

HOUSE JOURNAL

EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

TENTH DAY — TUESDAY, FEBRUARY 7, 2023

The house met at 2:11 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 26).

Present — Mr. Speaker(C); Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Absent, Excused — Gervin-Hawkins; Turner; VanDeaver.

The invocation was offered by the Reverend Jakob N. Hurlimann, chaplain, as follows:

Eternal Father, we ask for your continued care and protection over all those impacted by the ice storm this past week, and in thanksgiving for those men and women who have worked and are continuing to work to restore power to those affected. May the work this house attends to, with the interruptions experienced last week, be of calm diligence, compassion for those they represent and those they work with alike, and with eyes fixed intently on you, who live and reign for ages unending. Amen.

The chair recognized Representative Sherman who led the house in the pledges of allegiance to the United States and Texas flags.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today and tomorrow because of important business in the district:

Gervin-Hawkins on motion of Morales Shaw.

The following member was granted leave of absence for today and tomorrow because of important business:

VanDeaver on motion of Goldman.

The following member was granted leave of absence for today because of illness:

Turner on motion of Wu.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

CAPITOL PHYSICIAN

The chair presented Dr. Ronnie McMurry of Jasper as the "Doctor for the Day."

The house welcomed Dr. McMurry and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 2).

SCR 14 - ADOPTED (Goldman - House Sponsor)

The following resolution was laid before the house:

SCR 14, Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, February 8, 2023, and ending on Tuesday, February 14, 2023.

SCR 14 was adopted by (Record 27): 142 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody;

Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Slaton; Tinderholt; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gervin-Hawkins; Turner; VanDeaver.

STATEMENT OF VOTE

When Record No. 27 was taken, I was shown voting yes. I intended to vote no.

Isaac

HR 125 - ADOPTED (by Button)

Representative Button moved to suspend all necessary rules to take up and consider at this time **HR 125**.

The motion prevailed.

The following resolution was laid before the house:

HR 125, Granting permission for use of the chamber of the Texas House of Representatives by the Texas DeMolay Association on February 11 and 12, 2023, and February 10 and 11, 2024.

HR 125 was adopted by (Record 28): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gervin-Hawkins; Turner; VanDeaver.

Absent — King, K.; Slaton; Thierry.

HR 43 - ADOPTED**(by Reynolds)**

Representative Reynolds moved to suspend all necessary rules to take up and consider at this time **HR 43**.

The motion prevailed.

The following resolution was laid before the house:

HR 43, Recognizing February 2023 as Black History Month.

HR 43 was adopted.

On motion of Representative Rose, the names of all the members of the house were added to **HR 43** as signers thereof.

HR 76 - ADOPTED**(by Morrison)**

Representative Morrison moved to suspend all necessary rules to take up and consider at this time **HR 76**.

The motion prevailed.

The following resolution was laid before the house:

HR 76, Recognizing February 7, 2023, as Matagorda County Day at the State Capitol.

HR 76 was adopted.

On motion of Representative Vasut, the names of all the members of the house were added to **HR 76** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Morrison who introduced a delegation from Matagorda County.

HR 89 - ADOPTED**(by Morrison)**

Representative Morrison moved to suspend all necessary rules to take up and consider at this time **HR 89**.

The motion prevailed.

The following resolution was laid before the house:

HR 89, In memory of former State Representative D. R. "Tom" Uher of Bay City.

HR 89 was unanimously adopted by a rising vote.

On motion of Representative Geren, the names of all the members of the house were added to **HR 89** as signers thereof.

HR 92 - ADOPTED

(by Morrison)

Representative Morrison moved to suspend all necessary rules to take up and consider at this time **HR 92**.

The motion prevailed.

The following resolution was laid before the house:

HR 92, In memory of Richard Joseph Knapik of Bay City.

HR 92 was unanimously adopted by a rising vote.

HR 91 - ADOPTED

(by Morrison)

Representative Morrison moved to suspend all necessary rules to take up and consider at this time **HR 91**.

The motion prevailed.

The following resolution was laid before the house:

HR 91, In memory of Haskell L. Simon of Bay City.

HR 91 was unanimously adopted by a rising vote.

HR 107 - ADOPTED

(by Hull)

Representative Hull moved to suspend all necessary rules to take up and consider at this time **HR 107**.

The motion prevailed.

The following resolution was laid before the house:

HR 107, Recognizing February 3, 2023, as National Missing Persons Day.

HR 107 was adopted.

HR 160 - ADOPTED

(by Ashby)

Representative Ashby moved to suspend all necessary rules to take up and consider at this time **HR 160**.

The motion prevailed.

The following resolution was laid before the house:

HR 160, Recognizing February 7, 2023, as Alabama-Coushatta Tribe of Texas Day at the State Capitol.

HR 160 was adopted.

HR 147 - ADOPTED
(by Guillen)

Representative Guillen moved to suspend all necessary rules to take up and consider at this time **HR 147**.

The motion prevailed.

The following resolution was laid before the house:

HR 147, Commending Endeavors for its service to vulnerable people in crisis.

HR 147 was adopted.

HR 139 - ADOPTED
(by Walle)

Representative Walle moved to suspend all necessary rules to take up and consider at this time **HR 139**.

The motion prevailed.

The following resolution was laid before the house:

HR 139, Recognizing February 7, 2023, as Habitat For Humanity Day.

HR 139 was adopted.

On motion of Representative Rose, the names of all the members of the house were added to **HR 139** as signers thereof.

HR 158 - ADOPTED
(by Manuel)

Representative Manuel moved to suspend all necessary rules to take up and consider at this time **HR 158**.

The motion prevailed.

The following resolution was laid before the house:

HR 158, Honoring Elise Fulton Smith for her service as executive director of Jefferson County Habitat for Humanity.

HR 158 was adopted.

On motion of Representative Rose, the names of all the members of the house were added to **HR 158** as signers thereof.

HR 159 - ADOPTED
(by Manuel)

Representative Manuel moved to suspend all necessary rules to take up and consider at this time **HR 159**.

The motion prevailed.

The following resolution was laid before the house:

HR 159, Honoring Jefferson County for its support of Jefferson County Habitat for Humanity.

HR 159 was adopted.

On motion of Representative Rose, the names of all the members of the house were added to **HR 159** as signers thereof.

**HR 103 - ADOPTED
(by Murr)**

Representative Murr moved to suspend all necessary rules to take up and consider at this time **HR 103**.

The motion prevailed.

The following resolution was laid before the house:

HR 103, Recognizing February 7, 2023, as Justices of the Peace and Constables Day at the State Capitol.

HR 103 was adopted.

On motion of Representative Vasut, the names of all the members of the house were added to **HR 103** as signers thereof.

**HR 163 - ADOPTED
(by Paul)**

Representative Paul moved to suspend all necessary rules to take up and consider at this time **HR 163**.

The motion prevailed.

The following resolution was laid before the house:

HR 163, Congratulating Tom S. Ramsey on his selection as the 2023 Houston Area Engineer of the Year.

HR 163 was adopted.

ADJOURNMENT

Representative C. Bell moved that the house adjourn until 10 a.m. tomorrow in memory of Robert Sidney Leathers of Oakwood.

The motion prevailed.

The house accordingly, at 3:01 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

**PERMANENT OFFICERS OF THE HOUSE
OATH OF OFFICE ADMINISTERED**

Pursuant to Section 301.006, Government Code, Chief Clerk Stephen Brown administered the constitutional oath of office to the following appointed officer of the House of Representatives of the Eighty-Eighth Legislature of the State of Texas:

February 7 - Reading Clerk Kate Atwood

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

Senate List No. 2**SCR 10****MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

Message No. 1**MESSAGE FROM THE SENATE****SENATE CHAMBER**

Austin, Texas

Tuesday, February 7, 2023

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SCR 14

Whitmire

SPONSOR: Goldman

Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, February 8, 2023, and ending on Tuesday, February 14, 2023.

Respectfully,

Patsy Spaw

Secretary of the Senate