SENATE JOURNAL

EIGHTY-NINTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

ELEVENTH DAY
(Continued)
(Thursday, February 27, 2025)

AFTER RECESS

The Senate met at 10:09 a.m. and was called to order by President Pro Tempore Creighton.

MESSAGES FROM THE GOVERNOR

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

February 27, 2025
Austin, Texas

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

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

To be members of the Texas Juvenile Justice Board for terms to expire February 1, 2031:

Cloyce J. "Joe" Barton, III, Ph.D.
Canyon, Texas
(Dr. Barton is being reappointed)

Stephanie M. House
Liberty Hill, Texas
(Ms. House is being reappointed)

Matthew C. "Matt" Marick
Krugerville, Texas
(replacing David "Scott" Matthew of Georgetown whose term expired)

Respectfully submitted,

/s/Greg Abbott
Governor

February 27, 2025
Austin, Texas

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

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

To be members of the Governing Board of the Texas School for the Blind and Visually Impaired for terms to expire January 31, 2031:

Beth A. Jones, Ph.D.
Anna, Texas
(Dr. Jones is being reappointed)

Belinda J. Rudinger, Ed.D.
Carrollton, Texas
(replacing Elaine W. Robertson of Katy whose term expired)

Bruce L. "Lee" Sonnenberg
Lubbock, Texas
(Mr. Sonnenberg is being reappointed)

Respectfully submitted,

/s/Greg Abbott
Governor

February 27, 2025
Austin, Texas

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

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

To be a member of the Cancer Prevention and Research Institute of Texas Oversight Committee for a term to expire January 31, 2031:

Cynthia "Cindy" Barberio Payne
Spring Branch, Texas
(Ms. Payne is being reappointed)

Respectfully submitted,

/s/Greg Abbott
Governor

SENATE RESOLUTIONS

The following resolutions were offered:

SR 127 by West, In memory of Victor Lee Morriss of Granbury.

SR 144 by Parker, Recognizing TEX-21 and TxDOT for their efforts to improve transportation infrastructure.

SR 169 by Birdwell, Recognizing the participants, organizers, and sponsors of A Smokey Initiative BBQ Cook-Off.

SR 170 by Johnson, Parker, and West, Recognizing United Way of Metropolitan Dallas on the occasion of its 100th anniversary.

The resolutions were read and were adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of the resolutions.

SENATE RESOLUTION 168

Senator Paxton offered the following resolution:

SR 168, Recognizing representatives of the City of Allen, the Allen Fairview Chamber of Commerce, and Allen ISD on Allen Days on February 26-27, 2025.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Paxton was recognized and introduced to the Senate a City of Allen delegation including Mayor Baine Brooks; Mayor Pro Tempore Ben Trahan; Allen Fairview Chamber of Commerce Board Member Tonya Walker; Councilmembers Michael Schaeffer, Tommy Baril, Ken Cook, and Carl Clemencich; Chamber of Commerce CEO Kyle Jacobson; Allen ISD Superintendent Robin Bullock and Trustee Polly Montgomery; Allen Economic Development Corporation Executive Director and CEO Dan Bowman; City Manager Eric Ellwanger; Assistant City Manager Rebecca Vice; and City Secretary Shelley George.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Hagenbuch was recognized and presented Dr. Bryan M. Lowery of Frisco as the Physician of the Day.

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

SENATE RESOLUTION 131

Senator Johnson offered the following resolution:

SR 131, Recognizing February 26 and 27, 2025, as Grand Prairie Days.

JOHNSON
WEST

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Johnson was recognized and introduced to the Senate Grand Prairie Councilmembers Mike Del Bosque and John Lopez, and Legislative Affairs Officer Vanna Ngo.

The Senate welcomed its guests.

SENATE RESOLUTION 175

Senator West offered the following resolution:

WHEREAS, The celebration of Black History Month in February 2025 provides an opportunity to recognize the rich cultural heritage of African Americans and the significant contributions they have made and are continuing to make in the Lone Star State; and

WHEREAS, An event celebrating Black history was established in 1926 as a weeklong observance by Dr. Carter G. Woodson, an author and scholar whose parents had been enslaved; he sought a means of educating all U.S. citizens about African American culture and engendering pride among Black Americans; the tribute was expanded to a month in 1976 and was officially recognized by President Gerald Ford, who encouraged all Americans to join him "in tribute to Black History Month and the message of courage and perseverance it brings to all of us"; and

WHEREAS, People of African descent have a long history in Texas; in 1528, a Moor named Estevan accompanied the Spanish explorer Álvar Núñez Cabeza de Vaca on a trek across the land that would later become the Lone Star State; by the end of the 18th century, some 450 individuals of African origin lived in Spanish Texas, and in the early 1800s, many African Americans who had been enslaved in the American South crossed the Sabine River, seeking their freedom and settling in East Texas; and

WHEREAS, In the 19th century, before emancipation, African Americans played an enormous role in producing the state's agricultural bounty and also worked as skilled artisans; and

WHEREAS, Freed of their shackles at the end of the Civil War, Black citizens applied themselves to new realms of endeavor; many moved to urban centers, and in the years that followed, provided labor for new industries that were established; African Americans also excelled in tasks that ranged from ranching and military duty to service as state legislators; moreover, a people who just a few short years before had been held in bondage enrolled in schools and colleges as they sought a path to a better future and a means of coping with the difficult challenges that surrounded them; and

WHEREAS, African American infantry and cavalry garrisoned forts in West Texas during the Indian Wars; known as "Buffalo Soldiers," they patrolled the frontier with the assistance of Seminole-Negro Indian scouts, built roads, and escorted mail carriers; Sergeant Emmanuel Stance, stationed at Fort McKavett, was the first African American who fought in the Indian Wars to be awarded the Medal of Honor; and

WHEREAS, Since the early 1800s, African Americans have been involved in the cattle industry; one of the most famous Black native Texan cowboys was William Pickett, who became a Wild West rodeo performer and who is believed to have originated the bulldogging event; and

WHEREAS, African Americans have been a significant part of the population of Texas for hundreds of years, and the celebration of Black History Month acknowledges and promotes the immeasurable benefits of living in a truly diverse society; now, therefore, be it

RESOLVED, That the Senate of the 89th Texas Legislature hereby recognize February 2025 as Black History Month and encourage all citizens to learn more about the history and accomplishments of African Americans in the Lone Star State.

WEST	HAGENBUCH	MIDDLETON
ALVARADO	HALL	MILES

BETTENCOURT	HANCOCK	NICHOLS
BIRDWELL	J. HINOJOSA	PARKER
BLANCO	HUFFMAN	PAXTON
CAMPBELL	HUGHES	PERRY
COOK	JOHNSON	SPARKS
CREIGHTON	KING	ZAFFIRINI
ECKHARDT	KOLKHORST	
GUTIERREZ	MENÉNDEZ	

SR 175 was read and was adopted without objection.

ANNOUNCEMENT

Senator Kolkhorst announced that Sunday, March 2, 2025, is the 189th anniversary of Texas independence.

(President in Chair)

SENATE RESOLUTION 174

Senator Gutierrez offered the following resolution:

WHEREAS, Representatives of the Texas Coalition to Prevent Gun Violence are gathering in Austin on February 27, 2025, to observe Texas Majority to End Gun Violence Advocacy Day at the State Capitol; and

WHEREAS, The Texas Coalition to Prevent Gun Violence is an alliance of organizations and experts working to prevent and reduce gun violence through education, training, and mobilization; the group also advocates for policies related to mental health, domestic abuse, and other issues that impact local communities; and

WHEREAS, The coalition is supported by Texas Gun Sense, a nonprofit that champions common-sense, evidence-based solutions for reducing gun-related injuries and deaths; the organization seeks to educate the public on effective ways to secure guns in order to reduce crime and personal injury, as well as raise awareness about suicide prevention and the safe storage of firearms; in addition, TGS serves as a resource for information about federal, state, and local gun policies; and

WHEREAS, The Texas Coalition to Prevent Gun Violence has worked to keep the people of the Lone Star State safe from avoidable accidents and injuries through its support for sensible firearm policy, and this legislative day provides a welcome opportunity to recognize the organization's members and volunteers; now, therefore, be it

RESOLVED, That the Senate of the 89th Texas Legislature hereby recognize February 27, 2025, as Texas Majority to End Gun Violence Advocacy Day at the State Capitol and extend to all those participating sincere best wishes for an informative and memorable visit; and, be it further

RESOLVED, That an official copy of this resolution be prepared for the Texas Coalition to Prevent Gun Violence as an expression of high regard by the Texas Senate.

GUTIERREZ	J. HINOJOSA
ALVARADO	JOHNSON
BLANCO	MENÉNDEZ
COOK	MILES

ECKHARDT

SR 174 was read and was adopted by a viva vice vote.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Nays: Hall, King, Middleton.

SENATE BILL 28 ON SECOND READING

On motion of Senator Hall and by unanimous consent, the Constitutional Rule and the regular order of business were suspended to take up for consideration **SB 28** at this time (Submitted by Governor as an emergency matter):

SB 28, Relating to a lottery game played or facilitated for play by telephone or through an Internet or mobile Internet application; creating criminal offenses.

The bill was read second time.

Senator Gutierrez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 28** (senate committee report), in SECTION 2 of the bill, adding Section 466.318, Government Code (page 1, line 44), between "APPLICATION." and "(a)" by inserting the following appropriately lettered subsection to the section and relettering subsequent subsections of the section and cross-references to those subsections accordingly:

( ) This section does not apply to a ticket for an instant-ticket lottery game.

The amendment to **SB 28** was read and failed of adoption by the following vote: Yeas 11, Nays 20.

Yeas: Alvarado, Blanco, Cook, Eckhardt, Gutierrez, J. Hinojosa, Johnson, Menéndez, Miles, West, Zaffirini.

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

SB 28 was passed to engrossment by a viva voce vote.

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

SENATE BILL 28 ON THIRD READING

Senator Hall moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 28** be placed on its third reading and final passage.

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

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

CO-AUTHOR OF SENATE BILL 3

On motion of Senator Perry, Senator Hagenbuch will be shown as Co-author of **SB 3**.

CO-AUTHORS OF SENATE BILL 25

On motion of Senator Kolkhorst, Senators Blanco, Hughes, King, Miles, and Perry will be shown as Co-authors of **SB 25**.

CO-AUTHORS OF SENATE BILL 28

On motion of Senator Hall, Senators Gutierrez and Zaffirini will be shown as Co-authors of **SB 28**.

CO-AUTHOR OF SENATE BILL 102

On motion of Senator Hall, Senator Middleton will be shown as Co-author of **SB 102**.

CO-AUTHOR OF SENATE BILL 260

On motion of Senator Huffman, Senator Cook will be shown as Co-author of **SB 260**.

CO-AUTHOR OF SENATE BILL 261

On motion of Senator Perry, Senator Middleton will be shown as Co-author of **SB 261**.

CO-AUTHOR OF SENATE BILL 314

On motion of Senator Hughes, Senator Hall will be shown as Co-author of **SB 314**.

CO-AUTHOR OF SENATE BILL 933

On motion of Senator Hall, Senator Middleton will be shown as Co-author of **SB 933**.

CO-AUTHOR OF SENATE BILL 1513

On motion of Senator Johnson, Senator Miles will be shown as Co-author of **SB 1513**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 44

On motion of Senator Johnson, Senator Eckhardt will be shown as Co-author of **SJR 44**.

CO-AUTHORS OF SENATE RESOLUTION 175

On motion of Senator West, Senators Flores and A. Hinojosa will be shown as Co-authors of **SR 175**.

RECESS AND MOTION TO ADJOURN

On motion of Senator Zaffirini and by unanimous consent, the Senate at 11:39 a.m. agreed to recess until 10:00 a.m. tomorrow for the introduction of bills and resolutions on first reading.

The Senate further agreed to adjourn, in memory of Sarah Bottecelli Koller, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. Tuesday, March 4, 2025.

APPENDIX

BILL ENGROSSED

February 27, 2025

SB 28

RESOLUTIONS ENROLLED

February 27, 2025

SR 127, **SR 131**, **SR 144**, **SR 168**, **SR 169**, **SR 170**, **SR 174**, **SR 175**