

# HOUSE JOURNAL

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EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SIXTY-THIRD DAY — MONDAY, MAY 15, 2023

The house met at 1:37 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1687).

Present — Mr. Speaker(C); Allen; Allison; Anchia; 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; Gervin-Hawkins; 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; Neave Criado; Noble; Oliverson; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Absent, Excused — Murr; Ordaz; Sherman.

The invocation was offered by Hector Ortiz, Catholic Diocese of Austin, Austin.

The chair recognized Representative Gámez 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:

Ordaz on motion of E. Morales.

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

Sherman on motion of Collier.

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

Murr on motion of Holland.

### **CAPITOL PHYSICIAN**

The chair presented Dr. Bharat Joshi of Bellaire as the "Doctor for the Day."

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

### **REGULAR ORDER OF BUSINESS SUSPENDED**

On motion of Representative Metcalf and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

### **HR 1734 - NOTICE OF INTRODUCTION**

Pursuant to Rule 13, Section 9(f), of the House Rules, the chair announced the introduction of **HR 1734**, suspending the limitations on the conferees for **SB 1238**.

### **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, House List No. 20).

### **COMMITTEE MEETING ANNOUNCEMENT**

At 1:54 p.m., the following committee meeting was announced:

Urban Affairs, upon adjournment today, Desk 89, for a formal meeting, to consider pending, referred, and committee business.

(C.J. Harris in the chair)

### **HR 1771 - ADOPTED (by Dutton)**

Representative S. Thompson moved to suspend all necessary rules to take up and consider at this time **HR 1771**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1771**, Honoring the Texas Association for Health, Physical Education, Recreation & Dance on its 100th anniversary.

**HR 1771** was adopted.

### **HR 1545 - ADOPTED (by Klick)**

Representative Klick moved to suspend all necessary rules to take up and consider at this time **HR 1545**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1545**, Recognizing the IgA Nephropathy Foundation and its ambassadors for their work in the fight against IgAN.

**HR 1545** was adopted.

**HR 1547 - ADOPTED**  
**(by Klick)**

Representative Klick moved to suspend all necessary rules to take up and consider at this time **HR 1547**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1547**, Commemorating the 50th anniversary of the Haltom City Senior Center.

**HR 1547** was adopted.

**HR 1546 - ADOPTED**  
**(by Klick)**

Representative Klick moved to suspend all necessary rules to take up and consider at this time **HR 1546**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1546**, Commending Bobbi Arthur for her 30 years of service to the Haltom City Senior Center.

**HR 1546** was adopted.

**HR 1763 - ADOPTED**  
**(by Klick)**

Representative Klick moved to suspend all necessary rules to take up and consider at this time **HR 1763**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1763**, Commending Denise Jones for her 50 years of service to the Birdville Independent School District.

**HR 1763** was adopted.

**HR 1769 - ADOPTED**  
**(by Klick)**

Representative Klick moved to suspend all necessary rules to take up and consider at this time **HR 1769**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1769**, Congratulating Jimmy Perdue on his retirement as chief of police and director of public safety for the City of North Richland Hills.

**HR 1769** was adopted.

**HR 1478 - ADOPTED**  
**(by Campos)**

Representative Cortez moved to suspend all necessary rules to take up and consider at this time **HR 1478**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1478**, Congratulating Jenny Shepherd on receiving the 2023 TEXPAC June Bratcher Award for Political Action.

**HR 1478** was adopted.

**LEAVE OF ABSENCE GRANTED**

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

Campos on motion of Garcia.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative T. King moved to suspend the five-day posting rule to allow the Committee on Natural Resources to consider **SB 1056** at 8 a.m. tomorrow in E2.010.

The motion prevailed.

**PROVIDING FOR A LOCAL, CONSENT,  
AND RESOLUTIONS CALENDAR**

Representative K. Bell moved to set a local, consent, and resolutions calendar for 9 a.m. Friday, May 19.

The motion prevailed.

**PROVIDING FOR A CONGRATULATORY  
AND MEMORIAL CALENDAR**

Representative Guerra moved to set a congratulatory and memorial calendar for 9 a.m. Friday, May 19.

The motion prevailed.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Oliverson moved to suspend the five-day posting rule to allow the Committee on Insurance to consider **SB 1217** at 8 a.m. tomorrow in E2.014.

The motion prevailed.

Representative Moody moved to suspend the five-day posting rule to allow the Committee on Criminal Jurisprudence to consider **SB 1166** at 8 a.m. tomorrow in E2.016.

The motion prevailed.

### **COMMITTEE MEETING ANNOUNCEMENT**

At 2:15 p.m., the following committee meeting was announced:

Calendars, upon adjournment today, 1W.14, for a formal meeting, to consider a calendar.

(Speaker in the chair)

### **FIVE-DAY POSTING RULE SUSPENDED**

Representative Burns moved to suspend the five-day posting rule to allow the Committee on Land and Resource Management to consider **SB 369** at 8:30 a.m. tomorrow in E2.026.

The motion prevailed.

### **MAJOR STATE CALENDAR SENATE BILLS THIRD READING**

The following bills were laid before the house and read third time:

#### **SB 14 ON THIRD READING**

**(Oliveron, Klick, Metcalf, Toth, Geren, et al. - House Sponsors)**

**SB 14**, A bill to be entitled An Act relating to prohibitions on the provision to certain children of procedures and treatments for gender transitioning, gender reassignment, or gender dysphoria and on the use of public money or public assistance to provide those procedures and treatments.

#### **SB 14 - REMARKS**

REPRESENTATIVE OLIVERSON: **SB 14** is our bill from Friday that protects children under the age of 18 from harmful medical and surgical procedures.

REPRESENTATIVE HOWARD: We talked about this before to establish legislative intent. I have a few questions for you, please. **SB 14** applies only to medical procedures in treatment provided to children in the State of Texas, is that correct?

OLIVERSON: That's right.

HOWARD: And gender transitioning and gender-reassignment procedures on a child occurring in another state would not be covered by the prohibition in Section 2 of the bill, correct?

OLIVERSON: That's right.

HOWARD: So a physician or a practitioner in another state could provide, prescribe, administer, or dispense the medication to a child in another state and that physician or practitioner would not be subject to discipline as provided for in Section 5 of the bill, correct?

OLIVERSON: That's right—only Texas physicians.

HOWARD: It's possible that a child who was prescribed a medication in another state, that would be a prohibited medication under **SB 14**, could travel to Texas for any number of reasons—for example, for vacation or to visit a family member, is that correct?

OLIVERSON: Absolutely.

HOWARD: Let's say that child who is on a medication prescribed by a physician in another state comes to Texas and finds themselves in need of medical care while they are here—maybe they're in an accident or have acute appendicitis—and they end up being admitted to a hospital for an extended period of time. When a patient is admitted to a hospital and they are on prescription medications, when they go into the hospital, do they continue to take those medications while they're in the hospital?

OLIVERSON: Sometimes, Representative. It depends on the medication. In the case of a blood-thinning medication, if the child was going to have surgery, you would suspend those medications in order to restore normal function to the coagulation cascade. As a comparative example on the opposite side of the coin, if we're talking about diabetes and a child has diabetes and takes insulin regularly, you would absolutely continue those medications during the course of treatment. It just depends on the class of medication.

HOWARD: Absolutely. So there is a risk to a patient of stopping medication abruptly sometimes, is that correct?

OLIVERSON: Absolutely.

HOWARD: It's the doctor taking care of the patient in the hospital that has to weigh those factors in deciding whether to order the continuation of those medications in the hospital, correct?

OLIVERSON: That's right.

HOWARD: And that would be the medical standard of care in that case—for the doctor to evaluate the risks and benefits of continuing versus discontinuing medications for a hospitalized patient, correct?

OLIVERSON: That is correct.

HOWARD: If a child is admitted to a Texas hospital after **SB 14** goes into effect, and then that child is taking a prescription medication for a purpose that would fall under the prohibition in **SB 14** when they are admitted, that child's physician would owe a duty to that patient to evaluate the risks and benefits of continuing those medications or whether they can be discontinued safely while the child is in the hospital, correct?

OLIVERSON: That's exactly right.

HOWARD: If a physician taking care of a hospitalized child determined that it would be unsafe to discontinue that medication and the medical standard of care would dictate that the medication be continued during the hospitalization—if the physician ordered the continuation of that medication, would that physician be in violation of **SB 14**?

OLIVERSON: That is not the intent of **SB 14**. In those particular situations—we spent a fair amount of time discussing this on Friday—but as you know, there is that off-ramp I talked about. For children that are on these medications in Texas—in order to stop those medications, it's not something you would do abruptly. Along the same lines, and consistent with what we said legislatively in other respects—if a child was here visiting on a certain prohibited medication and was intending to return home, I would leave it to the doctor's discretion as to whether that medication should be continued. I would not consider that to be a violation of **SB 14**.

HOWARD: Likewise, the hospital pharmacist filling the medication order and the nurse administering it—each on the order of the physician—would not be in violation of **SB 14**, is that correct?

OLIVERSON: That's right. They would all be similarly protected.

REPRESENTATIVE ROSENTHAL: We've had a lot of conversation about this bill and I wanted to address a certain portion that's on page 3, lines 15 to 26. Are you aware that this bill—that section—carves out the intersex children?

OLIVERSON: I'm sorry, what lines are you referring to?

ROSENTHAL: Let me start out this way, by saying the premise of the bill altogether is because you want to disallow gender assignment surgery on young children. Is that correct? Part of the bill disallows that type of surgery, yes or no, please?

OLIVERSON: I'm sorry, Representative, I'm not following you.

ROSENTHAL: Is it a problem hearing or you don't understand the question?

OLIVERSON: I'm not understanding your question. I mean, I think you are looking at our section here under exceptions where we are talking about abnormalities of human development in children that are born with chromosomal abnormalities, or ambiguous genitalia is the correct medical term.

ROSENTHAL: Correct. So we are talking about—these are commonly referred to as intersex children, non-binary, or non-conforming, yes?

OLIVERSON: I think the medical term is ambiguous genitalia, yes.

ROSENTHAL: Very good. This bill specifically allows surgery on infants that are born this way. Is that true?

OLIVERSON: That's right. That's correcting an abnormality.

ROSENTHAL: If the premise of the action, if the premise of the bill, if the premise of the law that you are forwarding here today on third reading is to disallow gender assignment surgery on small children, why are we carving out this section? Why are we carving out—

OLIVERSON: Because these are genetically verifiable abnormal conditions, Representative. I think it is an inappropriate comparison and a far cry to say that when we are talking about doing surgeries on someone born with an abnormality that results in an anatomical variant—an abnormality—that is a far cry from doing surgery on somebody with completely normal anatomy.

ROSENTHAL: So your characterization of this as an abnormality is because it is a relatively small percentage of births. Is that correct?

OLIVERSON: Because in most cases it is genetically verifiable.

ROSENTHAL: Let me ask you this question then: Who decides what gender to assign that infant to, as they're an infant?

OLIVERSON: I would say their DNA helps define that, Representative.

ROSENTHAL: You may say that, but your bill language specifically points to differences in chromosomal—going with chromosomal differences and assigning according to that. And I can definitely tell you about constituents that I have who are upset about these kinds of surgeries because it's not perfectly clear in some instances—like case by case, let's say—which gender the child will grow up identifying as. And so the voice that I want to bring to you today is the voice of the ones who have had their gender assigned at infancy and live a lifetime of regret and resentment because those type of surgeries are not reversible and they grew into a kind of identity not consistent. So let me ask you this: Does your bill make an exception for surgeries performed on intersex infants and can you tell us what type of surgeries this includes? Does it include castration, vasectomy, removal of the uterus, any of those things?

OLIVERSON: I would just submit to you, Representative, that respectfully that's not the scope of this bill. And so, we have an exception for these things here.

ROSENTHAL: It specifically allows it.

OLIVERSON: There's a section here that provides exceptions for these conditions. I would just say to you—and I have had similar conversations with other members—I think we had a very well thought-out amendment offered by one of our fellow representatives dealing with this issue. I'm going to tell you exactly what I told her: I respect where you are coming from, but I don't think that is the subject of this bill. I think if you want to file a bill that basically prohibits surgery on intersex children, then that's a separate subject. That's not the subject of this bill.

ROSENTHAL: And while I respectfully appreciate your kind and thoughtful response, this bill specifically—

OLIVERSON: Because we haven't really debated that issue, right?

ROSENTHAL: One moment, please, can I ask the question? This bill specifically allows those kinds of surgeries.

OLIVERSON: I would say this bill specifically exempts those—

ROSENTHAL: So could it not be appropriate to remove that section? Just remove the section—this is Section 161.703(a)(2)—and just replace it with appropriate and medically necessary procedures or treatments. The part where you are calling out the indeterminate, the androgynous, intersex, or non-binary, I assert, subjects these children to gender assignment surgery when some will grow up and wish that they could have had a say once they get to the point in their life where they understand what's going on.

OLIVERSON: I think what you'll find in this area is that, although there may be circumstances like what you described, the vast majority of these cases are situations where it is much easier for a child to be one gender than the other gender as they grow up. I will give you a classic example: There is a condition referred to as testicular feminization. Have you heard of that? I'm guessing you haven't, so let me tell you briefly about—

ROSENTHAL: Saying that it should be done on a case-by-case basis I agree with. Specifically allowing this writ large and allowing—

OLIVERSON: Hold on, I want to finish my explanation for you. Testicular feminization is a condition where you have a child that is born as a male, but because of an abnormality genetically they make antibodies to the sex hormones. So their body never fully develops as a male. They are born with a blind pouch for female anatomy—an external anatomy as a female—but they have internal testicles. So the reality is that if we don't do surgery to remove those testicles, then you end up with a situation where—

ROSENTHAL: I get it, there are specific different cases. I believe what you are telling me is we should, in this bill, be allowing—sir, can I please ask the question?

OLIVERSON: I'm just trying to finish my explanation to your question. My point is this: My point is, in those children, you talk about castration. Those are testes that never descend and, if they are not removed, they will almost 100 percent result in testicular cancer because of the fact that the testicles were not designed to be interabdominal. That is an example of a kind of surgery you are talking about, so I don't want folks to get the impression that everybody is exactly 50 percent between male. You're talking about a whole host of conditions. Then you get into conditions like—

ROSENTHAL: Could you call it a spectrum, sir?

OLIVERSON: A spectrum, that's right, so again we are talking about a separate bill here, Representative.

ROSENTHAL: I believe what you are telling me is—can I characterize what you are telling me briefly by saying these cases should be taken on individually because every child is born different?

OLIVERSON: I think they are.

ROSENTHAL: So for medical reasons, I completely understand. But there is nothing in here that requires a solid medical reason for that. I believe it leaves it open to the discretion of doctors and parents. You are actually allowing gender assignment surgery in this bill.

OLIVERSON: I hear what you're saying and I would just say, respectfully, again: If that's how you feel, I'd suggest that you file a bill that deals with that particular subject.

ROSENTHAL: So I can assume the answer to whether you would take a friendly amendment on this is no.

OLIVERSON: I think the bill is complete as is, Representative.

ROSENTHAL: And so you aren't going to carve out this section and that's fine. I get it. Thank you for your time. I appreciate it.

OLIVERSON: Okay. Yes, sir.

REPRESENTATIVE GOODWIN: Dr. Oliverson, do you anticipate that this bill will have an adverse impact on adolescent care in the state?

OLIVERSON: Actually, I think it refocuses it on mental health care, which is what we should have been focused on and where other countries now are moving that have seen all the research, weighed it all, and said, "You know what? This isn't working. Let's focus on mental health. Let's set these treatments aside until such a time as a person reaches the age of majority and we know that they're in a position to make an adult decision." That's, essentially, what we're doing here. So no, I don't think it will impact adolescent health negatively.

GOODWIN: And I wasn't just talking about transgender adolescents. I'm actually talking about all adolescents.

OLIVERSON: Okay.

GOODWIN: Are you aware that since this bill has come before us several adolescent-care doctors have left Dell Medical, Dell Children's Hospital?

OLIVERSON: I am not aware of that, Representative. I know there's an investigation of some kind there, but I don't know the details of it.

GOODWIN: Over the weekend we got a communication from a constituent who has a child who has a doctor at Dell Children's and I'm just going to read part of it: "Our pediatrician is no longer with Ascension as of May 5, but the doctor's photo is still on their website as taking new patients. We were called and told our son was no longer with Ascension and would not be connected to other pediatricians in their network." Now, this is not a transgender child. This is just a child with a concussion that needs a doctor's help. "The other issue is that our child's prior medical records were gone from the system." Anyway, she goes on but—

OLIVERSON: I think that's a HIPAA violation, actually—to abscond with a patient's medical records.

GOODWIN: And I'm sure that there will be further investigation into this.

OLIVERSON: I hope so.

GOODWIN: It's very concerning. I'm extremely concerned about the health care of all adolescents in Texas with the concern that doctors are facing that—you know, they don't want to get in trouble, and we keep telling them what they can and can't do and sometimes there are gray areas. I just wanted to express that and hope that perhaps we can do something to address that.

OLIVERSON: I understand your concerns. Trust me, as a licensed physician in the State of Texas, it's very important to be familiar with what the Medical Practice Act says and so I hear where you're coming from. I appreciate it.

REPRESENTATIVE FLORES: Last week, when we took this bill up on second reading, I offered an amendment that would take care of the situation that Representative Goodwin was just speaking about. Doctors feeling concerned or confused about whether or not—you know I'm talking about mental health professionals can be confused. It was a very simple amendment that would clarify completely that this bill would only relate to doctors that are actually doing surgeries or prescribing medications. Would it not be simple enough to accept that very simple amendment that would try to get rid of some of this confusion?

OLIVERSON: I think it's very clear as it is, Representative. We draw a bright line between medicines and surgeries and mental health for children under the age of 18 experiencing gender dysphoria. That's crystal clear.

FLORES: Well, I still think that there are medical professionals who will be concerned and will not want to deliver certain services just because it may not be as clear as you think it is. The same thing has happened in instances and, as I mentioned earlier, reproductive health as well. Doctors are afraid to cross lines because they don't know where the lines are. I would implore you to reconsider and consider taking that very simple amendment that does nothing to change what the bill is intended to do, but will at least clarify for medical professionals who may be afraid to put their licenses at stake. I would really, really ask you to consider, please.

OLIVERSON: I appreciate you bringing it, and respectfully I think we are done with amendments, but I do strongly support mental health care. And I do think that for whatever medical professional we are talking about, as long as they are not prescribing or dispensing a prohibited medication or doing surgery on somebody, they will be protected under this law.

REPRESENTATIVE TALARICO: In the bill analysis it states there are no high-quality, long-term studies demonstrating the efficacy and safety of gender modification. Is that correct?

OLIVERSON: I believe that is correct.

TALARICO: In the committee hearing you stated that there is no high-quality scientific evidence that therapies, puberty blockers, or surgery helped children overcome gender dysphoria. Does that sound correct?

OLIVERSON: That is what the systematic reviews indicate.

TALARICO: I have an amendment that would sunset this bill if HHSC determines that there are high-quality, long-term studies demonstrating the efficacy and safety of this health care. Would you accept this amendment?

OLIVERSON: I would not, Representative. But to your point, if that day comes, we can certainly file a bill and I would be happy to work with you on it if the evidence points in that direction. But I do not believe that it will.

TALARICO: If the entire justification of this bill is that the science is not settled, why would we not sunset the bill if the science is settled?

OLIVERSON: Respectfully, Representative, we pass bills all the time without sunsetting them because we know we can always come back as a legislature and we can change the law.

Pursuant to Rule 5, Section 28, of the House Rules, Representative Talarico requested an extension of speaking time on **SB 14**.

The request was not granted.

REPRESENTATIVE V. JONES: Members, I think we can agree that we become public servants because we want to help people. We want to address issues impacting our community and we want to make Texas a better place for the next generation of Texans, here and now. This body has the sometimes impossible task of tackling topics that representatives feel very strongly about and often disagree on. Today, we are debating whether we can trust parents to decide what health care is right for their children. We risk setting a dangerous precedent that the Texas government will step in and dictate the choices and lives of Texans simply because we haven't taken the time to understand them or we disagree with their decision.

As this bill has moved, we have heard from the voices of thousands of people across Texas who oppose this legislation. In fact, as a member of the Public Health Committee, we heard during the committee hearing over 3,014 people formally register a position. The overwhelming majority, 2,900, opposed this bill. Building to this day, thousands more continue to share their opposition to this bill. We have seen the anguish of parents desperately begging us to listen, to have compassion, to open up your hearts, and to try to begin to understand that their children are just that—children. And that, together, they are doing the best they can to navigate with the experts—endocrinologists, physicians, and mental health professionals. Instead of deliberation, respectful conversation, and active listening, we silenced the voices of over 400 people who showed up to testify against this bill, centering only invited and priority testimonies. We heard the horror stories of what happens when physicians do not follow best practice standards of care. We highlighted the stories of people who were flown in from other states instead of Texans who spent all day at the Capitol for a chance to share two minutes of their truth. I saw parents crying, constituents huddled together comforting each other, and felt so much righteous anger. We cut off testimony for the mental health of our committee, but worried none about the mental health impact to our constituents. When peaceful protest broke out in this

gallery, we not only closed the gallery, we removed those voices of opposition from the Capitol completely. And then we took it a step further when members of this body posted nude photos of transgender people, continuing to dehumanize the people we are here to serve: Texans. That decision, along with the interference into the private lives of Texans, is out of step with how we should treat each other and how true Texans value small government, privacy, and liberty.

Your decision to either support this bill or to vote no is a matter of life and death. I know many of you have tried to minimize this reality, but let me be very clear: This is not a hyperbole and this is not unfounded fear. In 2021, a few weeks after Arkansas became the first state in the U.S. to ban health care for trans adolescents, this body received a letter from a Texan. She was a practicing physician in Arkansas overseeing the health care of transgender young people. She treated over 200 patients, none of whom attempted to take their lives while in her care. It wasn't until the passage of the bill that the doctor who wrote this letter began to receive a deluge of calls from families reporting that their children began to demonstrate suicidal ideations. Five young people attempted to commit suicide weeks after the passage of the Arkansas bill. A sixth child took 100 pills and cut their wrists so deeply that several hours of surgery were required to repair these wounds. No young person should feel this hopeless. No young person should feel this alone. And no young person should feel the weight of their state government being used to limit their happiness and to rob them of their authentic futures. But this is what bills like this does.

I want you to consider that a categorical ban on health care is too extreme. Since we haven't heard from the constituents that we silenced, since we haven't gotten the Texas data that we say we need, since the danger clearly outweighs the benefits, I ask you: What do you want your legacy to be when you leave this body? Transgender people live joyous lives. Many have spoken that into reality. Had we allowed them, you would have heard from Leslie from Frisco, who shared that she transitioned many years ago and has faced her share of challenges, but none of them have dimmed the joy she feels every single day at being able to live her authentic life. She has no regrets. You would've heard from Ruben, who lives in Austin, "Since obtaining age-appropriate health care based on best practice standards and with the support of our entire family, friends, and religious community our daughter has flourished. She maintains a 4.0 GPA, dances on her high school drill team, has a large circle of friends, participates in many school club activities, and dreams of attending UT and going to medical school." It is ludicrous, ignorant, and hateful to think that parents of transgender children have had some sinister agenda. No parent has ever woke up in the morning thinking, "How can I make my child more vulnerable, more marginalized, more stigmatized, more of a target to this body?"

When we took the oath to serve the people of Texas, we swore to preserve, protect, and defend the Constitution to the best of our ability. And yet, during this session, when a constituent asks, "What about my constitutional rights?" they were told that this isn't about the Constitution. This isn't about the Constitution. Then what are we doing here? When we deny the voices of Texans, we are

breaking our oath. We become liars. We become the problem, and we put people in harms way. Today, I urge this body to remember what you swore to do, to remember what inspired you to service, and to remove the blinders of disinformation and hate. We must do better, not just for Texans, but for humanity. Please vote no on this bill.

### REMARKS ORDERED PRINTED

Representative Manuel moved to print all remarks on **SB 14**.

The motion prevailed.

REPRESENTATIVE ZWIENER: I live in and represent the Dripping Springs Independent School District. In 2017, when I joined that community, they were in the middle of a very heated conversation around one third-grade girl and which bathroom she was allowed to use. I watched the Dripping Springs community, which is about 60 percent Republican, wrap their arms around that family and that little girl, keep her identity protected, keep her name out of the newspaper, and make sure that the school board supported her being able to use the bathroom of the gender that every single one of her friends knew her as. I watched that conservative-leaning community protect her and protect her vigorously. Local advocates formed a group called One Tiger, Many Stripes after the tiger mascot. It's something that gave me so much faith in my community—to watch them refuse to let that one third grader become just a talking point, just a linchpin for a culture war in their community.

Members, that little girl and her family don't live in Texas anymore. They left last year. They moved to a state that's more supportive of trans children. And that's a pattern we are seeing right now over and over and over again. When I was a little girl, I was real close with my dad. I was his oldest and what he would always tell me whenever I was having a hard time is he'd say, "Erin, I would walk across Texas for you." And there would be various embellishments of that. "I would walk across Texas in 110 degree heat across burning sand for you." "I would walk across Texas barefoot over broken glass for you." But that was always the pattern. That was how my dad told me he would do anything if it would protect me.

Members, what Texas families are having to do right now to protect their children isn't walk across Texas, it's walk out of Texas. We have family after family who love Texas, many of whom are multi-generational Texas families, reaching the conclusion that they can't safely raise their kids here because of our actions in this body. I want to let that sit with you. People are leaving this state because our actions are making it impossible for them to do what they believe is best for their children.

I want to take a moment and just address any young people who are watching today who are transgender or questioning their gender identity. You are beautiful. You are loved. You are valued. You alone are you and the world is better because you are here. There are legislators on this floor, advocates in the gallery, and people all around this state who will keep fighting until Texas—all of Texas—celebrates you and everything that makes you unique the way we do.

Members, there are people walking out of our state today. People who love Texas, people who sing along to "Deep in the Heart of Texas" and "Texas, Our Texas" every time they come on who are having to make a terrible choice. Don't make them choose. Don't make these families walk out of Texas. Vote no.

REPRESENTATIVE WU: Members, you know, we all get asked that question on interviews, as a little soft-ball question of: Why do you do this? Why are you here? Why did you run? What makes you stay despite the kind of crazy hours, the frustration, the hair-pulling, sometimes the backstabbing. Why do you continue to do this? And we all have sort of like our pat answer that we give: Oh, it's about service and it's about that. You know what answer I really want to give? The answer I really want to give is I hate bullies. I hate bullies because when I was little, I got bullied relentlessly. I'm kind of a tall, big guy right now, but when I was a teenager, when I was a preteen, I was this weird, skinny, short, little Asian kid that maybe to some people looked a little effeminate. Or to some other people, looked like an easy target, but definitely I looked like somebody who couldn't fight back. And so I got my ass kicked on a weekly, and sometimes on a daily, basis. It happened so many times I don't even have the ability to separate out all the times when people I didn't even know would just knock me down, would kick me, would punch me.

The only one occasion that I actually can recall that was clear to me—that I can recall it because it was separate—was begging them, "Please stop kicking me in the face. You can kick me anywhere else you want, you can take my stuff, but please stop kicking me in the face," because I would have to explain that to my mom. And I tried to hide it from my parents for a long time. I hid it fairly well saying that "Oh no, I was playing in P.E. and I got roughed up. I was trying to play football or I was trying to play basketball or I fell down." Until the day my mom pulled up to pick me up and these two much bigger guys were just whipping my ass. I was just on the ground curled up and just getting kicked. And my mom saw it and she asked me, "Why were they doing that to you?" And I said, "I have no idea. I don't know who they are. They just came to me and started kicking me."

I hate bullies. I hate when we pick on people who cannot defend themselves. I hate when we go after communities that do not have political power, have no voice, and do not have the ability to speak up and demand their rights. To me, this legislation is that type of bullying. And I'm not even talking to the members here anymore because there's no point. I'm talking to the people who are out there, the good people who are watching this and who are standing by watching this happen. And we've come to this body already and said, "Look, there is overwhelming medical evidence. There is medical opinion from up and down the spectrum who say that providing gender-affirming care in some form or fashion is the right thing to do." We've told you that the American Academy of Child and Adolescent Psychiatry has agreed to this. The American Academy of Pediatrics has agreed to this. The American Medical Association and any number of hundreds of groups in every state in the nation has written in, has called in, has testified to not take away this type of care for young people.

Now, we may—there is some disagreement about what is the right form of care, but everyone agrees that there should be some amount of care in this range that this bill will ban that should be allowed. There are thousands of doctors out there. We've told the people here in this room that there are thousands of doctors in the State of Texas, and tens of thousands in the United States, who have practiced this on a daily basis, who have treated trans kids, who have provided the plan of care, who have gone through this with families. But we don't listen to them.

We have told you time and time again that this is a serious suicide hazard that—we don't want to talk about this. We had this debate here. We kept saying "Oh, well let's not talk about that. Let's not talk about that." It is undisputed that LGBT people in America, especially youth, have one of the highest rates of suicide in this nation, period. Over 50 percent of LGBTQ individuals have contemplated suicide. But it gets worse. Of that number, when you break it down, almost 60 percent of trans youth—of trans people—have contemplated suicide. The rate of contemplation for suicide for cisgendered LGBTQ individuals is only in the 30s. It is because of the trans population that LGBTQ suicide ideation is so high. We have told you this time and time again, but we don't want to talk about it because it's uncomfortable.

We have tried to come here and say, "Hey, the party of small government, the party of freedom, the party of liberty, please don't take freedom and liberty away from other people." And nobody listens. We come here and say we're here to protect kids, but we very carefully ignore the kids themselves who have come to this body, come to this membership and said, "We don't want your protection, we don't want your help." And we don't listen to the families who have come here and say, "We understand your concern, but we were happy to make our own choices, to listen to our own doctors, to listen to our own psychiatrists and counselors, and make our own choices." This body doesn't care. We've even argued with them, "Hey, if you really want to protect kids, maybe we should have more kids vaccinated." This body: No. We say, "If we really want to protect kids and save their lives, maybe we should work on gun control." No. "If we really want to protect kids and save lives, maybe we should expand Medicaid and make sure there's more families covered under health care." No.

You think this is the first time that this body has chosen a group—picked out a group—to make them into the monsters? To pick out a group to discriminate against, to pick out a group and say, "We will come after you"? No, I've been here long enough. We do this all the time. In the past we did it to Muslim Americans because they were really scary and we passed laws against them. Then we had refugees, "Oh, they're really scary." We passed laws against them. And here we are in 2023. And at last we tried to appeal to the morality, to the goodness of this group. We say people who pride themselves on being Christian, we say some of the last words of Jesus would say, "However you treat the very least of my brothers and sisters you do to me." I can think of few people who are the least in our society than the trans youth and the trans individuals of our state. People who are shunned, people who are ridiculed, people who are discriminated against every single day, even without this body. But it doesn't matter.

My appeal is not to the people in this room because everyone's going to do what they think is necessary for politics. My appeal is to the people out there. My appeal is to the good people who are sitting by and watching this happen day after day, watching this community get kicked, watching this community get punched, watching this community get stomped. At some point it falls upon others who are standing by to say, "No, that's enough. That is enough. Stop kicking, stop punching." And as someone who is not trans, who's not LGBT, but who understands what it means to be harassed and kicked and punched for being nothing other than myself. Somebody has to be out there to say, "Stop."

REPRESENTATIVE MORALES SHAW: Members, for those of us who were here on Friday, we had a long drawn-out debate, but this measure is going to drastically impact families and children. It's important that their voices are made a part of this record today. It's because of the love, care, and support of parents, medical experts, and medical care that the kids we're talking about today are actually well-adjusted kids. That's what's been reported to us. They're happy and they spend their days just like every other kid. Except on days like this, when lawmakers that have no personal experience of what these families have overcome or how much love they poured into these children so that they know that they're special and validated. It's days like this—it's people that exclude them, that target them, and take away critical medical care that can spiral families into anxiety and desperation. It's days like this that will force fifth-generation Texans and others to leave a great state that they call home.

As somebody who spent a lot of years passing and advocating international human rights laws, this feels like a domestic human rights fight here today. This feels like a piece-by-piece eradication of a group of people just because they don't look like you and they don't think like you. When we look back on history, there's a lot of shameful periods of similar eradication of people because they didn't look like us or think like us. We look back on that now with shame and embarrassment or sometimes we don't like to look back at that at all. In fact, we like to eradicate that too. There's nothing more precious than a person's freedom and liberty to be who they are, not who we tell them to be.

The ruling governing class here doesn't make us the right class, the better class, the higher class. It just makes us the class with the power at this moment in time. It's a moment in time to be compassionate and kind, accepting, open, willing, and humane. And by the way, I think that we're all of these things. I just wish that we could be that way today for these special families and even for providers. This vote today, like many, is predetermined to go a certain way. I apologize to all of the families who will be left helpless, desperate, and have already been in tears from this stripping away of parental rights. In closing, I'll just say to these families: What's happening here today doesn't determine your worth, it defines your courage. Continue to be courageous. Continue to be you.

REPRESENTATIVE J. GONZÁLEZ: Colleagues, this is a very sad day in this chamber. I'm truly stunned and saddened with the overwhelming grief for what we're doing here, the Monday after Mother's Day, because we have mothers all over this state who love their kids more than anything else in the world and they're hugging their terrorized kids today as this body rips away their right to

provide health care for their children. By taking this vote today, we are forcing lifelong Texans to flee the state in order to save their children from you. What has Texas become? Not one that protects children, but rather a battlefield. One that stands idly by while our kids continue to be harmed by the very laws this body chooses to pass or those it chooses to ignore. We stand by and do nothing. A state where no child is safe. But stop fooling yourselves. This body does not pass laws to protect children. Why? Because politics continues to outweigh the lives that we swore to represent and protect.

Make no mistake, **SB 14** will harm children, whether some of you choose to ignore that now or ignore that later. In fact, it already has. We heard in testimony during committee from a sibling of a trans child who has already attempted suicide because their care was shut down after a previous executive order. And we know that several other children have taken their lives already because their care was cut off by the chilling effect of previous actions by state leaders. All of it is couched in vain politics to protect the very little Texans claiming to be considered when taking the dangerous and uncompassionate vote that many of you will take today. This is wrong. When did we, as a state, abandon our moral duty to protect every child? When did politics rise above truth, our duty, our responsibility, and honor? When did Texas decide it would leave a trail of dead children's bodies all over this state? A state where a parent who did not choose to love their child for who they were when they came out and left them to fend for themselves in foster care where we know they will further be harmed or at worst, die. Members, that's child abuse. Children whose parents choose to abandon them because of who they are are the ones who need real protection.

Yet the families who are targeted by this bill are some of the strongest, loving, and accepting individuals I've ever met in my life—families that would do anything for each other. That's what a parent's love looks like. But to these families, a parent's love also includes showing up at the Capitol, session after session, and sacrificing everything to make sure their child has the best future they can possibly have—more than most parents have to endure. Members, I know many of you in this chamber are parents. I know you love your children because you bring them to their Capitol. I hear you talking about them on the house floor. And I know that you would do anything to protect them, to make sure they're safe, to make sure they're happy and that they have access to the health care that they need to survive. It should be no different for the parents of transgender children. These parents deserve the right to fight for their children, to take them to their doctor if they are concerned about gender dysphoria and get access to the appropriate treatment as determined by their doctor, their family, and their child.

We have spent the entire session falsely claiming we want to protect these so-called parental rights. And what this bill will do is take away their right to make decisions that are best for their child. Why is this so-called right only available for some parents, but not all? If we want to protect parental rights, we must protect every parent's parental rights, not just those that fall within a certain ideology. Members, I know many of you on the other side of the aisle, whether you will admit it or not, do not want to take this vote today. In fact, many of you

have shared with me and others that passing this bill is dangerous and, plainly put, just bad policy. This bill targets certain Texas families and seeks to destroy their lives by taking away their right to access lifesaving health care.

As a lifelong Texan, I'm ashamed at the path our great state has taken. And despite the so-called science the author of this bill references to justify this legislation, an American report from top experts at Yale University and the University of Texas Southwestern Medical Center concluded that quote: "The scientific errors and omissions are so extensive that the conclusion is clear. These laws are motivated by bias and crafted to achieve a preordained goal to deny gender-affirming care to transgender youth. Officials in Texas have exaggerated potential harms of gender-affirming care and intentionally painted a warped picture of the scientific evidence that is available," a team of seven medical and legal experts at Yale University and the University of Texas Southwestern Medical Center wrote in a recent report. "Efforts to ban gender-affirming care in Texas rely heavily on poor-quality evidence," the report goes on. "Scientists need to have a seat at the table and, perhaps most importantly, there must be a penalty for writing fake science into law." The report also continues to say that "trans and non-binary youth are facing the fight of their lives to simply exist, and we can't let them stand alone. This is a matter of life and death," the report continued.

To that point, one of the author's witnesses—whom he relies on to justify this bill—was from the American College of Pediatrics, a fringe doctors' group with only about 600 members, compared to reputable medical associations like the American Academy of Pediatrics, which has over 67,000 pediatricians, along with 20 other major medical associations who oppose this legislation. This fringe group is anti-LGBT. It relies on junk science that is not vetted or published in any legitimate medical journal and has been identified as a hate group by the Southern Poverty Law Center. It's also worth noting that this so-called witness's expertise has previously been discredited by a Texas court. The whole existence of this group is to spread misinformation about gay and trans people. And how do we know this? A data breach from their doctors' group that included more than 10,000 e-mails and documents that were left in an open file online titled, "How to Defund Trans Pediatrics." It clearly spells out the animus of this group and the real reason that we have an outright national assault on trans children.

In fact, these e-mails even admitted that they shopped around the same witnesses from state to state. Why? Because they don't have real Texans to testify. So they flew most of their witnesses in from out of state to testify in a public hearing in Texas about things that never happened in Texas. When this bill was heard in committee, only 84 people registered in support while 2,401 Texans registered in opposition. Most people on the invited list to testify in support were from out of state. They did not receive health care in Texas. They were adults when they made their decisions and had absolutely nothing to do with Texas doctors, Texas parents, or Texas children. Meanwhile, over 500 Texans registered in opposition never got the opportunity to testify because they were sent home when testimony was cut off at midnight. Refusing to hear the stories from real

Texans on how this bill will impact their lives is not what a democracy looks like. I'm disappointed and sad that so many parents I know who have trans kids who are happy and healthy are now scared to death of our state. That's not my Texas.

And members, as I close I want to urge you, from the bottom of my heart, to vote against **SB 14**. We need to show that discrimination has no place in our state and that Texas is a place where everyone can thrive with dignity and their humanity is respected regardless of their gender identity. I know many of you have sat down with families that will be negatively impacted by this bill and they have opened up to you, shared their sensitive stories, and introduced you to their sweet children, many of whom missed school to come to Austin to testify. I want to close by reading a letter I received from a constituent of mine the last time this bill came to the floor. He sent it to me at 11:26 p.m. And instead of being asleep, getting rest to take his AP exam the next day, he was awake thinking about what his fate will be here in Texas.

"Hi Jessica. I'm a 17-year-old trans kid. I had the privilege of starting testosterone this past December and I've never felt more confident in my body and self. The process of coming out and gaining support from my family has been difficult and taken time. There was a point when I did not see myself living to this point of my life. Seeing these changes happening in those around me who grew up to accept and support me has been the happiest point in my life. I've been looking at colleges and started a new job. However, whenever I look at the news and recent bills, all that hope is drained. I'm terrified for the future of me and other trans youth living in Texas. I have only one year until I will be safe from this bill, but so many others aren't so lucky. It's incredibly disheartening to see children's livelihoods turned into a political stance. Children are taking their own lives, yet they cannot see past what they choose to. I have been taking AP Government this year, but I still don't know how many ways I can help or if I can at all. I'm not sure if this message will reach you or change the circumstances, but I just needed an outlet. I need to feel that I have done something, even if it's meaningless. Please advocate for trans kids who have to fight every day just to be respected. Being trans is not a choice. If it was, I and many others would have stopped a long time ago. Dysphoria can be crippling and shutting off these resources is a death sentence for so many. I'm scared and I don't know what the future looks like. Maybe things will keep getting worse for us. I don't understand why my identity and struggles are so infuriating to some. All we want to do is live. Hormones increase the quality of life for so many. They should not be perceived in such a negative light. They saved my life and will be able to save so many more if this bill was not passed."

Members, I want you to remember these stories and these faces of these families and these folks who will be affected by this bill. I encourage you to vote no.

**SB 14** was passed by (Record 1688): 87 Yeas, 56 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier;

Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Herrero; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thierry; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Canales; Cole; Collier; Cortez; Davis; Flores; Gámez; Garcia; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Talarico; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C); Gervin-Hawkins.

Absent, Excused — Campos; Murr; Ordaz; Sherman.

### **STATEMENT OF VOTE**

When Record No. 1688 was taken, I was excused because of illness. I would have voted yes.

Murr

### **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).

### **COMMITTEE MEETING ANNOUNCEMENT**

At 3:24 p.m., the following committee meeting was announced:

Pensions, Investments, and Financial Services, upon adjournment today, Desk 120, for a formal meeting, to consider pending, referred, and committee business.

### **MAJOR STATE CALENDAR**

#### **SENATE BILLS**

#### **SECOND READING**

The following bills were laid before the house and read second time:

#### **CSSB 22 ON SECOND READING**

#### **(Guillen and Gerdes - House Sponsors)**

**CSSB 22**, A bill to be entitled An Act relating to the establishment of grant programs to provide financial assistance to qualified sheriff's offices, constable's offices, and prosecutor's offices in rural counties.

**Amendment No. 1**

Representative Guillen offered the following amendment to **CSSB 22**:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) deadlines for:

(A) applying for the grant;

(B) disbursement of grant money; and

(C) spending grant money; and

(3) procedures for:

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

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

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

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

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

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

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

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

Amendment No. 1 was adopted.

**CSSB 22**, as amended, was passed to third reading.

### **CSSB 1045 ON SECOND READING**

**(Murr, Burrows, Schofield, Vasut, Landgraf, et al. - House Sponsors)**

**CSSB 1045**, A bill to be entitled An Act relating to the creation of the Fifteenth Court of Appeals with jurisdiction over certain civil cases, the compensation of the justices of that court, and the jurisdiction of the courts of appeals in this state.

Representative Landgraf moved to postpone consideration of **CSSB 1045** until 10 a.m. Thursday, May 18.

The motion prevailed.

### **SB 1648 ON SECOND READING**

**(Walle and Holland - House Sponsors)**

**SB 1648**, A bill to be entitled An Act relating to the centennial parks conservation fund.

A record vote was requested.

**SB 1648** was passed to third reading by (Record 1689): 127 Yeas, 15 Nays, 2 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; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero;

Rose; Rosenthal; Schofield; Shine; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Harrison; Hayes; Hull; Isaac; Leo-Wilson; Patterson; Schaefer; Schatzline; Shaheen; Slawson; Spiller; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C); Cain.

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Jones, V.

### STATEMENTS OF VOTE

When Record No. 1689 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1689 was taken, my machine malfunctioned and I was shown voting present, not voting. I intended to vote no.

Cain

When Record No. 1689 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 1689 was taken, I was in the house but away from my desk. I would have voted yes.

V. Jones

When Record No. 1689 was taken, I was shown voting yes. I intended to vote no.

Swanson

### 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. 23).

### CONSTITUTIONAL AMENDMENTS CALENDAR

#### SENATE JOINT RESOLUTIONS

#### SECOND READING

The following resolutions were laid before the house and read second time:

#### CSSJR 74 ON SECOND READING

(Walle and Holland - House Sponsors)

**CSSJR 74**, A joint resolution proposing a constitutional amendment providing for the creation of the centennial parks conservation fund.

**Amendment No. 1**

Representative Walle offered the following amendment to **CSSJR 74**:

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

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

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

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

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

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

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

Amendment No. 1 was adopted.

**CSSJR 74**, as amended, was adopted by (Record 1690): 123 Yeas, 21 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; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; 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; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shine; Smith; Smithee; Stucky; Talarico; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Dean; Dorazio; Harrison; Hayes; Hefner; Hull; Isaac; Leo-Wilson; Patterson; Schaefer; Schatzline; Shaheen; Slawson; Spiller; Swanson; Tepper; Tinderholt; Toth; Troxclair; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

**STATEMENTS OF VOTE**

When Record No. 1690 was taken, I was shown voting yes. I intended to vote no.

Stucky

When Record No. 1690 was taken, I was shown voting no. I intended to vote yes.

Tepper

When Record No. 1690 was taken, I was shown voting no. I intended to vote yes.

Troxclair

When Record No. 1690 was taken, I was shown voting yes. I intended to vote no.

Wilson

**GENERAL STATE CALENDAR  
SENATE BILLS  
SECOND READING**

The following bills were laid before the house and read second time:

**CSSB 267 ON SECOND READING**

**(Burrows, Frazier, Moody, Shaheen, et al. - House Sponsors)**

**CSSB 267**, A bill to be entitled An Act relating to law enforcement agency accreditation, including a grant program to assist agencies in becoming accredited.

**CSSB 267** was passed to third reading.

**SB 182 ON SECOND READING**

**(Rose - House Sponsor)**

**SB 182**, A bill to be entitled An Act relating to the required report of criminal offenses committed against individuals receiving certain state agency services; creating a criminal offense.

**Amendment No. 1**

Representative Rose offered the following amendment to **SB 182**:

Amend **SB 182** (house committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 7), strike "Section 40.082" and substitute "Sections 40.082 and 40.083".

(2) In SECTION 1 of the bill, in added Section 40.082(a), Human Resources Code (page 1, lines 13 and 14), strike "the Department of Public Safety" and substitute "a local law enforcement agency not later than the 48th hour after the hour the employee becomes aware of the conduct".

(3) In SECTION 1 of the bill, immediately following added Section 40.082, Human Resources Code (page 1, between lines 22 and 23), insert the following:

Sec. 40.083. EMPLOYER RETALIATION PROHIBITED. (a) In this section, "adverse employment action" means an action that affects an employee's compensation, promotion, transfer, work assignment, or performance evaluation, or any other employment action that would dissuade a reasonable employee from submitting or supporting a report under Section 40.082.

(b) An employer may not suspend or terminate the employment of, discriminate against, or take any other adverse employment action against a person who in good faith:

(1) reports conduct constituting a criminal offense as required by Section 40.082; or

(2) initiates or cooperates with an investigation or proceeding relating to the conduct constituting a criminal offense reported under Section 40.082.

(c) An employee may sue for injunctive relief, damages, or both if, in violation of this section, the employee:

(1) is suspended or terminated from the person's employment;

(2) is discriminated against; or

(3) suffers any other adverse employment action.

(d) A plaintiff who prevails in a suit under this section may recover:

(1) actual damages, including damages for mental anguish even if an injury other than mental anguish is not shown;

(2) exemplary damages under Chapter 41, Civil Practice and Remedies Code, if the employer is a private employer;

(3) court costs; and

(4) reasonable attorney's fees.

(e) In addition to amounts recovered under Subsection (d), a plaintiff who prevails in a suit under this section is entitled to:

(1) reinstatement to the person's former position or a comparable position in terms of compensation, benefits, and other conditions of employment;

(2) reinstatement of any fringe benefits and seniority rights lost because of the suspension, termination, or discrimination; and

(3) compensation for wages lost during the period of suspension or termination.

(f) A department employee who alleges a violation of this section may sue the department for the relief provided for by this section. Sovereign immunity is waived and abolished to the extent of liability created by this section.

(g) A plaintiff suing under this section has the burden of proof, except there is a rebuttable presumption that the plaintiff's employment was suspended or terminated or that the plaintiff was otherwise discriminated against for reporting abuse or neglect if the suspension, termination, or discrimination occurs before the 61st day after the date on which the person submitted a report in good faith.

(h) A suit under this section may be brought in a district or statutory county court of the county in which:

(1) the plaintiff was employed by the defendant; or

(2) the defendant conducts business.

(i) It is an affirmative defense to a suit under Subsection (c) that an employer would have taken against the employee the action that forms the basis of the suit based solely on information, observation, or evidence unrelated to the fact that the employee made a report under Section 40.082 or initiated or cooperated with an investigation or proceeding relating to the conduct constituting a criminal offense reported under Section 40.082.

(j) A public employee who has a cause of action under Chapter 554, Government Code, based on conduct described by Subsection (b) may not bring an action based on that conduct under this section.

(k) This section does not apply to a person who reports the person's own criminal conduct or who initiates or cooperates with an investigation or proceeding by a governmental entity relating to an allegation of the person's own criminal conduct.

(4) In the recital to SECTION 2 of the bill (page 1, line 24), strike "Section 203.020" and substitute "Sections 203.020 and 203.021".

(5) In SECTION 2 of the bill, in added Section 203.020(a), Human Resources Code (page 2, lines 6 and 7), strike "the Department of Public Safety" and substitute "a local law enforcement agency not later than the 48th hour after the hour the employee becomes aware of the conduct".

(6) In SECTION 2 of the bill, immediately following added Section 203.020, Human Resources Code (page 2, between lines 15 and 16), insert the following:

Sec. 203.021. EMPLOYER RETALIATION PROHIBITED. (a) In this section, "adverse employment action" means an action that affects an employee's compensation, promotion, transfer, work assignment, or performance evaluation, or any other employment action that would dissuade a reasonable employee from submitting or supporting a report under Section 203.020.

(b) An employer may not suspend or terminate the employment of, discriminate against, or take any other adverse employment action against a person who in good faith:

(1) reports conduct constituting a criminal offense as required by Section 203.020; or

(2) initiates or cooperates with an investigation or proceeding relating to the conduct constituting a criminal offense reported under Section 203.020.

(c) An employee may sue for injunctive relief, damages, or both if, in violation of this section, the employee:

(1) is suspended or terminated from the person's employment;

(2) is discriminated against; or

(3) suffers any other adverse employment action.

(d) A plaintiff who prevails in a suit under this section may recover:

(1) actual damages, including damages for mental anguish even if an injury other than mental anguish is not shown;

(2) exemplary damages under Chapter 41, Civil Practice and Remedies Code, if the employer is a private employer;

(3) court costs; and

(4) reasonable attorney's fees.

(e) In addition to amounts recovered under Subsection (d), a plaintiff who prevails in a suit under this section is entitled to:

(1) reinstatement to the person's former position or a comparable position in terms of compensation, benefits, and other conditions of employment;

(2) reinstatement of any fringe benefits and seniority rights lost because of the suspension, termination, or discrimination; and

(3) compensation for wages lost during the period of suspension or termination.

(f) A department employee who alleges a violation of this section may sue the department for the relief provided for by this section. Sovereign immunity is waived and abolished to the extent of liability created by this section.

(g) A plaintiff suing under this section has the burden of proof, except there is a rebuttable presumption that the plaintiff's employment was suspended or terminated or that the plaintiff was otherwise discriminated against for reporting abuse or neglect if the suspension, termination, or discrimination occurs before the 61st day after the date on which the person submitted a report in good faith.

(h) A suit under this section may be brought in a district or statutory county court of the county in which:

(1) the plaintiff was employed by the defendant; or

(2) the defendant conducts business.

(i) It is an affirmative defense to a suit under Subsection (c) that an employer would have taken against the employee the action that forms the basis of the suit based solely on information, observation, or evidence unrelated to the fact that the employee made a report under Section 203.020 or initiated or cooperated with an investigation or proceeding relating to the conduct constituting a criminal offense reported under Section 203.020.

(j) A public employee who has a cause of action under Chapter 554, Government Code, based on conduct described by Subsection (b) may not bring an action based on that conduct under this section.

(k) This section does not apply to a person who reports the person's own criminal conduct or who initiates or cooperates with an investigation or proceeding by a governmental entity relating to an allegation of the person's own criminal conduct.

A record vote was requested.

Amendment No. 1 was adopted by (Record 1691): 105 Yeas, 33 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris, C.E.; Hernandez; Herrero; Hinojosa; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Kuempel; Lalani; Lambert; Longoria; Lopez, J.; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Orr; Ortega; Perez; Plesa; Price; Ramos; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Shine; Smith; Smithee; Spiller; Talarico; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bonnen; Bumgarner; Cain; DeAyala; Gates; Gerdes; Goldman; Harless; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Kitzman; Landgraf; Lujan; Metcalf; Meyer; Patterson; Paul; Schaefer; Schatzline; Shaheen; Slawson; Stucky; Swanson; Tepper; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Leach; Leo-Wilson; Lozano; Noble; Raney; Schofield.

### STATEMENTS OF VOTE

When Record No. 1691 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1691 was taken, I was shown voting yes. I intended to vote no.

C.E. Harris

When Record No. 1691 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1691 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 1691 was taken, my vote failed to register. I would have voted no.

Noble

When Record No. 1691 was taken, I was shown voting yes. I intended to vote no.

Oliverson

When Record No. 1691 was taken, I was shown voting yes. I intended to vote no.

Spiller

**SB 182**, as amended, was passed to third reading.

### **SB 786 ON SECOND READING**

**(Darby, Anchía, E. Morales, and Guerra - House Sponsors)**

**SB 786**, A bill to be entitled An Act relating to the regulation by the Railroad Commission of Texas of closed-loop geothermal injection wells.

Representative Darby moved to postpone consideration of **SB 786** until 10 a.m. Wednesday, May 17.

The motion prevailed.

**SB 1054 ON SECOND READING**  
**(Burrows - House Sponsor)**

**SB 1054**, A bill to be entitled An Act relating to requirements for a trial in the contest of an election on a proposed constitutional amendment.

A record vote was requested.

**SB 1054** was passed to third reading by (Record 1692): 142 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; 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.; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Ramos.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Lozano.

**STATEMENT OF VOTE**

When Record No. 1692 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

**SB 989 ON SECOND READING**  
**(Bonnen, Kacal, K. King, Rose, A. Johnson, et al. - House Sponsors)**

**SB 989**, A bill to be entitled An Act relating to health benefit plan coverage for certain biomarker testing.

**SB 989** was passed to third reading.

**SB 409 ON SECOND READING**  
**(Leach, et al. - House Sponsors)**

**SB 409**, A bill to be entitled An Act relating to the rights of victims, guardians of victims, and close relatives of deceased victims in the criminal justice system.

Representative Goldman moved to postpone consideration of **SB 409** until 4:30 p.m. today.

The motion prevailed.

**SB 478 ON SECOND READING**  
**(K. King - House Sponsor)**

**SB 478**, A bill to be entitled An Act relating to the administration of the motorcycle operator training and safety program and requirements for the issuance of certain driver's licenses and commercial driver's licenses; requiring an occupational license; authorizing a fee.

**SB 478** was passed to third reading.

**SB 224 ON SECOND READING**  
**(Leach, Hull, Oliverson, Goldman, Walle, et al. - House Sponsors)**

**SB 224**, A bill to be entitled An Act relating to catalytic converters, including criminal conduct involving catalytic converters; providing an administrative penalty; creating a criminal offense; increasing a criminal penalty; increasing a fee.

Representative Goldman moved to postpone consideration of **SB 224** until 4:30 p.m. today.

The motion prevailed.

**SB 62 ON SECOND READING**  
**(Guillen - House Sponsor)**

**SB 62**, A bill to be entitled An Act relating to posting certain documents and information related to certain real property sales on a county's Internet website.

**SB 62** was passed to third reading.

**SB 1300 ON SECOND READING**  
**(S. Thompson - House Sponsor)**

**SB 1300**, A bill to be entitled An Act relating to the disposition and removal of a decedent's remains.

**SB 1300** was passed to third reading.

**SB 1246 ON SECOND READING**  
**(Bonnen - House Sponsor)**

**SB 1246**, A bill to be entitled An Act relating to authorized investments of public money by certain governmental entities and the confidentiality of certain information related to those investments.

**Amendment No. 1**

Representative Bonnen offered the following amendment to **SB 1246**:

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

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

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

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

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

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

Amendment No. 1 was adopted.

A record vote was requested.

**SB 1246**, as amended, was passed to third reading by (Record 1693): 132 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Bryant; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hefner; Hernandez; Herrero; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; 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, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thierry; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Bucy; Hinojosa; Johnson, J.D.; Jones, V.; Morales, C.; Ramos; Rosenthal; Talarico; Thompson, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Bhojani; Garcia; Hayes.

**STATEMENTS OF VOTE**

When Record No. 1693 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1693 was taken, I was shown voting no. I intended to vote yes.

Bucy

When Record No. 1693 was taken, I was in the house but away from my desk. I would have voted yes.

Hayes

**SB 1245 ON SECOND READING  
(Bonnen - House Sponsor)**

**SB 1245**, A bill to be entitled An Act relating to contributions to, benefits from, and the administration of the Judicial Retirement System of Texas Plan Two.

Representative Bonnen moved to postpone consideration of **SB 1245** until 10 a.m. Wednesday, May 17.

The motion prevailed.

**SB 1237 ON SECOND READING  
(Geren - House Sponsor)**

**SB 1237**, A bill to be entitled An Act relating to compensation and leave for certain security officers or investigators commissioned as peace officers by the comptroller.

**SB 1237** was passed to third reading.

**SB 1213 ON SECOND READING  
(Goldman - House Sponsor)**

**SB 1213**, A bill to be entitled An Act relating to the establishment of the Mold Assessment and Remediation Advisory Board under the Texas Department of Licensing and Regulation.

A record vote was requested.

**SB 1213** was passed to third reading by (Record 1694): 119 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; 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; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Orr; Ortega; Patterson; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Shine; Smith; Smithee; Stucky; Swanson; Talarico; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Cain; Canales; Cook; Dorazio; Harrison; Hayes; Isaac; Leo-Wilson; Noble; Paul; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Spiller; Tepper; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

### STATEMENTS OF VOTE

When Record No. 1694 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1694 was taken, I was shown voting yes. I intended to vote no.

Patterson

### SB 2032 ON SECOND READING (Buckley - House Sponsor)

**SB 2032**, A bill to be entitled An Act relating to adult high school charter school programs.

A record vote was requested.

**SB 2032** was passed to third reading by (Record 1695): 143 Yeas, 1 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; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; 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.; Kitman; 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; Neave Criado; Noble; Oliverson; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith;

Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Ramos.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

### STATEMENT OF VOTE

When Record No. 1695 was taken, I was shown voting no. I intended to vote yes.

Ramos

### SB 2173 ON SECOND READING (Dean - House Sponsor)

**SB 2173**, A bill to be entitled An Act relating to a pilot program for the safe disposal of prescription drugs, including controlled substance prescription drugs.

A record vote was requested.

**SB 2173** was passed to third reading by (Record 1696): 112 Yeas, 32 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Darby; Davis; Dean; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; 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; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shine; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Thierry; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Bumgarner; Cain; Cook; Craddick; Cunningham; DeAyala; Gerdes; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Isaac; Leo-Wilson; Orr; Patterson; Paul; Schaefer; Schatzline; Shaheen; Slawson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

**STATEMENT OF VOTE**

When Record No. 1696 was taken, I was shown voting yes. I intended to vote no.

Kuempel

**SB 1602 ON SECOND READING**

**(Cain, Vasut, Schofield, Smith, E. Thompson, et al. - House Sponsors)**

**SB 1602**, A bill to be entitled An Act relating to venue and choice of law for certain actions involving censorship by social media platforms.

**SB 1602 - REMARKS**

REPRESENTATIVE WU: Representative Cain, I know this is a seemingly very simple bill. Let me try to summarize it and then you tell me if I'm right or wrong. So last session we passed some legislation that would allow people to have a right of action against social media companies, is that correct?

REPRESENTATIVE CAIN: That's correct.

WU: And notwithstanding that, whenever you create a profile with a social media company, most of us—99.99 percent of social media platforms have an agreement or contract that the users sign, correct?

CAIN: A user agreement, that's correct.

WU: And we would consider those contracts. Those are written agreements that in exchange for allowing a user to use a platform, the user then agrees to the terms of the usage.

CAIN: It is a contract.

WU: Okay. So this piece of legislation would override existing contracts and say even if your contract with the social media platform says venue—because we're a Delaware company, venue is in Delaware.

CAIN: That could be your interpretation of it.

WU: I'm sorry?

CAIN: The purpose of this is to ensure that the cause of action for the venue is held in Texas.

WU: I'm just trying to figure out how this bill is going to work. If I, let's say, joined Twitter in 2011 and I signed a user agreement that said the venue for any litigation is Delaware because we're a Delaware company, this legislation would override that. Correct?

CAIN: Yes. It's similar to other legislation that we do where companies, maybe insurance companies, say that you've got to have venue here and we come in with legislation very similar to this and say that the venue's got to be in Texas.

WU: Okay. I just want to be clear that the statute that you're sponsoring—if someone had signed a contract prior to the enactment of this legislation, this legislation would override that contract?

CAIN: I suppose. But just to be clear that it only applies to the cause of action that is on or after the effective date of this bill.

WU: I see that. I see that's what it says in the bill analysis. But what it doesn't say is that it would also apply to an agreement that was entered into prior to the enactment date of this legislation.

CAIN: Okay.

WU: Is that true? Is that correct?

CAIN: If that's your interpretation. All I know is that this is applying to any of those user agreements for the purpose of venue for this particular cause of action. It does not displace venue issues for anything else.

WU: This is not a "gotcha" question. This is for the purposes of legislative intent. If someone says I agree to a contract, I signed a user agreement contract with a social media company, or whatever, and it occurred prior to the enactment date of this legislation—are you following me?

CAIN: Okay.

WU: You signed the contract, you agreed to the contract prior to the enactment date. Would this legislation, if it is signed into the law, would it go backwards in time and undo that provision of that contract?

CAIN: Look, I mean, the purpose of this is to clarify that cases brought by Texas users against social media companies that meet the threshold for **HB 20**—those companies under this new law, the proper venue would be here in Texas, so I assume so.

WU: Thank you for that answer, but that's not my question. The question is—you're talking about a cause of action and I'm talking about an agreement with a private company. Do you understand the difference?

CAIN: Yes.

WU: Okay. So I'm not talking about the cause of action when the cause of action accrues. I'm talking about when the contract was signed. Meaning—let's use my example. I signed up for Twitter in 2011. That's how far back my user agreement goes to, okay? And so my user agreement has been intact and has been in place since that time. If this bill passes law and—

CAIN: If your question is whether this would affect existing user agreements, the answer, I assume, would be yes. It would be one if you entered it today. I don't know why it wouldn't affect that.

WU: So it is your intent that if this legislation passes that it would override existing contracts?

CAIN: I think intent should be drawn from the words of the statute and the statute says exactly what it says. The venue provision is going to be in the State of Texas.

WU: The way I read this, as an attorney—the way I read this legislation is it would override existing known contracts. Is that fair?

CAIN: I suppose you could interpret it that way, but intent is derived from the unambiguous language here on the text of the bill.

WU: See that's why I'm asking you, not necessarily what the words of the legislation says, but asking for your intent and the intent of the senate author.

CAIN: I think legislative intent is not derived by the author, it's derived by the words on the page. So I'm letting you know that I don't think it's ambiguous here, and so it says exactly what it says. It would apply to a cause of action created on or after this date and the venue would be in the State of Texas.

WU: And that cause of action could potentially override a contract that existed prior to this legislation?

CAIN: This bill will ensure that venue is in the State of Texas for any cause of action that accrues on or after the effective date of this bill.

WU: Thank you, but that wasn't my question and I've asked it like three times now. Does this legislation have the potential to override the venue provisions of a contract that was entered into prior to this legislation?

CAIN: I think you've made clear that you think it may have that potential, Mr. Wu.

WU: Do you believe that?

CAIN: Look, you're asking me for my intent and I believe the intent's clear in the bill. That's how intent is derived.

WU: Now, see it's not clear from the bill because you've told me two different things on the mic.

CAIN: Okay.

WU: You've said well, you know, your intent is that no, that doesn't happen, but you said read the plain language of the bill. But the plain language of the bill says that it does.

CAIN: I'm not sure what you mean that I told you it didn't—wouldn't happen. I don't understand. What do you mean?

WU: I'm sorry?

CAIN: Where I told you something wouldn't happen. I'm not sure what you're saying.

WU: You're telling me that it cannot happen. You're telling me that it is not the intent of this legislation to undo provisions in a contract that were entered into prior to this legislation's enactment.

CAIN: I'm not sure if, after you were to review the journal, that I said something so clearly. I believe intent is derived from the words on the page. And I've said that, you know, you've made it clear that you believe it's going to happen.

WU: Representative Cain, are you aware that the United States Constitution has a provision that says states shall enact no laws that impair the obligation of existing contracts?

CAIN: I am familiar with that language. It also exists in the Texas Constitution.

WU: It's also in the Texas Constitution, right?

CAIN: That's correct.

WU: So you have a piece of legislation that you're carrying now that, by your own words and the obvious plain language of what's in this text, that would override existing contracts.

CAIN: It's something the legislature does all the time and I don't believe it violates that provision so clearly that way. We interfere with contracts all the time and the courts don't believe that we're violating that.

### REMARKS ORDERED PRINTED

Representative Wu moved to print remarks between Representative Cain and Representative Wu on **SB 1602**.

The motion prevailed.

A record vote was requested.

**SB 1602** was passed to third reading by (Record 1697): 81 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Clardy; Cook; Cunningham; Darby; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Canales; Capriglione; Cole; Collier; Cortez; Craddick; Davis; Dean; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

### STATEMENTS OF VOTE

When Record No. 1697 was taken, I was shown voting no. I intended to vote yes.

Craddick

When Record No. 1697 was taken, I was shown voting no. I intended to vote yes.

Dean

(C.J. Harris in the chair)

**SB 1429 ON SECOND READING  
(Herrero - House Sponsor)**

**SB 1429**, A bill to be entitled An Act relating to the use of standardized examinations by a school of nursing or educational program.

**SB 1429** was passed to third reading.

**SB 1444 ON SECOND READING  
(Bucy - House Sponsor)**

**SB 1444**, A bill to be entitled An Act relating to the public retirement systems for employees of certain municipalities.

A record vote was requested.

**SB 1444** was passed to third reading by (Record 1698): 130 Yeas, 12 Nays, 2 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; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; 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; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Shine; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Harrison; Isaac; Leo-Wilson; Patterson; Schaefer; Schatzline; Shaheen; Slawson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Schofield.

**STATEMENTS OF VOTE**

When Record No. 1698 was taken, I was shown voting yes. I intended to vote no.

C.E. Harris

When Record No. 1698 was taken, I was shown voting yes. I intended to vote no.

Swanson

When Record No. 1698 was taken, I was shown voting yes. I intended to vote no.

Wilson

**CSSB 944 ON SECOND READING  
(Lambert - House Sponsor)**

**CSSB 944**, A bill to be entitled An Act relating to the commitment order for individuals with intellectual disabilities who are committed to state supported living centers.

**CSSB 944** was passed to third reading.

**SB 780 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Frank moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 780** all joint authors and co-authors for **HB 2010** who sign on to **HB 2010** before **SB 780** passes the house on third reading.

The motion prevailed.

**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. 2).

**SB 780 ON SECOND READING  
(Hefner - House Sponsor)**

**SB 780**, A bill to be entitled An Act relating to emergency possession of certain abandoned children by designated emergency infant care providers.

**Amendment No. 1**

Representative Ramos offered the following amendment to **SB 780**:

Amend **SB 780** (house committee report) as follows:

- (1) On page 2, strike lines 10 through 12.
- (2) On page 2, strike lines 19 through 23 and substitute the following:  
by the child's parent by leaving the child with an employee of the provider; and
- (3) Strike SECTION 3 of the bill (page 2, line 26, through page 3, line 18) and renumber subsequent SECTIONS of the bill accordingly.

A record vote was requested.

Amendment No. 1 failed of adoption by (Record 1699): 63 Yeas, 75 Nays, 3 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Cole; Collier; Cortez; Darby; Davis; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Leo-Wilson; Longoria; Lopez, R.; Lozano; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Muñoz; Neave Criado; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Harris, C.E.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Lopez, J.; Lujan; Metcalf; Meyer; Noble; Oliverson; Orr; Patterson; Paul; Price; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C); Morales Shaw.

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Canales; Harless; Morrison; Raney.

#### STATEMENTS OF VOTE

When Record No. 1699 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 1699 was taken, I was shown voting yes. I intended to vote no.

Darby

When Record No. 1699 was taken, I was shown voting yes. I intended to vote no.

Leo-Wilson

A record vote was requested.

**SB 780** was passed to third reading by (Record 1700): 113 Yeas, 28 Nays, 2 Present, not voting.

Yeas — Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bhojani; Bonnen; Bowers; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Goldman; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Hernandez; Herrero; Holland; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Jones, J.; 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; Morales, E.; Neave Criado; Noble; Oliverson; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raymond; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Walle; Wilson; Wu.

Nays — Allen; Bernal; Bryant; Bucy; Canales; Collier; Flores; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hinojosa; Howard; Johnson, J.E.; Jones, V.; Meza; Moody; Morales, C.; Morales Shaw; Muñoz; Ramos; Reynolds; Talarico; Thierry; Thompson, S.; Vo; Zwiener.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Morrison; Raney.

### STATEMENTS OF VOTE

When Record No. 1700 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 1700 was taken, I was shown voting yes. I intended to vote no.

Manuel

### SB 745 ON SECOND READING (Noble - House Sponsor)

**SB 745**, A bill to be entitled An Act relating to fraud prevention under certain health care programs.

**SB 745** was passed to third reading.

### SB 1145 ON SECOND READING (Talarico, Button, Bernal, J.E. Johnson, and Goodwin - House Sponsors)

**SB 1145**, A bill to be entitled An Act relating to a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility.

A record vote was requested.

**SB 1145** was passed to third reading by (Record 1701): 71 Yeas, 69 Nays, 2 Present, not voting.

Yeas — Allen; Anchía; Bhojani; Bowers; Bryant; Bucy; Burrows; Button; Cole; Collier; Cortez; Davis; Dean; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, K.; King, T.; Lalani; Lambert; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza;

Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ortega; Perez; Plesa; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Shine; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Cain; Canales; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Kacal; Kitzman; Klick; Kuempel; Landgraf; Leach; Leo-Wilson; Metcalf; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Price; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Bernal; Hunter; Jetton.

#### STATEMENTS OF VOTE

When Record No. 1701 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1701 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1701 was taken, I was in the house but away from my desk. I would have voted no.

Jetton

When Record No. 1701 was taken, I was shown voting yes. I intended to vote no.

K. King

When Record No. 1701 was taken, I was shown voting yes. I intended to vote no.

J. Lopez

#### SB 895 ON SECOND READING (Lambert and Ashby - House Sponsors)

**SB 895**, A bill to be entitled An Act relating to the regulation of money services businesses; creating a criminal offense; creating administrative penalties; authorizing the imposition of a fee.

A record vote was requested.

**SB 895** was passed to third reading by (Record 1702): 118 Yeas, 24 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hayes; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shine; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Cain; Canales; Dorazio; Gates; Harris, C.E.; Harrison; Hefner; Isaac; Leo-Wilson; Metcalf; Patterson; Ramos; Schaefer; Schatzline; Shaheen; Slawson; Swanson; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Jetton.

#### STATEMENT OF VOTE

When Record No. 1702 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

#### SB 922 ON SECOND READING

**(Orr, Rogers, Frazier, C.J. Harris, et al. - House Sponsors)**

**SB 922**, A bill to be entitled An Act relating to legislative leave for certain peace officers commissioned by the Parks and Wildlife Department.

**SB 922** was passed to third reading.

#### SB 224 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Guillen moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representatives Cunningham and Wu as house sponsors to **SB 224**.

The motion prevailed.

#### SB 1725 ON SECOND READING (Leo-Wilson - House Sponsor)

**SB 1725**, A bill to be entitled An Act relating to the expunction of certain convictions or arrests of a minor for certain alcohol-related offenses.

**SB 1725** was passed to third reading.

**SB 1768 ON SECOND READING**  
**(Bryant - House Sponsor)**

**SB 1768**, A bill to be entitled An Act relating to the correction or removal of certain obsolete provisions of the Property Code.

**SB 1768** was passed to third reading.

**RESOLUTIONS CALENDAR**

The chair laid before the house the following resolutions on committee report:

**SCR 2**  
**(Canales - House Sponsor)**

**SCR 2**, Extending the duty of the comptroller of public accounts under Section 7-c, Article VIII, Texas Constitution, to deposit certain tax revenue to the state highway fund.

Representative Canales moved to postpone consideration of **SCR 2** until 12 p.m. Wednesday, May 17.

The motion prevailed.

(Speaker in the chair)

**POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

**SB 409 ON SECOND READING**  
**(Leach, et al. - House Sponsors)**

**SB 409**, A bill to be entitled An Act relating to the rights of victims, guardians of victims, and close relatives of deceased victims in the criminal justice system.

**SB 409** was read second time earlier today and was postponed until this time.

**Amendment No. 1**

Representatives S. Thompson and Davis offered the following amendment to **SB 409**:

Amend **SB 409** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Article 56A.051, Code of Criminal Procedure, is amended by adding Subsections (d), (e), (f), and (g) to read as follows:

(d) A victim, guardian of a victim, or close relative of a deceased victim may assert and seek enforcement of any right granted by this subchapter, either orally or in writing.

(e) The attorney representing the state or an attorney representing a victim, guardian of a victim, or close relative of a deceased victim may assert a right granted by this subchapter to the victim, guardian, or relative, or request

enforcement of the right, by filing a motion, petition for a writ of mandamus, or action for injunctive or declaratory relief in a trial or appellate court with jurisdiction over the case.

(f) If the court determines, after a hearing at which all parties have an opportunity to testify, that a right of a victim, guardian of a victim, or close relative of a deceased victim has been violated, the court shall order that the victim, guardian, or relative be provided the right to which the victim, guardian, or relative was entitled.

(g) A remedy ordered under Subsection (f) may not change the:

- (1) verdict;
- (2) sentence imposed;
- (3) terms of an accepted plea bargain agreement; or
- (4) outcome of a parole hearing.

Amendment No. 1 was adopted.

**SB 409**, as amended, was passed to third reading.

### **SB 224 ON SECOND READING**

**(Leach, Hull, Oliverson, Goldman, Walle, et al. - House Sponsors)**

**SB 224**, A bill to be entitled An Act relating to catalytic converters, including criminal conduct involving catalytic converters; providing an administrative penalty; creating a criminal offense; increasing a criminal penalty; increasing a fee.

**SB 224** was read second time earlier today and was postponed until this time.

**SB 224** was passed to third reading.

### **HB 1706 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

Representative Perez called up with senate amendments for consideration at this time,

**HB 1706**, A bill to be entitled An Act relating to the right of an insured to enter into a contract with a public insurance adjuster.

Representative Perez moved to concur in the senate amendments to **HB 1706**.

The motion to concur in the senate amendments to **HB 1706** prevailed by (Record 1703): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bungarner; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Gervin-Hawkins; 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; Neave Criado; Noble; Oliverson; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Garcia.

### Senate Committee Substitute

**CSHB 1706**, A bill to be entitled An Act relating to the right of an insured to enter into a contract with a public insurance adjuster.

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

SECTION 1. Subchapter A, Chapter 4102, Insurance Code, is amended by adding Section 4102.007 to read as follows:

Sec. 4102.007. RIGHT TO CONTRACT WITH LICENSE HOLDER. (a) Notwithstanding Sections 4001.002 and 4102.002, this section applies to a commercial or residential property insurance policy issued by an insurer, including:

- (1) a capital stock insurance company;
- (2) a mutual insurance company;
- (3) a county mutual insurance company;
- (4) a Lloyd's plan;
- (5) a reciprocal or interinsurance exchange;
- (6) a farm mutual insurance company; and
- (7) an eligible surplus lines insurer if this state is the insured's home state as defined by Section 981.002.

(b) An insurance policy, including any endorsement, to which this section applies may not include a provision that prohibits an insured from contracting with a public insurance adjuster for services provided under this chapter.

(c) An insured is not required to enter into a contract described by Subsection (b).

SECTION 2. Section 4102.007, Insurance Code, as added by this Act, applies only to an insurance policy delivered, issued for delivery, or renewed on or after January 1, 2024.

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

### **HB 591 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

Representative Capriglione called up with senate amendments for consideration at this time,

**HB 591**, A bill to be entitled An Act relating to an exemption from the severance tax for gas produced from certain wells that is consumed on site and would otherwise have been lawfully vented or flared.

Representative Capriglione moved to concur in the senate amendments to **HB 591**.

The motion to concur in the senate amendments to **HB 591** prevailed by (Record 1704): 142 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; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Gervin-Hawkins; 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.; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Garcia; Morales Shaw.

#### STATEMENTS OF VOTE

When Record No. 1704 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 1704 was taken, I was shown voting yes. I intended to vote no.

Ramos

#### Senate Committee Substitute

**CSHB 591**, A bill to be entitled An Act relating to an exemption from the severance tax for gas produced from certain wells that is consumed near the well and would otherwise have been lawfully vented or flared.

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

SECTION 1. Subchapter B, Chapter 201, Tax Code, is amended by adding Section 201.061 to read as follows:

Sec. 201.061. EXEMPTION FOR GAS PRODUCED THAT WOULD OTHERWISE HAVE BEEN VENTED OR FLARED. (a) In this section:

(1) "Commission" means the Railroad Commission of Texas.

(2) "Qualifying well" means a well that:

(A) is connected to a pipeline on which pipeline takeaway capacity is not expected to meet the demand for gas produced from the well;

(B) is not connected to a pipeline and for which connection to a pipeline is technically or commercially unfeasible but is operated by a well operator who has contractually dedicated the well, the gas produced from the well, or the land or lease on which the well is located to a pipeline operator; or

(C) is not connected to a pipeline and is operated by a well operator who has not contractually dedicated the well, the gas produced from the well, or the land or lease on which the well is located to a pipeline operator.

(3) "Well operator" means the person responsible for the actual physical operation of an oil or gas well.

(b) Gas produced from a qualifying well that is consumed within 1,000 feet of the qualifying well and would otherwise have been lawfully vented or flared is not subject to the tax imposed by this chapter.

(c) A well operator and a pipeline operator, as applicable, may apply to the commission in the manner provided by Subsection (d), (e), or (f), as applicable, for certification that a well is a qualifying well.

(d) An application that relates to a well described by Subsection (a)(2)(A) must:

(1) include an attestation that pipeline takeaway capacity is not expected to meet the demand for gas produced from the well;

(2) be submitted jointly by the well operator and the pipeline operator;

and

(3) certify that the commission authorized gas from the well to be flared for at least 30 days during the year preceding the year in which the application is filed.

(e) An application that relates to a well described by Subsection (a)(2)(B) must:

(1) attest that:

(A) the well is not connected to a pipeline; and

(B) it is technically or commercially unfeasible to connect the well to a pipeline;

(2) be submitted jointly by the well operator and the pipeline operator;

and

(3) certify that the commission authorized gas from the well to be flared for at least 30 days during the year preceding the year in which the application is filed.

(f) An application that relates to a well described by Subsection (a)(2)(C) must:

(1) attest that the well:

(A) is not connected to a pipeline; and

(B) is operated by a well operator who has not contractually dedicated the well, the gas produced from the well, or the land or lease on which the well is located to a pipeline operator;

(2) be submitted by the well operator; and

(3) certify that the commission authorized gas from the well to be flared for at least 30 days during the year preceding the year in which the application is filed.

(g) The commission may require an applicant described by Subsection (c) to provide the commission with any information the commission determines is relevant to determining whether a well is a qualifying well. If the commission approves an application submitted under Subsection (c), the commission shall issue a certificate designating the well as a qualifying well. A certificate issued under this subsection expires one year after the date on which the commission issues the certificate.

(h) A well described by Subsection (a)(2)(A) for which the commission issues a certificate under Subsection (g) must use all available pipeline takeaway capacity before gas produced from the well may receive an exemption under this section.

(i) To qualify for the exemption provided by this section, the person responsible for paying the tax imposed by this chapter must apply annually to the comptroller for the exemption. The application must contain the certificate issued by the commission under Subsection (g). The comptroller may require a person applying for the exemption to provide any additional information the comptroller determines is relevant to determining whether the gas is eligible for the exemption.

(j) The commission, well operator, or pipeline operator shall notify the comptroller in writing immediately if a well certified under this section is no longer a qualifying well.

(k) The commission and the comptroller may adopt rules necessary to implement and administer this section.

SECTION 2. The change in law made by this Act does not affect tax liability accruing before the effective date of this Act. That liability continues in effect as if this Act had not been enacted, and the former law is continued in effect for the collection of taxes due and for civil and criminal enforcement of the liability for those taxes.

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

### **HB 2899 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

Representative Plesa called up with senate amendments for consideration at this time,

**HB 2899**, A bill to be entitled An Act relating to the impoundment of a vehicle used in the commission of the offense of racing on a highway.

Representative Plesa moved to concur in the senate amendments to **HB 2899**.

The motion to concur in the senate amendments to **HB 2899** prevailed by (Record 1705): 115 Yeas, 27 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hayes; Hernandez; Herrero; Holland; Howard; Hull; Hunter; 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; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shine; Smith; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Wu; Zwiener.

Nays — Bell, C.; Bumgarner; Cain; Canales; DeAyala; Goldman; Harris, C.J.; Harrison; Hefner; Hinojosa; Isaac; Metcalf; Patterson; Schaefer; Schatzline; Shaheen; Slawson; Smithee; Spiller; Stucky; Swanson; Tinderholt; Toth; Troxclair; Vasut; Walle; Wilson.

Present, not voting — Mr. Speaker(C); Leo-Wilson.

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Garcia.

### STATEMENTS OF VOTE

When Record No. 1705 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1705 was taken, I was shown voting present, not voting. I intended to vote no.

Leo-Wilson

### Senate Committee Substitute

**CSHB 2899**, A bill to be entitled An Act relating to the impoundment of a vehicle used in the commission of the offense of racing on a highway or in the commission of certain criminal conduct involving a reckless driving exhibition.

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

SECTION 1. Section 42.03, Penal Code, is amended by adding Subsection (g) to read as follows:

(g) A peace officer shall require a vehicle used in the commission of an offense punishable under Subsection (d) or (e) to be taken to the nearest licensed storage facility unless the vehicle is seized as evidence, in which case the vehicle may be taken to a storage facility as designated by the peace officer involved. Notwithstanding Article 18.23, Code of Criminal Procedure, the owner of a

vehicle that is removed or stored under this subsection is liable for all removal and storage fees incurred and is not entitled to take possession of the vehicle until those fees are paid.

SECTION 2. Section 545.420(i), Transportation Code, is amended to read as follows:

(i) ~~[This subsection applies only to a motor vehicle used in the commission of an offense under this section that results in an accident with property damage or personal injury.]~~ A peace officer shall require a ~~[the]~~ vehicle used in the commission of an offense under Subsection (a) to be taken to the nearest licensed vehicle storage facility unless the vehicle is seized as evidence, in which case the vehicle may be taken to a storage facility as designated by the peace officer involved. Notwithstanding Article 18.23, Code of Criminal Procedure, the owner of a ~~[motor]~~ vehicle that is removed or stored under this subsection is liable for all removal and storage fees incurred and is not entitled to take possession of the vehicle until those fees are paid.

SECTION 3. The changes in law made by this Act apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

### **Senate Amendment No. 1 (Senate Floor Amendment No. 1)**

Amend **CSHB 2899** (senate committee report) as follows:

(1) Strike SECTION 1 of the bill, adding Section 42.03(g), Penal Code (page 1, lines 23-34).

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

SECTION \_\_\_\_\_. The heading to Section 545.420, Transportation Code, is amended to read as follows:

Sec. 545.420. RACING ON HIGHWAY; IMPOUNDMENT OF A VEHICLE.

(3) In SECTION 2 of the bill, in amended Section 545.420(i), Transportation Code (page 1, line 41), between "Subsection (a)" and "to be taken", insert "or an offense punishable under Section 42.03(d) or (e), Penal Code,".

(4) Renumber the remaining SECTIONS of the bill accordingly.

### **HB 4 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED**

Representative Capriglione called up with senate amendments for consideration at this time,

**HB 4**, A bill to be entitled An Act relating to the regulation of the collection, use, processing, and treatment of consumers' personal data by certain business entities; imposing a civil penalty.

Representative Capriglione moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 4**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 4**: Capriglione, chair; Burrows, Button, Longoria, and Meyer.

### **HB 2209 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

Representative Lozano called up with senate amendments for consideration at this time,

**HB 2209**, A bill to be entitled An Act relating to establishing the Rural Pathway Excellence Partnership (R-PEP) program and creating an allotment and outcomes bonus under the Foundation School Program to support the program.

Representative Lozano moved to concur in the senate amendments to **HB 2209**.

The motion to concur in the senate amendments to **HB 2209** prevailed by (Record 1706): 120 Yeas, 23 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; 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; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shaheen; Shine; Smith; Smithee; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bumgarner; Cain; Canales; Goldman; Harris, C.J.; Harrison; Hayes; Hefner; Isaac; Leo-Wilson; Metcalf; Patterson; Paul; Schaefer; Schatzline; Slawson; Spiller; Swanson; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Garcia.

## STATEMENT OF VOTE

When Record No. 1706 was taken, I was shown voting yes. I intended to vote no.

Holland

### Senate Committee Substitute

**CSHB 2209**, A bill to be entitled An Act relating to establishing the Rural Pathway Excellence Partnership (R-PEP) program and creating an allotment and outcomes bonus under the Foundation School Program to support the program.

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

SECTION 1. Subchapter Z, Chapter 29, Education Code, is amended by adding Section 29.912 to read as follows:

Sec. 29.912. RURAL PATHWAY EXCELLENCE PARTNERSHIP (R-PEP) PROGRAM. (a) In this section, "program" means the Rural Pathway Excellence Partnership (R-PEP) program.

(b) The commissioner shall establish and administer the Rural Pathway Excellence Partnership (R-PEP) program to incentivize and support multidistrict, cross-sector, rural college and career pathway partnerships that expand opportunities for underserved students to succeed in school and life while promoting economic development in rural areas.

(c) The program must enable an eligible school district that has fewer than 1,600 students in average daily attendance to partner with at least one other school district located within a distance of 100 miles to offer a broader array of robust college and career pathways. Each partnership must:

(1) offer college and career pathways that align with regional labor market projections for high-wage, high-demand careers; and

(2) be managed by a coordinating entity that:

(A) has or will have at the time students are served under the partnership the capacity to effectively coordinate the partnership;

(B) has entered into a performance agreement approved by the board of trustees of each partnering school district that confers on the coordinating entity the same authority with respect to pathways offered under the partnership provided to an entity that contracts to operate a district campus under Section 11.174;

(C) is an eligible entity as defined by Section 12.101(a); and

(D) has on the entity's governing board as either voting or ex officio members, or has on an advisory body, representatives of each partnering school district and members of regional higher education and workforce organizations.

(d) The performance agreement described by Subsection (c)(2)(B) must:

(1) include ambitious and measurable performance goals and progress measures tied to current college, career, and military readiness outcomes and longitudinal postsecondary completion and employment-related outcomes;

(2) allocate responsibilities for accessing and managing progress and outcome information and annually publish that information on the Internet website of each partnering district and the coordinating entity;

(3) authorize the coordinating entity to optimize the value of each college and career pathway offered through the partnership by:

(A) determining scheduling;

(B) adding or removing a pathway;

(C) selecting and assigning pathway-specific personnel;

(D) developing and exercising final approval of pathway budgets, which must include at least 80 percent of the state and local funding to which each partnering school district is entitled under Chapter 48, including an allotment under Section 48.106 or 48.118 and an outcome bonus under Section 48.110 or 48.118; and

(E) determining any other matter critical to the efficacy of the pathways; and

(4) provide that any eligible student enrolled in a partnering school district may participate in a college or career pathway offered through the partnership.

(e) An employee of a coordinating entity that manages a partnership under the program is eligible for membership in and benefits from the Teacher Retirement System of Texas if the employee would be eligible for membership and benefits by holding a similar position at a partnering school district. An employee is eligible for membership under this subsection if a partnership would be authorized to participate in the program, as determined by the commissioner, but for the maximum expenditure established in Section 48.118(f).

(f) A student enrolled in a college or career pathway offered through a partnership under the program is not considered for accountability purposes under Chapter 39 to have dropped out of high school or failed to complete the curriculum requirements for high school graduation until the sixth anniversary of the student's first day in high school.

(g) A school district proposing to enter into a performance agreement under this section shall notify the commissioner of the district's intent to enter into the agreement. The commissioner shall establish procedures for a district to notify the commissioner, including establishing the period within which notification is required before the school year in which the proposed agreement would take effect, and to provide any additional information required by the commissioner.

(h) In authorizing partnerships to participate in the program, the commissioner shall give priority to partnerships in which participating districts contract with a coordinating entity that has at least two years' experience or employs an executive officer with at least two years' experience managing college and career pathways under a performance contract.

(i) Not later than the 60th day after the date the commissioner receives notification of a proposed agreement and all other information required by the commissioner, the commissioner shall notify the school districts whether the proposed performance agreement is approved and the partnering districts are authorized for participation in the program.

(j) The commissioner shall make grants available for use by a coordinating entity for a two-year period to assist with costs associated with the planning, development, establishment, or expansion, as applicable, of partnerships under

the program using a portion of state funds allocated under Section 48.118 as well as money appropriated for that purpose, federal funds, and any other funds available. The commissioner may award a grant only to a coordinating entity that has entered into a performance agreement approved under Subsection (i) or, if in the planning stage, has entered into a memorandum of understanding to enter into a performance agreement, unless the source of funds does not permit a grant to the coordinating entity, in which case the grant shall be made to a participating school district acting as fiscal agent. Eligible use of grant funds shall include planning, development, establishment, or expansion of partnerships under the program. The commissioner may use not more than 15 percent of the money allocated for the grants to cover the cost of administering grants awarded under the program and to provide technical assistance and support to partnerships under the program.

(k) The commissioner shall adopt rules as necessary to implement this section, including rules establishing:

(1) requirements of a performance agreement between participating districts and the coordinating entity;

(2) the period during which a partnership under the program may operate after receiving commissioner approval and before a renewal of commissioner authorization is required; and

(3) performance standards for a renewal of commissioner authorization to participate in the program.

(l) This section does not prohibit an agreement between a school district and another entity for the provision of services at a district campus.

(m) The commissioner may accept gifts, grants, and donations from any source, including private and nonprofit organizations, for the program. A private or nonprofit organization that contributes to the program may receive an award under Section 7.113.

SECTION 2. Subchapter C, Chapter 48, Education Code, is amended by adding Section 48.118 to read as follows:

Sec. 48.118. RURAL PATHWAY EXCELLENCE PARTNERSHIP (R-PEP) ALLOTMENT AND OUTCOMES BONUS. (a) For each full-time equivalent student in average daily attendance in grades 9 through 12 in a college or career pathway offered through a partnership under the Rural Pathway Excellence Partnership (R-PEP) program under Section 29.912, a school district is entitled to an allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by:

(1) 1.15 if the student is educationally disadvantaged; or

(2) 1.11 if the student is not educationally disadvantaged.

(b) Each year, the commissioner shall determine for each school district the minimum number of annual graduates of a college or career pathway described by Subsection (a) in each cohort described by Section 48.110(b) who would have to obtain not later than five years after high school graduation a postsecondary credential of value, as determined by the Texas Higher Education Coordinating Board based on analyses of wages and costs associated with the credential,

including a degree, certificate, or other credential from credit and noncredit programs that equip students for continued learning and greater earnings in the state economy, in order for the district to qualify for an outcomes bonus under Subsection (c).

(c) In addition to the allotment under Subsection (a), for each annual graduate in a cohort described by Subsection (b) who obtains a postsecondary credential of value in excess of the minimum number of students determined for the applicable district cohort under Subsection (b), a school district is entitled to an annual outcomes bonus of:

(1) if the annual graduate is educationally disadvantaged, \$1,500;

(2) if the annual graduate is not educationally disadvantaged, \$750; and

(3) if the annual graduate is enrolled in a special education program under Subchapter A, Chapter 29, \$1,500, regardless of whether the annual graduate is educationally disadvantaged.

(d) A school district is entitled to an outcomes bonus under each subdivision in Subsection (c) for which an annual graduate qualifies.

(e) A school district may receive funding for a student under this section and any other section for which the student qualifies. At least 80 percent of funds allocated under this section must be spent as provided in the budget adopted by the board of the coordinating entity.

(f) The total amount of state funding for allotments and outcomes bonuses under this section may not exceed \$5 million per year.

SECTION 3. Section 29.912, Education Code, as added by this Act, applies beginning with the 2023-2024 school year.

SECTION 4. (a) Except as provided by Subsection (b) of this section, 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.

(b) Section 48.118, Education Code, as added by this Act, takes effect September 1, 2023.

### **Senate Amendment No. 1 (Senate Floor Amendment No. 1)**

Amend **CSHB 2209** (senate committee report) as follows:

(1) In SECTION 1 of the bill, immediately following added Section 29.912(b), Education Code (page 1, between lines 39 and 40), insert the following appropriately lettered subsection:

( ) The commissioner shall ensure that agency employees assigned to administer the program have experience with or training in the procedures relating to a school district contracting to partner to operate a district campus under Section 11.174.

(2) In SECTION 1 of the bill, in added Section 29.912(d)(3)(D), Education Code (page 2, lines 24 through 26), strike "Chapter 48, including an allotment under Section 48.106 or 48.118 and an outcome bonus under Section 48.110 or 48.118" and substitute "Sections 48.106, 48.110, and 48.118".

(3) In SECTION 2 of the bill, in added Section 48.118(f), Education Code (page 4, line 16), immediately following the underlined period, add the following:

If the total amount of allotments and outcomes bonuses to which school districts are entitled under this section exceeds the amount permitted under this subsection, the agency shall allocate state funding to districts under this section in the following order:

(1) allotments under Subsection (a) for which school districts participating in partnerships prioritized under Section 29.912(h) are eligible;

(2) allotments under Subsection (a) for which school districts that entered into a memorandum of understanding or letter of commitment regarding a multidistrict pathway partnership, as defined by commissioner rule, before May 1, 2023, are eligible;

(3) allotments under Subsection (a) for which school districts that have entered into a performance agreement under Section 29.912 with a coordinating entity that is an institution of higher education, as defined by Section 61.003, are eligible;

(4) allotments under Subsection (a) for which school districts with the highest percentage of students who are educationally disadvantaged, in descending order, are eligible; and

(5) outcomes bonuses under Subsection (c) for which school districts with the highest percentage of students who are educationally disadvantaged, in descending order, are eligible.

### **HB 1575 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

Representative Hull called up with senate amendments for consideration at this time,

**HB 1575**, A bill to be entitled An Act relating to improving health outcomes for pregnant women under Medicaid and certain other public benefits programs.

Representative Hull moved to concur in the senate amendments to **HB 1575**.

The motion to concur in the senate amendments to **HB 1575** prevailed by (Record 1707): 131 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddock; Cunningham; Darby; Davis; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; 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; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Paul; Perez; Plesa; Price;

Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Dean; Harris, C.J.; Harrison; Hayes; Hefner; Leo-Wilson; Patterson; Schaefer; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Garcia.

### STATEMENTS OF VOTE

When Record No. 1707 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1707 was taken, I was shown voting no. I intended to vote yes.

Vasut

### Senate Committee Substitute

**CSHB 1575**, A bill to be entitled An Act relating to improving health outcomes for pregnant women under Medicaid and certain other public benefits programs.

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

SECTION 1. It is the intent of the legislature to improve health outcomes for pregnant women and their children through the case management for children and pregnant women program. In recognizing that nonmedical factors impact health outcomes, this legislation, in part, authorizes Medicaid to provide case management services for nonmedical needs that will improve health outcomes for pregnant women and their children.

SECTION 2. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.024183 to read as follows:

Sec. 531.024183. STANDARDIZED SCREENING QUESTIONS FOR ASSESSING NONMEDICAL HEALTH-RELATED NEEDS OF CERTAIN PREGNANT WOMEN; INFORMED CONSENT. (a) In this section, "alternatives to abortion program" means the program established by the commission to enhance and increase resources that promote childbirth for women facing unplanned pregnancy, or a successor program.

(b) The commission shall adopt standardized screening questions designed to screen for, identify, and aggregate data regarding the nonmedical health-related needs of pregnant women eligible for benefits under a public benefits program administered by the commission or another health and human services agency, including:

(1) Medicaid; and

(2) the alternatives to abortion program.

(c) Subject to Subsection (d), the standardized screening questions must be used by Medicaid managed care organizations and providers participating in the alternatives to abortion program.

(d) A managed care organization or provider participating in a public benefits program described by Subsection (b), including the alternatives to abortion program, may not perform a screening of a pregnant woman using the standardized screening questions required by this section unless the organization or provider:

(1) informs the woman:

(A) about the type of data that will be collected during the screening and the purposes for which the data will be used; and

(B) that the collected data will become part of the woman's medical record or service plan; and

(2) obtains the woman's informed consent to perform the screening.

(e) A managed care organization or provider participating in a public benefits program described by Subsection (b), including the alternatives to abortion program, must provide to the commission, in the form and manner prescribed by the commission, data the organization or provider collects using the standardized screening questions required by this section.

(f) Not later than December 1 of each even-numbered year, the commission shall prepare and submit to the legislature a report that, using de-identified information, summarizes the data collected and provided to the commission under Subsection (e) during the previous biennium. In accordance with Section 531.014, the commission may consolidate the report required under this subsection with any other report to the legislature required under this chapter or another law that relates to the same subject matter.

SECTION 3. Chapter 531, Government Code, is amended by adding Subchapter Q to read as follows:

SUBCHAPTER Q. CASE MANAGEMENT SERVICES FOR CERTAIN  
PREGNANT WOMEN

Sec. 531.651. DEFINITIONS. In this subchapter:

(1) "Case management for children and pregnant women program" means the "children and pregnant women program," as defined by Section 533.002555.

(2) "Nonmedical health-related needs screening" means a screening performed using the standardized screening questions required under Section 531.024183.

(3) "Program services" means case management services provided under the case management for children and pregnant women program, including assistance provided to a Medicaid managed care organization in coordinating the provision of benefits to a recipient enrolled in the organization's managed care plan in a manner that is consistent with the recipient's plan of care.

Sec. 531.652. MEDICAID MANAGED CARE ORGANIZATION SERVICE COORDINATION BENEFITS NOT AFFECTED. The provision of program services to a recipient does not preempt or otherwise affect a Medicaid managed care organization's obligation to provide service coordination benefits to the recipient.

Sec. 531.653. CASE MANAGEMENT FOR CHILDREN AND PREGNANT WOMEN PROGRAM: PROVIDER QUALIFICATIONS. Program services may be provided only by a provider who completes the standardized case management training required by the commission under Section 531.654 and who is:

(1) an advanced practice nurse who holds a license, other than a provisional or temporary license, under Chapter 301, Occupations Code;

(2) a registered nurse who holds a license, other than a provisional or temporary license, under Chapter 301, Occupations Code, and:

(A) completed a baccalaureate degree program in nursing; or

(B) completed an associate degree program in nursing and has:

(i) at least two years of cumulative paid full-time work experience; or

(ii) at least two years of cumulative, supervised full-time educational internship or practicum experience obtained in the last 10 years that included assessing the psychosocial and health needs of and making community referrals of:

(a) children who are 21 years of age or younger; or

(b) pregnant women;

(3) a social worker who holds a license, other than a provisional or temporary license, under Chapter 505, Occupations Code, appropriate for the individual's practice, including the practice of independent social work;

(4) a community health worker as defined by Section 48.001, Health and Safety Code, who is certified by the Department of State Health Services; or

(5) a doula who is certified by a recognized national certification program, as determined by the commission, unless the doula qualifies as a certified community health worker under Subdivision (4).

Sec. 531.654. CASE MANAGEMENT FOR CHILDREN AND PREGNANT WOMEN PROGRAM: PROVIDER TRAINING. The commission shall require that each provider of program services complete training prescribed by the commission. The training must be trauma-informed and include instruction on:

(1) social services provided by this state and local governments in this state;

(2) community assistance programs, including programs providing:

(A) nutrition and housing assistance;

(B) counseling and parenting services;

(C) substance use disorder treatment; and

(D) domestic violence assistance and shelter;

(3) domestic violence and coercive control dynamics;

(4) methods for explaining and eliciting an eligible recipient's informed consent to receive:

(A) program services screening; and

(B) any services that may be offered as a result of the screening;

and

(5) procedures for:

(A) an eligible recipient to:

(i) decline program services screening; or

(ii) withdraw consent for offered services; and

(B) ensuring that the recipient is not subject to any retaliatory action for declining or discontinuing any screenings or services.

Sec. 531.655. INITIAL MEDICAL AND NONMEDICAL HEALTH-RELATED SCREENINGS OF CERTAIN RECIPIENTS. (a) A Medicaid managed care organization that provides health care services to a pregnant woman under the STAR Medicaid managed care program shall conduct an initial health needs screening and nonmedical health-related needs screening of each pregnant recipient to determine, regardless of whether the recipient is considered to have a high-risk pregnancy, if the recipient:

(1) is eligible for service coordination benefits to be provided by the managed care organization; or

(2) should be referred for program services.

(b) Service coordination benefits described by Subsection (a) must include identifying and coordinating the provision of non-covered services, community supports, and other resources the Medicaid managed care organization determines will improve the recipient's health outcomes.

(c) A Medicaid managed care organization must use the results of the screenings conducted under Subsection (a) to determine if a recipient requires a more comprehensive assessment for purposes of determining whether the recipient is eligible for service coordination benefits or program services.

Sec. 531.656. SCREENING AND PROGRAM SERVICES OPTIONAL. A Medicaid managed care organization providing screenings under Section 531.655 must inform each pregnant woman who is referred for program services or for whom screening is conducted under that section that:

(1) the woman has a right to decline the screening or services or choose to discontinue the screening or services at any time; and

(2) declining or discontinuing the screening or services will not result in retaliatory action against the woman in the provision of other services.

SECTION 4. Section 32.024, Human Resources Code, is amended by adding Subsections (pp) and (qq) to read as follows:

(pp) For purposes of enrollment as a provider and reimbursement under the medical assistance program, the commission shall establish a separate provider type for a community health worker who provides case management services under the case management for children and pregnant women program under Section 531.653(4), Government Code.

(qq) For purposes of enrollment as a provider and reimbursement under the medical assistance program, the commission shall establish a separate provider type for a doula who:

(1) is certified by a recognized national doula certification program approved by the commission; and

(2) provides case management services under the case management for children and pregnant women program under Section 531.653(5), Government Code.

SECTION 5. (a) In this section:

(1) "Case management for children and pregnant women program" has the meaning assigned by Section 531.651, Government Code, as added by this Act.

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

(b) Not later than December 1, 2024, the commission shall prepare and submit to the legislature a status report on the implementation of case management services provided to pregnant women under the case management for children and pregnant women program during the preceding fiscal year. The report must include de-identified information about:

(1) the nonmedical health-related needs of the women receiving case management services;

(2) the number and types of referrals made of women to nonmedical community assistance programs and providers; and

(3) the birth outcomes for the women.

SECTION 6. As soon as practicable after the effective date of this Act, the Health and Human Services Commission shall:

(1) develop the standardized screening questions as required by Section 531.024183, Government Code, as added by this Act; and

(2) revise the commission's standardized case management training for children and pregnant women program providers to comply with Section 531.654, Government Code, as added by this Act.

SECTION 7. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 8. This Act takes effect September 1, 2023.

## **HB 59 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

Representative Goodwin called up with senate amendments for consideration at this time,

**HB 59**, A bill to be entitled An Act relating to child water safety requirements for certain organizations; authorizing disciplinary action, including an administrative penalty.

Representative Goodwin moved to concur in the senate amendments to **HB 59**.

The motion to concur in the senate amendments to **HB 59** prevailed by (Record 1708): 104 Yeas, 39 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchiá; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Cunningham; Darby; Davis; DeAyala; Dorazio; Dutton; Flores; Frank; Gámez; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Lalani; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Shine; Talarico; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Cain; Craddick; Dean; Frazier; Gates; Gerdes; Goldman; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Isaac; Kitzman; Kuempel; Lambert; Landgraf; Leo-Wilson; Oliverson; Orr; Patterson; Paul; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Garcia.

### STATEMENTS OF VOTE

When Record No. 1708 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1708 was taken, I was shown voting no. I intended to vote yes.

Troxclair

### Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 59** (senate committee printing) in SECTION 2 of the bill, in added Section 341.0646, Health and Safety Code, as follows:

(1) In Subsection (b)(1) (page 1, line 42), strike "or".

(2) In Subsection (b)(2) (page 1, line 44), between "Code" and the underlined period, insert the following:

; or

(3) a residential boarding school that allows an employee, a family member of an employee, or a guest of an employee to use a body of water at the school for recreational purposes

(3) In Subsection (d)(1) (page 2, line 7), between "instruction" and the underlined semicolon, insert "or a competition".

(4) In Subsection (d)(2) (page 2, line 9), strike "is closely supervised during the instruction" and substitute "or a competition is closely supervised during the instruction or competition".

**HB 2777 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

Representative Holland called up with senate amendments for consideration at this time,

**HB 2777**, A bill to be entitled An Act relating to the contracting authority of the Parks and Wildlife Department.

Representative Holland moved to concur in the senate amendments to **HB 2777**.

The motion to concur in the senate amendments to **HB 2777** prevailed by (Record 1709): 140 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchiá; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Gervin-Hawkins; 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; Neave Criado; Noble; Oliverson; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Vasut.

Present, not voting — Mr. Speaker(C); Flores.

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Garcia.

**STATEMENTS OF VOTE**

When Record No. 1709 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 1709 was taken, I was shown voting present, not voting. I intended to vote yes.

Flores

When Record No. 1709 was taken, my vote failed to register. I would have voted yes.

Garcia

When Record No. 1709 was taken, I was shown voting no. I intended to vote yes.

Vasut

### Senate Committee Substitute

**CSHB 2777**, A bill to be entitled An Act relating to the contracting authority of the Parks and Wildlife Department.

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

SECTION 1. Section 11.0171, Parks and Wildlife Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) The executive director may negotiate with and award a contract for goods or services to any qualified vendor if the executive director:

(1) solicits bids for the goods or services through a competitive process in compliance with all applicable laws, including Chapters 2155, 2254, and 2269, Government Code, that fails to result in competitive responsive bids;

(2) makes a written determination that resoliciting bids for the goods or services would:

(A) be unlikely to result in responsive bids;

(B) increase costs to the department; or

(C) delay the ability of the department to address a critical need;

and

(3) determines that the vendor meets the requirements of the original solicitation.

(d) To the extent practicable, the executive director may combine the procurement of multiple goods or services into a single competitively bid contract to enhance the contract's attraction for potential vendors.

SECTION 2. Section 11.0171(c), Parks and Wildlife Code, as added by this Act, applies only to a contract for which bids are first solicited on or after the effective date of this Act. A contract for which bids are first solicited before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. 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.

### **HB 4018 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

Representative Ashby called up with senate amendments for consideration at this time,

**HB 4018**, A bill to be entitled An Act relating to the use of Parks and Wildlife Department land for carbon sequestration or similar ecosystem services projects.

Representative Ashby moved to concur in the senate amendments to **HB 4018**.

The motion to concur in the senate amendments to **HB 4018** prevailed by (Record 1710): 133 Yeas, 9 Nays, 2 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; Canales; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; 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; Neave Criado; Noble; Oliverson; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwienen.

Nays — Cain; Harrison; Hefner; Isaac; Patterson; Schaefer; Swanson; Tinderholt; Toth.

Present, not voting — Mr. Speaker(C); Capriglione.

Absent, Excused — Campos; Murr; Ordaz; Sherman.

Absent — Garcia.

#### STATEMENTS OF VOTE

When Record No. 1710 was taken, my vote failed to register. I would have voted yes.

Garcia

When Record No. 1710 was taken, I was shown voting yes. I intended to vote no.

Holland

#### Senate Committee Substitute

**CSHB 4018**, A bill to be entitled An Act relating to the use of Parks and Wildlife Department land for carbon sequestration or similar ecosystem services projects.

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

SECTION 1. Section 11.032(b), Parks and Wildlife Code, is amended to read as follows:

(b) The department shall deposit to the credit of the game, fish, and water safety account all revenue, less allowable costs, from the following sources:

- (1) all types of fishing licenses and stamps and shrimping licenses;
- (2) all types of hunting licenses and stamps;
- (3) trapping licenses and other licenses relating to the taking, propagation, and sale of fur-bearing animals or their pelts;
- (4) sale of marl, sand, gravel, shell, and mudshell;
- (5) oyster bed rentals and permits;
- (6) federal funds received for fish and wildlife research, management, development and conservation, resource protection, and law enforcement, unless the funds are received for the specific purposes of Subchapter F, Chapter 77;
- (7) sale of property, less advertising costs, purchased from this account or a special fund or account that is now part of this account;
- (8) fines and penalties collected for violations of a law pertaining to the protection and conservation of wild birds, wild fowl, wild animals, fish, shrimp, oysters, game birds and animals, fur-bearing animals, alligators, and any other wildlife resources of this state;
- (9) sale of rough fish by the department;
- (10) fees for importation permits;
- (11) fees from supplying fish for or placing fish in water located on private property;
- (12) sale of seized pelts;
- (13) sale or lease of grazing rights to and the products from game preserves, sanctuaries, and management areas;
- (14) contracts for the removal of fur-bearing animals and reptiles from wildlife management areas;
- (15) vessel registration fees;
- (16) vessel manufacturer or dealer licensing fees;
- (17) fines or penalties imposed by a court for violation of water safety laws contained in Chapter 31 of this code;
- (18) alligator hunter's or alligator buyer's licenses;
- (19) sale of alligators or any part of an alligator by the department;
- (20) fees and revenue collected under Section 11.027(b) or (c) of this code that are associated with the conservation of fish and wildlife;
- (21) fees related to cultivated oyster mariculture;
- (22) vessel and outboard motor titling fees;
- (23) participation fees collected under Section 43.976; ~~and~~
- (24) money received by the department from carbon sequestration or similar ecosystem services projects described by Section 11.302(b)(1); and
- (25) any other source provided by law.

SECTION 2. Section 11.035(b), Parks and Wildlife Code, is amended to read as follows:

(b) The department shall deposit to the credit of the state parks account all revenue, less allowable costs, received from the following sources:

- (1) grants or operation of concessions in state parks or fishing piers;
- (2) publications on state parks, state historic sites, or state scientific areas;
- (3) fines or penalties received from violations of regulations governing parks issued pursuant to Subchapter B, Chapter 13;
- (4) fees and revenue collected under Section 11.027(b) or (c) that are associated with state park lands;
- (5) credits made to the department under Section 151.801, Tax Code, in an amount not to exceed the amount of the tax proceeds allocated by the legislature to the account under Section 151.801(c-1), Tax Code, to be used only for the purposes provided by that section; ~~and~~
- (6) money received by the department from carbon sequestration or similar ecosystem services projects described by Section 11.302(b)(2); and
- (7) any other source provided by law.

SECTION 3. The heading to Subchapter L, Chapter 11, Parks and Wildlife Code, is amended to read as follows:

SUBCHAPTER L. ~~USE [GRANT OR LEASE]~~ OF DEPARTMENT LAND

SECTION 4. Subchapter L, Chapter 11, Parks and Wildlife Code, is amended by adding Section 11.302 to read as follows:

Sec. 11.302. CARBON SEQUESTRATION AND SIMILAR ECOSYSTEM SERVICES PROJECTS. (a) Except as otherwise provided by this subsection, the department may enter into an agreement with a public or private entity for the purpose of developing a nature-based carbon sequestration or similar ecosystem services project on department land. This subsection does not authorize the department to enter into an agreement to develop a carbon dioxide injection well on department land.

(b) Money received by the department from a carbon sequestration or similar ecosystem services project under this section shall be deposited:

(1) to the credit of the game, fish, and water safety account, if the project is located on land primarily used for game or fish conservation, protection, or management; and

(2) to the credit of the state parks account, if the project is located on land primarily used for parks, recreation, or historic sites.

SECTION 5. This Act takes effect September 1, 2023.

**SB 500 - CONFERENCE COMMITTEE REPORT ADOPTED**

Representative S. Thompson submitted the conference committee report on **SB 500**.

Representative S. Thompson moved to adopt the conference committee report on **SB 500**.

The motion to adopt the conference committee report on **SB 500** prevailed by (Record 1711): 123 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez;

Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.J.; Harrison; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; 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; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shine; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Cain; Harris, C.E.; Hayes; Hefner; Isaac; Leo-Wilson; Metcalf; Oliverson; Patterson; Paul; Schaefer; Schatzline; Shaheen; Slawson; Smith; Swanson; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

### STATEMENT OF VOTE

When Record No. 1711 was taken, I was shown voting yes. I intended to vote no.

Holland

### HR 1734 - ADOPTED (by Ashby)

The following privileged resolution was laid before the house:

#### HR 1734

BE IT RESOLVED by the House of Representatives of the State of Texas, 88th Legislature, Regular Session, 2023, That House Rule 13, Section 9(a), be suspended in part as provided by House Rule 13, Section 9(f), to enable the conference committee appointed to resolve the differences on **SB 1238** (broadband development) to consider and take action on the following matter:

House Rule 13, Section 9(a)(4), is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 6 of the bill, by amending Section 490I.0110(i), Government Code, to read as follows:

(i) A person who is professionally affiliated with a person serving as a member of the board of advisors is not eligible for funding from the broadband development program under Section 490I.0106 if the member is involved in decisions regarding the award of grants, loans, or other financial incentives under that section.

Explanation: The added text would ensure that a person is ineligible for funding under Section 490I.0110(i), Government Code, only if the person is professionally affiliated with a member of the broadband development office board of advisors who is involved in decisions regarding the award of grants, loans, or other financial incentives.

**HR 1734** was adopted by (Record 1712): 134 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchiá; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bungarner; Burns; Burrows; Button; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; 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; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Cain; Harrison; Isaac; Leo-Wilson; Patterson; Slawson; Swanson; Tinderholt; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

### **SB 1238 - CONFERENCE COMMITTEE REPORT ADOPTED**

Representative Ashby submitted the conference committee report on **SB 1238**.

Representative Ashby moved to adopt the conference committee report on **SB 1238**.

The motion to adopt the conference committee report on **SB 1238** prevailed by (Record 1713): 131 Yeas, 13 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchiá; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bungarner; Burns; Burrows; Button; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; 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; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shaheen; Shine; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Cain; Harrison; Hayes; Isaac; Leo-Wilson; Patterson; Schaefer; Schatzline; Slawson; Swanson; Tinderholt; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Murr; Ordaz; Sherman.

### **SB 763 - REQUEST OF SENATE GRANTED CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Hefner, the house granted the request of the senate for the appointment of a Conference Committee on **SB 763**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 763**: Hefner, chair; C.J. Harris, E. Morales, Shine, and Talarico.

### **SB 1500 - REQUEST OF SENATE GRANTED CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Canales, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1500**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1500**: Canales, chair; Cain, Gámez, Kuempel, and Lozano.

### **BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1, 2, and 3.)

### **ADJOURNMENT**

Representative Herrero moved that the house adjourn until 10 a.m. tomorrow in memory of Peaches Charles, Angela Arnell Charles, and Beatrice Smith of La Marque.

The motion prevailed.

The house accordingly, at 4:58 p.m., adjourned until 10 a.m. tomorrow.

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**ADDENDUM**

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**REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

**List No. 1**

**HCR 113** (By Vasut), Commemorating the dedication of the Battle of Velasco Memorial Monument.

To Resolutions Calendars.

**HCR 114** (By Vasut), In memory of Arch Hartwell Aplin Jr.

To Resolutions Calendars.

**HR 1610** (By Frazier), Congratulating Cameron James Atkins on his graduation from the Abilene Police Academy.

To Resolutions Calendars.

**HR 1611** (By Sherman), Commending the legislative interns of State Representative Carl Sherman for their service during the 88th Legislative Session.

To Resolutions Calendars.

**HR 1612** (By Davis), Congratulating Dwayne G. Bishop on his receipt of a 2023 Outstanding Texan Award from the Texas Legislative Black Caucus.

To Resolutions Calendars.

**HR 1613** (By Longoria), Congratulating Genyva Salas Monjaras on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1614** (By Longoria), Congratulating Juan Navarro Jr. on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1615** (By Longoria), Congratulating Anna Marie Sanchez Varela on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1616** (By Longoria), Congratulating Anikka Garza on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1617** (By Longoria), Congratulating Isaac Vidaurri on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1618** (By Longoria), Congratulating Krystalina Vallejo on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1619** (By Longoria), Congratulating Aldo Solis on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1620** (By Longoria), Congratulating Efrain Solis on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1621** (By Longoria), Congratulating Adrian Solis on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1622** (By Longoria), Congratulating Oscar Solis on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1623** (By Longoria), Congratulating Lonnie Gonzalez of Los Badd Boyz del Valle on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1624** (By Longoria), Congratulating Carlos Gonzalez of Los Badd Boyz del Valle on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1625** (By Longoria), Congratulating Lucky Joe on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1626** (By Longoria), Congratulating Shane Ruiz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1627** (By Longoria), Congratulating Norfilia Layton Gonzalez on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1628** (By Longoria), Congratulating Oscar Layton Gonzalez on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1629** (By Longoria), Congratulating Rene Layton of Los Hermanos Layton on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1630** (By Longoria), Congratulating Tony Layton of Los Hermanos Layton on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1631** (By Longoria), Congratulating Benny Layton of Los Hermanos Layton on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1632** (By Longoria), Congratulating Javier Gonzalez of the Delta Boyz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1633** (By Longoria), Congratulating Jaime Gonzalez of the Delta Boyz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1634** (By Longoria), Congratulating Eddie Gonzalez of the Delta Boyz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1635** (By Longoria), Congratulating Arturo Alviar III of the Delta Boyz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1636** (By Longoria), Congratulating Victor H. De La Cruz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1637** (By Longoria), Congratulating Roberto Pulido on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1638** (By Longoria), Congratulating Arturo Alviar Jr. on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1640** (By Longoria), Congratulating Rosendo Beltran on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1641** (By Longoria), Congratulating David Vidaurri on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1642** (By Longoria), Congratulating Eddie Gonzalez on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1643** (By Longoria), Congratulating Epi Martinez on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1644** (By Longoria), Congratulating Cruz Martinez on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1645** (By Longoria), Congratulating Benjamin Varela on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1646** (By Longoria), Congratulating Dino Cavasos on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1647** (By Longoria), Congratulating Delvis Cortez on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1648** (By Longoria), Congratulating Danny Molina on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1649** (By Longoria), Congratulating Roel Flores on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1650** (By Longoria), Congratulating Wilfredo Contreras on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1651** (By Longoria), Congratulating Alejandro Mascorro Sr. on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1652** (By Longoria), Congratulating Violanda Mascorro on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1653** (By Meza), Commemorating Matthew McCoy for his service as a legislative intern in the office of State Representative Terry Meza.

To Resolutions Calendars.

**HR 1654** (By Longoria), Congratulating Lupe Saenz Jr. on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1655** (By Longoria), Congratulating Juan Colle on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1656** (By Longoria), Congratulating Veronica Solis on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1657** (By Longoria), Congratulating Rocky Beltran on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1658** (By Longoria), Congratulating Gilbert Gonzalez on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1659** (By Longoria), Congratulating Jimmy Jack Lawrence on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1660** (By Longoria), Congratulating Miguel Tinajero on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1661** (By Longoria), Congratulating Kerry Ybarra of the Valley Boyz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1662** (By Herrero), Recognizing Padre Island National Seashore on being named a top travel destination by The Independent.

To Resolutions Calendars.

**HR 1663** (By Longoria), Congratulating Kevin Ybarra of the Valley Boyz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1664** (By Longoria), Congratulating Anthony Ybarra of the Valley Boyz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1665** (By Longoria), Congratulating Omar Garcia on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1666** (By Longoria), Congratulating Felix Aleman on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1667** (By Longoria), Congratulating Esteban Jordan on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1668** (By Longoria), Congratulating Carlos Arispe on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1669** (By Longoria), Congratulating Isaac Riojas on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1670** (By Longoria), Congratulating Noe Hernandez on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1671** (By Longoria), Congratulating Gilberto Hernandez on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1672** (By Longoria), Congratulating Alex Comminos on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1673** (By Longoria), Congratulating Billy Gonzalez on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1674** (By Longoria), Congratulating Javiel Ruiz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1675** (By Longoria), Congratulating Randy Villarreal on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1676** (By Longoria), Commemorating the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**HR 1677** (By Hinojosa), Congratulating Austin Public access television on its 50th anniversary.

To Resolutions Calendars.

**HR 1678** (By Davis), Recognizing May 2023 as Older Americans Month.

To Resolutions Calendars.

**HR 1679** (By Kacal, Ashby, Raney, and Harless), In memory of Fred Arthur Henson of Madisonville.

To Resolutions Calendars.

**HR 1681** (By Davis), Congratulating Dr. Terre Quinn of Allen on being named Ms. Texas Senior America 2023.

To Resolutions Calendars.

**HR 1682** (By Davis), Commemorating the 150th anniversary of New Hope Baptist Church in Dallas.

To Resolutions Calendars.

**HR 1683** (By Vasut), In memory of Angela Kay Johnston of Lake Jackson.

To Resolutions Calendars.

**HR 1684** (By Vasut), Congratulating the Angleton Christian School boys' basketball team on winning the 2023 TCAL 2A state championship.

To Resolutions Calendars.

**HR 1685** (By Vasut), Congratulating Neldia Ahlquist on her receipt of the 2022 Outstanding Woman of the Year Award from the Brazosport Area Chamber of Commerce.

To Resolutions Calendars.

**HR 1686** (By Vasut), Commemorating the 75th anniversary of the founding of the Student Senate of Texas A&M University.

To Resolutions Calendars.

**HR 1687** (By Vasut), Congratulating Jason Cordoba on his receipt of the 2022 Outstanding Man of the Year Award from the Brazosport Area Chamber of Commerce.

To Resolutions Calendars.

**HR 1688** (By Geren), Commending Dr. Sylvia Trent-Adams on her appointment as president of the University of North Texas Health Science Center at Fort Worth.

To Resolutions Calendars.

**HR 1689** (By Meza), Commemorating Eloy Barrera, Jr. of Uvalde for his service as a Mexican American Legislative Caucus intern in the office of State Representative Terry Meza.

To Resolutions Calendars.

**HR 1690** (By Bucy), Honoring Mike Sanders for his contributions to the Leander Independent School District.

To Resolutions Calendars.

**HR 1691** (By Bucy), Congratulating Cassie Brawner on her selection as the 2024 Elementary Teacher of the Year in Round Rock ISD.

To Resolutions Calendars.

**HR 1692** (By Turner), Commending Michelle Mares for her service as a legislative aide in the office of State Representative Chris Turner.

To Resolutions Calendars.

**HR 1693** (By Turner), Commending Rhayne Trahan for her service as a legislative aide in the office of State Representative Chris Turner.

To Resolutions Calendars.

**HR 1694** (By Turner), Commending Dayleen Nicole Chery for her service as a legislative aide in the office of State Representative Chris Turner.

To Resolutions Calendars.

**HR 1695** (By Turner), Commending Katherine Sarahan on her service as a legislative aide in the office of State Representative Chris Turner.

To Resolutions Calendars.

**HR 1696** (By Turner), Commending Sadie Klos for her service as a legislative aide in the office of State Representative Chris Turner.

To Resolutions Calendars.

**HR 1697** (By Harless), Congratulating Dr. Philip L. Leggett on his receipt of a 2023 Ashbel Smith Distinguished Alumni Award from The University of Texas Medical Branch John Sealy School of Medicine Alumni Association.

To Resolutions Calendars.

**HR 1698** (By Buckley), Commemorating the 50th anniversary of Century 21 Bill Bartlett in Salado.

To Resolutions Calendars.

**HR 1700** (By Lalani), Commemorating Father's Day 2023.

To Resolutions Calendars.

**HR 1701** (By Smithee), Congratulating the Amarillo High School tennis team on winning the 2022 UIL 5A team tennis state championship.

To Resolutions Calendars.

**HR 1702** (By Smithee), Congratulating Eleanor Archer and Morgan Rose of Amarillo High School on winning the 5A doubles championship at the 2023 UIL Tennis State Tournament.

To Resolutions Calendars.

**HR 1703** (By Smithee), Congratulating Kelton Brown and Wade Bryant of Amarillo High School on winning the 5A boys' doubles championship at the 2023 UIL Tennis State Tournament.

To Resolutions Calendars.

**HR 1704** (By Burrows), In memory of Randell Keith Resneder of Lubbock.

To Resolutions Calendars.

**HR 1705** (By Burrows), In memory of Henry Wesley "Wes" Woodard of Meadow.

To Resolutions Calendars.

**HR 1706** (By Burrows), Congratulating agriculture teacher Roger Green on his retirement from Monterey High School in Lubbock.

To Resolutions Calendars.

**HR 1708** (By Gámez), Congratulating Manuel M. Vela on his service as president and chief executive officer of Valley Baptist Health System.

To Resolutions Calendars.

**HR 1709** (By Kacal), Commending Milton Y. Tate Jr. on his service as mayor of Brenham.

To Resolutions Calendars.

**HR 1710** (By Leo-Wilson), Congratulating Larrian Meniffee of Ball High School in Galveston on his nomination for the 2024 Grammy Music Educator Award.

To Resolutions Calendars.

**HR 1712** (By Flores), Congratulating Gabriela Kane Guardia on her appointment as interim executive director of Latinitas.

To Resolutions Calendars.

**HR 1713** (By C. Morales), In memory of Mary Sanchez Almendarez of Houston.

To Resolutions Calendars.

**HR 1714** (By Herrero), Commending Jose Camacho for his service as a legislative aide and Moreno/Rangel Legislative Leadership Program Fellow in the office of State Representative Abel Herrero.

To Resolutions Calendars.

**HR 1715** (By J.E. Johnson), Congratulating the ITKAN Robotics team on winning two top awards at the FIRST Championship Robotics Competition.

To Resolutions Calendars.

**HR 1717** (By Flores), In memory of Elna Ray Christopher of Austin.

To Resolutions Calendars.

**HR 1718** (By Schaefer), In memory of John Sims of Tyler.

To Resolutions Calendars.

**HR 1720** (By Ordaz), Commending Cabela's El Paso for its contributions to the community.

To Resolutions Calendars.

**HR 1721** (By Ordaz), In memory of Michelle Therese Adjemian of El Paso.

To Resolutions Calendars.

**HR 1722** (By Herrero), Commending Miranda Williams for her service as committee director for the House Committee on Corrections and its chair, State Representative Abel Herrero, during the 88th Legislative Session.

To Resolutions Calendars.

**HR 1723** (By Herrero), Commending Mo Jenkins for her service as legislative director in the office of State Representative Abel Herrero during the 88th Legislature.

To Resolutions Calendars.

**HR 1724** (By Howard), Honoring UT Austin professor emeritus Paul Bestor Woodruff.

To Resolutions Calendars.

**HR 1725** (By A. Johnson), Congratulating the Bellaire City Library on winning a 2022 Achievement of Excellence in Libraries Award.

To Resolutions Calendars.

**HR 1727** (By Morales Shaw), Commending Dr. Laura Murillo for her contributions to the Houston community.

To Resolutions Calendars.

**HR 1728** (By Morales Shaw), Commending Linda Morales for her decades of work on behalf of labor unions.

To Resolutions Calendars.

**HR 1729** (By Martinez, S. Thompson, Lozano, and Metcalf), Honoring the participants in the 2023 Sam Houston State University Austin Internship Program.

To Resolutions Calendars.

**HR 1731** (By A. Johnson), Commemorating the 60th anniversary of Ben Taub Hospital in Houston.

To Resolutions Calendars.

**HR 1732** (By Leo-Wilson), Commemorating the 2023 Texas Crab Festival in Crystal Beach.

To Resolutions Calendars.

**HR 1733** (By Leo-Wilson), Commemorating the 10th annual Bayou Fest in La Marque.

To Resolutions Calendars.

**HR 1735** (By A. Johnson), Congratulating Catherine Shen on winning the 2023 UIL 6A girls' singles tennis state championship.

To Resolutions Calendars.

**HR 1736** (By Davis), Congratulating Mari Spivey Willis on her recognition by the City of Odessa during Black History Month 2023.

To Resolutions Calendars.

**HR 1737** (By Davis), Congratulating the Honorable Eddy Spivey on his recognition by the City of Odessa during Black History Month 2023.

To Resolutions Calendars.

**HR 1738** (By Flores), Congratulating Noel Moctezuma Mendez of Del Valle High School on his acceptance into Harvard University with a full scholarship.

To Resolutions Calendars.

**HR 1739** (By Flores), Honoring Augustin Ramirez of Austin for his contributions to Tejano music.

To Resolutions Calendars.

**HR 1740** (By Leo-Wilson), Congratulating the Mid Chambers Christian Caring Center on being named the Anahuac Area Chamber of Commerce Member of the Month for May 2023.

To Resolutions Calendars.

**HR 1741** (By Guerra), Honoring Everardo "Ever" Villarreal for his service as a Hidalgo County commissioner.

To Resolutions Calendars.

**HR 1742** (By Leo-Wilson), Congratulating the Galveston Park Board of Trustees on its 60th anniversary.

To Resolutions Calendars.

**HR 1743** (By Reynolds), Congratulating the Texas Black Expo on its 20th anniversary.

To Resolutions Calendars.

**HR 1744** (By Reynolds), Commemorating the 2023 Missouri City Juneteenth Celebration.

To Resolutions Calendars.

**HR 1745** (By C.E. Harris), Congratulating the Georgetown High School girls' soccer team on its achievements during the 2023 season.

To Resolutions Calendars.

**HR 1746** (By C.E. Harris), Congratulating Dale Clay on receiving the Silver Beaver Award from the Capitol Area Council of Scouts BSA.

To Resolutions Calendars.

**HR 1747** (By C.E. Harris), Extending best wishes to Amanda Villarreal Salvo and her newborn son, Gabriel Sebastian Salvo, as they continue on the road to recovery.

To Resolutions Calendars.

**HR 1748** (By Bucy), In memory of Jessica Carol McKinley of Austin.

To Resolutions Calendars.

**HR 1749** (By Bucy), Congratulating Julian Jones on his selection as the 2024 Secondary Teacher of the Year in the Round Rock Independent School District.

To Resolutions Calendars.

**HR 1750** (By Neave Criado), Commemorating Run For The Blue Dallas 2023.

To Resolutions Calendars.

**HR 1751** (By Neave Criado), Congratulating Lucas Ranfranz on graduating as valedictorian of the West Mesquite High School Class of 2023.

To Resolutions Calendars.

**HR 1752** (By Neave Criado), Commemorating the 2023 Mesquite Martin Luther King Jr. Parade and Celebration.

To Resolutions Calendars.

**HR 1753** (By Neave Criado), Commending Priscila Medina of Texas Christian University on her accomplishments in boxing and for her dedication to her community.

To Resolutions Calendars.

**HR 1754** (By Neave Criado), Congratulating Deputy Chief Bruce Kunz on his retirement from the Mesquite Fire Department.

To Resolutions Calendars.

**HR 1755** (By Neave Criado), Congratulating Sergeant Alberto "Roc" Ramos on his retirement from the Dallas Police Department.

To Resolutions Calendars.

**HR 1756** (By Neave Criado), Honoring the Hispanic Women's Network of Texas Dallas Chapter on the occasion of its inaugural Noche de Carnaval.

To Resolutions Calendars.

**HR 1757** (By Neave Criado), Congratulating Bryan Bradford on his retirement as the city manager of Garland.

To Resolutions Calendars.

**HR 1758** (By Lozano), Congratulating Richard Max Callahan of Canton on achieving his goal of visiting all 63 U.S. national parks.

To Resolutions Calendars.

**HR 1759** (By Rose), Congratulating Shadaria Foster on being named the 2022-2023 Dallas ISD Secondary Principal of the Year.

To Resolutions Calendars.

**HR 1760** (By Rose), Congratulating Angela Burley on her selection as the 2022-2023 Secondary Teacher of the Year for Dallas ISD.

To Resolutions Calendars.

**HR 1761** (By Klick), Recognizing May 2023 as Nurses Month.

To Resolutions Calendars.

**HR 1762** (By Klick), Commemorating the 70th anniversary of the City of North Richland Hills.

To Resolutions Calendars.

**HR 1764** (By A. Johnson), Commending Girls Empowerment Network for its achievements.

To Resolutions Calendars.

**HR 1765** (By Troxclair and Rogers), In memory of Richard Preston Ritchie.

To Resolutions Calendars.

**HR 1766** (By Stucky), Commemorating the 50th anniversary of the incorporation of the City of New Fairview.

To Resolutions Calendars.

**HR 1767** (By Herrero), Congratulating Corpus Christi ISD on its receipt of a 2023 H-E-B Excellence in Education Award.

To Resolutions Calendars.

**HR 1768** (By Kacal), Congratulating the Cafe Texan in Huntsville on its reopening.

To Resolutions Calendars.

**HR 1770** (By Cole), Recognizing May 19, 2023, as Manor Day at the State Capitol.

To Resolutions Calendars.

**HR 1772** (By Leo-Wilson), Congratulating Tina Ly of Anahuac High School on her selection for the STEM Enhancement in Earth Science Summer High School Intern Program at The University of Texas at Austin Center for Space Research.

To Resolutions Calendars.

**HR 1773** (By Leo-Wilson), Congratulating Lauren Harpe of Mont Belvieu on her participation in Season 44 of television's Survivor.

To Resolutions Calendars.

**HR 1774** (By Holland), Commending Suzi Kennon for her service to Texas PTA.

To Resolutions Calendars.

**HR 1775** (By Klick), In memory of Keren Ella Shalom Leal of Georgetown.

To Resolutions Calendars.

**HR 1776** (By Leo-Wilson), Congratulating Barbers Hill ISD on receiving a 2023 Best Communities for Music Education designation from the National Association of Music Merchants Foundation.

To Resolutions Calendars.

**HR 1777** (By Clardy), Congratulating the Carthage High School football team on winning the 2022 UIL 4A Division 2 state championship.

To Resolutions Calendars.

**HR 1778** (By Muñoz), Honoring Frances Garcia for her 25 years of service with Angelitos Primary Home Care.

To Resolutions Calendars.

**SCR 50** to Resolutions Calendars.

**SCR 51** to Resolutions Calendars.

**SCR 53** to Resolutions Calendars.

**List No. 2**

**HCR 116** (By Hunter), Requesting that the Lieutenant Governor and the Speaker of the House of Representatives create a joint interim committee to study issuance of credit against required recapture payments for Gulf Coast county school districts with excess facilities costs.

To House Administration.

**HR 1639** (By Longoria), Congratulating Ruben De La Cruz on being honored at the 2022 From the Delta, With Love recognition ceremony hosted by the City of Edcouch.

To Resolutions Calendars.

**STATEMENT BY THE SPEAKER - REFERRAL OF HR 1639**

Because of a data-entry error, **HR 1639** was announced on May 15, 2023, as being referred to the Committee on Redistricting. At the time of referral, the resolution papers on the Speaker's desk plainly indicated it was referred to the Committee on Resolutions. On May 17, 2023, the chief clerk and the journal were directed to correct the error to accurately reflect the resolution's referral.

**HR 1726** (By Morales Shaw), Honoring Johnny Mata for his many years of service to the Houston community.

To Homeland Security and Public Safety.

**SB 666** to Public Health.

**SB 979** to Public Education.

**SB 1195** to State Affairs.

**SB 1430** to Environmental Regulation.

**SB 1438** to Ways and Means.

**SB 1526** to County Affairs.

**SB 1579** to State Affairs.

**SB 1584** to Public Health.

**SB 2009** to Human Services.

**SB 2620** to Elections.

**SB 2628** to Public Health.

**List No. 3**

**SB 2518** to Public Education.

**SB 2526** to Ways and Means.

**SIGNED BY THE SPEAKER**

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

**House List No. 20**

**HB 567, HB 796, HB 1602, HB 1755, HB 1772, HB 1809, HB 2755, HB 3007, HB 3060, HB 3437, HB 3507, HB 3731, HB 4422, HB 4553, HB 4964**

**Senate List No. 23**

**SB 543, SB 784, SB 1124, SB 1155, SB 1180**

**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  
Monday, May 15, 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:

**HB 367** Jetton SPONSOR: Zaffirini  
Relating to the powers and duties of the State Commission on Judicial Conduct.

**HB 587** Patterson SPONSOR: Blanco  
Relating to the cremation of deceased veterans with a United States flag or Texas state flag and the incineration of those flags through the cremation process.  
(Amended)

**HB 1550** Goldman SPONSOR: Springer  
Relating to the continuation and functions of the Office of State-Federal Relations.

**HB 1740** Leach SPONSOR: Hancock  
Relating to the issuance of state parklands passports to and a waiver of certain state park fees for certain veterans, active duty armed forces members, and certain family members of a person who died while serving in the United States armed forces.

**HB 1846** Ashby SPONSOR: Nichols  
Relating to the skills test required for a commercial driver's license for certain commercial learner's permit holders.

**HB 1890** Jetton SPONSOR: Menéndez  
Relating to the operation of a hospital at home program by certain hospitals; authorizing a fee.

**HB 2073** Price SPONSOR: Schwertner  
Relating to the recovery of fuel and purchased power costs by electric utilities.

**HB 2354** Hefner SPONSOR: Springer  
Relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land following a transfer to a surviving spouse. (Committee Substitute)

**HB 2464** Price SPONSOR: Hughes  
Relating to optional annuity increases for certain retirees and beneficiaries of the Texas Municipal Retirement System.

**HB 2484** Guillen SPONSOR: LaMantia  
Relating to the safety of a referee, judge, or other official at certain public school extracurricular activities and competitions and prohibiting certain conduct by a spectator related to those officials' safety. (Committee Substitute/Amended)

**HB 2545** Capriglione SPONSOR: Johnson  
Relating to an individual's genetic data, including the use of that data by certain genetic testing companies for commercial purposes and the individual's property right in DNA; authorizing a civil penalty. (Committee Substitute/Amended)

**HB 5174** Bonnen SPONSOR: Huffman  
Relating to the establishment and administration of the Texas Semiconductor Innovation Consortium. (Amended)

**HJR 107** Price SPONSOR: Hinojosa  
Proposing a constitutional amendment to increase the mandatory age of retirement for state justices and judges.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Monday, May 15, 2023 - 2

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:

**HB 1212** Jetton SPONSOR: Kolkhorst  
Relating to verification of excused absences from public school for the purpose of observing religious holy days.

**HB 1382** Hernandez SPONSOR: Bettencourt  
Relating to the public sale of real property taken in execution of a judgment.

**HB 1393** Frank SPONSOR: Perry  
Relating to an optional service retirement annuity that provides an increasing annuity under the Employees Retirement System of Texas.  
(Amended)

**HB 1442** Johnson, Ann SPONSOR: Bettencourt  
Relating to the prosecution of certain criminal conduct involving a reckless driving exhibition or racing on a highway and to the forfeiture of contraband as a result of a reckless driving exhibition.  
(Committee Substitute)

**HB 1455** Anchía SPONSOR: Johnson  
Relating to health care benefits of persons wrongfully imprisoned.

**HB 1666** Capriglione SPONSOR: Parker  
Relating to the commingling of funds by digital asset service providers; providing an administrative penalty.  
(Committee Substitute/Amended)

**HB 1745** Leach SPONSOR: Nichols  
Relating to vicarious liability of a transportation network company for acts of a driver using the company's digital network.

**HB 2217** Button SPONSOR: Perry  
Relating to the regulation of the practice of public accountancy.  
(Amended)

**HB 2230** Canales SPONSOR: Nichols

Relating to the determination of the sufficient balance of the economic stabilization fund for the purpose of allocating general revenue to that fund and the state highway fund.

(Committee Substitute)

**HB 3301** Oliverson SPONSOR: Bettencourt

Relating to the dissolution of the Green Tree Park Municipal Utility District.

**HB 3390** Hunter SPONSOR: Schwertner

Relating to the provision of information regarding distributed generation and certain electrical loads.

**HB 3526** Raymond SPONSOR: Springer

Relating to the application of a municipal building code to the construction of a solar pergola.

**HB 5348** Kitzman SPONSOR: Kolkhorst

Relating to the creation of the Waller County Municipal Utility District No. 49; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 1537** Parker

Relating to measures to prevent espionage and intellectual property theft at public institutions of higher education.

**SB 2376** Campbell

Relating to the issuance of Support Adoption specialty license plates and to the Support Adoption account and certain voluntary contributions to that account.

**SB 2428** Creighton

Relating to the removal of a public school student from the classroom for the possession or use of an e-cigarette.

**SB 2518** Blanco

Relating to an application for an exception to the bilingual education program.

**SB 2526** Campbell

Relating to the appraisal for ad valorem tax purposes of real property used as a municipal solid waste facility or the buffer zone of such a facility.

**SB 2624** Springer

Relating to the Mustang Ridge Municipal Utility District, the Wildwood Municipal Utility District, the Creedmoor Municipal Utility District, and the Williamson County Municipal Utility District No. 40; granting limited powers of eminent domain.

Respectfully,

Patsy Spaw

Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**May 12**

County Affairs - **HB 1815**

Criminal Jurisprudence - **SB 1361**

Defense and Veterans' Affairs - **HCR 112, HCR 115**

Elections - **SB 1599, SB 1750**

Homeland Security and Public Safety - **SB 1445**

House Administration - **SB 2333**

International Relations and Economic Development - **HR 1343**

Judiciary and Civil Jurisprudence - **SB 48, SB 896, SB 2106**

Licensing and Administrative Procedures - **SB 246, SB 1932**

Public Health - **SB 2040**

Urban Affairs - **HB 5418**

Ways and Means - **SB 2289, SJR 87**

**ENGROSSED**

**May 12 - HB 40, HB 198, HB 211, HB 287, HB 361, HB 554, HB 581, HB 601, HB 630, HB 654, HB 874, HB 994, HB 1054, HB 1055, HB 1086, HB 1120, HB 1132, HB 1138, HB 1164, HB 1170, HB 1179, HB 1191, HB 1206, HB 1215, HB 1299, HB 1311, HB 1340, HB 1353, HB 1452, HB 1798, HB 1864, HB 1875, HB 1998, HB 2051, HB 2058, HB 2085, HB 2086, HB 2097, HB 2149, HB 2171, HB 2270, HB 2382, HB 2523, HB 2586, HB 2626, HB 2645, HB 2650, HB 2687, HB 2815, HB 2816, HB 2907, HB 2919, HB 2927, HB 2947, HB 2992, HB 2993, HB 3005, HB 3031, HB 3058, HB 3091, HB 3119, HB 3128, HB 3135, HB 3159, HB 3191, HB 3207, HB 3264, HB 3327, HB 3329, HB 3335, HB 3371, HB 3380, HB 3386, HB 3388, HB 3424, HB 3434, HB 3464, HB 3465, HB 3487, HB 3537, HB 3579, HB 3581, HB 3591, HB 3613, HB 3631, HB 3686, HB 3691, HB 3708, HB 3768, HB 3786, HB 3787, HB 3816, HB 3824, HB 3858, HB 3882, HB 4020, HB 4069, HB 4081, HB 4083, HB 4087, HB 4120, HB 4156, HB 4158, HB 4164, HB 4172, HB 4220, HB 4227, HB 4250, HB 4253, HB 4301, HB 4306, HB 4373, HB 4376, HB 4398, HB 4399, HB 4413, HB 4429, HB 4431, HB 4433, HB 4483,**

**HB 4498, HB 4506, HB 4518, HB 4542, HB 4621, HB 4627, HB 4641,  
HB 4687, HB 4722, HB 4734, HB 4752, HB 4759, HB 4771, HB 4780,  
HB 4805, HB 4819, HB 4845, HB 4846, HB 4878, HB 4897, HB 4922,  
HB 4952, HB 4989, HB 5007, HB 5025, HB 5105, HB 5121, HB 5151,  
HB 5160, HB 5312, HB 5322, HB 5333, HB 5340, HB 5356, HB 5359,  
HB 5361, HB 5375, HB 5376, HB 5377, HB 5386, HB 5392, HB 5396,  
HB 5397, HB 5402, HB 5404, HB 5405, HB 5406, HB 5407, HB 5409,  
HB 5411, HB 5412, HB 5413, HB 5414, HB 5415**

**SENT TO THE GOVERNOR**

**May 12 - HB 279, HB 1535, HB 1555, HB 1922, HB 2460, HB 2759,  
HB 3290**

**SIGNED BY THE GOVERNOR**

**May 13 - HB 109, HCR 99**

**FILED WITHOUT THE GOVERNOR'S SIGNATURE**

**May 13 - HB 450**