

SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-SEVENTH DAY

(Continued)

(Sunday, May 21, 2023)

AFTER RECESS

The Senate met at 5:31 p.m. and was called to order by Senator Birdwell.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was filed with the Secretary of the Senate:

STATE OF TEXAS
OFFICE OF THE GOVERNOR

MESSAGE

TO THE MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES
OF THE EIGHTY-EIGHTH TEXAS LEGISLATURE, REGULAR SESSION:

Pursuant to Article IV, Section 14 of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove and veto Senate Bill No. 1615 of the 88th Texas Legislature, Regular Session, due to the following objections:

Before ceding sovereign power over our State's cosmetologists to a Cosmetology Licensure Compact Commission that does not yet exist, Texas should wait and see who joins this proposed interstate compact. There is simply no need to rush into such an arrangement, as evidenced by the fact that Senate Bill No. 1615 would not even go into effect until 2026.

I have long been a champion of occupational-licensing reforms like those in Senate Bill No. 1615, especially when they help military spouses. That is why I signed Senate Bill No. 1200 into law in 2019. As a result, a military spouse with an out-of-state license can now practice a trade in the Lone Star State without the hassle of securing another license from Texas.

To take another example, I signed House Bill No. 3742 in 2015 so that Texas can enter into licensing-reciprocity agreements with sister states. Instead of waiting until 2026 for someone else to cut red tape, I hereby direct the Texas Department of Licensing and Regulation to redouble its efforts on entering into those bilateral agreements. A copy of this disapproval message shall be filed with that state agency.

There will be time enough to reassess the membership and direction of this Cosmetology Licensure Compact Commission in 2025, when the 89th Legislature convenes. Meanwhile, I will continue to defend Texas's sovereignty and push for real reforms that let Texans get to work.

Since you remain gathered in regular session and continue to conduct formal business, I am delivering this disapproval message directly to you along with the unsigned official enrolled copy of the bill.

Respectfully submitted,
/s/Greg Abbott
Governor of Texas

Austin, Texas
May 19, 2023

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Sunday, May 21, 2023 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 3292 Vasut

Relating to the election of the members of the board of directors of the Sweeny Hospital District.

HB 5360 Shine

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

HB 5400 Morales, Eddie

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

HB 5418 Goldman

Relating to the powers, duties, operation, administration, and board of directors of the Karis Municipal Management District of Tarrant County; providing authority to impose assessments.

SB 37 Zaffirini

Sponsor: González, Mary

Relating to the criminal offense of hazing.

- SB 52** Zaffirini Sponsor: Smith
Relating to the right of state hospital patients to designate an essential caregiver for in-person visitation.
- SB 135** West Sponsor: Ramos
Relating to recording the status of certain home studies performed by the Department of Family and Protective Services.
- SB 252** Alvarado Sponsor: Guillen
Relating to the licensing of certain veterans by the Texas Commission on Law Enforcement and the hiring of those veterans by political subdivisions.
- SB 280** Zaffirini Sponsor: Raymond
Relating to the issuance of specialty license plates for members of the military who served in Operation Freedom's Sentinel.
- SB 317** Hall Sponsor: Kitzman
Relating to appellate jurisdiction of the Public Utility Commission regarding certain water or sewer service fees.
(Committee Substitute)
- SB 348** Springer Sponsor: Meyer
Relating to the prohibition on posting on the Internet information held by an appraisal district regarding certain residential property.
- SB 361** Eckhardt Sponsor: Shine
Relating to the eligibility of a person employed by a school district as a teacher to serve on the appraisal review board of an appraisal district.
- SB 372** Huffman Sponsor: Leach
Relating to creating a criminal offense for the unauthorized disclosure of non-public judicial opinions and judicial work product.
- SB 374** Huffman Sponsor: DeAyala
Relating to the period for disposing of a charge that a person violated a condition of release from the Texas Department of Criminal Justice.
- SB 414** Paxton Sponsor: Hefner
Relating to the designation of a portion of State Highway 19 as the Mildred McMillan Garrett Memorial Bridge.
- SB 485** Johnson Sponsor: Oliverson
Relating to designating the second Saturday in October as Hospice and Palliative Care Day.
- SB 496** Zaffirini Sponsor: Guillen
Relating to a study on potential improvements to training provided to 9-1-1 emergency service call takers and dispatchers.
- SB 526** West Sponsor: Cook
Relating to requiring prior approval by the Texas Higher Education Coordinating Board to offer a degree or certificate program to certain persons who are incarcerated or subject to involuntary civil commitment.

- SB 539** Campbell Sponsor: Craddick
Relating to the manner in which an individual who has elected to defer collection of a tax, abate a suit to collect a delinquent tax, or abate a sale to foreclose a tax lien on the individual's residence homestead is listed on the delinquent tax roll of a taxing unit.
- SB 540** Campbell Sponsor: Isaac
Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.
- SB 646** Nichols Sponsor: Kuempel
Relating to formula funding for certain nonresident students enrolled at Lamar State College—Orange.
- SB 658** Perry Sponsor: Leach
Relating to the disposition of money from certain attorney accounts delivered to the comptroller as unclaimed property.
- SB 691** Kolkhorst Sponsor: Wilson
Relating to an animal share exemption for certain meat and meat food products; providing a civil penalty.
- SB 739** Johnson Sponsor: Oliverson
Relating to designating October 10 as Supportive Palliative Care Awareness Day.
- SB 796** Middleton Sponsor: Johnson, Ann
Relating to arbitration provisions in surplus lines insurance contracts.
(Committee Substitute/Amended)
- SB 867** West Sponsor: Rose
Relating to the recipients of opioid antagonists under the opioid antagonist program.
- SB 893** Zaffirini Sponsor: King, Tracy O.
Relating to the correction of a certificate of public convenience and necessity for providing water or sewer service.
(Committee Substitute)
- SB 904** Springer Sponsor: Landgraf
Relating to the offense of the unauthorized use of parking designated for persons with disabilities.
- SB 983** Paxton Sponsor: Holland
Relating to information maintained by certain municipally owned utilities that provide electricity services and cable, Internet, or broadband services.
- SB 1051** Hughes Sponsor: Harris, Caroline
Relating to a uniform coordination of benefits questionnaire for health benefit plans.
(Committee Substitute)
- SB 1122** Schwertner Sponsor: Turner
Relating to the exclusion of certain medical services performed to determine an appropriate level of workers' compensation benefits from sales and use taxes.
- SB 1236** Flores Sponsor: Murr
Relating to the use of certain weapons in or on the bed or bank of a navigable river or stream; providing a penalty.

(Committee Substitute/Amended)

SB 1393 Middleton Sponsor: Paul
Relating to eligibility for coverage by the Fair Access to Insurance Requirements Plan in certain areas.

SB 1439 Springer Sponsor: Hefner
Relating to the ad valorem taxation of tangible personal property held or used for the production of income by related business entities.

SB 1467 Hancock Sponsor: Price
Relating to the disclosure of certain medical information by electronic means.
(Committee Substitute)

SB 1551 West Sponsor: Frazier
Relating to the prosecution of the criminal offense of failure to identify; creating a criminal offense.

SB 1614 Perry Sponsor: Price
Relating to the computation of the cost of goods sold by television and radio broadcasters for purposes of the franchise tax.

SB 1653 Huffman Sponsor: Cook
Relating to the punishment for the offense of promotion of prostitution.

SB 1710 Perry Sponsor: Burrows
Relating to the universal service fund.

SB 2017 Zaffirini Sponsor: Price
Relating to the regulation of hearing aids and the practices of audiology and the fitting and dispensing of hearing instruments.

SB 2091 West Sponsor: Sherman, Sr.
Relating to the authority of a taxing unit to sell certain seized or foreclosed property to an owner of an abutting property without conducting a public sale.
(Amended)

SB 2106 Zaffirini Sponsor: Johnson, Julie
Relating to the Judicial Branch Certification Commission; authorizing the Supreme Court of Texas to adopt rules on ineligibility to renew a certification, registration, or license issued by the commission; specifying conditions for the imposition of administrative sanctions by the commission.

SB 2119 Schwertner Sponsor: Hunter
Relating to the identification of locations receiving broadband and certain telecommunications services.

SB 2150 Nichols Sponsor: Clardy
Relating to the designation of the portion of U.S. Highway 84 in Joaquin as the Lt. General O.R. "Cotton" Whiddon Memorial Highway.

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

- SB 2275** Hughes Sponsor: Smithee
Relating to the authority of the Supreme Court of Texas to adopt certain rules.
- SB 2310** Hinojosa Sponsor: Smith
Relating to longevity pay for certain prosecutors.
- SB 2333** Hughes Sponsor: Metcalf
Relating to rules permitting service dogs in the Capitol.
- SB 2379** Schwertner Sponsor: Harris, Caroline
Relating to aquifer storage and recovery projects that transect a portion of the Edwards Aquifer.
- SB 2399** Schwertner Sponsor: Guillen
Relating to the authority of the Public Utility Commission of Texas to regulate Voice over Internet Protocol services.
- SB 2476** Zaffirini Sponsor: Oliverson
Relating to consumer protections against certain medical and health care billing by emergency medical services providers.
(Committee Substitute)
- SB 2493** Middleton Sponsor: Bryant
Relating to repairs made pursuant to a tenant's notice of intent to repair and the refund of a tenant's security deposit.
- SB 2612** Flores Sponsor: Allison
Relating to the commissioning by the General Land Office of certain Alamo complex rangers as peace officers.

Respectfully,

/s/Stephen Brown,
Chief Clerk

House of Representatives

SENATE BILL 1045 WITH HOUSE AMENDMENTS

Senator Huffman called **SB 1045** from the President's table for consideration of the House amendments to the bill.

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

Amendment

Amend **SB 1045** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

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.

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

ARTICLE 1. FIFTEENTH COURT OF APPEALS

SECTION 1.01. Section 22.201, Government Code, is amended by amending Subsection (a) and adding Subsection (p) to read as follows:

(a) The state is organized ~~[divided]~~ into 15 ~~[14]~~ courts of appeals districts with a court of appeals in each district.

(p) The Fifteenth Court of Appeals District is composed of all counties in this state.

SECTION 1.02. Subchapter C, Chapter 22, Government Code, is amended by adding Section 22.2151 to read as follows:

Sec. 22.2151. FIFTEENTH COURT OF APPEALS. (a) The Court of Appeals for the Fifteenth Court of Appeals District shall be held in the City of Austin.

(b) The Fifteenth Court of Appeals may transact its business in any county in the district as the court determines is necessary and convenient.

SECTION 1.03. Section 22.216, Government Code, is amended by adding Subsection (n-1) to read as follows:

(n-1) The Court of Appeals for the Fifteenth Court of Appeals District consists of a chief justice and of four justices holding places numbered consecutively beginning with Place 2.

SECTION 1.04. Section 22.220, Government Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Except as provided by Subsection (d), each ~~[Each]~~ court of appeals has appellate jurisdiction of all civil cases within its district of which the district courts or county courts have jurisdiction when the amount in controversy or the judgment rendered exceeds \$250, exclusive of interest and costs.

(d) The Court of Appeals for the Fifteenth Court of Appeals District has exclusive intermediate appellate jurisdiction over the following matters arising out of or related to a civil case:

(1) matters brought by or against the state or a board, commission, department, office, or other agency in the executive branch of the state government, including a university system or institution of higher education as defined by Section 61.003, Education Code, or by or against an officer or employee of the state or a board, commission, department, office, or other agency in the executive branch of the state government arising out of that officer's or employee's official conduct, other than:

(A) a proceeding brought under the Family Code and any related motion or proceeding;

(B) a proceeding brought under Chapter 7B or Article 17.292, Code of Criminal Procedure;

(C) a proceeding brought against a district attorney, a criminal district attorney, or a county attorney with criminal jurisdiction;

(D) a proceeding relating to a mental health commitment;

(E) a proceeding relating to civil asset forfeiture;

(F) a condemnation proceeding for the acquisition of land or a proceeding related to eminent domain;

(G) a proceeding brought under Chapter 125, Civil Practice and Remedies Code, to enjoin a common nuisance;

(H) a proceeding brought under Chapter 55, Code of Criminal Procedure;

(I) a proceeding under Chapter 22A, Government Code;

(J) a proceeding brought under Subchapter E-1, Chapter 411, Government Code;

(K) a proceeding brought under Chapter 21, Labor Code;

(L) a removal action under Chapter 87, Local Government Code; or

(M) a proceeding brought under Chapter 841, Health and Safety Code;

(2) matters in which a party to the proceeding files a petition, motion, or other pleading challenging the constitutionality or validity of a state statute or rule and the attorney general is a party to the case; and

(3) any other matter as provided by law.

SECTION 1.05. Section 22.221, Government Code, is amended by amending Subsection (b) and adding Subsections (c) and (c-1) to read as follows:

(b) Subject to Subsection (c-1), each ~~[Each]~~ court of appeals for a court of appeals district may issue all writs of mandamus, agreeable to the principles of law regulating those writs, against [±

~~[(±)] a judge of a district, statutory county, statutory probate county, or county court in the court of appeals district[±~~

~~[(2) a judge of a district court who is acting as a magistrate at a court of inquiry under Chapter 52, Code of Criminal Procedure, in the court of appeals district; or~~

~~[(3) an associate judge of a district or county court appointed by a judge under Chapter 201, Family Code, in the court of appeals district for the judge who appointed the associate judge].~~

(c) Each court of appeals for a court of appeals district, other than the Court of Appeals for the Fifteenth Court of Appeals District, may issue all writs of mandamus, agreeable to the principles of law regulating those writs, against:

(1) a judge of a district court who is acting as a magistrate at a court of inquiry under Chapter 52, Code of Criminal Procedure, in the court of appeals district; or

(2) an associate judge of a district or county court appointed by a judge under Chapter 201, Family Code, in the court of appeals district for the judge who appointed the associate judge.

(c-1) The original jurisdiction of the Court of Appeals for the Fifteenth Court of Appeals District to issue writs is limited to writs arising out of matters over which the court has exclusive intermediate appellate jurisdiction under Section 22.220(d).

SECTION 1.06. Section 22.229(a), Government Code, is amended to read as follows:

(a) An appellate judicial system fund is established for each court of appeals, other than the Court of Appeals of the Fifteenth Court of Appeals District, to:

(1) assist the court of appeals in the processing of appeals filed with the court of appeals from the county courts, statutory county courts, statutory probate courts, and district courts in the counties the court of appeals serves; and

(2) defray costs and expenses incurred in the operation of the court of appeals.

SECTION 1.07. Section 73.001, Government Code, is amended to read as follows:

Sec. 73.001. AUTHORITY TO TRANSFER. (a) Except as provided by Subsection (b), the [The] supreme court may order cases transferred from one court of appeals to another at any time that, in the opinion of the supreme court, there is good cause for the transfer.

(b) The supreme court may not transfer any case or proceeding properly filed in the Court of Appeals for the Fifteenth Court of Appeals District to another court of appeals for the purpose of equalizing the dockets of the courts of appeals.

(c) The supreme court shall adopt rules for:

(1) transferring an appeal inappropriately filed in the Fifteenth Court of Appeals to a court of appeals with jurisdiction over the appeal; and

(2) transferring to the Fifteenth Court of Appeals from another court of appeals the appeals over which the Fifteenth Court of Appeals has exclusive intermediate appellate jurisdiction under Section 22.220(d).

SECTION 1.08. Section 659.012(a), Government Code, is amended to read as follows:

(a) Notwithstanding Section 659.011 and subject to Subsections (b) and (b-1):

(1) a judge of a district court is entitled to an annual base salary from the state as set by the General Appropriations Act in an amount equal to at least \$140,000, except that the combined base salary of a district judge from all state and county sources, including compensation for any extrajudicial services performed on behalf of the county, may not exceed the amount that is \$5,000 less than the maximum combined base salary from all state and county sources for a justice of a court of appeals other than a chief justice as determined under this subsection;

(2) except as provided by Subdivision (3), a justice of a court of appeals other than the chief justice is entitled to an annual base salary from the state in the amount equal to 110 percent of the state base salary of a district judge as set by the General Appropriations Act, except that the combined base salary of a justice of the court of appeals other than the chief justice from all state and county sources, including compensation for any extrajudicial services performed on behalf of the county, may not exceed the amount that is \$5,000 less than the base salary for a justice of the supreme court as determined under this subsection;

(3) a justice of the Court of Appeals for the Fifteenth Court of Appeals District other than the chief justice is entitled to an annual base salary from the state in the amount equal to \$5,000 less than 120 percent of the state base salary of a district judge as set by the General Appropriations Act;

(4) a justice of the supreme court other than the chief justice or a judge of the court of criminal appeals other than the presiding judge is entitled to an annual base salary from the state in the amount equal to 120 percent of the state base salary of a district judge as set by the General Appropriations Act; and

(5) ~~(4)~~ the chief justice or presiding judge of an appellate court is entitled to an annual base salary from the state in the amount equal to \$2,500 more than the state base salary provided for the other justices or judges of the court, except that the combined base salary of the chief justice of a court of appeals from all state and county sources may not exceed the amount equal to \$2,500 less than the base salary for a justice of the supreme court as determined under this subsection.

SECTION 1.09. Section 2001.038(f), Government Code, is amended to read as follows:

(f) A Travis County district court in which an action is brought under this section, on its own motion or the motion of any party, may request transfer of the action to the Court of Appeals for the Fifteenth [~~Third~~] Court of Appeals District if the district court finds that the public interest requires a prompt, authoritative determination of the validity or applicability of the rule in question and the case would ordinarily be appealed. After filing of the district court's request with the court of appeals, transfer of the action may be granted by the court of appeals if it agrees with the findings of the district court concerning the application of the statutory standards to the action. On entry of an order by the court of appeals granting transfer, the action is transferred to the court of appeals for decision, and the validity or applicability of the rule in question is subject to judicial review by the court of appeals. The administrative record and the district court record shall be filed by the district clerk with the clerk of the court of appeals. The court of appeals may direct the district court to conduct any necessary evidentiary hearings in connection with the action.

SECTION 1.10. Section 2001.176(c), Government Code, is amended to read as follows:

(c) A Travis County district court in which an action is brought under this section, on its own motion or on motion of any party, may request transfer of the action to the Court of Appeals for the Fifteenth [~~Third~~] Court of Appeals District if the district court finds that the public interest requires a prompt, authoritative determination of the legal issues in the case and the case would ordinarily be appealed. After filing of the district court's request with the court of appeals, transfer of the action may be granted by the court of appeals if it agrees with the findings of the district court concerning the application of the statutory standards to the action. On entry of an order by the court of appeals granting transfer, the action is transferred to the court of appeals for decision, and the agency decision in the contested case is subject to judicial review by the court of appeals. The administrative record and the district court record shall be filed by the district clerk with the clerk of the court of appeals. The court of appeals may direct the district court to conduct any necessary evidentiary hearings in connection with the action.

SECTION 1.11. Section 2301.751(a), Occupations Code, is amended to read as follows:

(a) A party to a proceeding affected by a final order, rule, or decision or other final action of the board with respect to a matter arising under this chapter or Chapter 503, Transportation Code, may seek judicial review of the action under the substantial evidence rule in:

- (1) a district court in Travis County; or
- (2) the court of appeals for the Fifteenth [~~Third~~] Court of Appeals District.

SECTION 1.12. Section 39.001(e), Utilities Code, is amended to read as follows:

(e) Judicial review of competition rules adopted by the commission shall be conducted under Chapter 2001, Government Code, except as otherwise provided by this chapter. Judicial review of the validity of competition rules shall be commenced in the Court of Appeals for the Fifteenth ~~Third~~ Court of Appeals District and shall be limited to the commission's rulemaking record. The rulemaking record consists of:

- (1) the notice of the proposed rule;
- (2) the comments of all interested persons;
- (3) all studies, reports, memoranda, or other materials on which the commission relied in adopting the rule; and
- (4) the order adopting the rule.

SECTION 1.13. (a) Except as otherwise provided by this Act, the Court of Appeals for the Fifteenth Court of Appeals District is created September 1, 2024.

(b) If the Court of Appeals for the Fifteenth Court of Appeals District is created, the initial vacancies in the offices of chief justice and justices of the court shall be filled by appointment.

SECTION 1.14. (a) The changes in law made by this Act apply to appeals perfected on or after September 1, 2024.

(b) On September 1, 2024, all cases pending in other courts of appeal that were filed on or after September 1, 2023, and of which the Court of Appeals for the Fifteenth Court of Appeals District has exclusive intermediate appellate jurisdiction are transferred to the Court of Appeals for the Fifteenth Court of Appeals District.

(c) When a case is transferred as provided by Subsection (b) of this section:

(1) all processes, writs, bonds, recognizances, or other obligations issued from the other courts of appeal are returnable to the Court of Appeals for the Fifteenth Court of Appeals District as if originally issued by that court; and

(2) the obligees on all bonds and recognizances taken in and for the other courts of appeal and all witnesses summoned to appear in another court of appeals are required to appear before the Court of Appeals for the Fifteenth Court of Appeals District as if originally required to appear before the Court of Appeals for the Fifteenth Court of Appeals District.

ARTICLE 2. CONFORMING AMENDMENTS

SECTION 2.01. Article 4.01, Code of Criminal Procedure, is amended to read as follows:

Art. 4.01. WHAT COURTS HAVE CRIMINAL JURISDICTION. The following courts have jurisdiction in criminal actions:

1. The Court of Criminal Appeals;
2. Courts of appeals, other than the Court of Appeals for the Fifteenth Court of Appeals District;
3. The district courts;
4. The criminal district courts;
5. The magistrates appointed by the judges of the district courts of Bexar County, Dallas County, Tarrant County, or Travis County that give preference to criminal cases and the magistrates appointed by the judges of the criminal district courts of Dallas County or Tarrant County;
6. The county courts;
7. All county courts at law with criminal jurisdiction;

8. County criminal courts;
9. Justice courts;
10. Municipal courts;
11. The magistrates appointed by the judges of the district courts of Lubbock County;
12. The magistrates appointed by the El Paso Council of Judges;
13. The magistrates appointed by the Collin County Commissioners Court;
14. The magistrates appointed by the Brazoria County Commissioners Court or the local administrative judge for Brazoria County; and
15. The magistrates appointed by the judges of the district courts of Tom Green County.

SECTION 2.02. Article 4.03, Code of Criminal Procedure, is amended to read as follows:

Art. 4.03. COURTS OF APPEALS. The Courts of Appeals, other than the Court of Appeals for the Fifteenth Court of Appeals District, shall have appellate jurisdiction coextensive with the limits of their respective districts in all criminal cases except those in which the death penalty has been assessed. This article ~~[Article]~~ shall not be so construed as to embrace any case which has been appealed from any inferior court to the county court, the county criminal court, or county court at law, in which the fine imposed or affirmed by the county court, the county criminal court or county court at law does not exceed one hundred dollars, unless the sole issue is the constitutionality of the statute or ordinance on which the conviction is based.

SECTION 2.03. Article 44.25, Code of Criminal Procedure, is amended to read as follows:

Art. 44.25. CASES REMANDED. The courts of appeals, other than the Court of Appeals of the Fifteenth Court of Appeals District, or the Court of Criminal Appeals may reverse the judgment in a criminal action, as well upon the law as upon the facts.

SECTION 2.04. Section 31.001, Government Code, is amended to read as follows:

Sec. 31.001. AUTHORITY FOR COUNTY PAYMENT OF COMPENSATION. The commissioners courts in the counties of each of the 15 ~~[14]~~ courts of appeals districts may pay additional compensation in an amount that does not exceed the limitations of Section 659.012 to each of the justices of the courts of appeals, other than a justice of the Court of Appeals of the Fifteenth Court of Appeals District, residing within the court of appeals district that includes those counties. The compensation is for all extrajudicial services performed by the justices.

ARTICLE 3. SPECIFIC APPROPRIATION REQUIRED; CONSTITUTIONAL CHALLENGE; EFFECTIVE DATE

SECTION 3.01. (a) Notwithstanding Section 22.201(a), Government Code, as amended by this Act, and Sections 22.201(p) and 22.2151, Government Code, as added by this Act, the Court of Appeals for the Fifteenth Court of Appeals District is not created unless the legislature makes a specific appropriation of money for that purpose. For purposes of this subsection, a specific appropriation is an appropriation

identifying the Court of Appeals for the Fifteenth Court of Appeals District or an Act of the 88th Legislature, Regular Session, 2023, relating to the creation of the Court of Appeals for the Fifteenth Court of Appeals District.

(b) Notwithstanding Section 22.220(a), Government Code, as amended by this Act, a court of appeals has the same jurisdiction the court had on August 31, 2023, if the Court of Appeals for the Fifteenth Court of Appeals District is not created as a result of Subsection (a) of this section.

SECTION 3.02. The Texas Supreme Court has exclusive and original jurisdiction over a challenge to the constitutionality of this Act or any part of this Act and may issue injunctive or declaratory relief in connection with the challenge.

SECTION 3.03. This Act takes effect September 1, 2023.

Floor Amendment No. 1

Amend **CSSB 1045** (house committee report) as follows:

(1) On page 1, line 24, strike "Subsection (n-1)" and substitute "Subsections (n-1) and (n-2)".

(2) On page 2, strike lines 2 and 3, and substitute the following:

Appeals District consists of a chief justice and of five justices holding places numbered consecutively beginning with Place 2.

(n-2) Notwithstanding Subsection (n-1), the Court of Appeals for the Fifteenth Court of Appeals District consists of a chief justice and of two justices holding places numbered consecutively beginning with Place 2 for the first three years following the court's creation. This subsection expires September 1, 2027.

Floor Amendment No. 2

Amend **CSSB 1045** (house committee report) on page 3, between lines 8 and 9, by inserting the following appropriately lettered paragraphs and relettering subsequent paragraphs of proposed Section 22.220(d)(1), Government Code, accordingly:

() a proceeding brought under Chapter 101, Civil Practice and Remedies Code;

() a claim of personal injury or wrongful death;

Floor Amendment No. 1 on Third Reading

Amend **SB 1045** on third reading in SECTION 1.03 of the bill, on page 2, lines 1 through 3, by striking added Section 22.216(n-1), Government Code, and substituting the following:

(n-1) The Court of Appeals for the Fifteenth Court of Appeals District consists of a chief justice and of four justices holding places numbered consecutively beginning with Place 2.

Floor Amendment No. 3 on Third Reading

Amend **SB 1045** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Subchapter C, Chapter 22, Government Code, is amended by adding Section 22.2152 to read as follows:

Sec. 22.2152. REPORT ON FIFTEENTH COURT OF APPEALS. Not later than December 1 of each year, the Office of Court Administration of the Texas Judicial System shall submit to the legislature a report on the number and types of cases heard by the Court of Appeals for the Fifteenth Court of Appeals District in the preceding state fiscal year.

The amendments were read.

Senator Huffman moved to concur in the House amendments to **SB 1045**.

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.

SENATE JOINT RESOLUTION 74 WITH HOUSE AMENDMENTS

Senator Parker called **SJR 74** from the President's table for consideration of the House amendments to the resolution.

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

Amendment

Amend **SJR 74** by substituting in lieu thereof the following:

A JOINT RESOLUTION

proposing a constitutional amendment providing for the creation of the centennial parks conservation fund.

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

SECTION 1. Article III, Texas Constitution, is amended by adding Section 49-e-1 to read as follows:

Sec. 49-e-1. (a) The centennial parks conservation fund is established as a trust fund outside the treasury. In accordance with general law, the fund may be used only for the creation and improvement of state parks.

(b) The centennial parks conservation fund consists of:

(1) money appropriated to the fund;

(2) money transferred or deposited to the credit of the fund by general law;

(3) investment earnings and interest earned on amounts credited to the fund;

and

(4) gifts, grants, and donations received for the fund.

(c) The legislature may appropriate money from the centennial parks conservation fund to the Parks and Wildlife Department or the department's successor in function for the purposes prescribed for the fund by this section and general law.

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

(1) money in the centennial parks conservation fund is dedicated by this constitution; and

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

(d-1) On January 1, 2024, the comptroller of public accounts shall transfer \$1 billion of the unencumbered balance of the general revenue fund that exists on that date to the centennial parks conservation fund. This subsection expires December 31, 2024.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2023. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment providing for the creation of the centennial parks conservation fund to be used for the creation and improvement of state parks."

Floor Amendment No. 1

Amend **CSSJR 74** (house committee report) as follows:

(1) On page 1, strike lines 11-17 and substitute the following:

(1) money appropriated, credited, or transferred to the fund by the legislature;

(2) gifts, grants, and donations received by the Parks and Wildlife Department or the department's successor in function for a purpose for which money in the fund may be used under this section; and

(3) investment earnings and interest earned on amounts credited to the fund.

(2) On page 2, strike lines 6-10 and substitute the following:

(e) The reasonable expenses of managing the fund and its assets shall be paid from the fund.

The amendments were read.

Senator Parker moved to concur in the House amendments to **SJR 74**.

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

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

Nays: Hall, Hughes, Middleton.

CONFERENCE COMMITTEE ON HOUSE BILL 473

Senator Sparks called from the President's table, for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on **HB 473** and moved that the request be granted.

The motion prevailed without objection.

The Presiding Officer asked if there were any motions to instruct the conference committee on **HB 473** before appointment.

There were no motions offered.

Accordingly, the Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators Sparks, Chair; Creighton, Campbell, Springer, and Flores.

CONFERENCE COMMITTEE ON HOUSE BILL 2484

Senator LaMantia called from the President's table, for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on **HB 2484** and moved that the request be granted.

The motion prevailed without objection.

The Presiding Officer asked if there were any motions to instruct the conference committee on **HB 2484** before appointment.

There were no motions offered.

Accordingly, the Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators LaMantia, Chair; Campbell, Parker, West, and Kolkhorst.

SENATE BILL 1516 WITH HOUSE AMENDMENT

Senator King called **SB 1516** 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 1516** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 11.073(b), Code of Criminal Procedure, is amended to read as follows:

(b) A court may grant a convicted person relief on an application for a writ of habeas corpus if:

(1) the convicted person files an application, in the manner provided by Article 11.07, 11.071, or 11.072, containing specific facts indicating that:

(A) relevant scientific evidence is currently available and was not available at the time of the convicted person's trial because the evidence was not ascertainable through the exercise of reasonable diligence by the convicted person before the date of or during the convicted person's trial; and

(B) the scientific evidence would be admissible under the Texas Rules of Evidence at a trial held on the date of the application; and

(2) the court makes the findings described by Subdivisions (1)(A) and (B) and also finds that, had the scientific evidence been presented at trial, on the preponderance of the evidence the person would not have been convicted or would have received a different punishment.

SECTION _____. Article 11.073, Code of Criminal Procedure, as amended by this Act, applies only to an application for a writ of habeas corpus filed on or after the effective date of this Act. An application filed before the effective date of this Act is governed by the law in effect when the application was filed, and the former law is continued in effect for that purpose.

The amendment was read.

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

The motion prevailed without objection.

The Presiding Officer asked if there were any motions to instruct the conference committee on **SB 1516** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators King, Chair; Flores, Hinojosa, Bettencourt, and Middleton.

SENATE BILL 22 WITH HOUSE AMENDMENTS

Senator Springer called **SB 22** from the President's table for consideration of the House amendments to the bill.

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

Amendment

Amend **SB 22** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to the establishment of grant programs to provide financial assistance to qualified sheriff's offices, constable's offices, and prosecutor's offices in rural counties.

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

SECTION 1. Subchapter Z, Chapter 130, Local Government Code, is amended by adding Sections 130.911 and 130.912 to read as follows:

Sec. 130.911. RURAL SHERIFF'S OFFICE SALARY ASSISTANCE GRANT PROGRAM. (a) In this section:

(1) "Grant" means a grant authorized to be awarded by the comptroller under the rural sheriff's office salary assistance grant program established by this section.

(2) "Qualified county" means a county with a population of 300,000 or less.

(b) The comptroller shall establish and administer the rural sheriff's office salary assistance grant program to support the state purpose of ensuring professional law enforcement throughout the state by providing financial assistance to sheriff's offices and constable's offices in qualified counties.

(c) Not later than the 30th day after the first day of a qualified county's fiscal year, the county may submit an application for a grant to the comptroller. A county may submit only one application each fiscal year.

(d) The comptroller shall award a grant to a qualified county that applies for the grant using money appropriated to the comptroller for that purpose. The grant must be in the following applicable amount:

- (1) \$250,000 if the county has a population of less than 10,000;
- (2) \$350,000 if the county has a population of 10,000 or more and less than 50,000; or
- (3) \$500,000 if the county has a population of 50,000 or more and 300,000 or less.

(e) A county that is awarded a grant shall use or authorize the use of the grant money only:

- (1) to provide a minimum annual salary of at least:
 - (A) \$75,000 for the county sheriff;
 - (B) \$45,000 for each deputy who makes motor vehicle stops in the routine performance of their duties; and
 - (C) \$40,000 for each jailer whose duties include the safekeeping of prisoners and the security of a jail operated by the county;
- (2) to increase the salary of a person described by Subdivision (1);
- (3) to hire additional deputies or staff for the sheriff's office;
- (4) to purchase vehicles, firearms, and safety equipment for the sheriff's office; or
- (5) to provide an aggregated maximum of \$25,000 to the constable's offices in the county for the purchase of vehicles, firearms, and safety equipment.

(f) A county that is awarded a grant may not use or authorize the use of the grant money for a purpose other than to meet the minimum salary requirements prescribed by Subsection (e)(1) until those requirements are satisfied.

(g) A county may not reduce the amount of funds provided to the sheriff's office or constable's office because of grant funds provided under this section.

(h) The comptroller shall adopt rules necessary to implement this section, including rules that establish:

- (1) a standardized application process, including the form to be used to apply for a grant and the manner of submitting the form;
- (2) deadlines for:
 - (A) applying for the grant;
 - (B) disbursement of grant money; and
 - (C) spending grant money; and
- (3) procedures for:
 - (A) monitoring the disbursement of grant money to ensure compliance with this section; and
 - (B) the return of grant money that was not used by a county for a purpose authorized by this section.

Sec. 130.912. RURAL PROSECUTOR'S OFFICE SALARY ASSISTANCE GRANT PROGRAM. (a) In this section:

(1) "Grant" means a grant authorized to be awarded by the comptroller under the rural prosecutor's office salary assistance grant program established by this section.

(2) "Qualified prosecutor's office" means, in a jurisdiction with a population of 300,000 or less, the office of a district attorney, criminal district attorney, or county attorney with criminal prosecution duties.

(b) The comptroller shall establish and administer the rural prosecutor's office salary assistance grant program to support the state purpose of ensuring professional legal representation of the people's interests throughout the state by providing financial assistance to qualified prosecutor's offices.

(c) Not later than the 30th day after the first day of a qualified prosecutor's office's fiscal year, the prosecutor's office may submit an application for a grant to the comptroller. A prosecutor's office may submit only one application each fiscal year.

(d) The comptroller shall award a grant to a qualified prosecutor's office that applies for the grant using money appropriated to the comptroller for that purpose. The grant must be in the following applicable amount:

(1) \$100,000 if the prosecutor's office's jurisdiction has a population of less than 10,000;

(2) \$175,000 if the prosecutor's office's jurisdiction has a population of 10,000 or more and less than 50,000; or

(3) \$275,000 if the prosecutor's office's jurisdiction has a population of 50,000 or more and 300,000 or less.

(e) A prosecutor's office that is awarded a grant shall use or authorize the use of the grant money only:

(1) to supplement the salary of a district attorney, criminal district attorney, or county attorney with criminal prosecution duties, as applicable to the county, in addition to any other supplement authorized by law;

(2) to increase the salary of an assistant attorney, an investigator, or a victim assistance coordinator employed at the office; or

(3) to hire additional staff for the office.

(f) A county may not reduce the amount of funds provided to a prosecutor's office because of grant funds provided under this section.

(g) The comptroller shall adopt rules necessary to implement this section, including rules that establish:

(1) a standardized application process, including the form to be used to apply for a grant and the manner of submitting the form;

(2) deadlines for:

(A) applying for the grant;

(B) disbursement of grant money; and

(C) spending grant money; and

(3) procedures for:

(A) monitoring the disbursement of grant money to ensure compliance with this section; and

(B) the return of grant money that was not used by a county for a purpose authorized by this section.

SECTION 2. A qualified county or prosecutor's office, as defined by Section 130.911 or 130.912, Local Government Code, as added by this Act, may not apply for a rural sheriff's office salary assistance grant or a rural prosecutor's office salary assistance grant before January 1, 2024.

SECTION 3. Not later than January 1, 2024, the comptroller of public accounts shall comply with the requirements of Sections 130.911 and 130.912, Local Government Code, as added by this Act.

SECTION 4. This Act takes effect September 1, 2023.

Floor Amendment No. 1

Amend **CSSB 22** (house committee report) as follows:

(1) On page 1, line 7, strike "130.911 and 130.912" and substitute "130.911, 130.912, and 130.913".

(2) On page 1, line 20, strike "and constable's offices".

(3) On page 2, line 23, after the semicolon, add "or".

(4) On page 2, line 25, strike "; or" and substitute an underlined period.

(5) Strike page 2, line 26, through page 3, line 1.

(6) On page 3, line 7, strike "or constable's office".

(7) On page 3, between lines 22 and 23, insert the following:

Sec. 130.912. RURAL CONSTABLE'S OFFICE SALARY ASSISTANCE GRANT PROGRAM. (a) In this section:

(1) "Grant" means a grant authorized to be awarded by the comptroller under the rural constable's office salary assistance grant program established by this section.

(2) "Qualified county" means a county with a population of 300,000 or less.

(b) The comptroller shall establish and administer the rural constable's office salary assistance grant program to support the state purpose of ensuring professional law enforcement throughout the state by providing financial assistance to constable's offices in qualified counties.

(c) Not later than the 30th day after the first day of a qualified county's fiscal year, the county may submit an application for a grant to the comptroller. A county may submit only one application each fiscal year.

(d) The comptroller shall award a grant to a qualified county that applies for the grant using money appropriated to the comptroller for that purpose.

(e) A county that is awarded a grant shall use or authorize the use of the grant money only to provide a minimum annual salary of \$45,000 to an elected constable who makes motor vehicle stops in the routine performance of the constable's duties.

(f) A county may not reduce the amount of funds provided to the constable's office because of grant funds provided under this section.

(g) The comptroller shall adopt rules necessary to implement this section, including rules that establish:

(1) a standardized application process, including the form to be used to apply for a grant and the manner of submitting the form;

(2) deadlines for:

(A) applying for the grant;

(B) disbursement of grant money; and

(C) spending grant money; and

(3) procedures for:

(A) monitoring the disbursement of grant money to ensure compliance with this section; and

(B) the return of grant money that was not used by a county for a purpose authorized by this section.

(8) On page 3, line 23, strike "130.912" and substitute "130.913".

(9) Strike page 4, line 27, through page 5, line 3, and renumber subsequent subdivisions accordingly.

(10) On page 5, line 24, strike "county" and substitute "qualified prosecutor's office".

(11) On page 5, line 26, strike "130.911 or 130.912" and substitute "130.911, 130.912, or 130.913".

(12) On page 6, line 1, between "grant" and "or", insert ", a rural constable's office salary assistance grant,".

(13) On page 6, line 5, strike "130.911 and 130.912" and substitute "130.911, 130.912, and 130.913".

The amendments were read.

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

The motion prevailed without objection.

The Presiding Officer asked if there were any motions to instruct the conference committee on **SB 22** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators Springer, Chair; Huffiman, Campbell, Bettencourt, and Hinojosa.

SENATE BILL 1599 WITH HOUSE AMENDMENT

Senator Hughes called **SB 1599** 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 1599** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to ballots voted by mail.

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

SECTION 1. Section 66.026, Election Code, is amended to read as follows:

Sec. 66.026. CONTENTS OF BALLOT BOX NO. 4. Ballot box no. 4 must contain:

- (1) the original of the ballot register;
- (2) the register of spoiled ballots;

- (3) any spoiled ballots;
- (4) any ballot to be voted by mail returned at the polling place;
- (5) ~~(4)~~ any defectively printed ballots;
- (6) ~~(5)~~ any envelope containing cancellation requests and canceled ballots;

and

- (7) ~~(6)~~ any other unused ballots.

SECTION 2. Section 84.032, Election Code, is amended by adding Subsection (d-1) to read as follows:

(d-1) An election officer shall maintain a register of ballots to be voted by mail returned at a polling place under Subsection (d). An election officer shall enter on the register the name of each voter who returns a ballot to be voted by mail and the ballot's number. The secretary of state shall adopt a form to be used for this purpose.

SECTION 3. Section 84.036, Election Code, is amended to read as follows:

Sec. 84.036. DISPOSITION OF RETURNED BALLOT. (a) If an early voting ballot sent to an applicant whose application is canceled is returned to the early voting clerk as a marked ballot, the ballot shall be treated as a marked ballot not timely returned.

(b) After making the appropriate entry on a register maintained under Section 84.032(d-1), an election officer shall deposit a ballot to be voted by mail returned at a polling place under Section 84.032(d) in ballot box no. 4.

SECTION 4. Section 86.008, Election Code, is amended to read as follows:

Sec. 86.008. OPPORTUNITY TO CORRECT DEFECT: ~~DEFECTIVE~~ APPLICATION. (a) This section applies to an application for a ballot to be voted by mail for which the applicant failed to comply with a requirement provided by Section 84.002, 84.0021, or 84.003(a) in a manner that would lead, if not corrected, to the rejection of the applicant's application.

(a-1) Not later than the second day after the early voting clerk discovers a defect described by Subsection (a), the early voting clerk shall:

(1) determine if it would be possible for the applicant to correct the defect and return an application form by mail before the deadline provided by Section 84.007(c) or 86.0015(b-1), as applicable; and

(2) notwithstanding any other law, if the clerk determines it would be possible to correct the defect and return an application form before the deadline provided by Section 84.007(c) or 86.0015(b-1), either return the application to the applicant or ~~if on reviewing an application for a ballot to be voted by mail that was received on or before the 18th day before election day the early voting clerk determines that the application does not fully comply with the applicable requirements prescribed by this title, the clerk shall mail or otherwise~~ deliver an official application form to the applicant.

(b) The clerk shall include with the returned application or an application form ~~mailed or~~ delivered to the applicant under Subsection (a-1)(2) a written notice containing:

- (1) a brief explanation of each defect in the noncomplying application;
- (2) a statement informing the voter that the voter is not entitled to vote an early voting ballot unless the application complies with all legal requirements; and
- (3) instructions for submitting the corrected or second application.

(c) If the early voting clerk determines that it would not be possible for the applicant to correct the defect and return an application form by mail before the deadline provided by Section 84.007(c) or 86.0015(b-1), as applicable, ~~[an application that does not fully comply with the applicable requirements prescribed by this title is received after the 12th day before election day and before the end of the period for early voting by personal appearance,]~~ the clerk may notify the applicant by telephone or e-mail of the defect, including the information required under Subsection (b), and inform the applicant that the applicant may come to the early voting clerk's office before the deadline provided by Section 84.007(c) or 86.0015(b-1), as applicable, and correct the defect in person ~~[shall mail or otherwise deliver a notice to the voter containing the information prescribed by Subdivisions (1) and (2) of Subsection (b), including a statement that the application was late, if applicable].~~

(c-1) The clerk shall:

(1) in addition to returning an application or providing an application form under Subsection (a-1)(2) or notifying an applicant under Subsection (c), notify the applicant of a defect discovered under this section and provide the information required to be included under Subsection (b) using the online tool described by Section 86.015; and

(2) if possible, permit the applicant to correct a defect using the online tool described by Section 86.015.

(d) Notwithstanding any other provisions of this code, the clerk may deliver in person to the voter a second application if the defective original application is timely and may receive, before the deadline, the corrected application in person from the voter. If a procedure authorized by this subsection is used, it must be applied uniformly to all applications covered by this subsection. The clerk shall enter a notation on the application indicating any information added by the clerk under this subsection. A poll watcher is entitled to accompany the clerk and observe the procedures under this subsection. The secretary of state may prescribe any other procedures necessary to implement this subsection including requirements for posting notice of any deliveries.

SECTION 5. Sections 86.015(a) and (b), Election Code, are amended to read as follows:

(a) The secretary of state shall develop or otherwise provide an online tool to each early voting clerk ~~[that enables a person who submits an application for a ballot to be voted by mail to track the location and status of the person's application and ballot]~~ on the secretary's Internet website and on the county's Internet website if the early voting clerk is the county clerk of a county that maintains an Internet website that enables a person who submits an application for a ballot to be voted by mail to:

(1) track the location and status of the person's application and ballot; and
(2) receive notice of and, if possible, correct a defect in the person's application and ballot under Sections 86.008(c-1), 87.0271(e-1), and 87.0411(e-1).

(b) The online tool developed or provided under Subsection (a) must require the voter to provide, before permitting the voter to access information described by that subsection:

(1) the voter's name and date of birth ~~[registration address]~~ and the last four digits of the voter's social security number; and

(2) the voter's:

(A) driver's license number; or

(B) personal identification card number issued by the Department of

Public Safety.

SECTION 6. Section 87.0222, Election Code, is amended to read as follows:

Sec. 87.0222. TIME OF DELIVERY: BALLOTS VOTED BY MAIL. (a)

Except as provided by Subsection (a-1), not later than the ninth day before election day ~~[Notwithstanding Section 87.024, in an election conducted by an authority of a county with a population of 100,000 or more, or conducted jointly with such a county or conducted with such a county through a contract for election services], the jacket envelopes containing [the] early voting ballots voted by mail shall [may] be delivered to the board [between the end of the ninth day before the last day of the period for early voting by personal appearance and the closing of the polls on election day, or as soon after closing as practicable, at the time or times specified by the presiding judge of the board].~~

(a-1) Any jacket envelopes of early voting ballots voted by mail returned after delivery of the ballots under Subsection (a) may be delivered to the presiding judge of the early voting ballot board between the end of the ninth day before election day and the closing of the polls on election day, or as soon after closing as practicable, at the time or times specified by the presiding judge.

(b) The early voting clerk shall post notice of each delivery of balloting materials under this section that is to be made before the time for opening the polls on election day. The notice shall be posted at the main early voting polling place continuously for at least 24 hours immediately preceding the delivery.

(c) At least 24 hours before each delivery made before the time for opening the polls on election day, the early voting clerk shall notify the county chair of each political party having a nominee on the ballot of the time the delivery is to be made.

SECTION 7. Sections 87.0241(a) and (c), Election Code, are amended to read as follows:

(a) The early voting ballot board shall make its determination ~~[may determine]~~ whether to accept early voting ballots voted by mail in accordance with Section 87.041 ~~[at any time]~~ after the ballots are delivered to the board.

(c) The secretary of state shall prescribe any procedures necessary for implementing this section ~~[in regard to elections described by Subsection (b)(2)].~~

SECTION 8. Section 87.0271, Election Code, is amended by amending Subsections (b) and (c) and adding Subsections (b-1), (c-1), and (e-1) to read as follows:

(b) Not later than the second ~~[business]~~ day after a signature verification committee discovers a defect described by Subsection (a) and before the committee decides whether to accept or reject a timely delivered ballot under Section 87.027, the committee shall send the voter a notice of the defect and a corrective action form developed by the secretary of state under Subsection (c-1) by mail or by common or contract carrier ~~;~~

~~[(1) determine if it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day; and~~

~~[(2) return the carrier envelope to the voter by mail, if the committee determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day].~~

(b-1) The signature verification committee shall include with the notice delivered to the voter under Subsection (b):

(1) a brief explanation of each defect in the noncomplying ballot; and

(2) a notice that the voter may:

(A) cancel the voter's application to vote by mail in the manner described by Section 84.032; or

(B) correct the defect in the voter's ballot by:

(i) submitting a corrective action form developed and made available by the secretary of state under Subsection (c-1) by mail or by common or contract carrier; or

(ii) coming to the early voting clerk's office not later than the sixth day after election day.

(c) If the signature verification committee determines [~~under Subsection (b)(1)~~] that it would not be possible for the voter to receive the notice of defect within a reasonable time to correct the defect [~~and return the carrier envelope before the time the polls are required to close on election day~~], the committee may notify the voter of the defect by telephone or e-mail and inform the voter that the voter may request to have the voter's application to vote by mail canceled in the manner described by Section 84.032, submit a corrective action form developed by the secretary of state under Subsection (c-1) by mail or by common or contract carrier, or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect.

(c-1) The secretary of state shall develop a corrective action form that may be completed and submitted to a signature verification committee under this section to correct a defect.

(e-1) The committee shall:

(1) in addition to sending the voter a notice of the defect under Subsection (b) or notifying the voter of the defect by telephone or e-mail under Subsection (c), notify the voter of a defect discovered under this section using the online tool described by Section 86.015; and

(2) if possible, permit the voter to correct a defect using the online tool described by Section 86.015.

SECTION 9. Section 87.041(d-1), Election Code, is amended to read as follows:

(d-1) If a voter provides the information required under Section 86.002(g) and it identifies the same voter identified on the voter's application for voter registration under Section 13.002(c)(8), the signature on the ballot application and on the carrier envelope certificate shall be rebuttably presumed to be the signatures of the voter. The board shall compare signatures in making a determination under Subsection (b)(2) regardless of whether the presumption provided by this subsection exists.

SECTION 10. Section 87.0411, Election Code, is amended by amending Subsections (b) and (c) and adding Subsections (b-1), (c-1), and (e-1) to read as follows:

(b) Not later than the second ~~[business]~~ day after an early voting ballot board discovers a defect described by Subsection (a) and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board shall send the voter a notice of the defect and a corrective action form developed by the secretary of state under Subsection (c-1) by mail or by common or contract carrier[;

~~[(1) determine if it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day; and~~

~~[(2) return the carrier envelope to the voter by mail, if the board determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day].~~

(b-1) The early voting ballot board shall include with the notice delivered to the voter under Subsection (b):

(1) a brief explanation of each defect in the noncomplying ballot; and

(2) a notice that the voter may:

(A) cancel the voter's application to vote by mail in the manner described by Section 84.032; or

(B) correct the defect in the voter's ballot by:

(i) submitting a corrective action form developed and made available by the secretary of state under Subsection (c-1) by mail or by common or contract carrier; or

(ii) coming to the early voting clerk's office not later than the sixth day after election day.

(c) If the early voting ballot board determines ~~[under Subsection (b)(1)]~~ that it would not be possible for the voter to receive the notice of defect within a reasonable time to correct the defect ~~[and return the carrier envelope before the time the polls are required to close on election day]~~, the board may notify the voter of the defect by telephone or e-mail and inform the voter that the voter may request to have the voter's application to vote by mail canceled in the manner described by Section 84.032, submit a corrective action form developed by the secretary of state under Subsection (c-1) by mail or by common or contract carrier, or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect.

(c-1) The secretary of state shall develop a corrective action form that may be completed and submitted to an early voting ballot board under this section to correct a defect.

(e-1) The early voting ballot board shall:

(1) in addition to sending the voter notice of the defect under Subsection (b) or notifying the voter of the defect by telephone or e-mail under Subsection (c), notify the voter of a defect discovered under this section using the online tool described by Section 86.015; and

(2) if possible, permit the voter to correct a defect using the online tool described by Section 86.015.

SECTION 11. The change in law made by this Act applies only to an application for a ballot to be voted by mail submitted on or after the effective date of this Act. An application for a ballot to be voted by mail submitted before the effective date of this Act is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.

SECTION 12. The changes in law made by this Act apply only to an election held on or after the effective date of this Act. An election held before the effective date of this Act is governed by the law in effect when the election was held, and that law is continued in effect for that purpose.

SECTION 13. This Act takes effect September 1, 2023.

The amendment was read.

Senator Hughes moved to concur in the House amendment to **SB 1599**.

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

SENATE BILL 994 WITH HOUSE AMENDMENT

Senator Schwertner called **SB 994** 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 994** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to the declaration of a candidate's ineligibility on the basis of failure to pay a filing fee or submit a petition in lieu of a filing fee.

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

SECTION 1. Section 145.003, Election Code, is amended by amending Subsections (b) and (f) and adding Subsection (f-1) to read as follows:

(b) Except as provided by Subsection (f-1), a [A] candidate in the general election for state and county officers may be declared ineligible before the 30th day preceding election day by:

(1) the party officer responsible for certifying the candidate's name for placement on the general election ballot, in the case of a candidate who is a political party's nominee; ~~[or]~~

(2) the authority with whom the candidate's application for a place on the ballot is required to be filed, in the case of an independent candidate; or

(3) the secretary of state, if the candidate is ineligible under Subsection (f)(3).

(f) A candidate may be declared ineligible only if:

(1) the information on the candidate's application for a place on the ballot indicates that the candidate is ineligible for the office; ~~[or]~~

(2) facts indicating that the candidate is ineligible are conclusively established by another public record; or

(3) the candidate fails to pay the filing fee or submit a petition in lieu of a filing fee.

(f-1) A candidate may not be declared ineligible under Subsection (f)(3) after the 74th day preceding election day.

SECTION 2. Section 145.036, Election Code, is amended by amending Subsection (a) and adding Subsection (b-1) to read as follows:

(a) Except as provided by Subsections [~~Subsection~~] (b) and (b-1), if a candidate's name is to be omitted from the ballot under Section 145.035, the political party's state, district, county, or precinct executive committee, as appropriate for the particular office, may nominate a replacement candidate to fill the vacancy in the nomination.

(b-1) An executive committee may make a replacement nomination following an administrative declaration of ineligibility under Section 145.003(f)(3) only if the replacement candidate pays the filing fee or submits a petition in lieu of a filing fee.

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

The amendment was read.

Senator Schwertner moved to concur in the House amendment to **SB 994**.

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

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

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

COMMITTEE SUBSTITUTE HOUSE BILL 3699 ON SECOND READING

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSHB 3699** at this time on its second reading:

CSHB 3699, Relating to municipal regulation of subdivisions and approval of subdivision plans or plats.

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, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West.

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

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

HOUSE BILL 4363 ON SECOND READING

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **HB 4363** at this time on its second reading:

HB 4363, Relating to the establishment of the Future Texas Teachers Scholarship Program for certain students at public institutions of higher education.

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

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

Nays: Hall, Hancock, Hughes, King, Middleton, Sparks.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 4363** (senate committee report) in SECTION 1 of the bill as follows:

(1) In added Section 56.504(a)(5), Education Code (page 2, line 30), strike "and".

(2) In added Section 56.504(a), Education Code, between Subdivisions (5) and (6) (page 2, between lines 30 and 31), insert the following:

(6) complete a criminal history background check from:

(A) any law enforcement or criminal justice agency; or

(B) a private entity that is a consumer reporting agency governed by the

Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.);

(7) provide the educator preparation program with the completed background check report and any supplemental documentation the program may request to evaluate the background check report for the purposes of this section; and

(3) In added Section 56.504(a)(6), Education Code (page 2, line 31), strike "(6)" and substitute "(8)".

(4) In added Section 56.504, Education Code (page 2, between lines 52 and 53), insert the following:

(c) An educator preparation program shall review the background check documentation provided under Subsection (a)(7) for the purposes of making a determination under Subsection (b).

The amendment to **HB 4363** 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 4363 as amended was passed to third reading by the following vote: Yeas 25, Nays 6.

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

Nays: Hall, Hancock, Hughes, King, Middleton, Sparks.

HOUSE BILL 4363 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 4363** be placed on its third reading and final passage.

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

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

Nays: Hall, Hancock, Hughes, King, Middleton, Sparks.

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

HOUSE BILL 5409 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 5409** at this time on its second reading:

HB 5409, Relating to the board of directors and duties of the Gulf Coast Protection 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 5409 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 5409** 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 2177 ON SECOND READING

Senator LaMantia moved to suspend the regular order of business to take up for consideration **HB 2177** at this time on its second reading:

HB 2177, Relating to establishing a digital course materials pilot program.

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

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

Nays: Campbell, Hall, Hancock, Hughes, Kolkhorst, Parker, Paxton, Sparks, Springer.

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

HOUSE BILL 699 ON SECOND READING

Senator Paxton moved to suspend the regular order of business to take up for consideration **HB 699** at this time on its second reading:

HB 699, Relating to determining the student enrollment of a public school that allows non-enrolled students to participate in University Interscholastic League activities for purposes of assigning a University Interscholastic League classification.

The motion prevailed.

Senators Alvarado, Gutierrez, Johnson, Miles, and Whitmire 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: Alvarado, Gutierrez, Johnson, Miles, Whitmire.

HOUSE BILL 699 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 699** be placed on its third reading and final passage.

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

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

Nays: Alvarado, Gutierrez, Johnson, Miles, Whitmire.

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

HOUSE BILL 2177 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 2177** be placed on its third reading and final passage:

HB 2177, Relating to establishing a digital course materials pilot program.

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

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

Nays: Hall, Hancock, Hughes, Kolkhorst, Paxton, Springer.

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

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

Nays: Campbell, Hall, Hancock, Hughes, Kolkhorst, Parker, Paxton, Sparks, Springer.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2620 ON SECOND READING**

On motion of Senator King and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2620** at this time on its second reading:

CSHB 2620, Relating to the confinement in a county jail of a person pending a transfer to the Texas Department of Criminal Justice and to compensation to a county for certain costs of confinement.

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 2620 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 **CSHB 2620** 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 999 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 999** at this time on its second reading:

HB 999, Relating to the effect of certain reductions in a health benefit plan enrollee's out-of-pocket expenses for certain prescription drugs on enrollee cost-sharing requirements.

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 999 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 999** 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 4170 ON SECOND READING

Senator LaMantia moved to suspend the regular order of business to take up for consideration **HB 4170** at this time on its second reading:

HB 4170, Relating to enforcement actions taken against a child-care or child-placing agency administrator's license.

The motion prevailed.

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

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

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

Nays: Hall, Hughes.

HOUSE BILL 4170 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 4170** be placed on its third reading and final passage.

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

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

Nays: Hall, Hughes.

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

COMMITTEE SUBSTITUTE**HOUSE BILL 2847 ON SECOND READING**

On motion of Senator Sparks and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2847** at this time on its second reading:

CSHB 2847, Relating to the jurisdiction of the Railroad Commission of Texas over and a study of the production, pipeline transportation, and storage of hydrogen.

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 2847 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 **CSHB 2847** 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 315 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 315** at this time on its second reading:

HB 315, Relating to a statement by the secretary of state regarding the furnishing of certain personal information on an application for a ballot to be voted by mail.

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 315 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 315** 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 2671 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 2671** at this time on its second reading:

HB 2671, Relating to the postponement of a hearing for a temporary order in certain family law cases referred to mediation.

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 2671 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 2671** 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 3297 ON SECOND READING

Senator Middleton moved to suspend the regular order of business to take up for consideration **HB 3297** at this time on its second reading:

HB 3297, Relating to the elimination of regular mandatory vehicle safety inspections for noncommercial vehicles and the imposition of replacement fees.

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.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3297** (senate committee report) as follows:

(1) Strike SECTIONS 1 through 18 of the bill (page 1, line 26, through page 5, line 9).

(2) In SECTION 19 of the bill, amending Section 548.508, Transportation Code (page 5, line 14), strike "and 548.510" and substitute ", 548.510, and 548.511".

(3) Strike SECTIONS 20 through 21 of the bill (page 5, line 17, through page 6, line 6).

(4) In SECTION 22 of the bill, in added Section 548.511, Transportation Code (page 6, line 10), strike "Section 548.510 does not apply to:" and substitute the following:

(a) Except as otherwise provided by this section, in addition to other fees imposed at the time of registration, at the time of application for initial registration or renewal of registration of a motor vehicle, trailer, semitrailer, pole trailer, or mobile home that is not required to be inspected under Section 548.0515, the applicant shall pay an annual fee of \$7.50.

(b) Instead of the fee provided by Subsection (a), an applicant shall pay a one-time fee of \$16.75 if the application is for the initial registration of a passenger car or light truck that:

(1) is sold in this state or purchased by a commercial fleet buyer described by Section 501.0234(b)(4) for use in this state;

(2) has not been previously registered in this or another state; and

(3) on the date of sale is of the current model year or preceding model year.

(c) An applicant who pays a fee under Subsection (b) for a registration year is not required to pay a fee under Subsection (a) for the next registration year for the same vehicle.

(d) Each fee paid under Subsection (a) shall be deposited by the comptroller after receipt under Section 548.509 as follows:

- (1) \$3.50 to the credit of the Texas mobility fund;
- (2) \$2 to the credit of the general revenue fund; and
- (3) \$2 to the credit of the clean air account.

(e) Each fee paid under Subsection (b) shall be deposited by the comptroller after receipt under Section 548.509 as follows:

- (1) \$12.75 to the credit of the Texas mobility fund;
- (2) \$2 to the credit of the general revenue fund; and
- (3) \$2 to the credit of the clean air account.

(f) A fee collected under this section is not a motor vehicle registration fee and the revenue collected from the fee is not required to be used for a purpose specified by Section 7-a, Article VIII, Texas Constitution.

(g) This section does not apply to:

(5) In SECTION 22 of the bill, in added Section 548.511, Transportation Code (page 6, line 35), strike "or".

(6) In SECTION 22 of the bill, in added Section 548.511, Transportation Code (page 6, line 37), after the semicolon, add "or".

(7) In SECTION 22 of the bill, in added Section 548.511, Transportation Code (page 6, between lines 37 and 38), insert the following:

(C) is subject to a fee under Section 548.510;

(8) Strike SECTIONS 23 through 26 (page 6, line 45, through page 7, line 20).

(9) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Section 382.0622(a), Health and Safety Code, is amended to read as follows:

(a) Clean Air Act fees consist of:

(1) fees collected by the commission under Sections 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided by law;

(2) \$2 from the portion of each fee collected for inspections of vehicles other than mopeds and remitted to the state under Sections 548.501 and 548.503, Transportation Code;

(3) each amount described by Sections 548.511(d)(3) and (e)(3), Transportation Code; and

(4) [~~(3)~~] fees collected that are required under Section 185 of the federal Clean Air Act (42 U.S.C. Section 7511d).

SECTION _____. Subchapter B, Chapter 548, Transportation Code, is amended by adding Section 548.0515 to read as follows:

Sec. 548.0515. SAFETY INSPECTIONS REQUIRED ONLY IN CERTAIN COUNTIES. Notwithstanding another provision of this chapter, a motor vehicle, trailer, semitrailer, pole trailer, or mobile home registered in this state is only required to be inspected under Section 548.051 if the vehicle is registered in a county:

(1) with a population of more than 500,000;

(2) located in a nonattainment area, including an area designated nonattainment for an ozone national ambient air quality standard; or

(3) in which the conservation commission has established a motor vehicle emissions inspection and maintenance program under Subchapter F.

(10) Renumber the SECTIONS of the bill accordingly.

The amendment to **HB 3297** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 3297** (senate committee report) as follows:

(1) Strike SECTIONS 1 through 18 of the bill (page 1, line 26, through page 5, line 9).

(2) In SECTION 19 of the bill, amending Section 548.508, Transportation Code (page 5, line 14), strike "and 548.510" and substitute ", 548.510, and 548.511".

(3) Strike SECTIONS 20 through 21 of the bill (page 5, line 17, through page 6, line 6).

(4) In SECTION 22 of the bill, in added Section 548.511, Transportation Code (page 6, line 10), strike "Section 548.510 does not apply to:" and substitute the following:

(a) Except as otherwise provided by this section, in addition to other fees imposed at the time of registration, at the time of application for initial registration or renewal of registration of a motor vehicle, trailer, semitrailer, pole trailer, or mobile home that is not required to be inspected under Section 548.0515, the applicant shall pay an annual fee of \$7.50.

(b) Instead of the fee provided by Subsection (a), an applicant shall pay a one-time fee of \$16.75 if the application is for the initial registration of a passenger car or light truck that:

(1) is sold in this state or purchased by a commercial fleet buyer described by Section 501.0234(b)(4) for use in this state;

(2) has not been previously registered in this or another state; and

(3) on the date of sale is of the current model year or preceding model year.

(c) An applicant who pays a fee under Subsection (b) for a registration year is not required to pay a fee under Subsection (a) for the next registration year for the same vehicle.

(d) Each fee paid under Subsection (a) shall be deposited by the comptroller after receipt under Section 548.509 as follows:

(1) \$3.50 to the credit of the Texas mobility fund;

(2) \$2 to the credit of the general revenue fund; and

(3) \$2 to the credit of the clean air account.

(e) Each fee paid under Subsection (b) shall be deposited by the comptroller after receipt under Section 548.509 as follows:

(1) \$12.75 to the credit of the Texas mobility fund;

(2) \$2 to the credit of the general revenue fund; and

(3) \$2 to the credit of the clean air account.

(f) A fee collected under this section is not a motor vehicle registration fee and the revenue collected from the fee is not required to be used for a purpose specified by Section 7-a, Article VIII, Texas Constitution.

(g) This section does not apply to:

(5) In SECTION 22 of the bill, in added Section 548.511, Transportation Code (page 6, line 35), strike "or".

(6) In SECTION 22 of the bill, in added Section 548.511, Transportation Code (page 6, line 37), after the semicolon, add "or".

(7) In SECTION 22 of the bill, in added Section 548.511, Transportation Code (page 6, between lines 37 and 38), insert the following:

(C) is subject to a fee under Section 548.510;

(8) Strike SECTIONS 23 through 26 (page 6, line 45, through page 7, line 20).

(9) In SECTION 29 of the bill (page 7, line 37), strike "September 1, 2023" and substitute "January 1, 2026".

(10) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Section 382.0622(a), Health and Safety Code, is amended to read as follows:

(a) Clean Air Act fees consist of:

(1) fees collected by the commission under Sections 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided by law;

(2) \$2 from the portion of each fee collected for inspections of vehicles other than mopeds and remitted to the state under Sections 548.501 and 548.503, Transportation Code;

(3) each amount described by Sections 548.511(d)(3) and (e)(3), Transportation Code; and

(4) [~~(3)~~] fees collected that are required under Section 185 of the federal Clean Air Act (42 U.S.C. Section 7511d).

SECTION _____. Subchapter B, Chapter 548, Transportation Code, is amended by adding Section 548.0515 to read as follows:

Sec. 548.0515. SAFETY INSPECTIONS REQUIRED ONLY IN CERTAIN COUNTIES. Notwithstanding another provision of this chapter, a motor vehicle, trailer, semitrailer, pole trailer, or mobile home registered in this state is only required to be inspected under Section 548.051 if the vehicle is registered in a county in which the conservation commission has established a vehicle emissions inspection and maintenance program under Subchapter F.

(11) Renumber the SECTIONS of the bill accordingly.

The amendment to **HB 3297** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Senator Nichols offered the following amendment to the bill:

Floor Amendment No. 3

Amend **HB 3297** (senate committee printing) as follows:

(1) On page 7, line 29, add new Section 28 and renumber accordingly:

SECTION 28: The Department of Motor Vehicles shall adopt rules providing for notification on a vehicle registration notice for each registered vehicle in the state, regarding whether the vehicle is subject to an open safety recall for which the vehicle has not had the safety recall repaired.

(2) IN SECTION 29 of the bill (page 7, line 37), strike "September 1, 2023" and substitute "January 1, 2025".

The amendment to **HB 3297** was read and was adopted by a viva voce vote.

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

HB 3297 as amended was passed to third reading 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.

**COMMITTEE SUBSTITUTE
HOUSE BILL 3699 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 3699** be placed on its third reading and final passage:

HB 3699, Relating to municipal regulation of subdivisions and approval of subdivision plans or plats.

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 22, Nays 9.

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

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

BILLS SIGNED

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

HB 1393, HB 1423, HB 1472, HB 1488, HB 1547, HB 1587, HB 1615, HB 1633, HB 1666, HB 1689, HB 1901, HB 1912, HB 1925, HB 1957, HB 1964, HB 1971, HB 2007, HB 2012, HB 4615, HB 5366, HB 5399.

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 10:00 p.m. today.

HUGHES

The Motion In Writing was read and prevailed without objection.

COMMITTEE SUBSTITUTE HOUSE BILL 3 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3** at this time on its second reading:

CSHB 3, Relating to measures for ensuring public school safety, including the development of, implementation of, and funding for public school safety and security requirements and the provision of safety-related resources.

The bill was read second time.

Senator Nichols offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 3** (senate committee report) as follows:

(1) In SECTION 2 of the bill, in added Section 8.064(a), Education Code (page 1, line 52), between "resource" and "for", insert "using materials and resources developed by the Texas School Safety Center or the agency in accordance with Chapter 37,".

(2) In SECTION 2 of the bill, strike added Section 8.064(b), Education Code (page 2, lines 9 through 11), and substitute the following:

(b) A regional education service center:

(1) shall provide assistance as necessary to the region's school safety review team established under Section 37.1084; and

(2) may provide assistance as necessary to school districts and open-enrollment charter schools in the region served by the center through the direct provision of positive behavioral interventions and supports to a student enrolled in one of those districts or schools to mitigate or prevent future harmful, threatening, or violent behavior by the student.

(3) In SECTION 3 of the bill, in amended Section 12.104(b)(3)(V), Education Code (page 3, line 2), between "37.1085," and "37.109,", insert "37.1086,".

(4) In SECTION 3 of the bill, in amended Section 12.104(b)(3)(V), Education Code (page 3, line 3), between "37.2071" and the semicolon, insert "and Subchapter J, Chapter 37".

(5) In SECTION 4 of the bill, in the heading to added Section 22.904, Education Code (page 3, line 12), strike "FIRST AID".

(6) In SECTION 4 of the bill, in added Section 22.904, Education Code (page 3, lines 16, 21, and 37 through 38), strike "first aid" in each instance that it appears.

(7) In SECTION 10 of the bill, in Section 37.108(a)(2), Education Code (page 5, line 15), strike "or" and substitute "and [or]".

(8) In SECTION 10 of the bill, in amended Section 37.108(a)(6), Education Code (page 5, line 29), strike "and".

(9) In SECTION 10 of the bill, in amended Section 37.108(a), Education Code (page 5, lines 30 and 31), strike added Subdivision (7) and substitute the following:

(7) documentation related to the district's compliance with safety and security facility standards, including:

(A) implementation efforts;

(B) campus site plans;

(C) documentation of exterior door numbering and access control for each campus;

(D) any good cause exceptions claimed by the district under Section 37.353; and

(E) information on state funds received by the district for the purposes of complying with safety and security facility standards; and

(8) any other requirements established by the Texas School Safety Center in consultation with the agency and local law enforcement agencies.

(10) In SECTION 10 of the bill, in amended Section 37.108(b), Education Code (page 5, line 35), between "district" and "shall", insert ", or a person included in the registry established by the Texas School Safety Center under Section 37.2091 who is engaged by the district to conduct a safety and security audit,".

(11) In SECTION 10 of the bill, in amended Section 37.108(b), Education Code (page 5, lines 38 and 39), strike "as applicable, or a person included in the registry established by the Texas School Safety Center under Section 37.2091" and substitute "as applicable [or a person included in the registry established by the Texas School Safety Center under Section 37.2091]".

(12) In SECTION 10 of the bill, in amended Section 37.108(f)(9), Education Code (page 6, lines 26 through 29), strike "Section 37.116, requiring the district to provide the Department of Public Safety, local law enforcement agencies, and emergency first responders with an accurate map for all district campuses and school buildings" and substitute "Section 37.117".

(13) In the recital to SECTION 12 of the bill (page 6, line 50), between "37.1085," and "and 37.1131" insert "37.1086,".

(14) In SECTION 12 of the bill, in added Section 37.1083(c), Education Code (page 6, line 67), between "Center" and the underlined comma, insert "and local law enforcement agencies".

(15) In SECTION 12 of the bill, immediately following added Section 37.1085, Education Code (page 8, between lines 17 and 18), insert the following:

Sec. 37.1086. GUIDELINES FOR MULTHAZARD EMERGENCY OPERATIONS PLAN PROVISIONS FOR INDIVIDUALS WITH DISABILITIES OR IMPAIRMENTS. (a) The agency shall establish guidelines for the provisions in a school district's multihazard emergency operations plan under Section 37.108(f)(4) to ensure the safety of students and district personnel with disabilities or impairments during a disaster or emergency situation, in consultation with:

- (1) the Texas School Safety Center;
- (2) regional education service centers;
- (3) public school educators who work with students with disabilities or impairments; and
- (4) advocacy groups representing individuals with disabilities or impairments.

(b) A school district must follow the guidelines established by the agency under Subsection (a) in adopting and implementing the district's multihazard emergency operations plan under Section 37.108.

(16) Strike SECTION 14 of the bill, adding Section 37.116, Education Code (page 8, lines 59 through 65), and substitute the following appropriately numbered SECTION:

SECTION ____ . Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.117 to read as follows:

Sec. 37.117. EMERGENCY RESPONSE MAP AND WALK-THROUGH. Each school district and open-enrollment charter school shall provide to the Department of Public Safety and all appropriate local law enforcement agencies and emergency first responders:

- (1) an accurate map of each district campus and school building that is developed and documented in accordance with the standards described by Section 37.351 related to developing site and floor plans, access control, and exterior door numbering; and
- (2) an opportunity to conduct a walk-through of each district campus and school building using the map described by Subdivision (1).

(17) In SECTION 17 of the bill, strike added Section 37.221, Education Code (page 9, lines 51 through 60), and substitute the following:

Sec. 37.221. FACILITIES STANDARDS REVIEW. (a) At least once every five years, the center shall review the facilities standards for instructional facilities adopted under Section 7.061 and make recommendations to the commissioner regarding any changes necessary to ensure that the facilities standards:

- (1) reflect best practices for improving school safety through the design and construction of school facilities; and
- (2) are consistent with standards adopted under Chapter 469, Government Code, regarding the elimination of architectural barriers.

(b) The center and commissioner may consult with stakeholders with relevant expertise regarding whether any updates to requirements for the use of funds granted or allocated to school districts for purposes of improving the safety and security of school facilities are necessary to align with best practices.

(c) In updating facilities standards, the commissioner shall:

(1) incorporate input from the center and stakeholders with relevant expertise regarding best practices for standards applicable to the design and construction of school facilities; and

(2) ensure the standards are updated as necessary to ensure compliance with any changes to state law and local building codes.

(18) In SECTION 19 of the bill, in added Section 45.1011(a), Education Code (page 10, line 24), strike "by school districts" and substitute "by a school district".

(19) In SECTION 19 of the bill, in added Section 45.1011(a), Education Code (page 10, line 28), between "facilities" and the underlined period, insert "in accordance with Section 37.351".

(20) In SECTION 19 of the bill, in added Section 45.1011(b), Education Code (page 10, line 29), strike "is" and substitute "has been".

(21) In SECTION 19 of the bill, in added Section 45.1011(b), Education Code (page 10, line 35), between "requirements" and "before", insert "in accordance with Section 37.151".

(22) In SECTION 20 of the bill, strike Section 48.115(b)(1), Education Code (page 10, lines 57 through 67), and substitute the following:

(1) securing school facilities in accordance with the requirements of Section 37.354, including:

(A) improvements to school infrastructure;

(B) the use or installation of perimeter security fencing conducive to a public school learning environment or physical barriers, which may not include razor wire; ~~and~~

(C) exterior door and window safety and security upgrades, including exterior door numbering and locking systems and security film that provides resistance to a forced entry; and

(D) the purchase and maintenance of:

(i) security cameras and, if the district has already installed security cameras, ~~or~~ other security equipment, including video surveillance as provided by Section 29.022; and

(ii) technology, including communications systems or devices, such as silent panic alert devices, two-way radios, or wireless Internet booster equipment, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;

(23) In SECTION 25(b) of the bill, providing for the dates by which a school district must require a district employee to complete certain training (page 12, line 56), strike "first aid".

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

SECTION _____. Sections 7.061(b) and (c), Education Code, are amended to read as follows:

(b) The commissioner shall adopt or amend rules as necessary to ensure that facilities ~~building~~ standards for new and existing instructional facilities and other school district and open-enrollment charter school facilities, including construction quality, performance, operational, and other standards related to the safety and

security of school facilities, provide a secure and safe environment. In adopting or amending rules under this section, the commissioner shall include the use of best practices for:

- (1) the design and construction of new facilities; and
- (2) the improvement, renovation, and retrofitting of existing facilities.

(c) Not later than September 1 of each even-numbered year, the commissioner shall review all rules adopted or amended under this section and amend the rules as necessary to ensure that facilities [building] standards for school district and open-enrollment charter school facilities continue to provide a secure and safe environment. The commissioner shall, in consultation with the Texas School Safety Center, identify and adopt any changes recommended under Section 37.221.

SECTION ____. Chapter 37, Education Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. SAFETY AND SECURITY REQUIREMENTS FOR FACILITIES

Sec. 37.351. FACILITIES STANDARDS COMPLIANCE. (a) A school district must ensure that each district facility complies with each school facilities standard, including performance standards and operational requirements, related to safety and security adopted under Section 7.061 or provided by other law or agency rule.

(b) A school district must develop and maintain documentation of the district's implementation of and compliance with school safety and security facilities standards for each district facility, including a good cause exception claimed under Section 37.353, and shall, if requested by the agency, provide that documentation to the agency in the manner prescribed by the agency.

Sec. 37.352. PURCHASING REQUIREMENTS. A school district shall comply with all applicable state laws and rules relating to procurement for district purchases relating to achieving compliance with the facilities standards adopted under Section 7.061 or provided by other law or agency rule.

Sec. 37.353. GOOD CAUSE EXCEPTION. (a) If a school district is unable to bring a district facility into compliance with a school facilities standard related to safety and security, the district may claim a good cause exception from the requirement to comply with that standard, including for a reason related to:

- (1) the age, physical design, or location of the noncompliant facility;
- (2) the projected remaining use or functional life of the noncompliant facility;
- (3) availability of funding; or
- (4) supply chain obstacles.

(b) A school district that claims a good cause exception under Subsection (a) must develop an alternative performance standard with which the district is able to comply.

Sec. 37.354. FUNDING FOR FACILITIES STANDARDS COMPLIANCE. (a) The commissioner may authorize a school district to use money provided to the district for the purpose of improving school safety and security, including the school safety allotment under Section 48.115 or any other funding or grant money available to the district for that purpose, to comply with the requirements of this subchapter.

(b) The commissioner may adopt rules regarding safety and security requirements with which a school district must comply to receive funding or grant money available for the purpose of improving school safety and security.

The amendment to **CSHB 3** 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 Menéndez offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSHB 3** (senate committee report) in SECTION 20 of the bill, in amended Section 48.115(a), Education Code (page 10, lines 45 through 48), by striking Subdivisions (1) and (2) substituting the following:

- (1) \$100 for each enrolled student; and
- (2) \$15,000 per campus [~~in average daily attendance~~].

The amendment to **CSHB 3** was read.

On motion of Senator Nichols, Floor Amendment No. 2 was tabled 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 Nichols, on behalf of Senator Perry, offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSHB 3** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter Z, Chapter 411, Government Code, is amended by adding Section 411.951 to read as follows:

Sec. 411.951. CONFIDENTIALITY OF IWATCHTEXAS COMMUNITY REPORTING SYSTEM REPORTS. All suspicious activity reports and school safety reports included in the iWatchTexas community reporting system operated by the department are confidential and not subject to disclosure under Chapter 552.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

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

Senator West offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSHB 3** (senate committee report) as follows:

(1) In SECTION 26 of the bill, providing effective dates, in Subsection (b) (page 13, line 4), strike "takes" and substitute "and Section 48.117, Education Code, as added by this Act, take".

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

SECTION _____. Subchapter C, Chapter 48, Education Code, is amended by adding Section 48.117 to read as follows:

Sec. 48.117. MENTAL AND BEHAVIORAL HEALTH ALLOTMENT. (a) A school district is entitled to an annual allotment for the provision of mental and behavioral health services in the district in an amount equal to:

(1) the sum of:

(A) \$100,000; and

(B) \$70 for each enrolled student at risk of dropping out of school, as

defined by Section 29.081(d); or

(2) a greater amount provided by appropriation.

(b) A district may use funds allocated under this section to:

(1) provide mental health and behavioral health services; and

(2) implement or enhance programs, practices, or procedures described by

Section 38.351 that contribute to a positive school climate.

(c) A district shall, in accordance with rules adopted by the commissioner, annually submit to the commissioner a report on the district's use of funds allocated under this section, including information on the programs, personnel, or resources implemented, employed, or purchased, as applicable, using the funds during the preceding school year.

(d) The commissioner shall annually compile the information received under Subsection (c) and publish on the agency's Internet website a report regarding the use of funds by school districts under this section during the preceding school year.

(e) This section expires September 1, 2033.

The amendment to **CSHB 3** was read.

Senator West withdrew Floor Amendment No. 4.

CSHB 3 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 3 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 **CSHB 3** 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.

BILLS AND RESOLUTIONS SIGNED

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

HB 87, HB 165, HB 255, HB 517, HB 558, HB 562, HB 584, HB 608, HB 616, HB 659, HB 728, HB 767, HB 841, HB 898, HB 907, HB 1074, HB 1106, HB 1114, HB 1221, HB 1381, HB 1391, HB 2070, HB 2083, HB 2195, HB 2196, HB 2217, HB 2230, HB 2248, HB 2251, HB 2271, HB 2384, HB 2388, HB 2453, HB 2459, HB 2468, HB 2489, HB 2497, HB 2518, HB 2545, HB 2568, HB 2629, HB 2674, HB 2732, HB 2746, HB 2774, HB 2802, HB 2892, HB 2901, HB 2921, HB 3013, HB 3075, HB 3125, HB 3222, HB 3273, HB 3497, HB 3514, HB 3574, HB 3582, HB 3647, HB 3673, HB 3698, HB 3803, HB 3813, HB 3989, HB 3993, HB 4005, HB 4073, HB 4101, HB 4166, HB 4210, HB 4331, HB 4332, HB 4381, HB 4559, HB 5347, HB 5350, HB 5355, HB 5362.
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.

RECESS

On motion of Senator Whitmire, the Senate at 8:58 p.m. recessed until 9:15 p.m. today.

AFTER RECESS

The Senate met at 9:25 p.m. and was called to order by the President.

**COMMITTEE SUBSTITUTE
HOUSE BILL 3474 ON SECOND READING**

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3474** at this time on its second reading:

CSHB 3474, Relating to the operation and administration of and practices and procedures regarding proceedings in the judicial branch of state government, including the service of process and delivery of documents related to the proceedings, the administration of oaths, and the management of the Texas Indigent Defense Commission, and the composition of certain juvenile boards; establishing a civil penalty; increasing certain court costs; authorizing fees.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 3474** (senate committee report) as follows:

(1) Strike the following SECTIONS of ARTICLE 1 of the bill and renumber subsequent SECTIONS of ARTICLE 1 of the bill accordingly:

(A) SECTION 1.002, amending Section 24.275, Government Code (page 1, lines 42 through 60);

(B) SECTION 1.010, amending Section 24.596, Government Code (page 3, lines 2 through 24); and

(C) SECTION 1.019, adding Section 24.60044, Government Code (page 4, lines 51 through 58).

(2) In ARTICLE 1 of the bill, in SECTION 1.015, strike added Section 24.60038, Government Code (page 3, lines 64 and 65) and substitute the following:

Sec. 24.60038. 493RD JUDICIAL DISTRICT (COLLIN COUNTY). (a) The 493rd Judicial District is composed of Collin County.

(b) The 493rd District Court shall give preference to civil cases.

(3) In ARTICLE 1 of the bill, in SECTION 1.016, strike added Section 24.60039, Government Code (page 3, line 71 through page 4, line 1) and substitute the following:

Sec. 24.60039. 494TH JUDICIAL DISTRICT (COLLIN COUNTY). (a) The 494th Judicial District is composed of Collin County.

(b) The 494th District Court shall give preference to family law matters.

(4) Add the following appropriately numbered SECTIONS to ARTICLE 5 of the bill and renumber subsequent SECTIONS of ARTICLE 5 of the bill accordingly:

SECTION 5. ____. Section 201.105(a), Family Code, is amended to read as follows:

(a) An associate judge appointed under this subchapter is entitled to a salary in the amount equal to 90 percent of the annual [state base] salary paid to a district judge with comparable years of service as the associate judge as set by the General Appropriations Act in accordance with Section 659.012 [~~659.012(a)~~], Government Code.

SECTION 5. ____. Section 201.205(a), Family Code, is amended to read as follows:

(a) An associate judge appointed under this subchapter is entitled to a salary in the amount equal to 90 percent of the annual [state base] salary paid to a district judge with comparable years of service as the associate judge as set by the General Appropriations Act in accordance with Section 659.012 [~~659.012(a)~~], Government Code.

(5) Add the following appropriately numbered SECTION to ARTICLE 10 of the bill and renumber subsequent SECTIONS of ARTICLE 10 of the bill accordingly:

SECTION 10. ____. Section 30.012(b), Civil Practice and Remedies Code, is amended to read as follows:

(b) Witness testimony at trial in a district or statutory county court may be conducted by electronic means only if the witness is deposed before the commencement of the trial. Neither the court nor any party may waive the requirement to depose the witness under this subsection if any party objects.

The amendment to **CSHB 3474** 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 3474** (senate committee report) by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of ARTICLE 1 of the bill accordingly:

SECTION 1. ____ (a) Subchapter C, Chapter 72, Government Code, is amended by adding Section 72.040 to read as follows:

Sec. 72.040. WORK ACTIVITY REPORT FOR DISTRICT COURT JUDGE.

(a) Each district court judge shall submit to the presiding judge of the administrative judicial region in which the judge's court sits not later than the 20th day of each month a report for the preceding month in which the judge attests to:

(1) the number of hours the judge worked, including the number of hours the judge:

(A) performed cases-related duties;

(B) performed administrative tasks;

(C) completed continuing education; and

(D) performed other work-related activities; and

(2) the number of hours the judge presided over the judge's court at the courthouse or another court facility.

(b) The presiding judge of each administrative judicial region shall submit the information contained in the reports under Subsection (a) to the office in the manner prescribed by the supreme court.

(c) The office shall provide administrative support for the submission and collection of reports under Subsection (a), including providing a system for electronic submission of the reports.

(d) Not later than December 1 of each year, the office shall prepare and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each chairperson of a legislative standing committee with jurisdiction over the judiciary a written report compiling the information submitted under Subsection (b).

(e) The supreme court shall adopt rules establishing guidelines and providing instructions regarding the reporting of information under Subsection (a) and prescribe a form for the report.

(b) As soon as practicable after September 1, 2023, the Texas Supreme Court shall adopt rules and prescribe a form for purposes of Section 72.040, Government Code, as added by this article.

The amendment to **CSHB 3474** was read and was adopted by the following vote: Yeas 15, Nays 13.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Huffman, Kolkhorst, Middleton, Nichols, Paxton, Sparks, Whitmire.

Nays: Eckhardt, Hancock, Hinojosa, Hughes, Johnson, King, LaMantia, Menéndez, Miles, Parker, Springer, West, Zaffirini.

Absent: Gutierrez, Perry, Schwertner.

Senator West offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSHB 3474** (senate committee report) by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of ARTICLE 1 of the bill accordingly:

SECTION 1. ____. (a) Effective September 1, 2023, Section 24.610, Government Code, is repealed and the 302nd Judicial District is abolished.

(b) The local administrative district judge shall transfer each case that is pending in the 302nd District Court on September 1, 2023, to a district court in the county with jurisdiction over the case.

(c) When a case is transferred from 302nd District Court to another district court as provided by Subsection (b) of this section, all processes, writs, bonds, recognizances, or other obligations issued from the transferring court are returnable to the court to which the case is transferred as if originally issued by that court. The obligees in all bonds and recognizances taken in and for a court from which a case is transferred, and all witnesses summoned to appear in a court from which a case is transferred, are required to appear before the court to which a case is transferred as if originally required to appear before the court to which the transfer is made.

The amendment to **CSHB 3474** was read.

Senator West withdrew Floor Amendment No. 3.

CSHB 3474 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 3474 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3474** 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 3297 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 3297** be placed on its third reading and final passage:

HB 3297, Relating to the elimination of regular mandatory vehicle safety inspections for noncommercial vehicles and the imposition of replacement fees.

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, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Whitmire, Zaffirini.

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

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 711 ON SECOND READING

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **HB 711** at this time on its second reading:

HB 711, Relating to certain contract provisions and conduct affecting health care provider networks.

The motion prevailed.

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

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 711** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Notwithstanding Section 1458.101, Insurance Code, as amended by this Act, an anti-steering or anti-tiering provision in a provider network contract that exists on the effective date of this Act and that would otherwise be prohibited by the provisions of this Act remains in effect and enforceable until the earlier of:

(1) the effective date of an amendment to the provider network contract that eliminates the anti-steering or anti-tiering provision from the provider network contract and that is entered into in accordance with the provider network contract's terms; or

(2) December 31, 2023.

The amendment to **HB 711** 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 711 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: Schwertner.

HOUSE BILL 711 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 711** be placed on its third reading and final passage.

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

Nays: Schwertner.

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

**SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)**

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Local Government permission to meet while the Senate was meeting today.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Birdwell and by unanimous consent, Senate Rule 11.10(a), Senate Rule 11.13, and Senate Rule 11.18(a) were suspended in order that the Committee on Natural Resources and Economic Development might meet and consider the following bills upon recess today in the Press Room, 2E.9:

HB 5105, HB 4433.

**COMMITTEE SUBSTITUTE
HOUSE BILL 4390 ON SECOND READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSHB 4390** at this time on its second reading:

CSHB 4390, Relating to the Texas Industry-Recognized Apprenticeship Programs Grant Program.

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

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

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

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

HOUSE BILL 1009 ON SECOND READING

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1009** at this time on its second reading:

HB 1009, Relating to criminal history record information reviews of certain individuals providing services to individuals with an intellectual or developmental disability under Medicaid; providing an administrative penalty.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1009** (senate committee report) as follows:

(1) In the recital to SECTION 2 of the bill (page 1, line 40), strike "Section 531.02485" and substitute "Sections 531.02485 and 531.02486".

(2) In SECTION 2 of the bill, immediately following added Section 531.02485(f), Government Code (page 2, between lines 24 and 25), insert the following:

Sec. 531.02486. SUSPENDING EMPLOYMENT OF CERTAIN RESIDENTIAL CAREGIVERS. (a) In this section:

(1) "Consumer-directed service option" has the meaning assigned by Section 531.051.

(2) "Reportable conduct" includes:

(A) abuse or neglect that causes or may cause death or harm to an individual using the consumer-directed service option or a resident;

(B) sexual abuse of an individual using the consumer-directed service option or a resident;

(C) financial exploitation of an individual using the consumer-directed service option or a resident in an amount of \$25 or more; and

(D) emotional, verbal, or psychological abuse that causes harm to an individual using the consumer-directed service option or a resident.

(3) "Resident" means an individual residing in a group home or other residential facility who is receiving services from a residential caregiver.

(4) "Residential caregiver" has the meaning assigned by Section 531.02485.

(b) A Medicaid provider, including a provider providing services under a Section 1915(c) waiver program, who employs or contracts with a residential caregiver to provide community-based residential care services through a group home or other residential facility described by Subsection (a)(4), on receiving notice of the reportable conduct finding, shall immediately suspend the employment or contract of an individual the provider employs or contracts with as a residential caregiver who the commission finds has engaged in reportable conduct while the individual exhausts any applicable appeals process, including informal and formal appeals, pending a final decision by an administrative law judge. The provider may not reinstate the individual's employment or contract during the course of any appeals process.

(c) Notwithstanding any other law, the commission shall take disciplinary action against a Medicaid provider that violates Subsection (b), including imposing an administrative penalty or vendor hold, terminating a contract or license, or any other disciplinary action the commission determines appropriate. In determining the appropriate disciplinary action to take against a Medicaid provider under this subsection, the commission shall consider:

(1) the nature and seriousness of the violation;

(2) the history of previous violations; and

(3) any other matter justice may require.

(d) The executive commissioner shall adopt rules necessary to implement this section.

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

SECTION _____. The heading to Chapter 253, Health and Safety Code, is amended to read as follows:

CHAPTER 253. EMPLOYEE MISCONDUCT; REGISTRY

SECTION _____. Section 253.001(4), Health and Safety Code, is amended to read as follows:

(4) "Facility" means:

(A) a facility:

(i) licensed by the department; ~~or~~

(ii) licensed under Chapter 252; or

(iii) licensed under Chapter 555;

(B) an adult foster care provider that contracts with the department;

(C) a home and community support services agency licensed by the department under Chapter 142; or

(D) a prescribed pediatric extended care center licensed under Chapter 248A.

SECTION _____. Chapter 253, Health and Safety Code, is amended by adding Section 253.0025 to read as follows:

Sec. 253.0025. EMPLOYMENT SUSPENSION FOR FACILITY EMPLOYEES ACCUSED OF COMMITTING REPORTABLE CONDUCT. A facility shall suspend the employment of a facility employee who the Health and Human Services Commission finds has engaged in reportable conduct while the employee exhausts any applicable appeals process, including informal and formal appeals and any hearing or judicial review conducted in accordance with Section 253.004 or 253.005, pending a final decision by an administrative law judge. The facility may not reinstate the employee's position during the course of any applicable appeals process.

The amendment to **HB 1009** 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 1009 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 1009 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 1009** 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 3956 ON SECOND READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **HB 3956** at this time on its second reading:

HB 3956, Relating to the creation of DNA records for a person arrested for a felony offense and the expunction of DNA records in certain circumstances.

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 the passage to third reading except as follows:

Nays: Hall.

HOUSE BILL 3956 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 **HB 3956** 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 1794 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 1794** at this time on its second reading:

HB 1794, Relating to funding for The University of Texas at Tyler's school of pharmacy.

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 1794 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 1794** 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 3712 ON SECOND READING

Senator Menéndez moved to suspend the regular order of business to take up for consideration **HB 3712** at this time on its second reading:

HB 3712, Relating to authorizing a holder of a distributor's license to provide samples of malt beverages to retailers.

The motion prevailed.

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

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

The bill was read second time 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: Perry.

Present-not voting: LaMantia.

HOUSE BILL 3712 ON THIRD READING

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3712** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1, Present-not voting 1.

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

Nays: Perry.

Present-not voting: LaMantia.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1, Present-not voting 1. (Same as previous roll call)

HOUSE BILL 1211 ON SECOND READING

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **HB 1211** at this time on its second reading:

HB 1211, Relating to repayment of certain mental health professional education loans.

The motion prevailed.

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

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1211** by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 51.831, Education Code, is amended to read as follows:

Sec. 51.831. COUNCIL AGREEMENT WITH PRIVATE OR INDEPENDENT INSTITUTION OF HIGHER EDUCATION. Each private or independent institution of higher education must enter into an agreement with the council under which the institution agrees to:

(1) provide academic counseling to a participating student or program alternate enrolled at the institution;

(2) as soon as practicable, implement or expand appropriate degree programs as necessary to provide participating students with sufficient preparation for enrollment in participating medical schools;

(3) select a faculty director or an academic or health professions advisor to assist in implementing the program at the institution and in implementing or expanding the institution's degree programs as necessary under Subdivision (2); and

(4) provide, in addition to any other scholarship money awarded to the student, a scholarship to a participating student in the amount required for a participating student attending a general academic teaching institution, except that [but not to exceed] the amount of scholarship awards may not exceed the amount of tuition and fees that the student is charged.

SECTION _____. The change in law made by this Act to Section 51.831, Education Code, applies to the provision of scholarships pursuant to an agreement under Section 51.831, Education Code, as amended by this Act, beginning with the 2023-2024 academic year.

The amendment to **HB 1211** 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 1211 as amended was passed to third reading by a viva voce vote.

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

Nays: Creighton, Hall.

HOUSE BILL 1211 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 1211** 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, Eckhardt, Flores, Gutierrez, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Creighton, Hall.

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

HOUSE BILL 12 ON SECOND READING

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **HB 12** at this time on its second reading:

HB 12, Relating to the duration of services provided under Medicaid to women following a pregnancy.

The motion prevailed.

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

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 12** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.0245 to read as follows:

Sec. 32.0245. LEGISLATIVE POLICY AND PURPOSE. In implementing Section 32.024 (1-1), the commission shall carry out the state's profound respect for the lives of mothers and the unborn by providing for extended Medicaid health care coverage for mothers whose pregnancies end in the delivery of the child or end in natural loss of the child. This does not include pregnancies that end through elective abortion.

The amendment to **HB 12** was read and was adopted by a viva voce vote.

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

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

HB 12 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 12 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 12** 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.

REMARKS ORDERED PRINTED

On motion of Senator Hall and by unanimous consent, the remarks by Senators Hall and Kolkhorst regarding **HB 12** were ordered reduced to writing and printed in the *Senate Journal* as follows:

President: Senator Hall, what purpose?

Senator Hall: Ask the author a couple of questions.

President: Do you yield?

Senator Kolkhorst: Yes, Sir, I do.

Senator Hall: Senator, I understand what you're saying and I think this is a good clarification that needs to be made because we definitely, after some of the changes have been made, want to make sure that women have good coverage. And for those that have a baby and, or those that end up with an unintended miscarriage, that their coverage is there for a reasonable amount of time. And then, I think what we're talking about is about 12 months now. And there's some confusion between the federal law and the state law on how that works and what we have implemented. And so, I think what you've put together is a bill that will really clarify that, so that those women that should get the support would get it the way it's intended for it to be.

Senator Kolkhorst: I do, Senator Hall. I know that you had an amendment and we talked all day. And again, you know, making sure that this is a pro-life bill, there are questions about the bill that says, well, if a lady has an abortion, maybe goes to New Mexico or takes the RU-486, which is being litigated right now. I believe the Amarillo court is now moving to the Fifth Court, is that woman, is that woman covered? And I think the important question here is that we are a pro-life state, post-*Dobbs*, we certainly are. I ask the question tonight of some experts, you know, how many abortions have we had that we know? And we used to, you know, have lots and lots. And today we have curbed that down to almost zero. And so, you know, again, making sure that we have the right language and the intent language, which is going to be the intent language that I offer, but I'm not going to adjust the language in the bill currently. Again, making sure that the CMS understands our intent that we are a pro-life state with a trigger law. We have no abortions in this state and that our intent is for a woman who carries a baby to term or who has had complications, as we all know, or a miscarriage receive that 12 months.

Senator Hall: Okay. So, with what you're talking about in the language you have or the intent, the amendment that I was talking about doing would not be necessary.

Senator Kolkhorst: I believe so—

Senator Hall: Okay.

Senator Kolkhorst: —Senator Hall.

Senator Hall: I'm good—

Senator Kolkhorst: I really—

Senator Hall: —with that.

Senator Kolkhorst: —do.

Senator Hall: Because you're getting to where I thought we ought to be, which is what you just got through describing about taking care of women who have the baby or have an unintended miscarriage but not open the door for those that do have an abortion. Because we are pro-life here and we're not going to do anything to encourage abortion in the other locations—

Senator Kolkhorst: Right.

Senator Hall: —for people to come back here and then take advantage of a loophole that we have.

Senator Kolkhorst: That is—

Senator Hall: So this—

Senator Kolkhorst: —yeah.

Senator Hall: —closes that loophole.

Senator Kolkhorst: That is the intent of this bill is that for women who, again, have carried their baby to term and given birth, and that's what SB 24's all about. You know, with our thriving Texas families and wraparound services and we celebrate life with our mothers, and in some cases where there is a miscarriage that they are also provided that healthcare. I've talked to a number of Members on this floor. We don't always walk around with these little green sheets, but I did in talking to people, and I know that this bill is hugely popular. Again, it is a post-*Dobbs* era and we are celebrating that women choose life and that they're able to carry those babies. And the intent is that there is no loophole that has been created. I certainly don't see a lady that goes from here to New Mexico to have an abortion and then comes back and tries to get Medicaid. I don't see that happening. And that's certainly not what we're encouraging and the intent language will certainly, will speak to that.

Senator Hall: That's good because that's what, that's exactly what we need to have come out of this bill, is our intent, as you have just described it. So, thank you for it and I will not, I'll not be bringing forth the amendment I had because what you've said, intent covers what I would've proposed in amendment to the bill and I think it probably is a better way to do it.

Senator Kolkhorst: This is about life, celebrating the miracle that our God and creator gives us the ability to procreate and give life to others and making sure that these women have the services needed to stay healthy to take care of those babies.

Senator Hall: And encourages women to not have an abortion.

Senator Kolkhorst: Absolutely. We are in a post-*Dobbs* era and we are here about life and making sure that these women are successful and being healthy. And then, of course, in, as I've mentioned in Senate Bill 24, being able to help raise that child and do well with it, with them, yeah, those babies.

Senator Hall: Okay. Thank you, Senator. Mr. President, I'd like to have the exchange between Senator Kolkhorst and I reduced to writing and included in the Journal.

REMARKS ORDERED PRINTED

On motion of Senator Middleton and by unanimous consent, the remarks by Senators Middleton and Kolkhorst regarding **HB 12** were ordered reduced to writing and printed in the *Senate Journal* as follows:

President: Senator Middleton, for what purpose?

Senator Middleton: Thank you, Mr. President. Will the author yield?

President: Do you yield?

Senator Kolkhorst: I will.

Senator Middleton: Or sponsor, sorry.

Senator Kolkhorst: Sure.

Senator Middleton: Thank you, Senator Kolkhorst. We've talked a little bit about this bill here today. I know you had a similar concern as I did. And there's a provision in HB 12 that states that the commission may delay implementing this act until the State Plan Amendment, so the SPA amendment is approved. And so, you know, my concern with that is the fiscal note assumes, you know, the typical state share, about 40 percent, I think. And I just want to make sure that by passing this, we're not inadvertently taking on 100 percent of the costs here, and that really is going to be the 40 percent state share.

Senator Kolkhorst: Senator Middleton, I know you also had an amendment today, and we've talked through this. And I want to clarify that that language that you're talking about, and this is a one-page bill, so on page 1, about midway through, line 39 through 40, lines 39 through 40. And it does look like it's permissive. And as you said before, implementation, would we be responsible for 100 percent of that? Human Resources Code, the code, Section 32.024, Subsection (e), states that the commission may not authorize the provision of any service to any person under the program, which the program is Medicaid, unless federal matching funds are available to pay the cost of the service. So, we're actually covered in Human Resources Code that HHSC could not pay for 100 percent because this is a Medicaid program. And one of our richest ones because, of course, we go well above 137 percent, I think it's almost 200

percent that we cover in this. So, that would be very costly if we did not have the federal match, and so I feel very good about being covered under the Human Resources Code, Section 32.024, Subsection (e).

Senator Middleton: Thank you, Senator, and I think that really clarifies my main concern here because the fiscal note at 40 percent is, like, in 2025 is 117 million. And we, you know, doubling that or more than doubling that would be a significant change from what this fiscal note says. So, thank you for clarifying that. And I will also move that our remarks be reduced to writing and placed in the Journal.

HOUSE BILL 4451 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 4451** at this time on its second reading:

HB 4451, Relating to a report by the Texas Workforce Commission regarding apprenticeship opportunities in this state for emerging and high-demand industries.

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 4451 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 4451** 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 3286 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 3286** at this time on its second reading:

HB 3286, Relating to prescription drug benefits under Medicaid and the child health plan program.

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 3286** (senate committee report) in SECTION 1 of the bill, by striking added Section 531.0691, Government Code (page 1, lines 25 through 29), and substituting the following:

Sec. 531.0691. VENDOR DRUG PROGRAM INCLUSION. (a) The commission shall ensure that the vendor drug program includes all drugs and national drug codes made available under the federal Medicaid Drug Rebate Program if a certificate of information form to request the drug's inclusion in the vendor drug program has been submitted to the commission and:

(1) approved by the commission; or

(2) subject to Subsection (b), is pending review by the commission.

(b) On receipt of a certificate of information form to request the addition to the Texas Drug Code Index of a drug that is available under the federal Medicaid Drug Rebate Program, the commission shall, if the commission determines that the drug is appropriate for dispensing through an outpatient pharmacy, provisionally make the drug available under the vendor drug program for a period that expires on the earlier of:

(1) the 90th day after the date the form was submitted; or

(2) the date the commission makes a determination regarding whether to approve or deny the drug's inclusion on the vendor drug program formulary.

(c) The commission shall:

(1) denote the provisional availability of a drug under this section; and

(2) remove a drug made provisionally available under the vendor drug program:

(A) on the expiration of the 90-day period prescribed by Subsection

(b)(1); or

(B) if applicable, on the date the commission denies the drug's inclusion on the vendor drug program formulary.

The amendment to **HB 3286** 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 3286 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 3286 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 3286** 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 422 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 422** at this time on its second reading:

CSHB 422, Relating to remotely conducting detention hearings in juvenile cases.

The bill was read second time.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 422** (senate committee printing) as follows:

In SECTION 4 of the bill, (page 1, line 58), strike "September 1, 2023" and substitute "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 **CSHB 422** 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 422 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 422 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 **CSHB 422** 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 BILLS ON FIRST READING

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

HB 3292 to Committee on Local Government.

HB 5125 to Committee on Administration.

HB 5360 to Committee on Local Government.

HB 5418 to Committee on Local Government.

BILLS SIGNED

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

HB 1819, HB 1826, HB 2016, HB 2024, HB 4700, HB 4797, HB 5232, HB 5260, HB 5325, HB 5326, HB 5329.

HOUSE BILL 1526 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 1526** at this time on its second reading:

HB 1526, Relating to parkland dedication for multifamily, hotel, and motel property development by certain municipalities; authorizing a fee.

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 bill was read second time.

Senator Eckhardt offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1526** (senate committee printing) in SECTION 1 of the bill, in added Subchapter H, Chapter 212, Local Government Code, as follows:

(1) In Section 212.201 (page 1, between lines 35 and 36), add the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

() "Floodplain" means an area designated by the appropriate federal governmental authority as having a one percent or greater annual chance of flooding.

(2) Strike Section 212.010(d)(2) (page 4, lines 12-14) and substitute the following:

(2) subtracting from the amount calculated under Subdivision (1) the sum of:

(A) the product of the average land value applicable to the land and the number of acres dedicated that are not in a floodplain; and

(B) the product of 50 percent of the average land value applicable to the land and the number of acres dedicated that are in a floodplain.

(3) Strike Section 212.011(c) (page 4, lines 35-39) and substitute the following:

(c) A municipality shall determine the amount of a fee imposed under Section 212.205(a)(2) for land subject to a plan application by subtracting from the amount of the fee set under Subsection (b) by the sum of:

(1) the product of the land value applicable to the land and the number of acres dedicated that are not in a floodplain; and

(2) the product of 50 percent of the land value applicable to the land and the number of acres dedicated that are in a floodplain.

The amendment to **HB 1526** was read and failed of adoption by the following vote: Yeas 10, Nays 21.

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

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

HB 1526 was passed to third reading 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.

HOUSE BILL 1526 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 1526** 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, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, Whitmire.

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

The bill was read third time and was passed 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.

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 100** at 8:30 a.m. tomorrow.

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

Senator Hall submitted the following Motion In Writing:

Mr. President:

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

HALL

The Motion In Writing was read and prevailed without objection.

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 **HB 5125** at 9:30 a.m. tomorrow.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Hughes and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on State Affairs might meet at 11:15 p.m. today in the Press Room, 2E.9.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Hughes and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Jurisprudence might meet at 10:15 a.m. tomorrow in the Betty King Committee Room, 2E.20.

AT EASE

The President at 11:08 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

Senator Johnson at 11:18 p.m. called the Senate to order as In Legislative Session.

SESSION HELD FOR
LOCAL AND UNCONTESTED CALENDAR

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions were laid before the Senate in the order listed, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on passage to engrossment or third reading, suspension of the Constitutional Three-day Rule, and final passage are indicated after each caption. All Members are deemed to have voted "Yea" on viva voce votes unless otherwise indicated.

CSHB 357 (Hughes)

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

(viva voce vote) (31-0) (31-0)

HB 430 (Perry)

Relating to the criteria and qualifications for distributions under the rural volunteer fire department assistance program.

(viva voce vote) (31-0) (31-0)

CSHB 456 (King)

Relating to an exemption from ad valorem taxation of certain interests in a mineral in place owned by certain charitable organizations.

(viva voce vote) (29-2) "Nays" Creighton, Hughes (29-2) "Nays" Creighton, Hughes

HB 630 (Huffman)

Relating to the provision of lifeguards by certain municipalities and counties on public beaches.

(viva voce vote) (31-0) (31-0)

HB 660 (Zaffirini)

Relating to the enforcement and administration of certain protective orders.

(viva voce vote) (31-0) (31-0)

HB 784 (Blanco)

Relating to the delegation of certain authority of a county judge or commissioners court in certain counties.

(viva voce vote) (27-4) "Nays" Creighton, Hughes, Middleton, Springer (27-4) "Nays" Creighton, Hughes, Middleton, Springer

HB 975 (Johnson)

Relating to the designation of the portion of Interstate Highway 635 in Mesquite as the Officer Richard Houston II Memorial Highway.

(viva voce vote) (31-0) (31-0)

HB 995 (Paxton)

Relating to sheriff's department disability leave in certain counties.

(viva voce vote) (30-1) "Nay" Hughes (30-1) "Nay" Hughes

HB 1002 (Perry)

Relating to the membership of a public school concussion oversight team and the removal of a public school student from an interscholastic athletic activity on the basis of a suspected concussion.

(viva voce vote) (30-1) "Nay" Hughes (30-1) "Nay" Hughes

HB 1198 (Hughes)

Relating to a public awareness campaign to promote the proper attachment of trailers to certain motor vehicles.

(viva voce vote) (29-2) "Nays" Middleton, Springer (29-2) "Nays" Middleton, Springer

HB 1199 (Hughes)

Relating to the inclusion of certain information regarding trailers in vehicle accident reports.

(viva voce vote) (31-0) (31-0)

HB 1283 (Hughes)

Relating to prescription drug formularies applicable to the Medicaid managed care program.

(viva voce vote) (31-0) (31-0)

HB 1305 (Paxton)

Relating to the designation of a portion of State Highway 19 as the Mildred McMillan Garrett Memorial Bridge.

(viva voce vote) (31-0) (31-0)

HB 1330 (Blanco)

Relating to a grant program for public improvement projects for unincorporated communities in certain counties.

(viva voce vote) (26-5) "Nays" Creighton, Hughes, King, Middleton, Springer (26-5) "Nays" Creighton, Hughes, King, Middleton, Springer

HB 1703 (Blanco)

Relating to the workforce development evaluation system administered by the Texas Workforce Commission, including the establishment of a workforce development career education and training evaluation pilot program.

(viva voce vote) (26-5) "Nays" Creighton, Hughes, King, Middleton, Springer (26-5) "Nays" Creighton, Hughes, King, Middleton, Springer

HB 1968 (Schwertner)

Relating to the designation of a portion of Interstate Highway 35 in Williamson County as the Officer Charles Whites Memorial Highway.

(viva voce vote) (31-0) (31-0)

HB 2100 (Schwertner)

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

(viva voce vote) (27-4) "Nays" Creighton, Hall, Hughes, Middleton (27-4) "Nays" Creighton, Hall, Hughes, Middleton

HB 2166 (LaMantia)

Relating to designating March 4 as COVID-19 Heroes and Memorial Day.

(viva voce vote) (31-0) (31-0)

HB 2443 (Perry)

Relating to the authority of certain persons to petition a groundwater conservation district to change certain rules.

(viva voce vote) (31-0) (31-0)

HB 2503 (Flores)

Relating to the issuance of specialty license plates for veterans with disabilities and recipients of the Texas Humanitarian Service Medal and federal Humanitarian Service Medal.

(viva voce vote) (31-0) (31-0)

HB 2508 (Kolkhorst)

Relating to the disbursement of money by a levee improvement district.

(viva voce vote) (31-0) (31-0)

HB 2616 (LaMantia)

Relating to the operation of and lighting equipment for medical examiner vehicles and vehicles operated by justices of the peace in certain circumstances.

(viva voce vote) (31-0) (31-0)

HB 2658 (Middleton)

Relating to grounds for the involuntary termination of the parent-child relationship.
(viva voce vote) (31-0) (31-0)

HB 2700 (Huffman)

Relating to prosecution of certain criminal offenses prohibiting sexually explicit visual material involving children.
(viva voce vote) (31-0) (31-0)

HB 2706 (Zaffirini)

Relating to the regulation of manufactured homes.
(viva voce vote) (29-2) "Nays" Creighton, Hughes (29-2) "Nays" Creighton, Hughes

HB 2738 (Miles)

Relating to certain indefinite quantity contracts entered into by the General Land Office in the event of a natural disaster.
(viva voce vote) (29-2) "Nays" Creighton, Hughes (29-2) "Nays" Creighton, Hughes

HB 2956 (Flores)

Relating to municipal annexation of an area adjacent to contiguous or connecting railroad rights-of-way.
(viva voce vote) (27-4) "Nays" Creighton, Hancock, Hughes, Middleton (27-4) "Nays" Creighton, Hancock, Hughes, Middleton

HB 3045 (Middleton)

Relating to the designation of a portion of Farm-to-Market Road 517 in Brazoria and Galveston Counties as the Ken Clark Memorial Highway.
(viva voce vote) (31-0) (31-0)

HB 3126 (Alvarado)

Relating to the definitions of "pass" and "passing" used in reference to a vehicle.
(viva voce vote) (29-2) "Nays" Hughes, Kolkhorst (29-2) "Nays" Hughes, Kolkhorst

HB 3156 (LaMantia)

Relating to liability of engineers and certain business entities performing construction monitoring and inspection services for the Texas Department of Transportation.
(viva voce vote) (31-0) (31-0)

CSHB 3161 (Huffman)

Relating to the duties of a justice of the peace, medical examiner, or other investigator regarding the bodies of unidentified deceased persons and to the control by certain persons of the disposition of a deceased person's remains.
(viva voce vote) (31-0) (31-0)

HB 3278 (Blanco)

Relating to the joint planning of desired future conditions in groundwater management areas.
(viva voce vote) (31-0) (31-0)

(Senator King in Chair)**CSHB 3462** (Sparks)

Relating to the consolidation of ombudsman programs administered by the Health and Human Services Commission.

(viva voce vote) (31-0) (31-0)

CSHB 3506 (Hughes)

Relating to the storage in and removal from certain DNA databases of certain DNA samples.

(viva voce vote) (31-0) (31-0)

HB 3645 (LaMantia)

Relating to requirements for the issuance of certain driver's licenses and commercial driver's licenses.

(viva voce vote) (31-0) (31-0)

HB 3646 (LaMantia)

Relating to certain regulations regarding commercial driver's licenses.

(viva voce vote) (31-0) (31-0)

HB 3743 (Kolkhorst)

Relating to the Texas Department of Licensing and Regulation; expanding authority to adopt fees.

(viva voce vote) (28-3) "Nays" Creighton, Hall, Hughes (28-3) "Nays" Creighton, Hall, Hughes

HB 3798 (LaMantia)

Relating to making certain voluntary contributions when applying for a driver's license, commercial driver's license, or personal identification certificate.

(viva voce vote) (31-0) (31-0)

HB 3929 (Hughes)

Relating to the adoption by the Supreme Court of Texas of the Uniform Interstate Depositions and Discovery Act.

(viva voce vote) (31-0) (31-0)

HB 4012 (Zaffirini)

Relating to the administration of the electronic state business daily.

(viva voce vote) (31-0) (31-0)

HB 4085 (Perry)

Relating to the payment by the state or a county of costs for certain mental health hearings or proceedings.

(viva voce vote) (28-3) "Nays" Blanco, Eckhardt, Gutierrez (28-3) "Nays" Blanco, Eckhardt, Gutierrez

HB 4316 (Zaffirini)

Relating to regulation of residential service contract providers, sellers, and administrators.

(viva voce vote) (31-0) (31-0)

HB 4375 (Perry)

Relating to instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator in public schools.

(viva voce vote) (31-0) (31-0)

HB 4416 (Kolkhorst)

Relating to the regulation of auctioneering by the Texas Department of Licensing and Regulation; authorizing an administrative penalty.

(viva voce vote) (29-2) "Nays" Creighton, Hughes (29-2) "Nays" Creighton, Hughes

HB 4417 (Zaffirini)

Relating to the administration of court-ordered programs regulated by the Texas Department of Licensing and Regulation.

(viva voce vote) (31-0) (31-0)

CSHB 4704 (Huffman)

Relating to taxing authority of Jackson County County-Wide Drainage District.

(viva voce vote) (27-4) "Nays" Creighton, Hughes, Middleton, Springer (27-4) "Nays" Creighton, Hughes, Middleton, Springer

HB 4765 (Hughes)

Relating to inheritance rights of adoptive parents.

(viva voce vote) (30-1) "Nay" Creighton (30-1) "Nay" Creighton

HB 4879 (Flores)

Relating to incident-based reporting of information and statistics concerning offenses committed in this state and the establishment of the Texas crime information system by the Department of Public Safety.

(viva voce vote) (31-0) (31-0)

HB 4932 (Sparks)

Relating to the amount of foreign emissions of air contaminants in nonattainment areas and the revision of the state implementation plan to account for those emissions.

(viva voce vote) (29-2) "Nays" Eckhardt, Menéndez (29-2) "Nays" Eckhardt, Menéndez

CSHB 5066 (Schwertner)

Relating to electricity service in areas of this state with a need for transmission projects.

(viva voce vote) (31-0) (31-0)

HB 5304 (Schwertner)

Relating to the creation of the Williamson County Municipal Utility District No. 46; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst

HB 5314 (Kolkhorst)

Relating to the creation of the Waller County Municipal Utility District No. 56; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

HB 5318 (Kolkhorst)

Relating to the creation of the Montgomery County Water Control and Improvement District No. 6; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

HB 5320 (Kolkhorst)

Relating to the creation of the Montgomery County Municipal Utility District No. 227; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

CSHB 5336 (Huffman)

Relating to the powers and duties of Port Freeport; limiting the authority of certain municipalities to regulate land use by Port Freeport; and the creation of a reinvestment zone containing property owned by Port Freeport.

(viva voce vote) (29-2) "Nays" Hughes, Menéndez (29-2) "Nays" Hughes, Menéndez

HB 5339 (Kolkhorst)

Relating to the creation of the Montgomery County Municipal Utility District No. 223; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

HB 5343 (Huffman)

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

(viva voce vote) (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst

HB 5349 (Kolkhorst)

Relating to the creation of the Austin County Municipal Utility District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

HB 5357 (Flores)

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

(viva voce vote) (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst

HB 5365 (Kolkhorst)

Relating to the creation of the Austin County Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

HB 5367 (Schwertner)

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

(viva voce vote) (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst

HB 5369 (Schwertner)

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

(viva voce vote) (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst

HB 5374 (Kolkhorst)

Relating to the creation of the Montgomery County Municipal Utility District No. 226; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

HB 5379 (Schwertner)

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

(viva voce vote) (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst

HB 5384 (Kolkhorst)

Relating to the creation of the Harris-Waller Counties Municipal Utility District No. 9; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

HB 5385 (Kolkhorst)

Relating to the creation of the Harris County Municipal Utility District No. 582; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

HB 5390 (Kolkhorst)

Relating to the creation of the Waller County Municipal Utility District No. 52; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

HB 5391 (Kolkhorst)

Relating to the creation of the Montgomery County Municipal Utility District No. 218; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

HB 5393 (Huffman)

Relating to the creation of the Waller County Municipal Utility District No. 55; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst (26-4-1) "Nays" Hall, Hancock, Hughes, Middleton "Present-not voting" Kolkhorst

HB 5395 (Kolkhorst)

Relating to the creation of the Fort Bend County Water Control and Improvement District No. 11; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-4) "Nays" Hall, Hancock, Hughes, Middleton (27-4) "Nays" Hall, Hancock, Hughes, Middleton

CSHB 5398 (Hall)

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

(viva voce vote) (28-2-1) "Nays" Hughes, Middleton "Present-not voting" Kolkhorst (28-2-1) "Nays" Hughes, Middleton "Present-not voting" Kolkhorst

HCR 27 (Parker)

Redesignating Bridgeport as the official Stagecoach Capital of Texas for a 10-year period ending in 2033.

(31-0)

HCR 104 (Birdwell)

Designating Granbury as the official Celebration Capital of Texas for a 10-year period ending in 2033.

(31-0)

HCR 105 (Nichols)

Designating Palestine as the official Dogwood Trails Capital of Texas for a 10-year period ending in 2033.

(31-0)

**BILLS REMOVED FROM
LOCAL AND UNCONTESTED CALENDAR**

Senator Kolkhorst and Senator Hall requested in writing that **HB 1883** be removed from the Local and Uncontested Calendar.

Senator Paxton and Senator Hall requested in writing that **HB 2334** be removed from the Local and Uncontested Calendar.

Senator Gutierrez and Senator Hall requested in writing that **HB 2877** be removed from the Local and Uncontested Calendar.

**SESSION CONCLUDED FOR
LOCAL AND UNCONTESTED CALENDAR**

Senator King announced that the session to consider bills and resolutions placed on the Local and Uncontested Calendar was concluded.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 222**

Senator Nichols 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 222** 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.

NICHOLS
HANCOCK

METCALF
CODY HARRIS

PAXTON
 WEST
 ZAFFIRINI
 On the part of the Senate

COLE
 LANDGRAF
 ANCHÍA
 On the part of the House

A BILL TO BE ENTITLED
 AN ACT

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

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

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

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

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

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

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

(1) is a member of the Employees Retirement System of Texas or is employed by a board, commission, department, or other agency in the executive branch of state government created by the constitution or a statute of this state, except for an institution of higher education as defined by Section 61.003, Education Code; and

(2) takes leave under Section 661.912 for the:

- (A) birth of a child;
- (B) birth of a child by the employee's spouse;
- (C) birth of a child by a gestational surrogate; or
- (D) adoption of a child.

(b) Except as provided by Subsection (c), a state employee who takes leave under Section 661.912 for the purpose of Subsection (a)(2)(A) is entitled to 40 days of paid leave during leave taken under that section.

(c) A state employee who takes leave under Section 661.912 for the purpose of Subsection (a)(2)(B), (C), or (D) is entitled to 20 days of paid leave during leave taken under Section 661.912.

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

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

(f) This section may not be construed to:

(1) create an employment right;

(2) confer a protected status; or

(3) create a cause of action against this state.

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

The Conference Committee Report on **SB 222** was filed with the Secretary of the Senate.

CO-AUTHOR OF SENATE BILL 975

On motion of Senator Menéndez, Senator Alvarado will be shown as Co-author of **SB 975**.

CO-AUTHOR OF SENATE BILL 2143

On motion of Senator Parker, Senator LaMantia will be shown as Co-author of **SB 2143**.

CO-SPONSORS OF HOUSE BILL 3

On motion of Senator Nichols, Senators Hall, Hinojosa, and Zaffirini will be shown as Co-sponsors of **HB 3**.

CO-SPONSORS OF HOUSE BILL 12

On motion of Senator Kolkhorst, Senators Alvarado, Blanco, Eckhardt, Hinojosa, West, and Zaffirini will be shown as Co-sponsors of **HB 12**.

CO-SPONSORS OF HOUSE BILL 25

On motion of Senator Kolkhorst, Senators Hinojosa, Miles, and West will be shown as Co-sponsors of **HB 25**.

CO-SPONSOR OF HOUSE BILL 26

On motion of Senator Blanco, Senator West will be shown as Co-sponsor of **HB 26**.

CO-SPONSOR OF HOUSE BILL 315

On motion of Senator Zaffirini, Senator West will be shown as Co-sponsor of **HB 315**.

CO-SPONSORS OF HOUSE BILL 400

On motion of Senator Kolkhorst, Senators Alvarado, Eckhardt, Hinojosa, Miles, and West will be shown as Co-sponsors of **HB 400**.

CO-SPONSOR OF HOUSE BILL 422

On motion of Senator Perry, Senator Zaffirini will be shown as Co-sponsor of **HB 422**.

CO-SPONSORS OF HOUSE BILL 711

On motion of Senator Kolkhorst, Senators Blanco, Hancock, Parker, and Perry will be shown as Co-sponsors of **HB 711**.

CO-SPONSOR OF HOUSE BILL 755

On motion of Senator Menéndez, Senator West will be shown as Co-sponsor of **HB 755**.

CO-SPONSOR OF HOUSE BILL 900

On motion of Senator Paxton, Senator Middleton will be shown as Co-sponsor of **HB 900**.

CO-SPONSORS OF HOUSE BILL 1211

On motion of Senator Zaffirini, Senators Eckhardt and West will be shown as Co-sponsors of **HB 1211**.

CO-SPONSORS OF HOUSE BILL 1337

On motion of Senator Menéndez, Senators Eckhardt and West will be shown as Co-sponsors of **HB 1337**.

CO-SPONSORS OF HOUSE BILL 1361

On motion of Senator Eckhardt, Senators Hinojosa and Miles will be shown as Co-sponsors of **HB 1361**.

CO-SPONSOR OF HOUSE BILL 1588

On motion of Senator Middleton, Senator Zaffirini will be shown as Co-sponsor of **HB 1588**.

CO-SPONSOR OF HOUSE BILL 1615

On motion of Senator Birdwell, Senator Menéndez will be shown as Co-sponsor of **HB 1615**.

CO-SPONSORS OF HOUSE BILL 1673

On motion of Senator Johnson, Senators Hinojosa and LaMantia will be shown as Co-sponsors of **HB 1673**.

CO-SPONSOR OF HOUSE BILL 2100

On motion of Senator Schwertner, Senator Miles will be shown as Co-sponsor of **HB 2100**.

CO-SPONSORS OF HOUSE BILL 2177

On motion of Senator LaMantia, Senators Eckhardt and Hinojosa will be shown as Co-sponsors of **HB 2177**.

CO-SPONSOR OF HOUSE BILL 2503

On motion of Senator Flores, Senator Menéndez will be shown as Co-sponsor of **HB 2503**.

CO-SPONSOR OF HOUSE BILL 2620

On motion of Senator King, Senator Hall will be shown as Co-sponsor of **HB 2620**.

CO-SPONSOR OF HOUSE BILL 2626

On motion of Senator Perry, Senator Hinojosa will be shown as Co-sponsor of **HB 2626**.

CO-SPONSORS OF HOUSE BILL 2651

On motion of Senator Blanco, Senators Eckhardt and West will be shown as Co-sponsors of **HB 2651**.

CO-SPONSORS OF HOUSE BILL 2670

On motion of Senator Zaffirini, Senators Menéndez and West will be shown as Co-sponsors of **HB 2670**.

CO-SPONSOR OF HOUSE BILL 2746

On motion of Senator Menéndez, Senator Zaffirini will be shown as Co-sponsor of **HB 2746**.

CO-SPONSORS OF HOUSE BILL 2847

On motion of Senator Sparks, Senators Hinojosa and West will be shown as Co-sponsors of **HB 2847**.

CO-SPONSORS OF HOUSE BILL 2873

On motion of Senator Blanco, Senators Eckhardt, Hinojosa, Menéndez, and West will be shown as Co-sponsors of **HB 2873**.

CO-SPONSOR OF HOUSE BILL 2951

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

CO-SPONSOR OF HOUSE BILL 2969

On motion of Senator Hancock, Senator Menéndez will be shown as Co-sponsor of **HB 2969**.

CO-SPONSOR OF HOUSE BILL 3058

On motion of Senator Hughes, Senator Eckhardt will be shown as Co-sponsor of **HB 3058**.

CO-SPONSOR OF HOUSE BILL 3286

On motion of Senator Hancock, Senator Zaffirini will be shown as Co-sponsor of **HB 3286**.

CO-SPONSORS OF HOUSE BILL 3338

On motion of Senator Johnson, Senators Eckhardt, Hinojosa, and Miles will be shown as Co-sponsors of **HB 3338**.

CO-SPONSOR OF HOUSE BILL 3623

On motion of Senator Middleton, Senator West will be shown as Co-sponsor of **HB 3623**.

CO-SPONSOR OF HOUSE BILL 4053

On motion of Senator Hughes, Senator West will be shown as Co-sponsor of **HB 4053**.

CO-SPONSOR OF HOUSE BILL 4170

On motion of Senator LaMantia, Senator West will be shown as Co-sponsor of **HB 4170**.

CO-SPONSOR OF HOUSE BILL 4194

On motion of Senator Schwertner, Senator Zaffirini will be shown as Co-sponsor of **HB 4194**.

CO-SPONSORS OF HOUSE BILL 4451

On motion of Senator Flores, Senators Alvarado and Hinojosa will be shown as Co-sponsors of **HB 4451**.

CO-SPONSOR OF HOUSE BILL 4520

On motion of Senator Bettencourt, Senator Paxton will be shown as Co-sponsor of **HB 4520**.

CO-SPONSOR OF HOUSE BILL 5178

On motion of Senator Nichols, Senator West will be shown as Co-sponsor of **HB 5178**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 624 by Hughes, In memory of Stephen Christopher Mitchell.

Congratulatory Resolutions

SR 620 by Hughes, Recognizing Patrick Mahomes for leading the Kansas City Chiefs to a Super Bowl championship.

SR 621 by Hughes, Recognizing Patti Sparkman for her service to Morton Salt Company.

SR 622 by Hughes, Recognizing Big Sandy Sand Company on the occasion of its 75th anniversary.

SR 623 by Hughes, Recognizing K. Brian Davis Sr. for his service to Mount Zion Missionary Baptist Church.

SR 625 by Gutierrez, Recognizing Orlie Kenneth Wolfenbarger III on the occasion of his retirement.

MOTION IN WRITING

Senator Whitmire offered the following Motion In Writing:

Mr. President:

I move that the Senate adjourn until 10:30 a.m. Monday, May 22nd. Thank you, Mr. President.

WHITMIRE

The Motion In Writing was read and prevailed without objection.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 11:59 p.m. adjourned until 10:30 a.m. Monday, May 22, 2023.

APPENDIX

COMMITTEE REPORTS

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

May 21, 2023

BUSINESS AND COMMERCE — CSHB 30, CSHB 3033, CSHB 3440, CSHB 3615, HCR 26, HB 4579, HB 4542

FINANCE — CSHB 1058, CSHB 2779, CSHB 4256

HEALTH AND HUMAN SERVICES — HB 3808, HB 4990, HB 1167, HB 1592, HB 687, HB 113, HB 181, HB 3144, HB 3824, HB 1357, CSHB 44, CSHB 4500, HB 1743, HB 617, HB 4758, HB 3942, HB 3130, CSHB 4696, HB 2414

CRIMINAL JUSTICE — CSHB 4759, CSHB 55, CSHB 5183, CSHB 3424

STATE AFFAIRS — CSHB 18

JURISPRUDENCE — CSHB 3452

WATER, AGRICULTURE, AND RURAL AFFAIRS — CSHB 5271, CSHB 1646

STATE AFFAIRS — CSHB 4621

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — CSHB 5012, CSHB 1302, CSHB 4047

STATE AFFAIRS — HB 1696, CSHB 4061, HB 2850

JURISPRUDENCE — CSHB 4183

HEALTH AND HUMAN SERVICES — CSHB 1105, CSHB 1287, CSHB 3550, CSHB 1879, CSHB 3456

CRIMINAL JUSTICE — CSHB 1182

HEALTH AND HUMAN SERVICES — CSHB 2727

LOCAL GOVERNMENT — HB 5322

STATE AFFAIRS — CSSJR 86

LOCAL GOVERNMENT — **HB 3613, CSHB 2488, CSHB 2815, CSHB 5373, CSHB 5405, HB 2878**

BORDER SECURITY — **CSHB 4635**

CRIMINAL JUSTICE — **CSHB 1833**

STATE AFFAIRS — **CSHB 4843**

JURISPRUDENCE — **CSHB 2865, HB 3009**

HEALTH AND HUMAN SERVICES — **CSHB 1771, CSHB 1998, CSHB 1898, HB 729, HB 299, HB 3359, HB 4233, HB 2478, HB 4169, HB 1667**

JURISPRUDENCE — **CSHB 2129**

HEALTH AND HUMAN SERVICES — **HB 1649, HB 2556**

EDUCATION — **HB 1926, HB 3908, HB 4997, CSHB 681**

BUSINESS AND COMMERCE — **HB 2266, HB 2702, CSHB 3625**

LOCAL GOVERNMENT — **CSHB 5372**

BILLS AND RESOLUTIONS ENROLLED

May 21, 2023

SB 52, SB 135, SB 252, SB 280, SB 348, SB 361, SB 372, SB 374, SB 414, SB 485, SB 496, SB 526, SB 539, SB 540, SB 646, SB 658, SB 691, SB 739, SB 904, SB 983, SB 1551, SB 1599, SB 1710, SB 2017, SB 2106, SB 2119, SB 2150, SB 2269, SB 2275, SB 2310, SB 2379, SB 2399, SB 2493, SR 620, SR 621, SR 622, SR 623, SR 624, SR 625

