

# SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

---

---

AUSTIN, TEXAS

---

---

PROCEEDINGS

---

SIXTIETH DAY

(Wednesday, May 24, 2023)

The Senate met at 6:51 p.m. pursuant to adjournment and was called to order by Senator Flores.

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

Absent-excused: Gutierrez.

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

Senator King offered the invocation as follows:

Father, we, we're almost there. We're all really tired and probably a little bit cranky and our staffs are all worn out, too, all our teams, and all throughout this building. Got some sickness that's rolling through some of the offices, and we'd all like to avoid that, please. And we just pray that as these next few days go through that we would just all feel Your peace. We just ask that You would give us patience and encourage us when we get discouraged. Help us just to see the right decisions, where to compromise and where to hold our own, and help us just to come to agreements in things that You're really pleased with. And I guess our biggest prayer is that when we finish up in a few days that You'll be really proud of the work we did. We're just so honored to be here serving people and we know that You've allowed us and put us into these positions, and we just want to do a good job. We have a lot of differences of opinion, but we just pray that we'll do all things for Your glory, and we just ask for help to just work through everything. And it's in Jesus' name that we pray. And we just thank You for always being with us. Amen.

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

The motion prevailed without objection.

### LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Gutierrez was granted leave of absence for today on account of important business.

### 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 315, HB 430, HB 630, HB 660, HB 699, HB 975, HB 995, HB 999, HB 1002, HB 1198, HB 1199, HB 1283, HB 1305, HB 1330, HB 1526, HB 1703, HB 1794, HB 2177, HB 2443, HB 2503, HB 2671, HB 3712, HB 3956, HB 4170, HB 5409, SB 48, SB 129, SB 182, SB 375, SB 467, SB 493, SB 599, SB 614, SB 736, SB 998, SB 1245, SB 1346, SB 1745, SB 1802, SB 2016, SB 2040, SB 2304.**

### CONCLUSION OF MORNING CALL

The Presiding Officer at 6:58 p.m. announced the conclusion of morning call.

### COMMITTEE SUBSTITUTE HOUSE BILL 44 ON THIRD READING

Senator Middleton moved to suspend the regular order of business to take up for consideration **CSHB 44** at this time on its third reading and final passage:

**CSHB 44**, Relating to provider discrimination against a Medicaid recipient or child health plan program enrollee based on immunization status.

The motion prevailed by the following vote: Yeas 19, Nays 11.

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

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

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 12.

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

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

Absent-excused: Gutierrez.

### COMMITTEE SUBSTITUTE HOUSE BILL 1243 ON THIRD READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSHB 1243** at this time on its third reading and final passage:

**CSHB 1243**, Relating to conduct constituting the criminal offense of illegal voting; increasing a criminal penalty.

The motion prevailed by the following vote: Yeas 19, Nays 11.

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

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

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 11. (Same as previous roll call)

### **COMMITTEE SUBSTITUTE HOUSE BILL 7 ON THIRD READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSHB 7** at this time on its third reading and final passage:

**CSHB 7**, Relating to measures to address public safety threats in this state presented by transnational criminal activity, including by establishing a Texas Border Force, and to compensate persons affected by those threats; increasing criminal penalties; creating criminal offenses.

The motion prevailed by the following vote: Yeas 19, Nays 11.

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

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

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 11. (Same as previous roll call)

### **COMMITTEE SUBSTITUTE HOUSE BILL 1588 ON THIRD READING**

Senator Middleton moved to suspend the regular order of business to take up for consideration **CSHB 1588** at this time on its third reading and final passage:

**CSHB 1588**, Relating to funding of excess losses and operating expenses of the Texas Windstorm Insurance Association; authorizing an assessment; authorizing a surcharge.

The motion prevailed by the following vote: Yeas 22, Nays 7, Present-not voting 1.

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

Nays: Alvarado, Eckhardt, Johnson, LaMantia, Menéndez, Paxton, West.

Present-not voting: Miles.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 15, Nays 14, Present-not voting 1.

Yeas: Bettencourt, Campbell, Creighton, Flores, Hinojosa, Huffman, King, Kolkhorst, Middleton, Nichols, Schwertner, Sparks, Springer, Whitmire, Zaffirini.

Nays: Alvarado, Birdwell, Blanco, Eckhardt, Hall, Hancock, Hughes, Johnson, LaMantia, Menéndez, Parker, Paxton, Perry, West.

Present-not voting: Miles.

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 5180 ON THIRD READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSHB 5180** at this time on its third reading and final passage:

**CSHB 5180**, Relating to the public inspection of election records.

The motion prevailed by the following vote: Yeas 19, Nays 11.

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

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

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 11. (Same as previous roll call)

**(President in Chair)**

**COMMITTEE SUBSTITUTE  
HOUSE BILL 3550 ON SECOND READING**

Senator LaMantia moved to suspend the regular order of business to take up for consideration **CSHB 3550** at this time on its second reading:

**CSHB 3550**, Relating to standards for and services provided by prescribed pediatric extended care centers, including Medicaid reimbursement for those services.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

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

Absent-excused: Gutierrez.

The bill was read second time and was passed to third reading by the following vote: Yeas 25, Nays 5. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
HOUSE BILL 3550 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 **CSHB 3550** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

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

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 5. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
HOUSE BILL 108 ON SECOND READING**

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 108** at this time on its second reading:

**CSHB 108**, Relating to the issuance of specialty license plates for certain classroom teachers and retired classroom teachers; imposing fees.

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:

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 108 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 **CSHB 108** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**HOUSE BILL 2961 ON SECOND READING**

On motion of Senator King and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2961** at this time on its second reading:

**HB 2961**, Relating to criminal responsibility for the conduct of a coconspirator.

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:

Absent-excused: Gutierrez.

**HOUSE BILL 2961 ON THIRD READING**

Senator King moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2961** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**(Senator Campbell in Chair)**

**COMMITTEE SUBSTITUTE****HOUSE BILL 4696 ON SECOND READING**

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 4696** at this time on its second reading:

**CSHB 4696**, Relating to the reporting and investigation of certain allegations of abuse, neglect, and exploitation, the making and investigation of complaints alleging violations of certain health facility licensing requirements, and the content of the employee misconduct registry.

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:

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE****HOUSE BILL 4696 ON THIRD READING**

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 4696** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

### **HOUSE BILL 3808 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 3808** at this time on its second reading:

**HB 3808**, Relating to the pediatric acute-onset neuropsychiatric syndrome advisory council.

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:

Absent-excused: Gutierrez.

### **HOUSE BILL 3808 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 3808** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

### **HOUSE BILL 1673 ON SECOND READING**

Senator Johnson moved to suspend the regular order of business to take up for consideration **HB 1673** at this time on its second reading:

**HB 1673**, Relating to training requirements for staff members of certain assisted living facilities that provide care to persons with Alzheimer's disease and related disorders.

The motion prevailed.

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

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

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

Nays: Hughes, Springer.

Absent-excused: Gutierrez.

### HOUSE BILL 1673 ON THIRD READING

Senator Johnson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1673** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

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

Nays: Hughes, Springer.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

### HOUSE BILL 4990 ON SECOND READING

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **HB 4990** at this time on its second reading:

**HB 4990**, Relating to the Texas Pharmaceutical Initiative; authorizing fees.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

Nays: Birdwell, Hancock, Hughes, King, Perry.

Absent-excused: Gutierrez.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **HB 4990** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Subtitle D, Title 10, Government Code, is amended by adding Chapter 2177 to read as follows:

#### CHAPTER 2177. TEXAS PHARMACEUTICAL INITIATIVE

Sec. 2177.001. DEFINITIONS. In this chapter:

(1) "Advisory council" means the Texas Pharmaceutical Initiative Advisory Council established under this chapter.

(2) "Board" means the governing board of the initiative.

(3) "Commission" means the Health and Human Services Commission.

(4) "Generic biological product" means a biological product approved pursuant to an application under Section 351(k), Public Health Service Act (42 U.S.C. Section 262(k)).



(5) "Generic drug" means a prescription drug approved pursuant to an application under Section 505(j), Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section 355(j)).

(6) "Initiative" means the Texas Pharmaceutical Initiative established under this chapter.

Sec. 2177.002. TEXAS PHARMACEUTICAL INITIATIVE. The Texas Pharmaceutical Initiative is established to provide cost-effective access to prescription drugs and other medical supplies for:

(1) employees, dependents, and retirees of public higher education systems and institutions;

(2) Employees Retirement System of Texas members;

(3) Teacher Retirement System of Texas members;

(4) persons confined by the Texas Department of Criminal Justice or the Texas Juvenile Justice Department; and

(5) individuals served by a program operated or administered by the health and human services system, as that term is defined by Section 531.001.

Sec. 2177.003. BOARD. (a) The initiative is governed by a board composed of three members appointed by the governor.

(b) The governor shall designate the presiding officer of the board.

(c) A board member serves without compensation but may be reimbursed for travel and other actual and reasonable expenses incurred in the performance of the member's duties on the board.

Sec. 2177.004. BOARD MEMBER QUALIFICATIONS. (a) A person may not serve as a board member if the person:

(1) has held any other elective public office during the preceding five years;

or

(2) is an employee of an entity served by the initiative.

(b) Not more than one-third of the members of the board serving at any one time may derive more than 10 percent of their annual income from the health care, insurance, or pharmaceutical industry.

Sec. 2177.005. BOARD POWERS AND DUTIES. (a) The board may:

(1) develop and implement the initiative and any programs established by this chapter;

(2) establish procedures and policies for the administration of the initiative;

(3) establish procedures to document compliance by board members and personnel with applicable laws governing conflicts of interest.

(b) To carry out the purposes of this chapter and implement the initiative, the board may:

(1) hire and employ an executive director and necessary personnel to provide administrative support;

(2) execute contracts and other instruments and conduct all activities the board determines necessary for those purposes;

(3) authorize one or more board members to execute contracts and other instruments on behalf of the board; and

(4) establish a committee or other similar entity to exercise powers delegated by the board and exercise any other administrative duties or powers as the board considers necessary.

Sec. 2177.006. BUSINESS PLAN. Not later than October 1, 2024, the board shall develop and submit to the governor, the legislature, and the Legislative Budget Board a business plan on:

(1) implementing the initiative, including the initiative's organizational structure and related programs;

(2) establishing procedures and policies for the administration of the initiative, including documenting the process and resources required for the provision to individuals described by Section 2177.002 of the following services:

(A) establishing or contracting for statewide pharmacy benefit manager services;

(B) establishing policies and conditions to operate or contract for the operation of a distribution network, central service center, and associated network of satellite distribution facilities to distribute prescription drugs and related medical supplies; and

(C) providing advanced pharmaceutical preparation and related services, including:

(i) manufacturing generic drugs and generic biological products;

(ii) providing gene therapies and precision medicine; and

(iii) providing advanced laboratories for quality control, preparation, and compounding of drugs in support of innovative therapeutics and drug research;

(3) establishing procedures to document compliance by board members and personnel with applicable laws governing conflicts of interest;

(4) establishing the conditions for state agencies that facilitate health plans to participate in the initiative;

(5) identifying potential cost savings from implementation of the initiative;

(6) identifying the funding and resources needed to implement this chapter;

and

(7) providing other board recommendations, with supporting documentation, on continuation of the initiative.

Sec. 2177.007. ADMINISTRATIVE ATTACHMENT. (a) The board is administratively attached to the commission.

(b) The commission shall provide administrative support services to the board as necessary to carry out the purposes of this chapter.

Sec. 2177.008. ADVISORY COUNCIL. (a) The Texas Pharmaceutical Initiative Advisory Council is established to advise the board in implementing this chapter and carrying out the duties imposed on the board under this chapter.

(b) The advisory council is composed of:

(1) the executive commissioner of the commission or the executive commissioner's designee;

(2) the executive director of the Employees Retirement System of Texas or the executive director's designee;

(3) the executive director of the Teacher Retirement System of Texas or the executive director's designee;

(4) the chancellor of The University of Texas System or the chancellor's designee; and

(5) the chancellor of The Texas A&M University System or the chancellor's designee.

Sec. 2177.009. CONFLICTS OF INTEREST. Except as otherwise provided by this chapter, Chapter 572 applies to the initiative.

Sec. 2177.010. EXPIRATION OF CHAPTER. This chapter expires September 1, 2025.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

The amendment to **HB 4990** 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:

Absent-excused: Gutierrez.

**HB 4990** as amended was passed to third reading by the following vote: Yeas 26, Nays 4.

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

Nays: Hall, Hughes, King, Perry.

Absent-excused: Gutierrez.

### **HOUSE BILL 4990 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 4990** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

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

Nays: Hall, Hughes, King, Perry.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 4. (Same as previous roll call)

**(President in Chair)****RECESS**

On motion of Senator Whitmire, the Senate at 8:18 p.m. recessed until 8:40 p.m. today.

**AFTER RECESS**

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

**HOUSE BILL 5178 ON SECOND READING**

Senator Nichols moved to suspend the regular order of business to take up for consideration **HB 5178** at this time on its second reading:

**HB 5178**, Relating to authorizing certain counties to impose a hotel occupancy tax and the applicability of that tax in certain counties.

The motion prevailed by the following vote: Yeas 21, Nays 9.

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

Nays: Bettencourt, Creighton, Hall, Hancock, Hughes, Kolkhorst, Middleton, Parker, Springer.

Absent-excused: Gutierrez.

The bill was read second time and was passed to third reading by the following vote: Yeas 21, Nays 9. (Same as previous roll call)

**HOUSE BILL 5178 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 5178** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

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

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 9.

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

Nays: Bettencourt, Creighton, Hall, Hancock, Hughes, Kolkhorst, Middleton, Parker, Springer.

Absent-excused: Gutierrez.

**HOUSE BILL 4122 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 4122** at this time on its second reading:

**HB 4122**, Relating to the operation and movement of motorcycles on a roadway laned for traffic.

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:

Absent-excused: Gutierrez.

**HOUSE BILL 4122 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 4122** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**HOUSE BILL 114 ON SECOND READING**

Senator Parker moved to suspend the regular order of business to take up for consideration **HB 114** at this time on its second reading:

**HB 114**, Relating to the possession, use, or delivery of marihuana or e-cigarettes on or near public school property or at certain school events.

The motion prevailed.

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

The bill was read second time.

**(President in Chair)**

Senator Perry offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 114** (senate committee report) as follows:

(1) In SECTION 1 of the bill, strike the recital to amended Section 37.006, Education Code (page 1, lines 27 through 29) and substitute "Section 37.006(a), Education Code, is amended to read as follows:".

(2) In SECTION 1 of the bill, in amended Section 37.006(a), Education Code (page 1, line 30), strike "A" and substitute "Subject to the requirements of Section 37.009(a), a [A]".

(3) In SECTION 1 of the bill, in amended Section 37.006(a)(2), Education Code (page 1, lines 44 through 52), strike Paragraphs (C) and (C-1) and substitute the following:

(C) sells, gives, or delivers to another person or possesses or uses or is under the influence of:

(i) ~~[marihuana or]~~ a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq., excluding marihuana, as defined by Section 481.002, Health and Safety Code, or tetrahydrocannabinol, as defined by rule adopted under Section 481.003 of that code;  
or

(ii) a dangerous drug, as defined by Chapter 483, Health and Safety Code;

(C-1) possesses, uses, or is under the influence of, or sells, gives, or delivers to another person marihuana, as defined by Section 481.002, Health and Safety Code, or tetrahydrocannabinol, as defined by rule adopted under Section 481.003 of that code;

(C-2) possesses, uses, sells, gives, or delivers to another person an e-cigarette, as defined by Section 161.081, Health and Safety Code;

(4) In SECTION 1 of the bill, amending Section 37.006, Education Code (page 2, lines 6 through 17), strike Subsection (d-1).

(5) Strike SECTIONS 2 and 3 of the bill (page 2, lines 18 through 33), substitute the following appropriately numbered SECTIONS, and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . Section 37.007(a), Education Code, is amended to read as follows:

(a) Except as provided by Subsection (k) and subject to the requirements of Section 37.009(a), a student shall be expelled from a school if the student, on school property or while attending a school-sponsored or school-related activity on or off of school property:

(1) engages in conduct that contains the elements of the offense of unlawfully carrying weapons under Section 46.02, Penal Code, or elements of an offense relating to prohibited weapons under Section 46.05, Penal Code;

(2) engages in conduct that contains the elements of the offense of:

(A) aggravated assault under Section 22.02, Penal Code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code;

(B) arson under Section 28.02, Penal Code;

(C) murder under Section 19.02, Penal Code, capital murder under Section 19.03, Penal Code, or criminal attempt, under Section 15.01, Penal Code, to commit murder or capital murder;

(D) indecency with a child under Section 21.11, Penal Code;

(E) aggravated kidnapping under Section 20.04, Penal Code;

(F) aggravated robbery under Section 29.03, Penal Code;

(G) manslaughter under Section 19.04, Penal Code;

(H) criminally negligent homicide under Section 19.05, Penal Code; or

(I) continuous sexual abuse of young child or disabled individual under Section 21.02, Penal Code; or

(3) engages in conduct specified by Section 37.006(a)(2)(C) [~~or (D)~~], if the conduct is punishable as a felony.

SECTION \_\_\_\_\_. Section 37.008(k), Education Code, is amended to read as follows:

(k) A program of educational and support services may be provided to a student and the student's parents when the offense involves drugs, e-cigarettes, or alcohol as specified under Section 37.006 or 37.007. A disciplinary alternative education program that provides chemical dependency treatment services must be licensed under Chapter 464, Health and Safety Code.

SECTION \_\_\_\_\_. Section 37.009, Education Code, is amended by adding Subsections (a-1) and (a-2) to read as follows:

(a-1) If a disciplinary alternative education program is at capacity at the time a campus behavior coordinator is deciding placement under Subsection (a) for a student who engaged in conduct described under Section 37.006(a)(2)(C-1), (C-2), (D), or (E), the student shall be:

(1) placed in in-school suspension; and

(2) if a position becomes available in the program before the expiration of the period of the placement, transferred to the program for the remainder of the period.

(a-2) If a disciplinary alternative education program is at capacity at the time a campus behavior coordinator is deciding placement under Subsection (a) for a student who engaged in conduct described under Section 37.007 that constitutes violent conduct, as defined by commissioner rule, a student who has been placed in the program for conduct described under Section 37.006(a)(2)(C-1), (C-2), (D), or (E):

(1) may be removed from the program and placed in in-school suspension to make a position in the program available for the student who engaged in violent conduct; and

(2) if removed from the program under Subdivision (1) and a position in the program becomes available before the expiration of the period of the placement, shall be returned to the program for the remainder of the period.

The amendment to **HB 114** 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:

Absent-excused: Gutierrez.

**HB 114** 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: Kolkhorst.

Absent-excused: Gutierrez.

**HOUSE BILL 114 ON THIRD READING**

Senator Parker moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 114** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Kolkhorst.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2190 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2190** at this time on its second reading:

**CSHB 2190**, Relating to the terminology used to describe transportation-related accidents.

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:

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2190 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 **CSHB 2190** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1361 ON SECOND READING**

Senator Eckhardt moved to suspend the regular order of business to take up for consideration **CSHB 1361** at this time on its second reading:

**CSHB 1361**, Relating to the designation of liaison officers to assist certain students at public institutions of higher education who are parents.

The motion prevailed.

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



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

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

Nays: Creighton, Hughes, Middleton.

Absent-excused: Gutierrez.

### **COMMITTEE SUBSTITUTE HOUSE BILL 1361 ON THIRD READING**

Senator Eckhardt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1361** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

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

Nays: Creighton, Hughes, Middleton.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3. (Same as previous roll call)

### **HOUSE BILL 3613 ON SECOND READING**

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3613** at this time on its second reading:

**HB 3613**, Relating to the election of the entire governing body of a municipality following each apportionment.

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:

Absent-excused: Gutierrez.

### **HOUSE BILL 3613 ON THIRD READING**

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3613** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

## HOUSE BILL 800 ON SECOND READING

Senator Flores moved to suspend the regular order of business to take up for consideration **HB 800** at this time on its second reading:

**HB 800**, Relating to the punishment for certain criminal conduct involving the smuggling of persons or the operation of a stash house; increasing criminal penalties.

The motion prevailed by the following vote: Yeas 23, Nays 7.

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

Nays: Alvarado, Blanco, Eckhardt, Johnson, LaMantia, Menéndez, Miles.

Absent-excused: Gutierrez.

The bill was read second time.

Senator Flores offered the following amendment to the bill:

### Floor Amendment No. 1

Amend **HB 800** (senate committee printing) as follows:

(1) In the recital to SECTION 3 of the bill (page 2, line 39), strike "Subsection (b)" and substitute "Subsections (a) and (b)".

(2) Immediately following the recital to SECTION 3 of the bill (page 2, between lines 40 and 41), insert the following:

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

(1) uses a motor vehicle, aircraft, watercraft, or other means of conveyance to transport an individual with the intent to:

(A) conceal the individual from a peace officer or special investigator;

or

(B) flee from a person the actor knows is a peace officer or special investigator attempting to lawfully arrest or detain the actor;

(2) encourages or induces a person to enter or remain in this country in violation of federal law by concealing, harboring, or shielding that person from detection; or

(3) assists, guides, or directs two or more individuals to enter or remain on a cultural resource site or area, natural area, open space area, park, or agricultural land without the effective consent of the owner.

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

SECTION \_\_\_\_ . Section 20.01, Penal Code, is amended by adding Subdivision (9) to read as follows:

(9) "Cultural resource site or area," "natural area," "open space area," and "park" have the meanings assigned by Section 24.001, Parks and Wildlife Code.

The amendment to **HB 800** 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:

Absent-excused: Gutierrez.

Senator Hinojosa offered the following amendment to the bill:

### Floor Amendment No. 2

Amend **HB 800** (senate committee printing) as follows:

(1) In the recital to SECTION 3 of the bill (page 2, line 39), strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

(2) In SECTION 3 of the bill, in amended Section 20.05(b), Penal Code (page 2, line 41), strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

(3) In SECTION 3 of the bill, immediately following added Section 20.05(b-1), Penal Code (page 3, between lines 17 and 18), insert the following:

(b-2) At the punishment stage of a trial of an offense under this section, other than an offense punishable under Subsection (b)(1)(A) or (b)(2), the actor may raise the issue as to whether the actor is related to the smuggled individual in the third or fourth degree of consanguinity or, at the time of the offense, in the third or fourth degree of affinity. If the actor proves the issue in the affirmative by a preponderance of the evidence, the offense is a felony of the third degree with a minimum term of imprisonment of five years.

The amendment to **HB 800** was read and was adopted by a viva voce vote.

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

Absent-excused: Gutierrez.

Senator Birdwell offered the following amendment to the bill:

### Floor Amendment No. 3

Amend **HB 800** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 38, Penal Code, is amended by adding Section 38.20 to read as follows:

Sec. 38.20. IMPROPER ENTRY FROM FOREIGN NATION. (a) In this section, "alien" has the meaning assigned by 8 U.S.C. Section 1101, as that provision existed on January 1, 2023.

(b) A person who is an alien commits an offense if the person:

(1) enters or attempts to enter this state from a foreign nation at any location other than a lawful point of entry;

(2) eludes examination or inspection by United States immigration officers;

or

(3) attempts to enter or obtains entry to this state from a foreign nation by an intentionally false or misleading representation or the intentional concealment of a material fact.

(c) An offense under this section is a Class A misdemeanor, except that if it is shown on the trial of the offense that the person has previously been finally convicted of:

(1) an offense under this section, the offense is a state jail felony;

(2) a state jail felony described by Subdivision (1) or any other felony not listed in Article 42A.054(a), Code of Criminal Procedure, the offense is a felony of the second degree; or

(3) a felony listed in Article 42A.054(a), Code of Criminal Procedure, the offense is a felony of the first degree.

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

(1) the actor has been granted a federal immigration benefit entitling the actor to:

(A) lawful presence in the United States; or

(B) asylum under 8 U.S.C. Section 1158;

(2) the actor's conduct does not constitute a violation of 8 U.S.C. Section 1325(a); or

(3) the actor was approved for benefits under the federal Deferred Action for Childhood Arrivals program between June 15, 2012, and July 16, 2021.

(e) For purposes of Subsection (d)(1), the following federal programs do not confer federal immigration benefits entitling the actor to lawful presence in the United States:

(1) the Deferred Action for Parents of Americans and Lawful Permanent Residents; and

(2) any program not enacted by the United States Congress that is a successor to or materially similar to the program described by Subdivision (1) or Subsection (d)(3).

(f) A court may not abate the prosecution of an offense under this section on the basis that a federal determination regarding the immigration status of the actor is pending.

(g) A law enforcement officer of the Department of Public Safety who arrests a person for an offense under this section shall, to the extent feasible, detain the person in a facility established under Operation Lone Star or a similar border security operation of this state.

SECTION \_\_\_\_\_. It is the intent of the legislature that every provision, section, subsection, sentence, clause, phrase, or word in this Act, and every application of the provisions in this Act to every person, group of persons, or circumstances, is severable from each other. If any application of any provision in this Act to any person, group of persons, or circumstances is found by a court to be invalid for any reason, the remaining applications of that provision to all other persons and circumstances shall be severed and may not be affected.

The amendment to **HB 800** 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 except as follows:

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

Absent-excused: Gutierrez.

**HB 800** as amended was passed to third reading by the following vote: Yeas 23, Nays 7.

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

Nays: Alvarado, Blanco, Eckhardt, Johnson, LaMantia, Menéndez, Miles.

Absent-excused: Gutierrez.

### **HOUSE BILL 800 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 800** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

Nays: Blanco, Eckhardt, Johnson, LaMantia, Miles.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 11.

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

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

Absent-excused: Gutierrez.

### **COMMITTEE SUBSTITUTE HOUSE BILL 3466 ON SECOND READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **CSHB 3466** at this time on its second reading:

**CSHB 3466**, Relating to the administration of a grant program for the establishment and expansion of community collaboratives.

The motion prevailed.

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

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

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

Amend **CSHB 3466** (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 29, Education Code, is amended by adding Section 29.90725 to read as follows:

Sec. 29.90725. SURVEY ON HOLOCAUST REMEMBRANCE WEEK INSTRUCTION. (a) In this section, "advisory commission" means the Texas Holocaust, Genocide, and Antisemitism Advisory Commission.

(b) The advisory commission, with the assistance of the agency, shall conduct a survey of school districts to review the implementation at each district of Holocaust Remembrance Week instruction under Section 29.9072.

(c) The survey must request information from at least half of the campuses in a surveyed school district regarding Holocaust Remembrance Week instruction, including:

(1) the extent to which the campus participates in Holocaust Remembrance Week;

(2) the familiarity of the educators and administrators at each campus with the materials and resources available from the advisory commission and other local institutions dedicated to Holocaust education to support instruction during Holocaust Remembrance Week; and

(3) any additional materials or resources the campus would find useful to support instruction during Holocaust Remembrance Week, including professional development for educators, lessons plans, or other classroom resources.

(d) Not later than December 1, 2024, the advisory commission shall submit to the legislature a written report that includes the survey's findings and any recommendations for legislative or other action.

(e) This section expires September 1, 2025.

The amendment to **CSHB 3466** 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:

Absent-excused: Gutierrez.

**CSHB 3466** 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: Hughes, Middleton.

Absent-excused: Gutierrez.

### COMMITTEE SUBSTITUTE HOUSE BILL 3466 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3466** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

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

Nays: Hughes, Middleton.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

### COMMITTEE SUBSTITUTE HOUSE BILL 2815 ON SECOND READING

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2815** at this time on its second reading:

**CSHB 2815**, Relating to the powers, authorities, duties, and responsibilities of certain conservation and reclamation districts.

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **CSHB 2815** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 54.728, Water Code, is amended to read as follows:

Sec. 54.728. CONSOLIDATION OF DISTRICTS. (a) Two or more districts governed by the provisions of this chapter may consolidate into one district as provided by Sections 54.729-54.733 of this code.

(b) One or more districts governed by the provisions of this chapter and one or more districts governed by the provisions of Chapter 375, Local Government Code, may consolidate into one district as provided by this subsection and Sections 54.729-54.733 of this code. The initial directors of the consolidated district shall be elected and serve terms as provided by Section 49.103 of this code. The consolidation agreement under this subsection may provide that the consolidated district continue operating with the powers, authorities, duties, responsibilities, and board of directors of one of the original districts before consolidation.

(c) After the initial election of directors, a district consolidated under Subsection (b) is governed as agreed by either:

(1) an elected board of directors, who must be elected at a general election in the manner and for the terms provided by Section 49.103; or

(2) an appointed board of directors, who must be appointed as provided under Chapter 375, Local Government Code.

The amendment to **CSHB 2815** 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:

Absent-excused: Gutierrez.

Senator Creighton offered the following amendment to the bill:

### Floor Amendment No. 2

Amend **CSHB 2815** (senate committee report) by inserting the appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 49.063, Water Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) A district that is required by law to post notice of a meeting on an Internet website may instead provide the notice to the county clerk of each county in which the district is located to post the notice on the county clerk's or county's Internet website.

(e) Failure to timely or properly post a notice of a meeting on an Internet website does not prohibit a district from conducting the meeting if the notice required by Section 551.054(a)(1), Government Code, is posted timely and properly.

The amendment to **CSHB 2815** was read and was adopted by a viva voce vote.

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

Absent-excused: Gutierrez.

Senator Creighton offered the following amendment to the bill:

### Floor Amendment No. 3

Amend **CSHB 2815** (senate committee report) as follows:

(1) In SECTION 25 of the bill, in the repealer, insert the following appropriately numbered subdivisions:

- ( ) Sections 49.452(b), (c), (d), and (e), Water Code;
- ( ) Sections 49.455(f) and (h), Water Code;

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

SECTION \_\_\_\_\_. Section 49.452, Water Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) In this section, "district" means a district:

(1) governed by Chapter 375, Local Government Code; or

(2) ~~[(1) Any person who proposes to sell or convey real property located in a district]~~ created under this title or by a special Act of the legislature that:

(A) is providing or proposing to provide, as the district's principal function, water, sanitary sewer, drainage, and flood control or protection facilities or services, or any of these facilities or services that have been financed or are proposed to be financed with bonds of the district payable in whole or part from taxes of the district, or by imposition of a standby fee, if any, to household or commercial users, other than agricultural, irrigation, or industrial users;[r] and



(B) ~~[which district]~~ includes less than all the territory in at least one county and which, if located within the corporate area of a city, includes less than 75 percent of the incorporated area of the city or which is located outside the corporate area of a city in whole or in substantial part, ~~[must first give to the purchaser the written notice provided in this section].~~

(a-1) A person who proposes to sell or convey real property located in a district must give to the purchaser the written notice as provided by this section and Section 49.4521.

(a-2) ~~[(2)]~~ The provisions of this section are ~~[shall]~~ not ~~[be]~~ applicable to:

(1) ~~[(A)]~~ transfers of title under any type of lien foreclosure;

(2) ~~[(B)]~~ transfers of title by deed in cancellation of indebtedness secured by a lien upon the property conveyed;

(3) ~~[(C)]~~ transfers of title by reason of a will or probate proceedings; ~~[(D)]~~

(4) ~~[(E)]~~ transfers of title to a governmental entity; or

(5) transfers of title for the purpose of qualifying a director.

SECTION \_\_\_\_ . Subchapter M, Chapter 49, Water Code, is amended by adding Section 49.4521 to read as follows:

Sec. 49.4521. PRESCRIBED NOTICE TO PURCHASERS. (a) A notice to a purchaser provided under Section 49.452 must include:

(1) a title caption in at least a 24-point, bold font stating "NOTICE TO PURCHASER OF SPECIAL TAXING OR ASSESSMENT DISTRICT"; and

(2) the following statements, as applicable to the district:

(A) "The real property that you are about to purchase is located in the (insert name of district) and may be subject to district taxes or assessments.";

(B) "The district may, subject to voter approval, impose taxes and issue bonds. The district may impose an unlimited rate of tax in payment of such bonds.";

(C) one of the following, as applicable:

(i) "The current rate of the district property tax is (insert current property tax rate) on each \$100 of assessed valuation."; or

(ii) "The district has not yet imposed taxes. The projected rate of the district property tax is (insert projected property tax rate) on each \$100 of assessed valuation.";

(D) "The district may impose assessments and issue bonds and impose an assessment in payment of such bonds.";

(E) one of the following, as applicable:

(i) "The rate of the district assessment is (insert current assessment amount) on each \$100 of assessed valuation.";

(ii) "The amount of the district assessment on the real property that you are about to purchase is (insert current assessment amount)."; or

(iii) "The district has not yet imposed an assessment, but the projected (insert "rate" or "amount", as applicable) of the assessment is (insert projected assessment rate or amount, as applicable).";

(F) "The total amounts of bonds payable wholly or partly from (insert "property taxes" or "assessments", as applicable) (insert ", excluding refunding bonds that are separately approved by the voters" or ", excluding any bonds or any portions

of bonds issued that are payable solely from revenues received or expected to be received under a contract with a governmental entity", as applicable), approved by the voters are:

- (i) \$(insert amount) for water, sewer, and drainage facilities;
- (ii) \$(insert amount) for road facilities;
- (iii) \$(insert amount) for parks and recreational facilities; and
- (iv) \$(insert amount) for (description of additional facilities, as

applicable).";

(G) "The aggregate initial principal amounts of all such bonds issued

are:

- (i) \$(insert amount) for water, sewer, and drainage facilities;
- (ii) \$(insert amount) for road facilities;
- (iii) \$(insert amount) for parks and recreational facilities; and
- (iv) \$(insert amount) for (description of additional facilities, as

applicable).";

(H) "The district sought and obtained approval of the Texas Commission on Environmental Quality to adopt and impose a standby fee. The amount of the standby fee is \$(insert amount of standby fee). An unpaid standby fee is a personal obligation of the person that owned the property at the time of imposition and is secured by a lien on the property. Any person may request a certificate from the district stating the amount, if any, of unpaid standby fees on a tract of property in the district.";

(I) if applicable, one of the following:

(i) "The district is located wholly or partly in the extraterritorial jurisdiction of the City of (insert name of the municipality). Texas law governs the ability of a municipality to annex property in the municipality's extraterritorial jurisdiction and whether a district that is annexed by the municipality is dissolved.";

or

(ii) "The district is located wholly or partly within the corporate boundaries of the City of (insert name of the municipality). The municipality and the district overlap, but may not provide duplicate services or improvements. Property located in the municipality and the district is subject to taxation by the municipality and the district.";

(J) "The district has entered into a strategic partnership agreement with the City of (insert name of the municipality). This agreement may address the timeframe, process, and procedures for the municipal annexation of the area of the district located in the municipality's extraterritorial jurisdiction.";

(K) "The purpose of the district is to provide (insert water, sewer, drainage, flood control, firefighting, road, parks and recreational, or other type of facilities or services, as applicable) facilities and services. The cost of district facilities is not included in the purchase price of your property.";

(L) "PURCHASER IS ADVISED THAT THE INFORMATION SHOWN ON THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ANNUALLY ESTABLISHES TAX

RATES. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM."; and

(M) "The undersigned purchaser hereby acknowledges receipt of the foregoing notice at or before the execution of a binding contract for the purchase of the real property or at closing of purchase of the real property."

(b) The district shall omit or edit for accuracy statements not applicable to the district, as determined by the district.

(c) The notice must be dated and executed by the seller and the purchaser.

(d) If the law is amended and causes inaccuracies in the content of the notice, the district shall revise the content of the notice to accurately reflect current law.

SECTION \_\_\_\_\_. Section 49.453, Water Code, is amended by adding Subsection (e) to read as follows:

(e) A district required to maintain an Internet website or have access to a generally accessible Internet website under Section 26.18, Tax Code, shall post or create a process for posting the district's notice to purchasers under Section 49.4521 on the applicable Internet website.

SECTION \_\_\_\_\_. Section 49.455(c), Water Code, is amended to read as follows:

(c) The information form [~~and map or plat~~] required by this section shall be signed by a majority of the members of the board and by each such officer affirmed and acknowledged before it is filed with the county clerk, and each amendment made to an information form [~~or map~~] shall also be signed by the members of the board and by each such officer affirmed and acknowledged before it is filed with the county clerk.

SECTION \_\_\_\_\_. Section 3919.205(d), Special District Local Laws Code, is amended to read as follows:

(d) The district shall generate and implement a program to provide notice modeled on the notice described by Section 49.4521 [~~49.452(c)~~], Water Code, to a prospective purchaser of property in the district of the assessments that have been approved and are imposed by the district.

SECTION \_\_\_\_\_. (a) Section 49.452, Water Code, as amended by this Act, and Section 49.4521, Water Code, as added by this Act, apply only to notice given to a purchaser of real property within a water district on or after the effective date of this Act. Notice given to a purchaser before the effective date is governed by the law in effect at the time the notice was given, and that law is continued in effect for that purpose.

(b) Section 49.455, Water Code, as amended by this Act, applies only to an information form filed on or after the effective date of this Act. An information form filed before the effective date of this Act is governed by the law in effect on the date the form was filed, and that law is continued in effect for that purpose.

The amendment to **CSHB 2815** 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 except as follows:

Absent-excused: Gutierrez.

**CSHB 2815** 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:

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2815 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2815** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4183 ON SECOND READING**

Senator Sparks moved to suspend the regular order of business to take up for consideration **CSHB 4183** at this time on its second reading:

**CSHB 4183**, Relating to a waiver of the waiting period for a marriage ceremony.

The motion prevailed.

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

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

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

Nays: Middleton.

Absent-excused: Gutierrez.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4183 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 4183** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Middleton.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
HOUSE BILL 5012 ON SECOND READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSHB 5012** at this time on its second reading:

**CSHB 5012**, Relating to the authority of certain municipalities to use certain tax revenue for hotel and convention center projects and other qualified projects.

The motion prevailed by the following vote: Yeas 22, Nays 8.

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

Nays: Bettencourt, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Middleton.

Absent-excused: Gutierrez.

The bill was read second time.

Senator Birdwell offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 5012** (senate committee printing) in SECTION 2 of the bill as follows:

(1) In the recital to SECTION 2 of the bill (page 1, lines 44 and 45), strike "Subsections (j), (k), and (l)" and substitute "Subsection (k)".

(2) In added Section 351.1015(b)(2), Tax Code (page 1, line 52), insert "or" immediately after the underlined semicolon.

(3) Strike added Section 351.1015(b)(3), Tax Code (page 1, line 53) and renumber the subsequent subdivisions of amended Section 351.1015, Tax Code, accordingly.

(4) In added Section 351.1015(b)(4), Tax Code (page 1, lines 54 and 55), strike "; or" and substitute an underlined period.

(5) Strike added Section 351.1015(b)(5), Tax Code, (page 1, lines 56 and 57).

(6) Strike added Section 351.1015(j), Tax Code (page 2, lines 11 through 14) and reletter the subsequent subsections of amended Section 351.1015, Tax Code, accordingly.

(7) In added Section 351.1015(k), Tax Code (page 2, line 15), strike ", (3),".

(8) Strike added Section 351.1015(l), Tax Code (page 2, lines 19 through 27).

The amendment to **CSHB 5012** 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:

Absent-excused: Gutierrez.

**CSHB 5012** as amended was passed to third reading by the following vote: Yeas 22, Nays 8.

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

Nays: Bettencourt, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Middleton.

Absent-excused: Gutierrez.

### COMMITTEE SUBSTITUTE HOUSE BILL 5012 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 5012** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

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

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 8.

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

Nays: Bettencourt, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Middleton.

Absent-excused: Gutierrez.

### HOUSE BILL 1620 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 1620** at this time on its second reading:

**HB 1620**, Relating to the review date for certain governmental entities subject to the sunset review process.

The bill was read second time.

Senator Schwertner offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **HB 1620** (senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 443.002, Government Code, is amended to read as follows:

Sec. 443.002. SUNSET PROVISION. The State Preservation Board is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2029 [~~2025~~].

SECTION 2. Section 444.002(a), Government Code, is amended to read as follows:

(a) The Texas Commission on the Arts is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter expires September 1, 2029 [~~2025~~].

SECTION 3. Section 467.002, Government Code, is amended to read as follows:

Sec. 467.002. APPLICATION OF SUNSET ACT. The commission is subject to review under Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter, Chapter 466 of this code, and Chapter 2001, Occupations Code, expire September 1, 2025.

SECTION 4. Section 659.140(i), Government Code, is amended to read as follows:

(i) The state employee charitable campaign policy committee is subject to the Texas Sunset Act. Unless continued in existence as provided by that chapter, the committee is abolished and this subchapter [~~Government Code, Chapter 659, Subchapter I,~~] and Sections 814.0095 and 814.0096 expire on September 1, 2029 [~~2025~~].

SECTION 5. Section 2021.008, Occupations Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, and except as provided by Subsections (b) and (c), the commission is abolished and this subtitle expires September 1, 2029 [~~2027~~].

(a-1) As part of the review under Subsection (a), the Sunset Advisory Commission shall review:

(1) the impact on the commission of authorizing the executive director to apply for and receive grants to implement or enforce this subtitle;

(2) the effect of increasing the amount of unappropriated money remaining in the Texas Racing Commission fund at the close of each state fiscal biennium that is transferred to the general revenue fund;

(3) the effect of complying with Chapter 53 in the administration of the commission's licensing program;

(4) the effect of requiring reimbursement of general revenue appropriated to the commission for the administration and enforcement of this subtitle that exceeds the cumulative amount deposited in the Texas Racing Commission fund; and

(5) the commission's authority to issue a temporary license to an applicant whose application appears to comply with the requirements of law.

SECTION 6. Subchapter B, Chapter 2022, Occupations Code, is amended by adding Section 2022.0515 to read as follows:

Sec. 2022.0515. GRANTS. The executive director may apply for and receive any grant applicable to the implementation or enforcement of this subtitle or a rule adopted under this subtitle.

SECTION 7. Section 2023.053(c), Occupations Code, is amended to read as follows:

(c) Any unappropriated money exceeding \$2 million [~~\$750,000~~] that remains in the fund at the close of each state fiscal biennium shall be transferred to the general revenue fund and may be appropriated for any purpose.

SECTION 8. Section 2025.001, Occupations Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) The commission shall comply with Chapter 53 in the administration of the commission's licensing program.

SECTION 9. The following provisions of the Occupations Code are repealed:

- (1) Section 2023.053(e); and
- (2) Section 2025.260.

SECTION 10. It is the intent of the legislature that the Sunset Advisory Commission review the Texas Lottery Commission during the period in which the Sunset Advisory Commission reviews state agencies abolished in 2025, and this Act controls over Senate Bill No. 1659, Acts of the 88th Legislature, Regular Session, 2023, or any other Act of the 88th Legislature, Regular Session, 2023, that amends Section 467.002, Government Code, changing the sunset date of the Texas Lottery Commission to a date other than September 1, 2025, without regard to the relative dates of enactment.

SECTION 11. This Act takes effect September 1, 2023.

The amendment to **HB 1620** 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:

Absent-excused: Gutierrez.

**HB 1620** 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:

Absent-excused: Gutierrez.

### HOUSE BILL 1620 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 1620** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

### SENATE BILL 1659 WITH HOUSE AMENDMENT

Senator Schwertner called **SB 1659** from the President's table for consideration of the House amendment to the bill.

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



**Floor Amendment No. 1**

Amend **SB 1659** (house committee printing) as follows:

(1) Strike SECTION 1.06 of the bill (page 2, lines 16-21).

(2) Strike SECTION 1.09 of the bill (page 3, lines 7-13).

(3) Add the following appropriately numbered SECTIONS to ARTICLE 1 of the bill:

SECTION \_\_.\_\_. TEXAS LOTTERY COMMISSION. Section 467.002, Government Code, is amended to read as follows:

Sec. 467.002. APPLICATION OF SUNSET ACT. The commission is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished and this chapter, Chapter 466 of this code, and Chapter 2001, Occupations Code, expire September 1, 2029 [2025].

SECTION \_\_.\_\_. TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS. Section 2306.022, Government Code, is amended to read as follows:

Sec. 2306.022. APPLICATION OF SUNSET ACT. The Texas Department of Housing and Community Affairs is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished and this chapter expires September 1, 2029 [2025].

(4) Renumber the SECTIONS of ARTICLE 1 as appropriate.

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

ARTICLE \_\_\_\_. SPECIAL-PURPOSE REVIEWS

SECTION \_\_.01. TEXAS REAL ESTATE COMMISSION. (a) The Sunset Advisory Commission shall conduct a special-purpose review of the Texas Real Estate Commission for the 89th Legislature. In conducting the special-purpose review under this subsection:

(1) the Sunset Advisory Commission staff evaluation and report must be limited to reviewing the disclosures required by law to be made by a seller of real property in this state and the forms developed by the Texas Real Estate Commission to provide the required disclosures; and

(2) the commission's recommendations to the 89th Legislature may include any recommendation the commission considers appropriate based on the special-purpose review.

(b) This section expires September 1, 2025.

The amendment was read.

Senator Schwertner moved to concur in the House amendment to **SB 1659**.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Hall.

Absent-excused: Gutierrez.

**AT EASE**

The President at 10:26 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

**IN LEGISLATIVE SESSION**

Senator Springer at 11:56 p.m. called the Senate to order as In Legislative Session.

**SENATOR ANNOUNCED PRESENT**

Senator Gutierrez, who had previously been recorded as "Absent-excused," was announced "Present."

**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 55 (Springer)**

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

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

**HB 886 (Springer)**

Relating to requirements to file a property owners' association assessment lien.

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

**CSHB 915 (Parker)**

Relating to the creation of a workplace violence hotline and a requirement that employers post notice regarding the hotline.

(viva voce vote) (28-3) "Nays" Hall, Middleton, Springer (28-3) "Nays" Hall, Middleton, Springer

**HB 923 (Middleton)**

Relating to the designation of the Aaron M. Hicks Memorial Interchange.

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

**HB 1275 (Hughes)**

Relating to procedures for the issuance of personal identification certificates to certain persons 65 years of age or older whose driver's licenses are surrendered.

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

**HB 1766 (Parker)**

Relating to the issuance of private activity bonds for qualified residential rental projects.

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

**CSHB 1771** (Kolkhorst)

Relating to rules regarding the provision by a health professional of a telemedicine medical service, teledentistry dental service, or telehealth service.

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

**CSHB 2129** (Hinojosa)

Relating to a merchant allowing a person suspected of committing or attempting to commit theft to complete a theft education program.

(viva voce vote) (28-3) "Nays" Hall, King, Middleton (28-3) "Nays" Hall, King, Middleton

**CSHB 2323** (Parker)

Relating to the issuance of specialty license plates commemorating the 100th anniversary of the writing of the state song.

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

**HB 2850** (Hughes)

Relating to discovery procedures for civil actions brought under the Family Code.

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

**HB 2878** (Parker)

Relating to the operation in certain counties of mobile food service establishments in more than one municipality within the county.

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

**HB 3191** (Springer)

Relating to the elections and operations of certain hospital districts.

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

**STATEMENT REGARDING HOUSE BILL 3191**

Senator Hancock submitted the following statement regarding **HB 3191**:

For the record, I would have amended HB 3191 that was set for consideration on the 135th day of the session, which is the last day for the Senate to consider Senate bills on 2nd and 3rd reading. However, I chose to not to knock the bill off of the Local and Uncontested Calendar.

HB 3191, relating to the elections and operations of certain hospital districts, creates a mechanism for removal hospital board members who fail to do their duties.

In order to protect tax payers from seeing increased local taxes without an election, I would have inserted a provision to require that a hospital district pursuing the purchase of a hospital belonging to a private entity to seek approval of a majority of the voters in the county in which the proposed purchase is located. The legislature never intended Chapter 281 of the Health Code to allow unchecked expansion by the hospital districts. Too often, various taxing districts seek to grow their power through purchases of private entities that ultimately increase local taxes so that the district can support and maintain that entity.

HANCOCK

**HB 3207** (Springer)

Relating to the composition of the agricultural advisory board of an appraisal district.

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

**HB 3335** (Kolkhorst)

Relating to employment activities of certain peace officers responding to an emergency call for purposes of the Texas Workers' Compensation Act.

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

**HB 3419** (Springer)

Relating to the transportation of horse meat.

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

**HB 3469** (West)

Relating to the disposition of certain property by the former Bois D'Arc Island Levee Improvement District of Dallas and Kaufman Counties and the record of dissolution of that district.

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

**CSHB 3672** (Hall)

Relating to the designation of portions of the state highway system as memorial highways for certain deceased peace officers.

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

**HB 3980** (Johnson)

Relating to the business leave time account for a firefighter employee organization in certain municipalities.

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

**HB 4217** (Springer)

Relating to the powers of certain public utility agencies; granting the power of eminent domain.

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

**HB 4250** (Miles)

Relating to the right of the clerk of a court to deduct from the amount of the excess proceeds from an ad valorem tax sale of property the cost of postage for sending to the former owner of the property a notice of the owner's right to claim the proceeds.

(viva voce vote) (29-2) "Nays" King, Middleton (29-2) "Nays" King, Middleton

**CSHB 5105** (Springer)

Relating to authorizing certain counties to impose a hotel occupancy tax and the use of revenue from that tax.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Middleton (28-3) "Nays" Bettencourt, Hall, Middleton

**HB 5322** (Schwertner)

Relating to the administration, powers, territory, and financing of the Garfield Municipal Utility District No. 1.

(viva voce vote) (29-2) "Nays" Hall, Middleton (29-2) "Nays" Hall, Middleton

**HB 5334** (Bettencourt)

Relating to the creation of the Cypress Creek Drainage Improvement District.

(viva voce vote) (29-2) "Nays" Hall, Middleton (29-2) "Nays" Hall, Middleton

**HB 5340** (Springer)

Relating to the creation of the North Grayson 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) (29-2) "Nays" Hall, Middleton (29-2) "Nays" Hall, Middleton

**HB 5358** (King)

Relating to the creation of the Ranger Ridge Municipal Utility District of Palo Pinto County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (29-2) "Nays" Hall, Middleton (29-2) "Nays" Hall, Middleton

**HB 5360** (Creighton)

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.

(viva voce vote) (29-2) "Nays" Hall, Middleton (29-2) "Nays" Hall, Middleton

**CSHB 5376** (Parker)

Relating to the creation of the Tabor Ranch Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting a limited power of eminent domain.

(viva voce vote) (29-2) "Nays" Hall, Middleton (29-2) "Nays" Hall, Middleton

**HB 5392** (Springer)

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

(viva voce vote) (29-2) "Nays" Hall, Middleton (29-2) "Nays" Hall, Middleton

**CSHB 5405** (Zaffirini)

Relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (29-2) "Nays" Hall, Middleton (29-2) "Nays" Hall, Middleton

**HB 5414** (Springer)

Relating to the creation of the Mountain Springs Municipal Utility District of Cooke County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose fees and taxes.

(viva voce vote) (29-2) "Nays" Hall, Middleton (29-2) "Nays" Hall, Middleton

**HB 5418** (King)

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.

(viva voce vote) (29-2) "Nays" Hall, Middleton (29-2) "Nays" Hall, Middleton

**HB 64** (Sparks)

Relating to the peace officers authorized to operate an authorized emergency vehicle used to conduct a police escort.

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

**HB 113** (Blanco)

Relating to the use of community health workers in Medicaid managed care.

(viva voce vote) (28-3) "Nays" Hughes, King, Middleton (28-3) "Nays" Hughes, King, Middleton

**HB 139** (Hall)

Relating to the provision of notice of certain proposed rules by state agencies.

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

**HB 198** (Paxton)

Relating to vehicle safety inspections of certain travel trailers.

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

**HB 461** (Paxton)

Relating to a waiver of the requirement for the performance of an adoption evaluation in certain suits for adoption.

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

**HB 611** (Zaffirini)

Relating to the creation of the criminal offense of unlawful disclosure of residence address or telephone number.

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

**HB 969** (Middleton)

Relating to local regulation to enforce child custody orders; authorizing a civil penalty.

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

**HB 1133** (Flores)

Relating to an exemption from the application of the Private Security Act for volunteer security services provided at certain places or events.

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

**HB 1163** (King)

Relating to creating the criminal offense of boating while intoxicated with a child passenger; changing the eligibility for deferred adjudication community supervision.

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

**HB 1227** (Bettencourt)

Relating to changing the eligibility for community supervision of a person convicted of possession or promotion of child pornography.

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

**HB 1357** (Huffman)

Relating to Medicaid reimbursement for certain medication-assisted treatments for opioid or substance use disorder.

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

**HB 1363** (Zaffirini)

Relating to the repeal of the real estate inspection recovery fund.  
(viva voce vote) (31-0) (31-0)

**HB 1368** (Creighton)

Relating to the designation of a portion of Farm-to-Market Road 1960 in Harris County as the Deputy Constable Omar Ursin Memorial Highway.  
(viva voce vote) (31-0) (31-0)

**HB 1466** (Johnson)

Relating to the regulation of certain continuing education programs.  
(viva voce vote) (29-2) "Nays" Hall, Hughes (29-2) "Nays" Hall, Hughes

**HB 1506** (Parker)

Relating to the statute of limitations for the offense of abandoning or endangering a child.  
(viva voce vote) (31-0) (31-0)

**HB 1577** (Huffman)

Relating to changing the eligibility for mandatory supervision of an inmate serving a sentence for or previously convicted of certain assaults.  
(viva voce vote) (29-2) "Nays" Eckhardt, Johnson (29-2) "Nays" Eckhardt, Johnson

**HB 1583** (Perry)

Relating to the election of the board of directors of the Terry Memorial Hospital District.  
(viva voce vote) (30-1) "Nay" Middleton (30-1) "Nay" Middleton

**HB 1589** (Zaffirini)

Relating to increasing the criminal penalty for certain family violence assaults.  
(viva voce vote) (30-1) "Nay" Creighton (30-1) "Nay" Creighton

**HB 1597** (Sparks)

Relating to tariff filing requirements for certain telecommunications providers.  
(viva voce vote) (31-0) (31-0)

**HB 1598** (Perry)

Relating to local government and other political subdivision regulation of certain solid waste facilities.  
(viva voce vote) (30-1) "Nay" Eckhardt (30-1) "Nay" Eckhardt

**HB 1730** (Hughes)

Relating to the punishment for the offense of indecent exposure; increasing a criminal penalty.  
(viva voce vote) (30-1) "Nay" Creighton (30-1) "Nay" Creighton

**HB 1903** (Parker)

Relating to capital stock requirements for certain insurance companies.  
(viva voce vote) (31-0) (31-0)

**HB 2060** (Parker)

Relating to the creation of the artificial intelligence advisory council.  
(viva voce vote) (30-1) "Nay" Middleton (30-1) "Nay" Middleton

**HB 2187** (Menéndez)

Relating to the criminal offense of abandoning or endangering a child, elderly individual, or disabled individual.

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

**HB 2201** (Whitmire)

Relating to housing certain inmates in state jail felony facilities.

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

**HB 2259** (Middleton)

Relating to the sale and purchase of retail fireworks permits.

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

**HB 2333** (Flores)

Relating to noncharitable trusts without an ascertainable beneficiary.

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

**HB 2512** (Kolkhorst)

Relating to the regulation of athletic trainers.

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

**HB 2626** (Perry)

Relating to the availability on the Internet of certain reports of political contributions and expenditures.

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

**HB 2715** (Alvarado)

Relating to a prohibition on following an individual and tracking or monitoring the individual's personal property or motor vehicle and to the criminal prosecution of that conduct.

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

**HB 2741** (Hinojosa)

Relating to the duties and composition of the Specialty Courts Advisory Council.

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

**HB 2816** (Creighton)

Relating to notice provided to purchasers of property and information filed with the county clerk by certain special districts.

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

**HB 2839** (Zaffirini)

Relating to a liquidity stress test for certain insurance companies.

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

**HB 2900** (Creighton)

Relating to the powers, duties, and use of funds of the Trinity Bay Conservation District.

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



**HB 2975** (Hancock)

Relating to powers and duties of the Texas Workforce Commission with respect to work and family policies.

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

**CSHB 3058** (Hughes)

Relating to the provision of certain medical treatment to a pregnant woman by a physician or health care provider.

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

**HB 3097** (Middleton)

Relating to the issuance of anticipation notes or other obligations by issuers located along the Gulf Coast in an emergency.

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

**HB 3159** (Hughes)

Relating to the use of an accessible absentee mail system by certain voters.

(viva voce vote) (29-2) "Nays" Bettencourt, Hall (29-2) "Nays" Bettencourt, Hall

**HB 3232** (Perry)

Relating to the suspension of an enforcement action against a regional water supply, sewer, or wastewater treatment service for a violation committed by a retail public utility being integrated into the regional service.

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

**HB 3235** (Campbell)

Relating to the authority of certain counties to impose a county hotel occupancy tax.

(viva voce vote) (25-6) "Nays" Bettencourt, Creighton, Hall, Hughes, Kolkhorst, Middleton (25-6) "Nays" Bettencourt, Creighton, Hall, Hughes, Kolkhorst, Middleton

**HB 3257** (Kolkhorst)

Relating to the confidentiality of certain biosecurity and other sensitive information shared with the Texas Animal Health Commission.

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

**CSHB 3424** (Alvarado)

Relating to the eligibility and training requirements for commissioned security officers and personal protection officers.

(viva voce vote) (29-2) "Nays" Middleton, Springer (29-2) "Nays" Middleton, Springer

**CSHB 3453** (Miles)

Relating to authorizing certain counties to impose a hotel occupancy tax and the applicability and rates of that tax in certain counties.

(viva voce vote) (25-5-1) "Nays" Bettencourt, Creighton, Hall, Hughes, Middleton "Present-not voting" Kolkhorst (25-5-1) "Nays" Bettencourt, Creighton, Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**HB 3556** (Parker)

Relating to a local area activation of the alert system for certain missing children.

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

**HB 3603** (Whitmire)

Relating to the payment of restitution by a person released on parole or to mandatory supervision.

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

**HB 3623** (Middleton)

Relating to a memorandum of understanding between public or private primary or secondary schools authorizing a school marshal of one school to act as a school marshal at the other school during an event at which both schools participate.

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

**HB 3744** (Perry)

Relating to the regulation of water well drillers and water well pump installers.

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

**HB 3824** (Hughes)

Relating to the administration of a local anesthetic agent by a dental hygienist.

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

**HB 3917** (Middleton)

Relating to dismissal of a complaint alleging a parent contributing to nonattendance on the parent's fulfillment of certain terms.

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

**HB 3949** (Whitmire)

Relating to arbitration of certain controversies involving members of certain nonprofit entities.

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

**HB 3981** (Middleton)

Relating to the designation of certain fire marshals and related officers, inspectors, and investigators as peace officers.

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

**HB 4062** (Hughes)

Relating to creating an audiovisual recording of an interview of a child by a child custody evaluator in certain suits affecting the parent-child relationship.

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

**HB 4106** (Alvarado)

Relating to the procedure for resolving certain customer complaints before the Public Utility Commission of Texas.

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

**CSHB 4123** (Zaffirini)

Relating to access to and use of certain criminal history record information.

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

**HB 4158** (Bettencourt)

Relating to the determination and reporting of the number of residence homesteads of elderly or disabled persons that are subject to the limitation on the total amount of ad valorem taxes that may be imposed on the properties by school districts.

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

**HB 4385** (Alvarado)

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

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

**HB 4415** (Perry)

Relating to the transfer of certain real property from the Health and Human Services Commission to the StarCare Specialty Health System.

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

**HB 4456** (Bettencourt)

Relating to the calculation of certain ad valorem tax rates of a school district.

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

**CSHB 4500** (Hughes)

Relating to electronic verification of health benefits by health benefit plan issuers for certain physicians and health care providers.

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

**HB 4538** (LaMantia)

Relating to the regulation of beekeeping; imposing fees and authorizing other fees; expanding the applicability of an occupational permit.

(viva voce vote) (27-4) "Nays" Hall, Hughes, King, Middleton (27-4) "Nays" Hall, Hughes, King, Middleton

**HB 4660** (Campbell)

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

(viva voce vote) (25-6) "Nays" Bettencourt, Creighton, Hall, Hughes, Kolkhorst, Middleton (25-6) "Nays" Bettencourt, Creighton, Hall, Hughes, Kolkhorst, Middleton

**HB 4856** (Perry)

Relating to the jurisdiction of the Texas Commission on Environmental Quality over certain recharge injection wells.

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

**CSHB 4888** (Perry)

Relating to Medicaid coverage and reimbursement for non-opioid treatments.

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

**CSHB 5183** (Johnson)

Relating to educational programs for persons whose driver's license is suspended following conviction of certain drug offenses.

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

**HB 5307** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 228; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**HB 5309** (Middleton)

Relating to the meeting requirements for the Galveston County Juvenile Board.  
(viva voce vote) (30-1) "Nay" Hughes (30-1) "Nay" Hughes

**HB 5312** (Kolkhorst)

Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 147; providing authority to issue bonds and impose fees and taxes.  
(viva voce vote) (28-3) "Nays" Hall, Hughes, Middleton (28-3) "Nays" Hall, Hughes, Middleton

**HB 5315** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 219; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.  
(viva voce vote) (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**HB 5316** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 235; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.  
(viva voce vote) (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**HB 5332** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 229; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose fees and taxes.  
(viva voce vote) (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**HB 5333** (Huffman)

Relating to the creation of Fort Bend County Municipal Utility District No. 252; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.  
(viva voce vote) (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**HB 5337** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 204; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.  
(viva voce vote) (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**CSHB 5344** (Creighton)

Relating to the creation of the Deer Creek Ranch Municipal Utility District No. 1 and the Montgomery County Municipal Utility District No. 236; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**HB 5345** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 237; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**HB 5370** (Hall)

Relating to the composition of the juvenile board of Navarro County.

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

**HB 5375** (Kolkhorst)

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

(viva voce vote) (28-3) "Nays" Hall, Hughes, Middleton (28-3) "Nays" Hall, Hughes, Middleton

**HB 5377** (Hughes)

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

(viva voce vote) (28-2-1) "Nays" Hall, Middleton "Present-not voting" Kolkhorst (28-2-1) "Nays" Hall, Middleton "Present-not voting" Kolkhorst

**HB 5386** (Miles)

Relating to the creation of the Harris County Municipal Utility District No. 589; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**HB 5389** (Kolkhorst)

Relating to the creation of the Harris-Waller Counties Municipal Utility District No. 8; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (28-3) "Nays" Hall, Hughes, Middleton (28-3) "Nays" Hall, Hughes, Middleton

**HB 5396** (Creighton)

Relating to the powers and duties of the Stanley Lake Municipal Utility District; providing authority to issue bonds; providing authority to impose fees and taxes.

(viva voce vote) (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst (27-3-1) "Nays" Hall, Hughes, Middleton "Present-not voting" Kolkhorst

**HB 5407** (Hughes)

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

(viva voce vote) (28-2-1) "Nays" Hall, Middleton "Present-not voting" Kolkhorst (28-2-1) "Nays" Hall, Middleton "Present-not voting" Kolkhorst

**HB 5411** (Kolkhorst)

Relating to the board of directors and powers and duties of the Twinwood Municipal Utility District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (28-3) "Nays" Hall, Hughes, Middleton (28-3) "Nays" Hall, Hughes, Middleton

**HB 5412** (Kolkhorst)

Relating to the powers and duties of the Waller County Municipal Utility District No. 3.

(viva voce vote) (28-3) "Nays" Hall, Hughes, Middleton (28-3) "Nays" Hall, Hughes, Middleton

**HB 5413** (Kolkhorst)

Relating to the powers and duties of the Waller County Municipal Utility District No. 2.

(viva voce vote) (28-3) "Nays" Hall, Hughes, Middleton (28-3) "Nays" Hall, Hughes, Middleton

**HCR 26** (Creighton)

Authorizing the State Preservation Board, subject to state law and rules of the board, to approve the construction of a monument honoring victims of communism at the State Capitol Complex, at a site outside of the historic Capitol grounds.

(31-0)

**BILLS REMOVED FROM  
LOCAL AND UNCONTESTED CALENDAR**

Senator Zaffirini and Senator Hall requested in writing that **HB 2865** be removed from the Local and Uncontested Calendar.

Senator King and Senator Menéndez requested in writing that **HB 3861** be removed from the Local and Uncontested Calendar.

Senator Springer and Senator Hall requested in writing that **HB 5271** be removed from the Local and Uncontested Calendar.

Senator Paxton and Senator Hall requested in writing that **HB 5356** be removed from the Local and Uncontested Calendar.

Pursuant to Senate Rule 9.03(c), the following bills were removed from the Local and Uncontested Calendar and returned to the regular order of business for consideration of floor amendments:

**HB 148, HB 191, HB 238, HB 248, HB 371, HB 687, HB 1136, HB 1167, HB 1385, HB 1518, HB 1646, HB 1972, HB 2086, HB 2087, HB 2523, HB 2651, HB 2670, HB 2730, HB 2851, HB 2873, HB 3005, HB 3046, HB 3338, HB 3431, HB 3528, HB 3604, HB 3625, HB 3641, HB 3686, HB 3742, HB 3772, HB 3849, HB 3852, HB 3942, HB 4025, HB 4047, HB 4119, HB 4277, HB 4373, HB 4524, HB 4542, HB 4579, HB 4609, HB 4621, HB 4644, HB 4659, HB 4820, HB 4861, HB 5025, HB 5125, HB 5175, HB 5264, HB 5382, HB 5397, HB 5404.**

### **RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

#### **Congratulatory Resolutions**

**SR 659** by Johnson, Recognizing Dustin Marshall for his service to the Dallas Independent School District.

**SR 660** by Johnson, Recognizing the grand opening of the Stevie Ray Vaughan Park.

### **ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 12:59 a.m. Thursday, May 25, 2023, adjourned until 1:30 p.m. today.

