RECONSIDERED

On motion of Senator Parker and by unanimous consent, the vote by which Floor Amendment No. 1 was adopted was reconsidered.

Question: Shall Floor Amendment No. 1 to **HB 3104** be adopted?

Senator Parker withdrew Floor Amendment No. 1.

Senator Parker offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 3104** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 151.3596(a), Tax Code (page 2, between lines 49 and 50), add the following appropriately numbered subdivision to the subsection and renumber the subdivisions of the subsection accordingly:

() "Virtual currency" has the meaning assigned by Section 12.001, Business & Commerce Code.

(2) In SECTION 1 of the bill, strike added Section 151.3596(a)(2)(B), Tax Code (page 1, lines 40 through 54), and substitute the following:

(B) is composed of one or more buildings:

(i) comprising at least 250,000 square feet of space;

(ii) located or to be located on contiguous or noncontiguous parcels of land;

(iii) that are commonly owned, owned by affiliation with the qualifying operator, or leased by a common qualifying operator; and

(iv) connected to each other:

(a) by fiber and associated equipment required for operating a fiber transmission network between data center buildings and upstream Internet peering points for the sole use of the qualifying occupant; and

(b) for the purpose of providing redundancy and resiliency for the data center services provided in each building;

(3) In SECTION 1 of the bill, strike added Section 151.3596(j), Tax Code (page 4, lines 36 through 40), and substitute the following:

(j) A connected data center project is not eligible to receive an exemption under this section if the connected data center project is:

(1) subject to an agreement limiting the appraised value of the connected data center's property under former Subchapter B or C, Chapter 313, or a substantially similar program that authorizes a temporary limit on the value of the connected data center's property for school district maintenance and operations ad valorem tax purposes; or

(2) used for the mining and staking of virtual currency.

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

SECTION ____. Section 151.359(a), Tax Code, is amended by adding Subdivision (9) to read as follows:

(9) "Virtual currency" has the meaning assigned by Section 12.001, Business & Commerce Code.

SECTION ____. Section 151.359(k), Tax Code, is amended to read as follows:

(k) A data center is not eligible to receive an exemption under this section if the data center is:

(1) subject to an agreement limiting the appraised value of the data center's property under former Subchapter B or C, Chapter 313, or a substantially similar program that authorizes a temporary limit on the value of the data center's property for school district maintenance and operations ad valorem tax purposes; or

(2) used for the mining and staking of virtual currency.

SECTION ____. Section 151.3595(a), Tax Code, is amended by adding Subdivision (9) to read as follows:

(9) "Virtual currency" has the meaning assigned by Section 12.001, Business & Commerce Code.

SECTION ____. Section 151.3595(j), Tax Code, is amended to read as follows:

(j) A data center is not eligible to receive an exemption under this section if the data center is:

(1) subject to an agreement limiting the appraised value of the data center's property under former Subchapter B or C, Chapter 313, or a substantially similar program that authorizes a temporary limit on the value of the data center's property for school district maintenance and operations ad valorem tax purposes; or

(2) used for the mining and staking of virtual currency.

SECTION ____. Sections 151.359(k) and 151.3595(j), Tax Code, as amended by this Act, apply only to a data center or large data center project that applies to the comptroller for certification as a qualifying data center or qualifying large data center project on or after the effective date of this Act.

SECTION ____. The comptroller of public accounts may adopt rules necessary to implement and administer this Act.

The amendment to **HB 3104** was read and was adopted by a viva voce vote.

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

Senator Springer offered the following amendment to the bill:

Floor Amendment No. 3

Amend **HB 3104** (senate committee report) in SECTION 1 of the bill, in added Section 151.3596, Tax Code (page 4, between lines 40 and 41), by inserting the following:

(k) Not later than November 1 of each year, the comptroller shall determine the total cost to this state of the exemption provided by this section, based on the effect of the exemption on the amount of revenue collected under this chapter, the impact to this state's economy from connected data center projects that are receiving the exemption, and any other factors the comptroller considers relevant. The comptroller shall publish the determination in the Texas Register. Notwithstanding Subsection (d) or any other law, the comptroller may not certify a connected data center project as a qualifying connected data center project after the date the comptroller publishes a determination in the Texas Register that the total cost to this state of the exemption provided by this section exceeds \$20 million.

The amendment to **HB 3104** was read.

Senator Springer withdrew Floor Amendment No. 3.

HB 3104 as amended was passed to third reading by the following vote: Yeas 27, Nays 4.

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

Nays: Eckhardt, Middleton, Sparks, Springer.

HOUSE BILL 3104 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 3104** 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, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, West, Whitmire, Zaffirini.

Nays: Eckhardt, Middleton, Sparks, Springer.

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

(President in Chair)

SENATE RULE 5.14(a) SUSPENDED

(Intent Calendar)

(Motion In Writing)

Senator Hughes 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 8:30 p.m. on Sunday, May 21, 2023.

HUGHES

The Motion In Writing was read and prevailed without objection.

**SENATE RULE 5.14(a) SUSPENDED
(Intent Calendar)
(Motion In Writing)**

Senator Hughes 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 8:30 p.m. today.

HUGHES

The Motion In Writing was read and prevailed without objection.

SENATE CONCURRENT RESOLUTION 55

The President laid before the Senate the following resolution:

WHEREAS, Senate Bill No. 1615 has passed the Texas Senate and the Texas House of Representatives and is now in the office of the governor; and

WHEREAS, Further consideration of the bill by the senate and the house of representatives is necessary; now, therefore, be it further

RESOLVED, by the 88th Legislature of the State of Texas, That the governor be hereby requested to return Senate Bill No. 1615 to the senate for further consideration; and, be it further

RESOLVED, That the action of the president of the senate and the speaker of the house of representatives in signing Senate Bill No. 1615 be declared null and void and that the two presiding officers be authorized to remove their signatures from the enrolled bill.

ZAFFIRINI

SCR 55 was read.

On motion of Senator Zaffirini and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Creighton and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet and consider **HB 2415** upon recess today in the Press Room, 2E.9.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Hall and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Administration might meet and consider the following bills upon recess today in the Betty King Committee Room, 2E.20: **HB 2166, HCR 27, HCR 29, HCR 104, HCR 105.**

CONFERENCE COMMITTEE REPORT ON
SENATE BILL 763

Senator Middleton submitted the following Conference Committee Report:

Austin, Texas
May 18, 2023

Honorable Dan Patrick
President of the Senate

Honorable Dade Phelan
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 763** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

MIDDLETON
BETTENCOURT
CREIGHTON
KING
PAXTON

On the part of the Senate

HEFNER
CODY HARRIS
E. MORALES
SHINE

On the part of the House

A BILL TO BE ENTITLED
AN ACT

relating to allowing public schools to employ or accept as volunteers chaplains.

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

SECTION 1. Subtitle D, Title 2, Education Code, is amended by adding Chapter 23 to read as follows:

CHAPTER 23. SCHOOL CHAPLAINS

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

(b) A school district or open-enrollment charter school that employs or accepts as a volunteer a chaplain under this chapter shall ensure that the chaplain complies with the applicable requirements under Subchapter C, Chapter 22, before the chaplain begins employment or volunteering at the district or school.

(c) A school district or open-enrollment charter school may not employ or accept as a volunteer a chaplain who has been convicted of or placed on deferred adjudication community supervision for an offense for which a defendant is required to register as a sex offender under Chapter 62, Code of Criminal Procedure.

SECTION 2. Section 48.115(b), Education Code, is amended to read as follows:

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

(1) securing school facilities, including:

(A) improvements to school infrastructure;

(B) the use or installation of physical barriers; and

(C) the purchase and maintenance of:

(i) security cameras or other security equipment; and

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

(2) providing security for the district, including:

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

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

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

(A) active shooter and emergency response training;

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

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

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

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

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

(iv) establishing threat reporting systems; and

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

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

SECTION 3. Each board of trustees of a school district and each governing body of an open-enrollment charter school shall take a record vote not later than six months after the effective date of this Act on whether to adopt a policy authorizing a campus of the district or school to employ or accept as a volunteer a chaplain under Chapter 23, Education Code, as added by this Act.

SECTION 4. This Act applies beginning with the 2023-2024 school year.

SECTION 5. 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 Conference Committee Report on **SB 763** was filed with the Secretary of the Senate.

MOTION TO RECESS

On motion of Senator Zaffirini and by unanimous consent, the Senate at 7:55 p.m. agreed to recess, pending the receipt of committee reports, until 4:00 p.m. Sunday, May 21, 2023.

CO-AUTHOR OF SENATE BILL 1317

On motion of Senator Hughes, Senator Alvarado will be shown as Co-author of **SB 1317**.

CO-SPONSOR OF HOUSE BILL 3

On motion of Senator West, Senator Blanco will be shown as Co-sponsor of **HB 3**.

CO-SPONSORS OF HOUSE BILL 8

On motion of Senator Creighton, Senators Alvarado, Bettencourt, Birdwell, Blanco, Eckhardt, Menéndez, Paxton, and Zaffirini will be shown as Co-sponsors of **HB 8**.

CO-SPONSOR OF HOUSE BILL 18

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

CO-SPONSOR OF HOUSE BILL 44

On motion of Senator Middleton, Senator Kolkhorst will be shown as Co-sponsor of **HB 44**.

CO-SPONSORS OF HOUSE BILL 90

On motion of Senator Huffman, Senators Blanco and West will be shown as Co-sponsors of **HB 90**.

CO-SPONSOR OF HOUSE BILL 238

On motion of Senator Flores, Senator Blanco will be shown as Co-sponsor of **HB 238**.

CO-SPONSORS OF HOUSE BILL 471

On motion of Senator Schwertner, Senators Blanco and Hinojosa will be shown as Co-sponsors of **HB 471**.

CO-SPONSOR OF HOUSE BILL 617

On motion of Senator Alvarado, Senator Sparks will be shown as Co-sponsor of **HB 617**.

CO-SPONSOR OF HOUSE BILL 890

On motion of Senator Creighton, Senator Paxton will be shown as Co-sponsor of **HB 890**.

CO-SPONSOR OF HOUSE BILL 1058

On motion of Senator Perry, Senator Springer will be shown as Co-sponsor of **HB 1058**.

CO-SPONSOR OF HOUSE BILL 1105

On motion of Senator Kolkhorst, Senator Blanco will be shown as Co-sponsor of **HB 1105**.

CO-SPONSORS OF HOUSE BILL 1181

On motion of Senator Paxton, Senators Alvarado, Campbell, Creighton, Flores, Hall, Hinojosa, Huffman, King, Kolkhorst, LaMantia, Sparks, and West will be shown as Co-sponsors of **HB 1181**.

CO-SPONSOR OF HOUSE BILL 1228

On motion of Senator Springer, Senator Hall will be shown as Co-sponsor of **HB 1228**.

CO-SPONSOR OF HOUSE BILL 1287

On motion of Senator Blanco, Senator Campbell will be shown as Co-sponsor of **HB 1287**.

CO-SPONSOR OF HOUSE BILL 2100

On motion of Senator Schwertner, Senator Alvarado will be shown as Co-sponsor of **HB 2100**.

CO-SPONSOR OF HOUSE BILL 2194

On motion of Senator Hughes, Senator Creighton will be shown as Co-sponsor of **HB 2194**.

CO-SPONSORS OF HOUSE BILL 2837

On motion of Senator Schwertner, Senators Creighton, Campbell, and Kolkhorst will be shown as Co-sponsors of **HB 2837**.

CO-SPONSOR OF HOUSE BILL 2851

On motion of Senator Kolkhorst, Senator Blanco will be shown as Co-sponsor of **HB 2851**.

CO-SPONSORS OF HOUSE BILL 2920

On motion of Senator Bettencourt, Senators Blanco and Sparks will be shown as Co-sponsors of **HB 2920**.

CO-SPONSOR OF HOUSE BILL 3208

On motion of Senator LaMantia, Senator Hinojosa will be shown as Co-sponsor of **HB 3208**.

CO-SPONSOR OF HOUSE BILL 3310

On motion of Senator Middleton, Senator Hinojosa will be shown as Co-sponsor of **HB 3310**.

CO-SPONSOR OF HOUSE BILL 3311

On motion of Senator Middleton, Senator Hinojosa will be shown as Co-sponsor of **HB 3311**.

CO-SPONSOR OF HOUSE BILL 3730

On motion of Senator Hughes, Senator Eckhardt will be shown as Co-sponsor of **HB 3730**.

CO-SPONSOR OF HOUSE BILL 3824

On motion of Senator Hughes, Senator Blanco will be shown as Co-sponsor of **HB 3824**.

CO-SPONSOR OF HOUSE BILL 4077

On motion of Senator Eckhardt, Senator Bettencourt will be shown as Co-sponsor of **HB 4077**.

CO-SPONSOR OF HOUSE BILL 4082

On motion of Senator Bettencourt, Senator Hall will be shown as Co-sponsor of **HB 4082**.

CO-SPONSOR OF HOUSE BILL 4246

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

CO-SPONSOR OF HOUSE BILL 4451

On motion of Senator Flores, Senator Eckhardt will be shown as Co-sponsor of **HB 4451**.

CO-SPONSOR OF HOUSE BILL 4742

On motion of Senator LaMantia, Senator Hinojosa will be shown as Co-sponsor of **HB 4742**.

CO-SPONSOR OF HOUSE BILL 5012

On motion of Senator Birdwell, Senator Paxton will be shown as Co-sponsor of **HB 5012**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 619 by Perry, In memory of Henry Wesley Woodard.

Congratulatory Resolutions

SCR 54 by Hinojosa, Recognizing E. Linda Villarreal for her service as president of the Texas Medical Association.

SR 615 by Middleton, Recognizing Galveston County's independent school district education foundations.

SR 616 by Hancock, Recognizing Jimmy Perdue on the occasion of his retirement.

SR 617 by Nichols, Recognizing Hubert Robinson on the occasion of his retirement.

Official Designation Resolution

SR 614 by Eckhardt, Recognizing May 19, 2023, as Manor Day.

RECESS

Pursuant to a previously adopted motion, the Senate at 3:59 p.m. Sunday, May 21, 2023, recessed until 4:00 p.m. today.

APPENDIX

COMMITTEE REPORTS

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

May 19, 2023

HEALTH AND HUMAN SERVICES — HB 248, HB 1673, HB 2658, HB 2873, HB 2651, HB 25, HB 755

EDUCATION — CSHB 1361

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — CSHB 3453, CSHB 4390, CSHB 26, CSHB 2847, CSHB 3837

HEALTH AND HUMAN SERVICES — HB 1229, HB 1009, HB 999, HB 1337, HB 4415, HB 400, HB 148

STATE AFFAIRS — CSHB 3058, HB 1848, HB 3712, HB 3137, HB 1299, HB 2961, HB 969, HB 1087, HB 2626, HB 461, HB 3046, HB 3949, HB 371, HB 3742, HB 4062, HB 3159, HB 4053, CSHB 1759

TRANSPORTATION — HB 198, HB 923, HB 3641, HB 3861, HB 4122, HB 4861, HB 5142, HB 53

FINANCE — CSHB 4041, CSHB 1613

WATER, AGRICULTURE, AND RURAL AFFAIRS — HB 238, HB 1598, HB 1688, HB 2442, HB 2851, HB 2900, HB 3257, HB 3604, HB 3744, HB 4069, HB 4087, HB 4106, HB 4385, HB 4538, HB 4609, HB 4644, HB 4659, HB 4820, HB 4856, HB 5025, HB 3232

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — CSHB 4565, CSHB 3727, CSHB 2263, CSHB 33

EDUCATION — CSHB 890

BORDER SECURITY — HB 800, HB 4337

WATER, AGRICULTURE, AND RURAL AFFAIRS — **CSHB 3810**

BUSINESS AND COMMERCE — **HB 139, HB 1363, HB 1466, HB 1518, HB 1597**

WATER, AGRICULTURE, AND RURAL AFFAIRS — **HB 3361, HB 2947, HB 3419**

CRIMINAL JUSTICE — **HB 1432, HB 1486, HB 2201, HB 3603, HB 4164, HB 4779, HB 5202**

BORDER SECURITY — **CSHB 7**

BUSINESS AND COMMERCE — **HB 3579, CSHB 4123, HB 2333, HB 2839**

HEALTH AND HUMAN SERVICES — **HB 12**

BUSINESS AND COMMERCE — **HB 3436, HB 2259, HB 1903, HB 1996, HB 2060**

HEALTH AND HUMAN SERVICES — **CSHB 4888, CSHB 1972**

BUSINESS AND COMMERCE — **HB 4373, HB 4219, HB 2965, HB 2313, HB 821**

CRIMINAL JUSTICE — **HB 1133, HB 1227, HB 1136, HB 1163, HB 2187, HB 3858, HB 3852, HB 3556**

ADMINISTRATION — **HB 2166, HCR 27, HCR 104, HCR 105, HCR 29**

CRIMINAL JUSTICE — **HB 3005, HB 611, HB 1385, HB 1730, HB 1577, HB 1589, HB 2086, HB 5370, HB 2019, HB 64, HB 2741, HB 2523, HB 3686, HB 1506, HB 1603, HB 2087, HB 4628, HB 3981, HB 3917, HB 2715, HB 5309**

HEALTH AND HUMAN SERVICES — **HB 2512, HB 4091**

FINANCE — **CSHJR 2**

HEALTH AND HUMAN SERVICES — **CSHB 3466**

BUSINESS AND COMMERCE — **HB 3772**

HEALTH AND HUMAN SERVICES — **CSSB 2143**

JURISPRUDENCE — **CSHB 3129**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSHB 915, CSHB 2466, CSHB 4885**

LOCAL GOVERNMENT — **HB 5415, HB 5414, HB 5413, HB 5412, HB 5411, HB 5407, HB 5404, HB 5397, HB 5396, HB 5392, HB 5389, HB 5386, HB 5382, HB 5377, HB 5375, HB 5358, HB 5356, HB 5334, HB 5333, HB 5312, HB 4645, HB 4456, HB 4227, HB 4158, HB 4082, HB 3899, HB 3849, HB 3469, HB 3207, HB 3191, HB 3097, HB 2816, HB 2730, HB 1583, HB 1228, HB 783, HB 14**

BILLS AND RESOLUTIONS ENROLLED

May 19, 2023

SB 247, SB 261, SB 267, SB 323, SB 576, SB 621, SB 780, SB 944, SB 975, SB 1246, SB 1471, SB 1849, SB 2139, SCR 2, SCR 13, SCR 42, SJR 64, SR 614, SR 615, SR 616, SR 617, SR 619

SENT TO SECRETARY OF STATE

May 19, 2023

SJR 87

SENT TO GOVERNOR

May 19, 2023

SB 14, SB 246, SB 500, SB 538, SB 594, SB 728, SB 786, SB 798, SB 801, SB 821, SB 849, SB 1076, SB 1089, SB 1133, SB 1179, SB 1238, SB 1250, SB 1340, SB 1361, SB 1364, SB 1420, SB 1424, SB 1447, SB 1794, SB 1860, SB 1932, SB 2010, SB 2102, SB 2186, SB 2289, SB 2538, SB 2592

SIGNED BY GOVERNOR

May 19, 2023

SB 49, SB 271, SB 281, SB 412, SB 415, SB 423, SB 507, SB 508, SB 510, SB 569, SB 580, SB 593, SB 617, SB 699, SB 729, SB 761, SB 806, SB 818, SB 929, SB 957, SB 1002, SB 1013, SB 1023, SB 1093, SB 1158, SB 1170, SB 1210, SB 1222, SB 1249, SB 1259, SB 1286, SB 1322, SB 1332, SB 1425, SB 1469, SB 1495, SB 1509, SB 1523, SB 1527, SB 1563, SB 1577, SB 1588, SB 1639, SB 1645, SB 1646, SB 1741, SB 1758, SB 1831, SB 1839, SB 1852, SB 1866, SB 1985, SB 1991, SB 2038, SB 2101, SB 2171, SB 2193, SB 2214, SB 2221, SCR 38, SCR 44

FILED WITHOUT SIGNATURE OF GOVERNOR

May 19, 2023

SB 1837, SB 1914, SB 2069

VETOED BY GOVERNOR

May 19, 2023

SB 1615

