

HOUSE JOURNAL

EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-SIXTH DAY — WEDNESDAY, MAY 12, 2021

The house met at 10:22 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 993).

Present — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Absent, Excused — Raney.

Absent — Herrero; Martinez Fischer.

The invocation was offered by Representative Walle as follows:

God, thank you for allowing us to wake up this morning to be present on this day and to gather together for the greater good for our communities and neighbors. On this Wednesday, Lord, on this Wednesday morning and moving forward the rest of this month, God, may you be upon us in this chamber to unify our strengths to help those most vulnerable in this state. May your love embrace us, your light shine upon us, and your wisdom empower us to lead this state with integrity and honor and to base our decisions and actions not on personal or political gain but on the needs of our constituents, neighbors, and individuals across this state. We pray your peace will produce humility within us and that our actions will reflect your works more than words on a page ever will. I also want to give a special prayer to those loved ones no longer with us, like my Abuelita

Polly, who sat in chair 24 in 2009 to watch me get sworn into office. I love you, Abuelita. And a special prayer for Gabe, our food manager in the back in the member's lounge, whose father passed away last year. Y que Dios los cubre con sus bendiciones. It is in your name we pray. Amen.

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

LEAVE OF ABSENCE GRANTED

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

Coleman on motion of Walle.

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. 19).

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 No. 1.)

MAJOR STATE CALENDAR SENATE BILLS THIRD READING

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

SB 700 ON THIRD READING (Cyrier - House Sponsor)

SB 700, A bill to be entitled An Act relating to the continuation and functions of the Texas Parks and Wildlife Department.

SB 700 was passed by (Record 994): 140 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Hinojosa; Holland; Howard; Huberty; Hull; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody;

Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Cason.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Canales; Herrero; Hunter; Martinez Fischer; Rodriguez; Slaton.

STATEMENTS OF VOTE

When Record No. 994 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 994 was taken, I was temporarily out of the house chamber. I would have voted yes.

Herrero

When Record No. 994 was taken, I was temporarily out of the house chamber. I would have voted yes.

Martinez Fischer

When Record No. 994 was taken, I was in the house but away from my desk. I would have voted no.

Slaton

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

SB 530 ON THIRD READING (Cole - House Sponsor)

SB 530, A bill to be entitled An Act relating to the prosecution and punishment of the criminal offense of harassment; creating a criminal offense.

SB 530 was passed by (Record 995): 89 Yeas, 51 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, K.; Bernal; Bowers; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Crockett; Cyrier; Davis; Deshotel; Dominguez; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Hinojosa; Howard; Hunter; Israel; Johnson, A.;

Johnson, J.D.; Johnson, J.E.; King, T.; Kuempel; Lambert; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Smith; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Ashby; Bell, C.; Biedermann; Bonnen; Buckley; Burns; Cain; Cason; Cook; Craddick; Darby; Dean; Ellzey; Gates; Goldman; Harris; Hefner; Holland; Hull; Jetton; Kacal; King, P.; Klick; Krause; Landgraf; Leach; Metcalf; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Rogers; Schaefer; Shaheen; Shine; Slaton; Slawson; Smithee; Spiller; Swanson; Thompson, E.; Toth; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Capriglione; Dutton; Herrero; Huberty; King, K.; Martinez Fischer; Tinderholt.

STATEMENTS OF VOTE

When Record No. 995 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 995 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 995 was taken, I was temporarily out of the house chamber. I would have voted yes.

Herrero

When Record No. 995 was taken, I was shown voting no. I intended to vote yes.

Hull

When Record No. 995 was taken, I was shown voting no. I intended to vote yes.

Jetton

When Record No. 995 was taken, I was temporarily out of the house chamber. I would have voted yes.

Martinez Fischer

When Record No. 995 was taken, I was shown voting yes. I intended to vote no.

Sanford

When Record No. 995 was taken, I was shown voting yes. I intended to vote no.

Stucky

When Record No. 995 was taken, I was in the house but away from my desk. I would have voted no.

Tinderholt

**SB 1295 - RULES SUSPENDED
HOUSE SPONSOR AUTHORIZED**

Representative Murphy moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 1295** all joint authors and co-authors for **HB 3175**.

The motion prevailed.

**SB 1295 ON THIRD READING
(Morrison - House Sponsor)**

SB 1295, A bill to be entitled An Act relating to financial support and incentives for comprehensive regional universities.

SB 1295 was passed by (Record 996): 119 Yeas, 26 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Slawson; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Bell, K.; Biedermann; Button; Cain; Cason; Dean; Gates; Hefner; Holland; Krause; Landgraf; Leman; Murr; Noble; Patterson; Schaefer; Shaheen; Shine; Slaton; Smith; Spiller; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Herrero; Martinez Fischer.

STATEMENTS OF VOTE

When Record No. 996 was taken, I was shown voting no. I intended to vote yes.

Button

When Record No. 996 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 996 was taken, I was temporarily out of the house chamber. I would have voted yes.

Herrero

When Record No. 996 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 996 was taken, I was temporarily out of the house chamber. I would have voted yes.

Martinez Fischer

POSTPONED BUSINESS

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

HB 416 ON SECOND READING
(by Walle, Reynolds, et al.)

HB 416, A bill to be entitled An Act relating to plot plan requirements for an application for a standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality.

HB 416 was read second time on May 6, postponed until 10 a.m. May 11, and was again postponed until 10 p.m. May 11.

Representative Walle moved to postpone consideration of **HB 416** until 10 a.m. Tuesday, June 1.

The motion prevailed.

CSSB 219 ON SECOND READING

(Leach, Gervin-Hawkins, Lucio, Holland, et al. - House Sponsors)

CSSB 219, A bill to be entitled An Act relating to civil liability and responsibility for the consequences of defects in the plans, specifications, or related documents for the construction or repair of an improvement to real property.

CSSB 219 was considered in lieu of **CSHB 1418**.

CSSB 219 was read second time.

Amendment No. 1

Representative Leach offered the following amendment to **CSSB 219**:

Amend **CSSB 219** (house committee printing) as follows:

(1) On page 8, line 17, strike "The changes" and substitute "Except as provided by Subsection (c) of this section, the changes".

(2) On page 9, between lines 3 and 4, insert the following:

(c) The changes in law made by this Act to Section 473.003, Transportation Code, as added by Chapter 382 (**HB 2899**), Acts of the 86th Legislature, Regular Session, 2019, are intended to clarify existing law and apply to a contract entered into before, on, or after the effective date of this Act.

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

SECTION _____. Section 473.003, Transportation Code, as added by Chapter 382 (**HB 2899**), Acts of the 86th Legislature, Regular Session, 2019, is amended by adding Subsection (c-1) to read as follows:

(c-1) This section does not apply to a design-build contract.

CSSB 219 - REMARKS

REPRESENTATIVE J. TURNER: Representative Leach, I just wanted to see if I could take a second to see if I do understand what's in the amendment. It came up kind of quickly. Can you walk us through what's in this amendment, please?

REPRESENTATIVE LEACH: Yes, Representative Turner. I was following the motto that if you can see the door, get off the floor. So I was trying to move quickly, but I don't want to obfuscate the purpose of the amendment. It's very simple. It simply makes it clear that it does not apply to design-build projects that are procured by TxDOT.

J. TURNER: Is that the only change in the amendment? That one line at the very bottom? I just didn't have a chance to look at it.

LEACH: Yes, Representative Turner. That's correct.

REPRESENTATIVE ROMERO: Chairman Leach, help me understand what your amendment did in terms of, as you mentioned, TxDOT. As you know, there was a pretty major accident in Fort Worth, probably one of the largest collisions, with 130 car accidents. Tell me, what did this do in a scenario to either absolve—is this going to be the engineer, architect, or the entity here? I'm trying to understand what might have happened right now.

LEACH: Thank you for the question. The committee substitute that came out of the senate changed our house language or did its own thing with respect to which projects and which contractual arrangements this bill applied to. We, via the bill that's in front of you today, narrowed that term to "design-build" projects, which you're very familiar with. And the amendment in front of you today just very simply makes sure that TxDOT design-build projects are also covered by the bill. That's all it does.

ROMERO: And the bill previously? I'm asking you to guide me through your bill, and I apologize here that I didn't read it, at least what you're describing. How would a situation like what happened in my district, where there's a question about the safety of that design-build project—through your amendment, did we help or did we not help in determining what finally is going to happen in that type of situation?

LEACH: So Representative, I don't know the specifics about that contract. If it was design-build, then—

ROMERO: It was.

LEACH: Okay, if it was a design-build contract, then this bill does not address that specifically. Those design-build contracts are still protected and, in fact, encouraged under Texas law, whether it's for TxDOT or other commercial construction projects. What the bill does, and I want to make sure—I think we're still on the amendment, and so I'm happy to still talk about the amendment specifically. Very simply put, the design-build contracts are still protected under Texas law, and this bill, including the amendment, makes sure that that's protected.

J. TURNER: I'm back again just to make sure that I do understand a little bit more about the amendment. Though as I read the amendment—lines 5 through 10 of the amendment if you have it there in front of you—am I correct that it does add to the bill the language in lines 6 through 10?

LEACH: It adds that to the bill. Yes, sir.

J. TURNER: Okay, so that language as I read it here, and I haven't had a chance, of course, to study this very much, but I just want to make sure that we understand it. It says, "The changes in law made by this Act to Section 473.003, Transportation Code, as added by Chapter 382 (**HB 2899**), Acts of the 86th Legislature, Regular Session, 2019, are intended to clarify existing law and apply to a contract entered into before, on, or after the effective date of this Act." Correct?

LEACH: Correct.

J. TURNER: Okay, so if—and I'm just reading this cold, so if you could help me understand it. Am I understanding correctly that this amendment would mean that the new provisions of this law would go back and change all existing contracts? Or am I misunderstanding that?

LEACH: No, you're not intentionally misunderstanding. I've probably not informed you as simply and as clearly as I can. So there was a floor amendment on the senate side, Representative Turner, that actually changed the term "design-build" contract to "involved contractor" contract, something I've actually never heard of in construction law. Okay? So the bill in front of you today, without the amendment, changed the term back to design-build contract, which as you know is a term of art in the construction industry. What this amendment does is it's really a clarifying amendment, Representative Turner, for TxDOT

design-build contracts. TxDOT brought us a concern that perhaps those existing contracts were not excluded from the provisions of the bill. And that's what this amendment does, is clarify that those contracts are still protected.

J. TURNER: Okay, I appreciate you helping me understand this. So the change that's in lines 6 through 10, that we just read, only applies to that one subject and not to the broader provisions of the bill? Is that correct?

LEACH: The key term in lines 6 through 10 is really starting on the very end of line 8. These changes in the bill "are intended to clarify existing law" and, yes, "apply to a contract entered into before, on, or after the effective date." This does not change. This amendment protects existing law and protects those existing contracts, Representative Turner.

J. TURNER: So existing contracts—you're saying that this amendment does not have the effect of changing existing contracts?

LEACH: Correct.

REPRESENTATIVE J.E. JOHNSON: So this bill came through our committee, and my question to you, Mr. Leach, is one of the concerns that I had in the committee discussion of this was how it would affect residential homeowners. And the way the original bill was filed, if a person wants to remodel their home and if they hire a contractor to—say I want a new carport but there's not an architect or an engineer plan and the contractor builds it. Then, technically, the plan is designed by the homeowner and there's no repercussions for a faulty build. And I know that you put in a provision that says if there's a known defect, the contractor must disclose. But were there any other amendments made in the senate to address the concerns of residential homeowners in this bill?

LEACH: Representative Johnson, I'm happy to answer your question, but I do think we're still on the amendment. And so I want to answer your questions about the larger bill, but can I move adoption of the amendment and then we get back to the bill?

J.E. JOHNSON: Oh, absolutely.

Amendment No. 1 was adopted.

(Martinez Fischer now present)

J.E. JOHNSON: I'd like to make sure that the body understands the impact on homeowner claims. I think as far as commercial claims go, this bill is a great bill. If you have an informed architect, an informed builder, an informed commercial customer, all of their information—they're level. But my concern is always on the homeowner, who may not have that same level of information as a builder, where there's an architect not involved and they do a direct build with a builder and there's not set plans. How does that affect the homeowner when they have a problem with the build and the design? Because they say, "Hey, I want this shower moved over here. I want this patio changed." But there's not plans. What's the recourse for when the builder says, "Hey, man, I just did what you wanted"?

LEACH: Representative Johnson, I actually share your exact same concern and question. So just 30 minutes ago before we came on the floor, I got on the phone with the home builders and with the contractors just to make sure I fully understand my own bill and how it applies to residential construction contracts. And I do. And there's a very simple answer. The Residential Construction Liability Act, RCLA, which you're very familiar with, governs and overrides. There's actually text in RCLA—Property Code, Section 27.002(b)—that it overrides all other statutes.

J.E. JOHNSON: Would you be amenable to an amendment to your bill, then, that accepts residential homeowners' claims since you're saying another statute applies? Because I think in the commercial space, this is a very good bill and it's fair. It levels the playing field. But it's not fair in the residential space. So would you be willing to accept an amendment that restricts this applicability to residential claims since you're claiming there's another statute that applies?

LEACH: Well, I don't think that's necessary. And I have made an agreement to all those stakeholders we've been working with not to amend the bill or accept any amendments today. So I'm not going to, but I'm happy to have this legislative intent entered into the journal. I think it's very clear in RCLA. You know RCLA. You're very familiar with RCLA and that the purpose of that statute is to protect homeowners and to address exactly what you're talking about. We can have a conversation, and I think we should have a conversation, about whether it adequately does so. But it's very clear for purposes of this bill that RCLA still governs the relationship between a homeowner, a home builder, and any design professional that is involved in the construction of that home.

J.E. JOHNSON: Well, I would beg to disagree just because I think there could be some misconstruction from the judicial point of view because here we're passing a bill subsequent to RCLA that seems to be in conflict with that because this does not address the residential build. Again, I think in terms of the commercial space, there's a level playing field between all the parties, and so this is a great bill. But I'm very concerned about the disproportionate impact on residential properties, and I just think that it causes confusion in the statutes and confusion as to the judicial application of which law is going to govern. And I just have a lot of concerns about what the impact of this is going to be on our homeowners who are trying to get their homes fixed as a result of the storm, who are dealing with builders directly where there's not set plans, and the implication and the liability limitations that that's going to put on builders as far as homeowners' claims are concerned.

LEACH: Well, I haven't heard from any practitioners who practice in the area of residential construction law who've brought this concern to me. And I don't necessarily disagree with your concern, but I trust the members of the bar and the judges. We require folks, whether it's new construction of a single-family residence, whether people are actually designing and building their own home, or whether they're substantially improving their property, there are documents and

information given to them at that time that RCLA controls. In the very text of the Property Code it is very explicit that RCLA controls. And so I get your point. I don't disagree with you, but I don't think we need it for purposes of this bill.

J.E. JOHNSON: So just for clarity then, for the purposes of legislative intent, it is not your intent that this legislation applies to residential builds between a single homeowner and a builder directly. Is that correct?

LEACH: My intent of this bill is that RCLA, which is very detailed and very designed—specifically, the intent of that statute, as I said, is to govern that relationship and provide a recourse and liability. I mean, it sets it all out there for you. My intent is that that statute still controls.

REPRESENTATIVE COLLIER: Chair Leach, thank you so much for taking my questions earlier before we started on the bill. I just want to ask some clarifying questions about liability. So earlier, you were talking to Representative Turner about your amendment, and it said any contracts that were entered into on, before, or after the effective date. So would that mean—now that this is on your bill, does that mean that existing claims that are filed in court will be subject to this new standard or this new provision in your bill?

LEACH: Are you talking about the amendment specifically?

COLLIER: Yes.

LEACH: So again, what that amendment does, Madam Chair Collier, is it simply protects existing design-build contracts. That amendment was brought to us by TxDOT. I believe that the bill was clear and fine as is, but TxDOT had a concern that they wanted it to be explicitly clear that those existing design-build contracts were protected. So we agreed to accept the TxDOT amendment that makes that clearer for their satisfaction.

COLLIER: And then the last question I have deals with school districts. How does this bill, **CSSB 219**, impact construction projects for school districts?

LEACH: This bill will apply to the construction of schools and other buildings across the state with the exception of those residences that Representative Johnson and I just talked about. And so I think, as Representative Johnson correctly said, this creates more of a level playing field between the owner—which in that instance would be the school district very likely—and the contractor and the design professional. And so they would fall under the parameters of this bill should it become law.

COLLIER: Okay, so based on my understanding, if a school district has a claim for some type of design or some type of problem with the construction project, they still would be able to pursue a claim against the designer or the architect or engineer as well as the contractor and the standard would be that the contractor knew that there was a defect or should have known using ordinary diligence. Is that correct?

LEACH: Should have discovered using ordinary diligence.

COLLIER: Should have. So it doesn't preclude claims against contractors?

LEACH: Not at all.

COLLIER: You're just providing the basis of what the standard is. It's like a "should" or "should have" known.

LEACH: Yes, absolutely. This does nothing to prevent or build some sort of wall between who the owner of a construction project can bring a claim against. If it's a construction defect for which the contractor should be liable, then that contractor's going to be liable. If it's a design defect for which a design professional should be liable, then that design professional is going to be liable.

COLLIER: Unless the contractor knew or should have discovered.

LEACH: If the contractor knew or using ordinary diligence should have known, then that's going to be a fact question for the court. Contractors are not going to be able to escape liability by having plans in front of them or by constructing a load bearing wall where they know for sure a post should be. If using ordinary diligence—again, they should have known—then they've got to bring that to the attention of the owner or the design professional and work together to make sure the contracts are built safely or on time or under budget. But at the same time, if it's a design issue that the contractor did not know about and should not have known about and it's clearly a design issue, then the contractor's not going to be forced to be responsible for that, which under current law is what's happening. And that's what this bill is intended to fix

REMARKS ORDERED PRINTED

Representative Collier moved to print all remarks on **CSSB 219**.

The motion prevailed.

REPRESENTATIVE LUCIO: I'm happy to joint author this bill with you and try to provide some clarity and a means to have responsible construction and a path moving forward on responsible operation. So regarding the residential side, there's an overwhelming majority of homes where the builder is responsible for both production of the plans and building the homes, right? Those are kind of like your spec homes.

LEACH: That's correct.

LUCIO: And those are volume builders. Would you agree?

LEACH: That's right, yes.

LUCIO: So if we're looking at a design or construction defect, you're looking at the same person.

LEACH: In most cases, yes.

LUCIO: In most cases, right. But for custom homes where there's an outside architect, the RCLA is still in play as a civil procedure for construction defects for one- or two-family homes. But in short, it would apply to everything but could factor only into a dispute between design professional and builder. The RCLA states that to the extent of conflict between that chapter and any other law,

that chapter prevails. So concerns for residential home design and construction, those aren't going to be changed for the large majority of the claims that may happen after passage of this legislation.

LEACH: That's correct, yes.

LUCIO: So we're dealing with construction in commercial circumstances where there's definitely a sophisticated architect, a sophisticated owner, and a sophisticated construction builder GC. And we're trying to provide consistency and clarity in how contractors can do their business responsibly and those that are harmed by bad contractors can have remedy.

LEACH: That's correct—clarity, consistency, fairness—and it brings us in line with the vast majority of other states who beat us to the punch on this one.

REPRESENTATIVE ROSENTHAL: I apologize if this has been covered. I'm having a hard time hearing but I want to get this loud and clear so that everyone hears. I believe I heard you talk about the lines of responsibility between design, construction, and supply, right? Help me make sure that my understanding is correct. So if the intent of the bill is that the constructor is only responsible for the part of the work that they do, and so in other words, if the design is messed up from the start coming off the drawing board—and you know I'm a designer—then it should be the designer who's responsible for that, right?

LEACH: Correct.

ROSENTHAL: Designers should be responsible for design. If the design was good as certified by the engineer and the constructor makes an error in constructing, they should be responsible for that, right?

LEACH: That's correct.

ROSENTHAL: So if it's not built according to the design, that's on the constructor. If the material supplied is not what they said it was, so the constructor buys materials requesting a certain spec and whatever is provided doesn't meet that, then it's the supplier that's responsible, right?

LEACH: That's correct.

CSSB 219, as amended, was passed to third reading. (Ellzey recorded voting no.)

CSHB 1418 - LAID ON THE TABLE SUBJECT TO CALL

Representative Leach moved to lay **CSHB 1418** on the table subject to call.

The motion prevailed.

CSHB 1396 ON SECOND READING (by White, et al.)

CSHB 1396, A bill to be entitled An Act relating to law enforcement agencies and policies and procedures affecting peace officers.

CSHB 1396 was read second time on May 10 and was postponed until 10 a.m. today.

Representative White moved to postpone consideration of **CSHB 1396** until 10 a.m. Saturday, July 16, 2022.

The motion prevailed.

HB 1550 ON SECOND READING
(by Cyrier)

HB 1550, A bill to be entitled An Act relating to the continuation and functions of the Texas Commission on Law Enforcement.

HB 1550 was read second time on May 11 and was postponed until 11 a.m. today.

Representative Cyrier moved to postpone consideration of **HB 1550** until 10 a.m. Thursday, June 3.

The motion prevailed.

(Herrero now present)

(Harris in the chair)

MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 2730 ON SECOND READING
(by Deshotel, Burns, Geren, K. King, Canales, et al.)

CSHB 2730, A bill to be entitled An Act relating to the acquisition of real property by an entity with eminent domain authority and the regulation of easement or right-of-way agents.

A record vote was requested by Representative Canales.

CSHB 2730 was passed to engrossment by (Record 997): 144 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson;

Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Craddick.

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

Absent, Excused — Coleman; Raney.

Absent — Rogers.

STATEMENT OF VOTE

When Record No. 997 was taken, I was in the house but away from my desk. I would have voted yes.

Rogers

CSHB 2275 ON SECOND READING

(by Zwiener, Huberty, Oliverson, Frank, Paddie, et al.)

CSHB 2275, A bill to be entitled An Act relating to the creation and uses of the critical infrastructure resiliency fund and the eligibility of certain water-related projects for state financial assistance.

Amendment No. 1

Representative Zwiener offered the following amendment to **CSHB 2275**:

Amend **CSHB 2275** (house committee report) as follows:

(1) On page 1, lines 14 and 15, strike "without further legislative appropriation".

(2) On page 2, line 19, between "infrastructure" and the underlined semicolon, insert "and demand response technology".

(3) On page 5, lines 23 and 24, strike "institutions licensed under Chapter 242" and substitute "nursing facilities, as defined by Section 242.301".

(4) On page 11, strike lines 2 through 10 and substitute the following appropriately numbered SECTION:

SECTION _____. This Act takes effect January 1, 2022.

Amendment No. 1 was adopted.

Amendment No. 2

Representative E. Thompson offered the following amendment to **CSHB 2275**:

Amend **CSHB 2275** (house committee report) by striking page 5, lines 22 through 26, substituting the following appropriately lettered subsections, and relettering subsequent subsections accordingly:

() The division may use the account only to make matching grants to eligible institutions for purchasing reserve power supply, such as on-site generation and energy storage systems, necessary to:

(1) sustain critical medical care; or

(2) maintain the air temperature in the institution's facilities at not less than 68 degrees Fahrenheit or more than 81 degrees Fahrenheit for at least 72 hours during a power outage.

() An institution is eligible to receive a matching grant under this section only if the institution is:

(1) licensed under Chapter 242, Health and Safety Code; or

(2) an assisted living facility, as defined by Section 247.002, Health and Safety Code.

Amendment No. 2 was adopted.

(Speaker in the chair)

Representative Zwiener moved to postpone consideration of **CSHB 2275** until 12:30 p.m. today.

The motion prevailed.

CONSTITUTIONAL AMENDMENTS CALENDAR HOUSE JOINT RESOLUTIONS SECOND READING

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

CSHJR 99 ON SECOND READING (by Canales, Ashby, Kuempel, K. King, Geren, et al.)

CSHJR 99, A joint resolution proposing a constitutional amendment authorizing a county to finance the development or redevelopment of transportation or infrastructure in unproductive, underdeveloped, or blighted areas in the county; authorizing the issuance of bonds and notes.

CSHJR 99 was adopted by (Record 998): 127 Yeas, 15 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Beckley; Biedermann; Cain; Cason; Cook; Ellzey; Hefner; Middleton; Noble; Patterson; Paul; Shaheen; Slaton; Slawson; Vasut.

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

Absent, Excused — Coleman; Raney.

Absent — Capriglione; Frank; Pacheco; Wilson.

STATEMENTS OF VOTE

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Murr

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Oliverson

When Record No. 998 was taken, I was in the house but away from my desk. I would have voted yes.

Pacheco

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Schofield

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Swanson

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

When Record No. 998 was taken, I was shown voting yes. I intended to vote no.

Toth

CSHJR 82 ON SECOND READING

(by Craddick, Raymond, Darby, Landgraf, and Paddie)

CSHJR 82, A joint resolution proposing a constitutional amendment providing for the creation of and use of money in the Grow Texas fund and allocating certain general revenues to that fund, the economic stabilization fund, and the state highway fund.

CSHJR 82 was adopted by (Record 999): 129 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leman; Longoria; Lopez; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Shine; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Beckley; Cain; Cason; Hefner; Leach; Middleton; Schaefer; Shaheen; Slaton; Slawson; Smith; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Ellzey; Hernandez; Lozano; Lucio; Pacheco; Turner, C.

STATEMENTS OF VOTE

When Record No. 999 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 999 was taken, I was in the house but away from my desk. I would have voted yes.

Ellzey

When Record No. 999 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 999 was taken, I was shown voting yes. I intended to vote no.

Murr

When Record No. 999 was taken, I was shown voting yes. I intended to vote no.

Vasut

HJR 141 ON SECOND READING (by Goldman)

HJR 141, A joint resolution proposing a constitutional amendment to authorize a political subdivision other than a school district to establish a limitation on the amount of ad valorem taxes that the political subdivision may impose on the residence homesteads of persons who are disabled or elderly and their surviving spouses.

Amendment No. 1

Representative Shine offered the following amendment to **HJR 141**:

Amend **HJR 141** (house committee printing) on page 3, line 6, after "under this subsection.", by inserting the following:

This subsection does not apply to a district created under Article XVI, Section 59, or Article III, Section 52, of this constitution that has outstanding bonds, notes, or other obligations.

Amendment No. 1 was adopted.

HJR 141, as amended, was adopted by (Record 1000): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez;

Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Wiener.

Nays — Cason.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Lozano; Pacheco.

STATEMENTS OF VOTE

When Record No. 1000 was taken, I was shown voting no. I intended to vote yes.

Cason

When Record No. 1000 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Capriglione on motion of Goldman.

COMMITTEE MEETING ANNOUNCEMENT

At 12:39 p.m., the following committee meeting was announced:

Higher Education, scheduled to meet at 8 a.m. tomorrow, will convene at 9 a.m. tomorrow in the posted location.

PROVIDING FOR AN ADDENDUM TO LOCAL, CONSENT, AND RESOLUTIONS CALENDAR

On motion of Representative Geren and by unanimous consent, the Committee on Local and Consent Calendars was granted permission to add **HB 4667**, **HB 4368**, and **HB 4555** in an addendum to the local, consent, and resolutions calendar set for 9 a.m. Friday, May 14.

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. 10).

RECESS

Representative Metcalf moved that the house recess until 2 p.m. today.

The motion prevailed.

The house accordingly, at 12:48 p.m., recessed until 2 p.m. today.

AFTERNOON SESSION

The house met at 2:13 p.m. and was called to order by the speaker.

POSTPONED BUSINESS

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

CSHB 2275 ON SECOND READING

(by **Zwiener, Huberty, Oliverson, Frank, Paddie, et al.**)

CSHB 2275, A bill to be entitled An Act relating to the creation and uses of the critical infrastructure resiliency fund and the eligibility of certain water-related projects for state financial assistance.

CSHB 2275 was read second time earlier today, amendments were offered and disposed of, and **CSHB 2275** was postponed until this time.

Amendment No. 3

Representatives Patterson and Toth offered the following amendment to **CSHB 2275**:

Amend **CSHB 2275** (house committee report) as follows:

(1) In each of the following places, between "supply" and the underlined comma, insert "that is reliable during an extreme weather event":

- (A) on page 4, line 12;
- (B) on page 5, line 24; and
- (C) on page 6, line 22.

(2) On page 5, strike lines 10 through 14 and substitute the following appropriately lettered subsection:

() The division shall condition each grant awarded under this section on the grant recipient:

(1) providing funds from non-state sources in a total amount at least equal to 10 percent of the grant amount, with at least five percent of the recipient's match coming from local sources; and

(2) reimbursing the division for the amount of the grant if the recipient ceases operation or relocates before the fifth anniversary of the date on which the project for which the grant was made is completed.

(3) On page 6, strike lines 7 through 11 and substitute the following appropriately lettered subsection:

() The division shall condition each grant awarded under this section on the grant recipient:

(1) providing funds from non-state sources in a total amount at least equal to 10 percent of the grant amount, with at least five percent of the recipient's match coming from local sources; and

(2) reimbursing the division for the amount of the grant if the recipient ceases operation or relocates before the fifth anniversary of the date on which the project for which the grant was made is completed.

(4) On page 7, strike lines 20 through 24 and substitute the following appropriately lettered subsection:

() The division shall condition each grant awarded under this section on the grant recipient:

(1) providing funds from non-state sources in a total amount at least equal to 10 percent of the grant amount, with at least five percent of the recipient's match coming from local sources; and

(2) reimbursing the division for the amount of the grant if the recipient ceases operation or relocates before the fifth anniversary of the date on which the project for which the grant was made is completed.

Amendment No. 3 was adopted.

CSHB 2275, as amended, was passed to engrossment.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

CSHB 547 ON SECOND READING

(by Frank, Dutton, Huberty, M. González, Burrows, et al.)

CSHB 547, A bill to be entitled An Act relating to authorizing equal opportunity for access by home-schooled students to University Interscholastic League sponsored activities; authorizing a fee.

Amendment No. 1

Representative Vasut offered the following amendment to **CSHB 547**:

Amend **CSHB 547** (house committee report) as follows:

(1) On page 1, line 8, strike "HOME-SCHOOLED" and substitute "CERTAIN".

(2) Strike page 1, lines 10 and 11, and substitute the following:

(a) In this section, "non-enrolled student" means a student who receives instruction as described by Section 29.916(a)(1) from a nonpublic school.

(3) On page 1, between lines 11 and 12, insert the following appropriately lettered subsection and reletter subsequent subsections and cross-references to those subsections accordingly:

() Nothing in this section may be construed to affect the holding in Texas Educ. Agency v. Leeper, 893 S.W.2d 432 (Tex. 1994), classifying home schools as private schools. The legislature finds that a home school is a private school for purposes of this section.

(3) Strike "home-schooled student" in each instance in which it appears in the bill and substitute "non-enrolled student".

(4) On page 2, line 19, strike "home schooled student's" and substitute "non-enrolled student's".

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Romero and J.D. Johnson offered the following amendment to **CSHB 547**:

Amend **CSHB 547** (house committee report) on page 2, between lines 2 and 3, by inserting the following appropriately lettered subsection and relettering subsequent subsections and cross-references to those subsections accordingly:

() A home-schooled student may only participate in a league activity for the school in the school district that the student would be eligible to attend based on the student's residential address. A home-schooled student who seeks to participate in a league activity on behalf of a school shall be required to establish minimum proof of residency acceptable to the district in the same manner as an applicant to attend a school in the district under Section 25.001.

Amendment No. 2 was adopted.

Amendment No. 3

Representative E. Thompson offered the following amendment to **CSHB 547**:

Amend **CSHB 547** (house committee report) on page 2, by striking lines 7 through 18 and substituting the following:

activity, a home-schooled student must demonstrate academic proficiency by performing satisfactorily on assessment instruments required under Section 39.023 for students enrolled in the equivalent grade level at the public school in which the student seeks to participate in the league activity.

Amendment No. 3 - Point of Order

Representative Schofield raised a point of order against further consideration of Amendment No. 3 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

(Dean in the chair)

The point of order was withdrawn.

A record vote was requested by Representative Bailes.

Amendment No. 3 failed of adoption by (Record 1001): 48 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Beckley; Bowers; Canales; Clardy; Cole; Collier; Crockett; Darby; Davis; Frullo; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Herrero; Kacal; King, K.; Kuempel; Lambert; Larson; Martinez Fischer; Muñoz; Paddie; Perez; Price; Ramos; Reynolds; Rodriguez; Rogers; Rose; Rosenthal; Sherman; Shine; Smith; Spiller; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle.

Nays — Anchia; Anderson; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Cason; Cook; Cortez; Craddick; Cyrier; Deshotel; Dominguez; Dutton; Frank; Gates; Gervin-Hawkins; Goldman; Harris; Hefner; Hernandez; Hinojosa; Holland;

Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, P.; Klick; Krause; Landgraf; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Parker; Patterson; Paul; Raymond; Romero; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smithee; Stephenson; Swanson; Talarico; Tinderholt; Toth; Vasut; Vo; White; Wilson; Wu; Wiener.

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

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Ashby; Ellzey; Fierro; King, T.

STATEMENTS OF VOTE

When Record No. 1001 was taken, my vote failed to register. I would have voted no.

Ellzey

When Record No. 1001 was taken, I was shown voting yes. I intended to vote no.

Smith

(Speaker in the chair)

Amendment No. 4

Representative E. Thompson offered the following amendment to **CSHB 547**:

Amend **CSHB 547** (house committee report) on page 2, line 23, between "year" and the underlined comma, insert "or beginning at an earlier time on request by the coach of the activity".

Amendment No. 4 was adopted.

Amendment No. 5

Representatives K. King, Bailes, Frullo, Price, Kuempel, and Larson offered the following amendment to **CSHB 547**:

Amend **CSHB 547** (house committee report) on page 4, between lines 3 and 4, by inserting the following appropriately lettered subsection and relettering subsequent subsections and cross-references to those subsections accordingly:

(____) Notwithstanding any other law, a home-schooled student who participates in a league activity under this section is subject to the immunization requirements of Section 38.001 in the same manner as a public school student.

Amendment No. 6

Representative Cain offered the following amendment to Amendment No. 5:

Amend Amendment No. 5 to **CSHB 547** (house committee printing) as follows:

(1) On line 7, between "requirements" and "of", insert "and exceptions".

Amendment No. 6 was adopted.

A record vote was requested by Representative Bailes.

Amendment No. 5, as amended, was adopted by (Record 1002): 111 Yeas, 31 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Bowers; Buckley; Bucy; Burns; Button; Campos; Canales; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bonnen; Burrows; Cason; Crockett; Davis; Goldman; Hefner; Holland; Hull; Hunter; Klick; Krause; Landgraf; Leman; Metcalf; Middleton; Murphy; Pacheco; Patterson; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Swanson; Tinderholt; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Cain; Johnson, J.D.; Morales Shaw; Smith.

STATEMENTS OF VOTE

When Record No. 1002 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 1002 was taken, I was in the house but away from my desk. I would have voted no.

Cain

When Record No. 1002 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 1002 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1002 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 1002 was taken, I was shown voting yes. I intended to vote no.

Paul

Amendment No. 7

Representative Canales offered the following amendment to **CSHB 547**:

Amend **CSHB 547** (house committee report) as follows:

(1) On page 1, line 7, strike "Section 33.0832" and substitute "Sections 33.0832 and 33.08321".

(2) On page 4, between lines 3 and 4, insert the following:

Sec. 33.08321. ACCESS TO UNIVERSITY INTERSCHOLASTIC LEAGUE SPONSORED ACTIVITIES FOR STUDENTS UNDER SUPERVISION OF TEXAS JUVENILE JUSTICE DEPARTMENT. (a) The University Interscholastic League shall provide students receiving educational services under the supervision of the Texas Juvenile Justice Department with the opportunity to participate in activities sponsored by the league in the same manner that the league provides the opportunity to participate to students enrolled in public schools.

(b) The University Interscholastic League shall enter into a memorandum of understanding with the Texas Juvenile Justice Department regarding the policies governing:

(1) the conditions of eligibility for students under the supervision of the department in activities sponsored by the league, including:

(A) age of students eligible to participate;

(B) academic performance requirements for students; and

(C) standards of behavior for students;

(2) the appropriate league in which students under the supervision of the department will participate; and

(3) the duties of the department regarding other policies of the league, including fees, insurance, and transportation.

Amendment No. 7 was adopted.

CSHB 547 - REMARKS

REPRESENTATIVE COLLIER: I just want to get some clarifying information. Earlier, there was an amendment by Representative Romero that said that the home-schooled student would be required to attend the school within their attendance zone.

REPRESENTATIVE FRANK: That's correct. Again, that's one of those that was in the bill because they participate in the same way that the UIL does attendance zones with the public schools. But that, I guess, clarified that we really meant what we said in the bill.

COLLIER: Absolutely. So does this mean that those parents would be precluded from applying for an intradistrict transfer? So right now, a parent can apply for a transfer to a different school within the school district. So does this bill preclude that?

FRANK: If approved by the school board, they could. But it would have to be approved by the school board just the same as a public school student.

COLLIER: Okay, so they can apply for intradistrict transfer?

FRANK: Yes. We're not intending to make it harder on them than we are on the public school. We're intending to put them in the same category as the public school.

COLLIER: And then also during your bill layout, you said that a school district can opt in to include homeschoolers in the participation of UIL sports, correct?

FRANK: The bill language is very clear that a school district may allow this. They do not have to allow this. That is a change that was made in committee from the original filed bill. It becomes "may." It is permissive. So yes, they can opt in or opt out.

COLLIER: So how would a home-schooling parent know that a school district is opting in? Would this be a resolution that the school board passed?

FRANK: Trust me, homeschoolers will find out stuff like that. I mean, ask the 4-H places. They can actually participate in 4-H. They find out. I hadn't really been worried about that.

COLLIER: I just wanted to make sure because if a school district decides not to opt in, I want to make sure that everyone is aware of that. And then if a school board says they're not going to opt in this year, can they do it the following year?

FRANK: I believe the school board—I believe it would be open to that. They may do it, and there's no time frames in there. Honestly, my hope is that school districts want to allow kids that are in their community, whose parents are paying taxes—my hope is that school districts actually want kids in their schools. That is my hope. But if they don't, they don't have to. But right now, the bill simply says school districts may.

COLLIER: Okay, so can they change it from year to year?

FRANK: I believe they can change it whenever they want to. That's what my reading of it would be.

REPRESENTATIVE VANDEAVER: You and I have had a lot of discussions about this, and I truly appreciate your passion. I just wanted to ask a couple of questions, and these are not questions, necessarily, to convince anyone to vote for or to vote against. I think everyone is going to vote their conscience on this. But I do want to clarify a couple of things. With the amendments that have been put on this bill, a student must live within the attendance zone of the school they are going to participate in. Is that correct?

FRANK: Yes, the school and the district.

VANDEAVER: And also according to this bill, a student has to have been homeschooled for the previous year prior to coming into the UIL activity. Is that correct?

FRANK: Can you say that again? They had to have been homeschooled?

VANDEAVER: Yes.

FRANK: So there's a provision that's kind of a protection to keep—what we didn't want in the bill was to have somebody who's in school opt out to say they were schooled, right? And so if you're playing sports and you say, "I'm going to go be homeschooled," they are not allowed to play for the rest of that year. We wanted that in the bill. Is that what you were referring to?

VANDEAVER: Yes. So basically, I guess it's not totally accurate to say they have to be homeschooled. But they cannot be in public school for the year prior to opting in to the UIL activity, right?

FRANK: Yes, that's correct.

VANDEAVER: So I guess my question is, and I think I asked you about this in committee, are you familiar with the previous athletic participation form that UIL currently uses in schools?

FRANK: I'm not.

VANDEAVER: That's a form that is required when a student comes into a school district and is going to participate in UIL activities. The sending school and the receiving school have to complete this form. And basically they answer the questions: Was this student enrolled in your school previously? Did they participate in athletics? And then they ask a very important important question. They ask: In your opinion, did this student move for athletic purposes? And so the purpose of that is to keep a child who goes to a school and who maybe is on a team that is not very successful and the neighboring school looks like they might win the state championship this year—well, I want to go be on that team. And it's to prevent that from happening. So I guess my question is, what is the safeguard to keep a home-schooled student who has been homeschooled for the previous five years from moving into a district—the parent establishes residence in that

district but they choose the district because they're going to be state champions this year—and that child wants to play on that team? What is to prevent that from happening?

FRANK: They do have to satisfy the residency requirements, and they would be subject to the same requirements of moving for athletic reasons as the traditional public school student. I don't know that there's anything that would prevent—and doesn't now prevent—somebody from moving to a better team.

VANDEAVER: Well, there is something now that would prevent them from being able to play varsity sports for a year when they do that. And I'm just asking, what is the safeguard that would keep a home-schooled student from being able to immediately play for a varsity team when they come into the school?

FRANK: The bill is asking UIL to promulgate those rules. I don't know exactly what rules they're going to put in place, but I fully expect, based on my knowledge of UIL, they will make them at least as stringent as they have for the public school student.

VANDEAVER: Right. Well, under the current rules for UIL, it is the coach and the superintendent at the previous school that would complete this form and that would certify that this child did not move for athletic purposes. So I just have a hard time envisioning if the child was homeschooled for the last six years, who is going to certify that this child did not move for athletic purposes?

FRANK: The parent or the person that homeschools them would be the one doing that.

VANDEAVER: So the parent is going to be the one who would certify that we just happened to pick this address, this was the home that we wanted to buy, and we moved here not knowing that this team was probably going to be state champions this year?

FRANK: Yes. I mean, they're going to be subject to the same—as much as possible—the same rules as the public school students.

VANDEAVER: Thank you, I appreciate it. And I wanted just to clarify this bill only deals with UIL activities. A child cannot participate in FFA activities, 4-H activities, National Honor Society.

FRANK: Well, this bill specifically only includes UIL activities. Keep in mind, 4-H is a separate organization, and 4-H already allows homeschoolers to participate. So those organizations will make their own decisions. I really would hope if you're an educational organization, you're actually trying to pull more kids to you and educate. That's what I'm hoping—to give the opportunity to the schools in Texas.

VANDEAVER: But this bill does not provide a student the opportunity to participate in FFA?

FRANK: This bill does not. This is UIL.

A record vote was requested by Representative Herrero.

CSHB 547, as amended, was passed to engrossment by (Record 1003): 78 Yeas, 65 Nays, 1 Present, not voting.

Yeas — Anchia; Anderson; Bernal; Biedermann; Bonnen; Buckley; Burrows; Button; Cain; Campos; Canales; Cason; Cortez; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Gervin-Hawkins; Goldman; Guillen; Harris; Hefner; Howard; Huberty; Israel; Jetton; Johnson, J.D.; Johnson, J.E.; King, P.; Klick; Krause; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Middleton; Minjarez; Moody; Morales, E.; Morales Shaw; Morrison; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Parker; Patterson; Paul; Perez; Raymond; Rodriguez; Romero; Sanford; Schaefer; Shaheen; Slaton; Smithee; Stephenson; Swanson; Talarico; Thierry; Tinderholt; Toth; Turner, C.; Vasut; Vo; Wilson; Wu; Zwiener.

Nays — Allen; Allison; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bowers; Bucy; Burns; Clardy; Cole; Collier; Cook; Craddick; Cyrier; Darby; Davis; Dean; Geren; González, J.; González, M.; Goodwin; Guerra; Harless; Hernandez; Herrero; Hinojosa; Holland; Hull; Hunter; Johnson, A.; Kacal; King, K.; King, T.; Kuempel; Lambert; Landgraf; Larson; Leman; Lopez; Martinez Fischer; Meyer; Meza; Morales, C.; Muñoz; Murr; Paddie; Price; Ramos; Rogers; Rose; Rosenthal; Sherman; Shine; Slawson; Smith; Spiller; Stucky; Thompson, E.; Thompson, S.; Turner, J.; VanDeaver; Walle; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent, Excused, Committee Meeting — Capriglione.

Absent — Crockett; Reynolds; Schofield.

STATEMENTS OF VOTE

When Record No. 1003 was taken, I was in the house but away from my desk. I would have voted no.

Crockett

When Record No. 1003 was taken, I was shown voting no. I intended to vote yes.

M. González

When Record No. 1003 was taken, I was shown voting no. I intended to vote yes.

White

REMARKS ORDERED PRINTED

Representative Collier moved to print remarks between Representative Frank and Representative Collier on **CSHB 547**.

The motion prevailed.

Representative Collier moved to print remarks between Representative Frank and Representative VanDeaver on **CSHB 547**.

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. 1).

HB 3333 ON SECOND READING

(by Smithee)

HB 3333, A bill to be entitled An Act relating to limitations periods in arbitration proceedings.

HB 3333 was passed to engrossment.

HB 3789 ON SECOND READING

(by Guillen, et al.)

HB 3789, A bill to be entitled An Act relating to the statute of limitations for tampering with certain physical evidence.

HB 3789 was passed to engrossment.

HB 805 ON SECOND READING

(by Huberty, Muñoz, Guillen, Raymond, Martinez, et al.)

HB 805, A bill to be entitled An Act relating to certain increases in benefits under the firefighters' relief and retirement fund in certain municipalities.

HB 805 was passed to engrossment.

CSHB 2014 ON SECOND READING

(by Lucio and Shine)

CSHB 2014, A bill to be entitled An Act relating to the system for appraising property for ad valorem tax purposes.

Amendment No. 1

Representative Shine offered the following amendment to **CSHB 2014**:

Amend **CSHB 2014** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 403.303(d), Government Code, is amended to read as follows:

(d) A protesting school district may appeal a determination of a protest by the comptroller to a district court of Travis County by filing a petition with the court. An owner of property subject to the determination of the protest may, with the written approval of the protesting school district, join the school district as a party to the appeal. An appeal must be filed not later than the 30th day after the date the school district receives notification of a final decision on a protest. The ~~[Review is conducted by the]~~ court shall review de novo the comptroller's determination of the protest sitting without a jury. The court shall order specific changes to the property value study ~~[remand the determination to the comptroller]~~ if on the review the court determines ~~[discovers that substantial rights of the school district have been prejudiced, and]~~ that:

(1) the comptroller has acted arbitrarily and without regard to the facts;
or

(2) the finding of the comptroller is not reasonably supported by a preponderance of the ~~[substantial]~~ evidence introduced before the court at the hearing.

SECTION _____. Section 403.303(d), Government Code, as amended by this Act, applies to an appeal of a determination by the comptroller of public accounts of a protest of the comptroller's findings in a study of school district property values that is pending on the effective date of this Act or is filed on or after the effective date of this Act.

SECTION _____. The comptroller of public accounts is required to implement the change in law made by this Act to Section 403.303(d), Government Code, only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the comptroller may, but is not required to, implement the change in law made by this Act to Section 403.303(d), Government Code, using other appropriations available for that purpose.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Rodriguez offered the following amendment to **CSHB 2014**:

Amend **CSHB 2014** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 1.071(b), Tax Code, is amended to read as follows:

(b) Notwithstanding Subsection (a), if a person files a written request with the collector or taxing unit that a refund owed to the person be sent to a particular address, the collector or taxing unit shall send the refund to the address stated in the request. The collector or taxing unit:

(1) may require that the written request be notarized; or

(2) may require that the written request include a copy of the requestor's driver's license or state-issued personal identification certificate.

Amendment No. 2 was adopted.

CSHB 2014, as amended, was passed to engrossment.

SB 833 ON SECOND READING (Paddie - House Sponsor)

SB 833, A bill to be entitled An Act relating to a sales tax refund for sales tax overpayments by certain oil or gas severance taxpayers.

SB 833 was considered in lieu of **HB 1346**.

SB 833 was passed to third reading.

HB 1346 - LAID ON THE TABLE SUBJECT TO CALL

Representative Paddie moved to lay **HB 1346** on the table subject to call.

The motion prevailed.

HB 525 ON SECOND READING
(by Shaheen, Dean, et al.)

HB 525, A bill to be entitled An Act relating to the protection of religious organizations.

Amendment No. 1

Representative Shaheen offered the following amendment to **HB 525**:

Amend **HB 525** (house committee report) on page 2, line 8, by striking "that" and substituting "open to the public that".

Amendment No. 1 was adopted.

HB 525, as amended, was passed to engrossment.

SB 1911 ON SECOND READING
(Rose - House Sponsor)

SB 1911, A bill to be entitled An Act relating to the content of an application for Medicaid.

SB 1911 was considered in lieu of **HB 4343**.

(Capriglione now present)

SB 1911 was passed to third reading.

HB 4343 - LAID ON THE TABLE SUBJECT TO CALL

Representative Rose moved to lay **HB 4343** on the table subject to call.

The motion prevailed.

HB 3629 ON SECOND READING
(by Bonnen and Button)

HB 3629, A bill to be entitled An Act relating to the date a deferral or abatement of the collection of ad valorem taxes on the residence homestead of an elderly or disabled person or disabled veteran expires.

HB 3629 was passed to engrossment.

CSHB 144 ON SECOND READING
(by M. González)

CSHB 144, A bill to be entitled An Act relating to supplemental information required for inclusion with a written statement of an individualized education program developed for certain public school students who received special education services during the 2019-2020 or 2020-2021 school year.

CSHB 144 was passed to engrossment.

CSHB 3916 ON SECOND READING
(by Goldman)

CSHB 3916, A bill to be entitled An Act relating to the interconnection and operation of certain distributed electric generation facilities.

Representative Goldman moved to postpone consideration of **CSHB 3916** until 10 a.m. tomorrow.

The motion prevailed.

CSHB 170 ON SECOND READING
(by Ortega and Morrison)

CSHB 170, A bill to be entitled An Act relating to the hours for public consumption of alcoholic beverages.

CSHB 170 was passed to engrossment. (Ashby, Dean, and Shine recorded voting no.)

CSHB 2168 ON SECOND READING
(by Krause)

CSHB 2168, A bill to be entitled An Act relating to ticket sales for charitable raffles conducted by the charitable foundations of certain professional sports teams.

Amendment No. 1

Representative Krause offered the following amendment to **CSHB 2168**:

Amend **CSHB 2168** (house committee printing) on page 1 as follows:

(1) On line 14, between "raffle" and the underlined period, insert the following:

, restricted by a virtual geographic boundary or other similar technology that limits the raffle ticket sales to only the home venue

(2) On line 16, strike "located in this state" and substitute "present at the home venue".

Amendment No. 1 was adopted.

CSHB 2168, as amended, was passed to engrossment. (Ashby, Dean, and Shine recorded voting no.)

CSHB 2204 ON SECOND READING
(by S. Thompson)

CSHB 2204, A bill to be entitled An Act relating to the conduct of charitable bingo.

Amendment No. 1

Representative S. Thompson offered the following amendment to **CSHB 2204**:

Amend **CSHB 2204** (house committee printing) as follows:

(1) On page 8, line 10, between "subchapter" and the period, insert "including any necessary reconciliation of a prize fee held by the commission that is due to a municipality or county".

(2) On page 8, line 16, strike "at any time".

(3) On page 8, line 18, strike "but not" and substitute "and".

Amendment No. 1 was adopted.

CSHB 2204, as amended, was passed to engrossment. (Ashby, Dean, and Shine recorded voting no.)

CSHB 1838 ON SECOND READING
(by M. González, Schaefer, et al.)

CSHB 1838, A bill to be entitled An Act relating to intelligence databases for combinations and criminal street gangs.

CSHB 1838 was passed to engrossment. (Dean recorded voting no.)

CSHB 1885 ON SECOND READING
(by Harris and Gates)

CSHB 1885, A bill to be entitled An Act relating to restrictions on municipal regulation in certain areas.

Representative Harris moved to postpone consideration of **CSHB 1885** until 5:30 p.m. today.

The motion prevailed.

HB 2405 ON SECOND READING
(by Rodriguez)

HB 2405, A bill to be entitled An Act relating to the municipal regulation of housing for homeless individuals provided by a religious organization.

HB 2405 was passed to engrossment.

CSSB 696 ON SECOND READING
(Guillen - House Sponsor)

CSSB 696, A bill to be entitled An Act relating to the imposition, rate, and use of hotel occupancy taxes in certain counties and municipalities; authorizing certain counties to impose a hotel occupancy tax; reducing the maximum rate of the hotel occupancy tax imposed by certain counties.

CSSB 696 was considered in lieu of **HB 1764**.

CSSB 696 was passed to third reading. (Anderson and Dean recorded voting no.)

HB 1764 - LAID ON THE TABLE SUBJECT TO CALL

Representative Guillen moved to lay **HB 1764** on the table subject to call.

The motion prevailed.

CSHB 1686 ON SECOND READING
(by Cortez, Wilson, Toth, Rodriguez, et al.)

CSHB 1686, A bill to be entitled An Act relating to the regulation of food production on single-family residential lots by a municipality or property owners' association.

Amendment No. 1

Representative Rodriguez offered the following amendment to **CSHB 1686**:

Amend **CSHB 1686** (house committee report) as follows:

(1) On page 1, strike lines 21 through 23 and substitute the following:
including:

(1) a requirement that the growing area be maintained in good condition if visible from the street faced by the lot or from an adjoining lot; and

(2) a requirement for the trimming or removal of a tree as necessary for the maintenance of a utility easement.

(2) On page 3, strike lines 18 through 20 and substitute the following:
including:

(1) a requirement that the growing area be maintained in good condition if visible from the street faced by the lot or from an adjoining lot; and

(2) a requirement for the trimming or removal of a tree as necessary for the maintenance of a utility easement.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Rodriguez offered the following amendment to **CSHB 1686**:

Amend **CSHB 1686** (house committee report) as follows:

(1) On page 2, line 20, strike "or".

(2) On page 2, line 23, strike the underlined period and substitute "; or".

(3) On page 2, between lines 23 and 24, insert the following:

(7) a requirement that the fowls or rabbits may only be kept in the side or rear yard of a residence.

(4) On page 4, line 15, strike "or".

(5) On page 4, line 18, strike the underlined period and substitute "; or".

(6) On page 4, between lines 18 and 19, insert the following:

(7) a requirement that the fowls or rabbits may only be kept in the side or rear yard of a residence.

Amendment No. 2 was adopted.

CSHB 1686, as amended, was passed to engrossment.

HB 3016 ON SECOND READING
(by Moody and Murr)

HB 3016, A bill to be entitled An Act relating to the prohibited suspension of a provision of the Code of Criminal Procedure or Penal Code during a declared state of disaster.

Amendment No. 1

Representative Schaefer offered the following amendment to **HB 3016**:

Amend **HB 3016** (house committee printing) on page 1, line 14, between "Code" and the underlined period, insert "or create or have the effect of creating an offense not provided for in the Code of Criminal Procedure or Penal Code".

Amendment No. 1 - Point of Order

Representative J. Turner raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

(Burns in the chair)

The point of order was withdrawn.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Tinderholt offered the following amendment to **HB 3016**:

Amend **HB 3016** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill as appropriate:

SECTION _____. Section 418.004, Government Code, is amended by adding Subdivision (11-a) to read as follows:

(11-a) "Regulatory statute" means a statute prescribing the procedures for conducting state business for a state agency in the executive branch of state government with authority to regulate persons engaged in an activity or occupation.

Amendment No. 2 - Point of Order

Representative J. Turner raised a point of order against further consideration of Amendment No. 2 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 2 was withdrawn.

HB 3016 was passed to engrossment.

**HB 1861 ON SECOND READING
(by Cortez)**

HB 1861, A bill to be entitled An Act relating to the requirements for interlocal contracts.

HB 1861 was passed to engrossment. (Ashby recorded voting no.)

SB 1138 ON SECOND READING

(Noble, Frank, Swanson, Shaheen, and Meza - House Sponsors)

SB 1138, A bill to be entitled An Act relating to a study on streamlining public safety net programs to reduce costs and improve outcomes for recipients under the programs.

SB 1138 was considered in lieu of **HB 1886**.

SB 1138 - REMARKS

REPRESENTATIVE ROMERO: I've got a question and concern and I want to make sure it's addressed in the study. Is it your intent in the study to address unexpended funds as well?

REPRESENTATIVE NOBLE: Well, I don't understand exactly what you mean by unexpended funds since these are federal dollars that we have a certain amount of state dollars that go into there, so I'm not exactly sure. I'm talking about the monies that we're already using. That's why we're asking the Legislative Budget Board to do this. This is probably a 30,000-foot view instead of a ground-level view of these programs that we can all use to evaluate if they are doing the job they need to do and, frankly, how much is being lost to everyone in red tape.

ROMERO: So in your concerns for addressing money that may be lost, what my question is about is funds that the state has already received but hasn't distributed to Texas families. I want to ensure and I'm asking is your intent also—because if we want better outcomes, the only way for a lot of these families to have better outcomes is to have the resources to move forward. And if we have not been allocating those funds to those families or distributing those funds, is it your intent also to look and address where we as a state have not distributed those funds to families and why maybe some of the red tape is some of our own fault?

NOBLE: I have heard that especially where it comes to our TANF funds, that we're not using those specifically to address emergency needs, which is what it's for. So absolutely, I would love to see how those funds are being used, both at the level with the needs and if we are misappropriating them with our studies and whatnot.

ROMERO: So to your point, the TANF funds, you're stating that those dollars are not being spent correctly. Is that by Texas families, you're saying, when they distribute them?

NOBLE: No, I'm talking about us carving stuff out to use TANF funds for. I'm talking about us legislatively, actually.

ROMERO: How much do you—

NOBLE: I actually don't know yet. That's why I'm asking for this study, and I think that all of us will be able to benefit from the information that this study will garner. Again, this is not ground level digging in. This is the 30,000 foot level. That's why I asked that it be done by our Legislative Budget Board and not an outside audit or something else, because I want it to be something that, first of all, doesn't cost us money to do, and with out Legislative Budget Board, there's no fiscal note for this study. And also because we need to have this information. By the way, you don't know this about me, but I ran the food pantry clothes closet at my church for 17 years as a volunteer. So I have a heart for hurting people, and I want to make sure that we're doing things the right way to really help folks.

ROMERO: I actually did know that. You brought that to my attention before in regard to the food pantry. So you know food insecurity is a problem and has a major impact.

NOBLE: I do know it's a problem.

ROMERO: But going back to one of the points you made earlier, you brought up TANF funds. Can you speak to how many dollars the State of Texas has now in TANF funds that have not been distributed?

NOBLE: I am not advised. And you know what? Maybe this study will give us that information.

ROMERO: If that number were in the hundreds of millions of dollars, do you believe that we should be more direct in our instruction of this study to why those dollars were not spent and why we weren't maximizing our return for Texas families with those dollars?

NOBLE: I am not asking for conclusions except for efficiency and effectiveness. And if your conclusion is where we get with what the LBB brings us, then hallelujah. I'm not going to make predictions today of where that 30,000-foot look will lead us, but I am certainly excited about the opportunity of seeing what we have and how we're doing. You know, when we look at our state agencies, we do a deep dig on how we're doing with our state monies when we put things under sunset. We really never do that with these federal programs. And this is certainly not a sunset for that, but it's a beginning point to see if there's a deeper dive and a deeper dig that's needed.

ROMERO: I'd like to get you to talk to me specifically about what your goal is, then, if we're not also looking at dollars that we're not spending. Because I'm troubled that we're looking for maybe where we're misusing funds, and it sounds to me a lot like what we're looking for is problems and how to cut costs rather than looking at the dollars that we have now and how those dollars should be helping our families move forward. Let me just move on for a minute. I've still got a few more questions. Mr. Speaker, I apologize I'm going on for so long. But Representative, going back to food, since you spent time in a food pantry, is your intent to also look at delivery programs of food to families and whether or not we are addressing that moving forward doing the right thing?

NOBLE: Again, this is not looking to expand any part of these at this point. This is just seeing what we have in place and how we're doing it now. I think what you're talking about may be something that we're already doing, and maybe it's something we can improve on. But that is not the purpose of this specific bill. It's probably a great bill. It's probably just not—it's not this bill.

ROMERO: So maybe I'm just going to have to get you to help me understand then. Are you just looking at how many dollars we have? What specifically is your study asking?

NOBLE: In the bill, we really spell out the things we want them to examine and the results we want to know about. And it is how much, how we're doing, how many are reaching the recipients, the employment status, the marital status. These are some things that kind of help us see, especially for our safety net programs that are a helping hand to help somebody get back on their feet, are they doing that? I would love to find that out. And if they're not, then how do we really make them more effective? But more importantly, there are some folks that depend on us for their very lives like our adult IDD population. And you know

what? We need to make sure we're getting this right because they need us in ways that no one else does. And so that's my heart, is to make sure that we're doing this effectively and efficiently in whatever way we're doing it. And I think you're kind of wanting to concentrate on one or two of these safety nets, but really there's seven of them that we do as a state.

ROMERO: There's some more questions, but I'm going to stop here. I just want to make sure, Representative Noble, that what we're looking at here is not just the families and how they're being spent but how we as a state have—and I think it's really important. I was shocked. I never filed a bill in Human Services before, but when I see that we're sitting on hundreds of millions of dollars post-COVID and that we are not distributing those dollars and you have a study that is to address effectiveness, I don't see how that study that is specifically—

NOBLE: Now, are you talking about monies that are coming into these seven safety net programs? Because I believe what you're talking about may be a different program altogether.

ROMERO: I'm talking about TANF.

NOBLE: And that may well be. Again, maybe that is something that we should encourage the agency to include in this report. I would be amiable to that, to making sure that we find out if it's—

ROMERO: What I'm getting at, Representative Noble, is that as a business owner, I can't think of any dollar that I've ever made and have not immediately reinvested into my business. And when I think of dollars being sent down from the feds and we're not immediately reinvesting in our families, helping them with their upward mobility, and we're sitting on those dollars—I really want to know and I believe you want to know and that's why you filed this bill.

NOBLE: You are 100 percent right. I do want to know. I want to know, are we getting it right? Are we getting it right? And you are right. That is something that we need to know as a body. That wasn't the focus when I wrote this bill. My focus was kind of, you know, my mindset was saying we really do a deep dig when we look at how we do our state agencies, and we just never have an opportunity to do that with this federal money. And I think it's an appropriate time to try that.

ROMERO: And the reason for my questions, again, Representative Noble, is just to make sure that your legislative intent for this bill is that we dive down into making sure that all those federal dollars that come down are maximized and in the pockets of our families.

REPRESENTATIVE ROSENTHAL: I do have a couple of questions about this one. Are you aware that every Texan registered against your bill in committee?

NOBLE: No, I actually didn't see that.

ROSENTHAL: So this bill, to me, the intent looks like we're trying to trim this sort of spending. Is that the aim of the bill?

NOBLE: Absolutely. My intent is very clear and that is to look at how much is lost in government red tape and overhead and how we can simplify and streamline and improve the outcomes of these programs for our neediest Texans. It's so important to me that we do this right.

ROSENTHAL: So how much Texas money goes into these programs? It's mostly federally funded, right?

NOBLE: It's our neediest Texans that benefit from them.

ROSENTHAL: I'm sorry, I couldn't hear you.

NOBLE: It's our neediest Texans that benefit from them.

ROSENTHAL: Okay, that was not my question. I do appreciate that position, though. The question was, how much Texas budget money goes into these programs? Aren't they primarily federally funded?

NOBLE: They are. But do you know what? As someone said earlier today, all tax dollars come out of taxpayers' pockets. Whether it's federal money or state money, it's still tax dollars.

ROSENTHAL: Okay, how were the particular programs on this list chosen for this? So we're looking at—

NOBLE: These are our seven federal safety net programs.

ROSENTHAL: Aren't these the programs that are intended to benefit the weakest, the most needy, the ones that need help the most?

NOBLE: Absolutely.

ROSENTHAL: So you'll forgive that it appears that this is an effort to curtail those programs. So let me ask you—

NOBLE: Again, please hear my heart.

ROSENTHAL: Shouldn't we be looking to help these families as much as possible, especially in the wake of economic downturn? People have lost their homes and lost their livelihoods.

NOBLE: Thank you for mentioning that because actually, the reason I wanted it to go back five years is because we know that there's kind of an anomaly last year with COVID. And so I wanted to kind of see trends with and without COVID, and that's why it covers a five-year span.

ROSENTHAL: Very good. Are there any programs that are run by the federal government and/or the State of Texas that provide food, medical, and financial assistance to individuals who qualify based solely on need that are not included in this bill? Do you know of any?

NOBLE: Not that I'm aware of. I may have missed something, but I tried really hard to make sure that we were looking at all of them.

ROSENTHAL: Is it true that this study is going to research the marital status of beneficiaries?

NOBLE: Oh, and I really debated whether to have that in there or not. I really debated whether to include that or not, but some people really seem to think that that would help us understand if we were helping single moms well or not. And so that's—and we tried to make it really general demographics, so it's not, you know.

ROSENTHAL: So you don't find that to be an infringement on the privacy of these families at all?

NOBLE: Mainly because it's a 30,000-foot view and not an individual-ID'd kind of view.

ROSENTHAL: So the Legislative Budget Board, presumably, is going to do the study, right?

NOBLE: They're going to gather the information from the various departments of the state that already oversee these programs.

ROSENTHAL: And there's no fiscal note, right?

NOBLE: There's no fiscal note.

ROSENTHAL: Who pays for the work?

NOBLE: Well, you and I do because, you know, they're working really hard right now, but in the interim, this is a good use of the LBB's time.

ROSENTHAL: Did you know that the Senate and House Human Services Committees held days-long hearings on these issues in the '90s?

NOBLE: I wasn't here. Well, neither were you, actually.

ROSENTHAL: I didn't ask if you were here. I asked if you were knew about the history.

NOBLE: No, I actually did not know about that.

ROSENTHAL: At the time in the '90s when those hearings were conducted by then-Comptroller John Sharp, there was a similar research project done, the Texas Performance Review, with the aim to ensure that the project was a major undertaking involving many state agencies. Are you aware that that effort resulted in a report called *Partnership for Independence*?

NOBLE: I was not advised. But you know that was 20 years ago, I guess? The way you said it?

ROSENTHAL: I think the point is that if we're not aware of the history, we're doomed to make the same mistakes over and over again. Wouldn't you agree? So if we end up with a report in the '90s where these programs don't end up with a substantive change or any help to these families, what makes you think this time around would be any different?

NOBLE: Because you, Mr. Rosenthal, and I are here now.

ROSENTHAL: Are you and I going to be conducting the study, ma'am?

NOBLE: No, but we will be able to look at the study and see if there are other things that we need to look into. And that's why I wanted it to be available in plenty of time for us to make adjustments if needed before the next legislative session meets.

ROSENTHAL: I'm just going to say I am very concerned that this goes after programs for the neediest.

COMMITTEE MEETING ANNOUNCEMENT

At 5:09 p.m., the following committee meeting was announced:

Natural Resources, 5:45 p.m. today, 3W.15, for a formal meeting, to consider pending and referred business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative T. King requested permission for the Committee on Natural Resources to meet while the house is in session, at 5:45 p.m. today, in 3W.15, to consider pending and referred business.

Permission to meet was granted.

SB 1138 - (consideration continued)

REPRESENTATIVE HOWARD: Representative Noble, I think we all share your goal here of wanting to make sure what we're doing is efficient. Are you aware of the fact that we already have a process in place for the LBB, the Strategic Fiscal Review?

NOBLE: So this bill is very specific to some questions that we want to be provided. It's a little different from that. But I have not looked at that particular—what did you call it?

HOWARD: It's called the the Strategic Fiscal Review. We've had it in place for a few years now—several sessions, actually—and it's actually an extremely thorough review. In fact, if you don't remember this, it's "a tool for comprehensive budgetary analysis of states agencies and programs . . . on the most appropriate and efficient means of funding the operations of the state." Anyway, it's got a long list of things and it's a very in-depth look at the benefit analysis and the costs and efficiencies within an agency.

NOBLE: That's really good to know. Since we've asked them to do this, that will fit really well into their wheelhouse, then.

HOWARD: But, I mean, we already have a process in place. I'm just asking why we need something additional when we already have something.

NOBLE: I have not seen these questions answered by that process. And I am looking forward to all of us having those answers in the days ahead.

HOWARD: And I appreciate that. I think that's part of the challenge of being able to share what happens in committees. For instance, Appropriations, in Article II, which Chairman Capriglione chaired, we had multiple discussions with several members here that are on that subcommittee about these very things throughout

this entire time that we were meeting. There actually was a special committee of Appropriations that was looking at exactly what you're talking about, too. I'm going to pass the mic to someone else who can talk about that.

REPRESENTATIVE MINJAREZ: Thank you for all of your hard work on your bill. I appreciate the aim that you're taking. But specifically, I think the issue I have is, were you aware that the Appropriations Committee had a subcommittee dealing with strategic fiscal review and federal funds for this particular session?

NOBLE: I was not advised.

MINJAREZ: Were you aware that Representative Cecil Bell was the chair and that I am the vice-chair of said committee?

NOBLE: So I'm not advised on that. However, I think that this particular bill deserves the opportunity to have this deep dive done by the LBB during the interim because there are just answers to these questions that we don't have today.

MINJAREZ: I think one of the most important aspects of what you're trying to do here that I hope will be considered is looking into those programs where yes, there are funds available, but they have not been distributed to families in need. For example, I laid out a bill in your committee where there are TANF funds, a one-time \$1,000 payment where there is no fiscal note to the state, that would be available to kinship families that are very poor in the State of Texas. Do you recall that?

NOBLE: I do recall that.

MINJAREZ: And so I thank you for your work, but I do hope that that will be considered in this study.

REMARKS ORDERED PRINTED

Representative Minjarez moved to print remarks between Representative Noble and Representative Romero, Representative Rosenthal, Representative Howard, and Representative Minjarez on **SB 1138**.

The motion prevailed.

SB 1138 - POINT OF ORDER

Representative Rosenthal raised a point of order against further consideration of **SB 1138** under Rule 12, Section 1(b), of the House Rules on the grounds that the bill did not properly underline or bracket and strike through language amending an existing statute. The point of order was withdrawn.

COMMITTEE MEETING ANNOUNCEMENT

At 5:24 p.m., the following committee meeting was announced:

Resolutions Calendars, 6 p.m. today, 1W.14, for a formal meeting, to consider a calendar.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Guillen requested permission for the Committee on Resolutions Calendars to meet while the house is in session, at 6 p.m. today, in 1W.14, to consider a calendar.

Permission to meet was granted.

SB 1138 - (consideration continued)**Amendment No. 1**

Representative Goodwin offered the following amendment to **SB 1138**:

Amend **SB 1138** (house committee printing) as follows:

(1) On page 3, line 25, strike "and".

(2) Between page 3, line 27, and page 4, line 1, insert the following:

(K) the number and percentage of residents of this state, including a statement disaggregating the number and percentage of residents who are under 18 years of age, who:

(i) are experiencing poverty or food insecurity; and

(ii) may have avoided poverty or food insecurity as a result of the programs; and

(L) the extent to which greater investment in the programs may decrease the number of residents of this state who are experiencing poverty or food insecurity, including a statement disaggregating those residents who are under 18 years of age;

Amendment No. 1 was adopted.

Representative Noble moved to postpone consideration of **SB 1138** until 6:30 p.m. today.

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).

CSHB 1929 ON SECOND READING

(by Wilson)

CSHB 1929, A bill to be entitled An Act relating to the breach of development agreement contracts governing land in the extraterritorial jurisdiction of certain municipalities.

CSHB 1929 was passed to engrossment.

CSHB 3583 ON SECOND READING

(by Paddie)

CSHB 3583, A bill to be entitled An Act relating to energy savings performance contracts.

Amendment No. 1

Representative Paddie offered the following amendment to **CSHB 3583**:

Amend **CSHB 3583** (house committee report) on page 1, line 13, by striking "design, new construction, or new capacity expansion" and substituting "design or new construction".

Amendment No. 1 was adopted.

CSHB 3583, as amended, was passed to engrossment.

HB 2569 ON SECOND READING
(by Cortez and Toth)

HB 2569, A bill to be entitled An Act relating to the dates a retail fireworks permit holder may sell fireworks to the public.

HB 2569 was passed to engrossment.

CSHB 2641 ON SECOND READING
(by Rodriguez and Ortega)

CSHB 2641, A bill to be entitled An Act relating to annually adjusting for inflation the maximum amount of a motor vehicle excluded in determining eligibility for the supplemental nutrition assistance program.

Amendment No. 1

Representative Landgraf offered the following amendment to **CSHB 2641**:

Amend **CSHB 2641** (house committee printing) on page 2, between lines 3 and 4 by inserting the following:

(c) In calculating the maximum amount of the fair market value of a motor vehicle described by Subsection (a) that may be excluded and notwithstanding Subsection (b), the commission shall ensure that the maximum excluded amounts of the first household vehicle and each additional household vehicle remain proportionate to each other in the same proportion as the excluded amounts for those vehicles in effect on August 31, 2021.

Amendment No. 1 was adopted.

CSHB 2641, as amended, was passed to engrossment. (Anderson, Ashby, Dean, and Shine recorded voting no.)

POSTPONED BUSINESS

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

CSHB 1885 ON SECOND READING
(by Harris and Gates)

CSHB 1885, A bill to be entitled An Act relating to restrictions on municipal regulation in certain areas.

CSHB 1885 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Harris offered the following amendment to **CSHB 1885**:

Amend **CSHB 1885** (house committee report) on page 1, line 15, between "(2)" and "Section 212.002,", by inserting "Chapter 216 or".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Zwiener offered the following amendment to **CSHB 1885**:

Amend **CSHB 1885** (house committee report) on page 1, line 16, by striking "217.042,", and substituting "217.042, 229.053, 229.054,".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Canales offered the following amendment to **CSHB 1885**:

Amend **CSHB 1885** (house committee report) on page 1, by striking lines 4 through 23 and substituting the following:

SECTION 1. Subchapter A, Chapter 215, Local Government Code, is amended by adding Section 215.007 to read as follows:

Sec. 215.007. RESTRICTION ON MUNICIPAL REGULATION. (a) Notwithstanding any other law, a municipality may not adopt or enforce within the municipality or the municipality's extraterritorial jurisdiction an ordinance, rule, or regulation that establishes requirements for an individual to possess a license or registration certificate issued by the municipality to engage in the occupation, if the person is required to obtain a license or registration certificate from a state agency, department, board, or commission that authorizes the person to engage in that occupation. An ordinance that violates this subsection is void and unenforceable.

(b) This section does not limit the authority of a municipality to adopt or enforce:

(1) a zoning regulation or zoning district boundary adopted under Chapter 211 or 231;

(2) a restriction on the location where authorized business activity may be engaged in;

(3) an ordinance, order, regulation, law, or policy that regulates a credit access business, as defined by Section 393.601, Finance Code;

(4) a requirement on a towing company or vehicle storage facility, as defined by Section 2308.002, Occupations Code, adopted for the purpose of facilitating an incident management tow, as defined by that section, and storing the towed vehicle;

(5) an ordinance, order, regulation, law, or policy that protects the health or safety of persons;

(6) an ordinance, order, regulation, law, or policy relating to terms of employment in contracts or agreements entered into between a private entity, including an organization representing employees of the municipality, and a municipality;

(7) an ordinance, order, regulation, law, or policy relating to terms of employment for employees of a municipality;

(8) an ordinance, order, regulation, law, or policy that prohibits discrimination; or

(9) an ordinance or regulation that regulates an activity or structure under Chapter 216.

Amendment No. 4

Representative Anderson offered the following amendment to Amendment No. 3:

Amend Amendment No. 3 by Canales to **CSHB 1885** (house committee report) by adding the following appropriately numbered subdivision to added Section 215.007(b), Local Government Code:

() an ordinance or regulation that regulates a game room as defined by Section 234.131.

Amendment No. 4 was adopted.

Amendment No. 3 - Point of Order

Representative C. Turner raised a point of order against further consideration of Amendment No. 3 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 3, as amended, was withdrawn.

A record vote was requested by Representative Martinez.

CSHB 1885, as amended, was passed to engrossment by (Record 1004): 79 Yeas, 60 Nays, 2 Present, not voting.

Yeas — Allison; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burrows; Cain; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Dominguez; Ellzey; Frank; Frullo; Gates; Geren; Goldman; González, M.; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Jetton; Kacal; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Lucio; Metcalf; Meyer; Middleton; Morales, C.; Morrison; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Raymond; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wiener.

Nays — Allen; Anchia; Anderson; Beckley; Bernal; Bowers; Bucy; Button; Campos; Canales; Cole; Collier; Crockett; Davis; Deshotel; Fierro; Gervin-Hawkins; González, J.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Larson; Longoria; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu.

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

Absent, Excused — Coleman; Raney.

Absent — Dutton; Hunter; King, K.; Rogers; Slawson; White; Wilson.

STATEMENTS OF VOTE

When Record No. 1004 was taken, I was shown voting yes. I intended to vote no.

Allison

When Record No. 1004 was taken, I was shown voting no. I intended to vote yes.

Anderson

When Record No. 1004 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

When Record No. 1004 was taken, I was in the house but away from my desk. I would have voted yes.

Rogers

When Record No. 1004 was taken, my vote failed to register. I would have voted yes.

Slawson

When Record No. 1004 was taken, I was in the house but away from my desk. I would have voted yes.

White

When Record No. 1004 was taken, my vote failed to register. I would have voted yes.

Wilson

(Speaker in the chair)

HB 1927 - WITH SENATE AMENDMENTS

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

HB 1927, A bill to be entitled An Act relating to provisions governing the carrying of a firearm by a person who is 21 years of age or older and not otherwise prohibited by state or federal law from possessing the firearm and to other provisions related to the carrying, possessing, transporting, or storing of a firearm or other weapon; creating criminal offenses.

HB 1927 - POINT OF ORDER

Representative C. Turner raised a point of order against further consideration of the senate amendments to **HB 1927** under Rule 11, Section 2, of the House Rules on the grounds that Senate Amendment No. 14 is not germane. The point of order was withdrawn.

POSTPONED BUSINESS

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

SB 1138 ON SECOND READING

(Noble, Frank, Swanson, Shaheen, and Meza - House Sponsors)

SB 1138, A bill to be entitled An Act relating to a study on streamlining public safety net programs to reduce costs and improve outcomes for recipients under the programs.

SB 1138 was read second time earlier today, amendments were offered and disposed of, and **SB 1138** was postponed until this time.

Amendment No. 2

Representative A. Johnson offered the following amendment to **SB 1138**:

Amend **SB 1138** on page 4, between lines 5 and 6, by inserting the following appropriately numbered subdivision:

(____) a cost-benefit analysis of the historical impact of the state's failure to adopt Medicaid expansion under the Patient Protection and Affordable Care Act (Pub. L. No. 111-148)

AMENDMENT NO. 2 - REMARKS

REPRESENTATIVE A. JOHNSON: I ask at this point that we consider the impact of not having expanded Medicaid expansion. We are looking at, as Ms. Noble has said, the impact of the safety net and how that—

Amendment No. 2 - Point of Order

Representative Vasut raised a point of order against further consideration of Amendment No. 2 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

A. JOHNSON: I recognize that what the bill author is trying to do, as she has said, is look at the evaluation of safety net programs and how they impact Texas revenue, assistance, monies appropriated, and federal monies that may have been received. It is illogical to evaluate these programs without evaluating the impact of our failure to expand Medicaid and what monies have been left off the table, what programs could've been provided. And so Ms. Noble has told me the reason that we are looking at this is to get information and to make decisions in the future. This is the biggest decision that we are failing to address and, in part, because we refuse to provide the information that could allow us to make an informed decision. We are one of just a handful of states that refuse to acknowledge and address this issue. And so all it a study, and all it the same information that we're asking for around Medicaid and how that would our Texas citizens and our economic impact.

REPRESENTATIVE J.E. JOHNSON: As you're aware, if the State of Texas actually undertakes Medicaid expansion, we could provide coverage for millions of Texans who desperately need health care. Is that right?

A. JOHNSON: Representative Johnson, you're also right, and you bring up a great point. I proudly represent House District 134, which is the Texas Medical Center. And the challenge is that I live in the shadows of the greatest medical center in the world and there are many people around me that can't walk in the door.

J.E. JOHNSON: And it's really important that we undertake this study because one of the issues about expanding coverage for so many millions of Texans that don't have health care is we have the opportunity to draw down almost \$5.5 billion in federal funding that the people of Texas have paid for in our property taxes and our income taxes that we're not getting the benefit of, right?

A. JOHNSON: You're absolutely right. We are one of 11 states that have refused over the last decade to accept our money. I hear all the time this is taxpayer money. You're right. We pay our taxes, and that money goes to D.C. to come back for the needy. But we on a political position have said, I don't want my money back. And so I live in an area where we have high property taxes and I have insurance. And when I had my small business and my insurance, I paid out the nose because we pay for the uncompensated cost one way or another. It's the right thing to do for humans and the economic impact of this state.

J.E. JOHNSON: What your amendment does is we're fulfilling a promise to millions of Texans to at least find out the answer. Don't we owe it to ourselves and the millions of Texans in this state that do not have access to health care and also to the many, many health medical professionals, doctors and nurses, who are providing indigent care without compensation? We owe it to them to do a study to see what it would do to our state. How would it benefit? We're just seeking information so that we as a body can make more informed decisions, hopefully next session, about addressing, finally, the uninsured problems that we have in our state. Is that right?

A. JOHNSON: That's exactly right. And this is a study by the LBB to provide us information. If we're wrong, you'll be able to hold it up and say you guys were wrong.

J.E. JOHNSON: Representative, you have a great amendment. I hope everyone supports it.

REPRESENTATIVE BUCY: Representative, just to be clear, this bill is looking backward. It's looking at different programs to see what the impact has been. And so your goal here with this amendment is to look, since the Affordable Care Act was passed, what would've happened in Texas if we had expanded Medicaid.

A. JOHNSON: That's exactly right, and it tracks where the author says that her intent is to look at the historical impact of our cost in the safety net program. There is no bigger safety net program than Medicaid, and so to not look at that denies us the ability to make an informed decision for our people and our economy going forward.

BUCY: So I see estimates all the time about the numbers that would've been covered, the number of dollars that we would've brought back home of our tax dollars, and you hear ranges from \$5.5 billion to \$10 billion a year, maybe more in a post-pandemic, and anywhere from 1.9 million Texans, 2.2 million Texans. So you're trying to look back and see what those actual numbers are so when we have a conversation in the future about it, we'll have real data from this study.

A. JOHNSON: That's exactly right. Nonpartisan data. Nonpartisan data so that we can make an informed decision in the future. It is just a study by a nonpartisan organization to look at the actual facts.

REPRESENTATIVE M. GONZÁLEZ: So the bill talks about a cost-benefit analysis. You're doing a cost-benefit analysis on how Medicaid expansion would've impacted Texas over the last five years. Is that accurate?

A. JOHNSON: That's exactly right.

M. GONZÁLEZ: And so all we're saying is we want information and data. Should anybody be against that?

A. JOHNSON: I don't believe so, and that's exactly as the bill author said. This bill has gotten overwhelming support, and as she was talking about what she wanted to review, you couldn't help but think about, "That's right." And if we're going to look at safety net programs, then we've got to look at Medicaid as well. And so I agree with her. Let's look at safety net programs, and this is the biggest one and would have the biggest economic impact on our state, potentially.

M. GONZÁLEZ: That's a key word, "potentially." We hear from some of our colleagues that Medicaid expansion would cost the state, in fact, and if that's the truth, then the cost-benefit analysis will demonstrate that. So people on both sides of the aisle, from all political spectrums, should want to have the accurate data to support what they are saying on this house floor. Is that accurate?

A. JOHNSON: Absolutely right. This amendment would allow us to take out the guessing game. It would allow the Legislative Budget Board to do an independent analysis of the historical aspect of the decision so that we can make a better informed decision when whoever comes back here in 2022. And that's good for Texas.

M. GONZÁLEZ: I appreciate you trying to get us accurate information from a nonbiased source on things that impact Texans, especially on this issue which impacts the most Texans.

REPRESENTATIVE BECKLEY: I think I might have missed it, but is this going to go back five years like the studies in the bill, the other studies that are being done in the bill?

A. JOHNSON: This will track everything that Representative Noble wants to do and just adds an additional element to the safety net structure that she has defined, which specifically references the chapter on Medicaid. And so let's take her at her word. All we want is information, and we're just going to compare apples to apples.

BECKLEY: And this is going to go back five years as well?

A. JOHNSON: The exact same amount of time that she wants it.

BECKLEY: So we'll have how much we lost during the pandemic as well as the four years prior to the pandemic?

A. JOHNSON: We will, and I also—

BECKLEY: Well, we're not out of the pandemic.

A. JOHNSON: And I agree with her. We have big policy decisions to make. And when I talk with folks and say: Did you know that we have the highest rate of uninsured children in the nation—Texas is number one. We're number one in the highest rate of uninsured children in the nation—they're appalled. And so we, just like she wants to do, let's get all the information that we need to figure out how do we solve that stain on who we are as a state and how we treat our children. When I live next to the medical center—and it's not a question of if they could have access to care where I live—it's a question of if we want to get it to children. And so I agree with her. Let's review, but let's review everything.

BECKLEY: And did you know that one of my hospitals in my district, which I have two of, almost went bankrupt during the pandemic? And one of the main things, when I was talking to them, is because we did not take the Medicaid expansion.

A. JOHNSON: And you raise a great point. Constituents, businesses, doctors, hospitals, they always tell us that. And this study will determine if they're right so that we can make an informed decision that they are begging us to make. But we keep saying we're not sure if that's going to cost us money or if that's going to save us money.

Representative Noble moved to postpone consideration of **SB 1138** until 7:45 p.m. today.

The motion prevailed.

**HB 1927 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

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

HB 1927, A bill to be entitled An Act relating to provisions governing the carrying of a firearm by a person who is 21 years of age or older and not otherwise prohibited by state or federal law from possessing the firearm and to other provisions related to the carrying, possessing, transporting, or storing of a firearm or other weapon; creating criminal offenses.

Representative Schaefer 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 1927**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 1927**: Schaefer, chair; White, Canales, Guillen, and Burrows.

REMARKS ORDERED PRINTED

Representative Goodwin moved to all remarks on Amendment No. 2 on **SB 1138**.

The motion prevailed.

GENERAL STATE CALENDAR
(consideration continued)

HB 2664 ON SECOND READING
(by Martinez and Reynolds)

HB 2664, A bill to be entitled An Act relating to the authority of an independent school district to change the date of the general election and terms for officers.

Amendment No. 1

Representatives Martinez and Schofield offered the following amendment to **HB 2664**:

Amend **HB 2664** as follows:

On page 1, line 9, between "trustees" and the period, insert "until the date the November election is canvassed"

Amendment No. 1 was adopted.

HB 2664, as amended, was passed to engrossment. (Dean recorded voting no.)

CSHB 3656 ON SECOND READING
(by C. Turner, et al.)

CSHB 3656, A bill to be entitled An Act relating to the classification of certain construction workers and the eligibility of those workers for unemployment benefits; providing penalties.

CSHB 3656 was passed to engrossment. (Anderson and Dean recorded voting no.)

CSHB 2742 ON SECOND READING
(by Reynolds and Guillen)

CSHB 2742, A bill to be entitled An Act relating to the reentry and reintegration programs provided by the Texas Department of Criminal Justice.

CSHB 2742 was passed to engrossment. (Anderson, Dean, and Shine recorded voting no.)

POSTPONED BUSINESS

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

SB 1138 ON SECOND READING**(Noble, Frank, Swanson, Shaheen, and Meza - House Sponsors)**

SB 1138, A bill to be entitled An Act relating to a study on streamlining public safety net programs to reduce costs and improve outcomes for recipients under the programs.

SB 1138 was read second time earlier today, amendments were offered and disposed of, and **SB 1138** was postponed until 6:30 p.m., and was again postponed until this time. Amendment No. 2 was pending at the time of postponement.

AMENDMENT NO. 2 - REMARKS

NOBLE: The purpose of this bill is to look at how our current safety net programs have performed and if those existing programs are efficient and effective. This amendment has nothing to do with the purpose of this study, therefore I will be voting no on this amendment.

J.E. JOHNSON: I'm speaking in favor of this amendment because it is time, long due, that this body address the horrific state of the uninsured in the State of Texas. We have an opportunity and a responsibility to provide affordable health care to the millions of Texans that do not have it. We are on our way out of the most serious health pandemic that this state and this nation and the world, in fact, has ever faced, and we have done nothing to address health care access to the millions of people that this state needs. This amendment is critical to provide information to guide us. I think many of you have preconceived notions about what expanding Medicaid would do and the consequences, and as a result, you're not supporting a very needed, necessary program that saves Texans' lives. I do not understand how you can be a pro-life conservative and not support this initiative because it is fundamental to the health care of so many people who need it. I strongly urge us to vote yes on this because we deserve the answers that this study will provide us to guide us in the future.

A. JOHNSON: As I said earlier, I'm honored to represent the medical center. This is about our community. This is about Texas. This is about the fact that we have the highest rate of uninsured children in the nation. This is about the fact that we are losing rural hospitals at a rapid rate. I know you know it because I hear you talking in the hallways about the decision and how it's impacting your constituents. And I know that you know that truth—knowledge is power. And all this amendment asks for is to do a study. And I know you know doctors. And I know you know doctors who recognize that this has an economic impact on them as well. This is a question that is not only something that is inherently the right thing to do for our citizens but it might be the right thing to do for our Texas economy. We'll know if we do the study. And if we don't, we're denying our citizens nonpartisan policy. If we don't study it, we're just digging in on partisanship. And so I beg you, on behalf of the highest rate of uninsured children in the nation, vote yes on this amendment and let's get the knowledge.

A record vote was requested by Representative Herrero.

Amendment No. 2 failed of adoption by (Record 1005): 70 Yeas, 77 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Larson; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Amendment No. 3

Representative Romero offered the following amendment to **SB 1138**:

Amend **SB 1138** (house committee printing) as follows:

- (1) On page 2, strike lines 11 and 12 and substitute the following:
 - (2) improving outcomes for recipients under the programs, including:
 - (A) early childhood outcomes for child recipients or children of recipients;
 - (B) health outcomes for recipients; and
 - (C) reduction in food insecurity for recipients; and
- (2) On page 3, line 25, strike "and".
- (3) Strike page 3, line 27 through page 4, line 3 and substitute the following:

application for benefits and approval under each program; and

 - (K) the amount of unspent money available under the Temporary Assistance for Needy Families program that the legislature could appropriate for use under the program by eligible persons in this state and recommendations for the use of that money for the purposes of:
 - (i) reducing poverty and food insecurity among program recipients;
 - (ii) making quality and affordable childcare accessible to low-income citizens of this state; and
 - (iii) improving program recipients' health outcomes;

(2) a cost-benefit analysis that compares the costs of providing each program with the program's effectiveness at:

- (A) transitioning recipients to self-sufficiency;
- (B) achieving positive early childhood outcomes for child recipients or children of recipients;
- (C) improving the health outcomes of recipients; and
- (D) reducing food insecurity among recipients; and

Amendment No. 3 was adopted.

A record vote was requested by Representative Anchia.

SB 1138, as amended, was passed to third reading by (Record 1006): 83 Yeas, 62 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Ellzey; Frank; Frullo; Gates; Goldman; Goodwin; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Pacheco; Parker; Patterson; Paul; Raymond; Rogers; Romero; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson; Zwiener.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Larson; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Price; Ramos; Reynolds; Rodriguez; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Guerra; Paddie.

STATEMENTS OF VOTE

When Record No. 1006 was taken, I was shown voting yes. I intended to vote no.

Dutton

When Record No. 1006 was taken, I was shown voting yes. I intended to vote no.

Zwiener

HB 1886 - LAID ON THE TABLE SUBJECT TO CALL

Representative Noble moved to lay **HB 1886** on the table subject to call.

The motion prevailed.

**GENERAL STATE CALENDAR
(consideration continued)**

**HB 3221 ON SECOND READING
(by Leach and Holland)**

HB 3221, A bill to be entitled An Act relating to the accrual of a cause of action for purposes of certain laws governing certain construction liability claims.

HB 3221 was passed to engrossment.

**CSHB 2793 ON SECOND READING
(by J.D. Johnson, Sherman, Wu, et al.)**

CSHB 2793, A bill to be entitled An Act relating to parole determinations and individual treatment plans for inmates.

CSHB 2793 was passed to engrossment. (Anderson recorded voting no.)

**CSHB 4212 ON SECOND READING
(by Moody and Rose)**

CSHB 4212, A bill to be entitled An Act relating to procedures regarding defendants who are or may be persons with a mental illness or intellectual disability.

Amendment No. 1

Representative Moody offered the following amendment to **CSHB 4212**:

Amend **CSHB 4212** (house committee printing) on page 3, line 22, by striking "(a)" and substituting "(b)".

Amendment No. 1 was adopted.

CSHB 4212, as amended, was passed to engrossment.

**HB 2802 ON SECOND READING
(by Dean, Guillen, and Lozano)**

HB 2802, A bill to be entitled An Act relating to the administration of public school assessment instruments and the temporary suspension of certain accountability determinations for public schools in a school year in which public school operations are disrupted as a result of a declared disaster and the requirement to use those assessment instruments as a criterion for promotion or graduation of a public school student.

HB 2802 was passed to engrossment.

**SB 232 ON SECOND READING
(Davis - House Sponsor)**

SB 232, A bill to be entitled An Act relating to service of expert reports for health care liability claims.

SB 232 was considered in lieu of **HB 3984**.

SB 232 was passed to third reading. (Anderson, Ashby, and Dean recorded voting no.)

HB 3984 - LAID ON THE TABLE SUBJECT TO CALL

Representative Davis moved to lay **HB 3984** on the table subject to call.

The motion prevailed.

HB 3388 ON SECOND READING

(by E. Thompson)

HB 3388, A bill to be entitled An Act relating to information regarding state agency vehicle fleets.

HB 3388 was passed to engrossment.

HB 2950 ON SECOND READING

(by Smith)

HB 2950, A bill to be entitled An Act relating to the composition of and actions transferred by the judicial panel on multidistrict litigation.

Amendment No. 1

Representative Smith offered the following amendment to **HB 2950**:

Amend **HB 2950** (house committee report) by striking page 1, line 12, through page 2, line 3, and renumbering the SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

HB 2950, as amended, was passed to engrossment.

HB 2711 ON SECOND READING

(by Hinojosa, Murphy, and Guillen)

HB 2711, A bill to be entitled An Act relating to the continuation of a residence homestead exemption from ad valorem taxation while the owner is temporarily absent because of service outside of the United States as a foreign service officer employed by the United States Department of State.

HB 2711 was passed to engrossment.

CSHB 2344 ON SECOND READING

(by Zwiener, Bernal, VanDeaver, Buckley, Lozano, et al.)

CSHB 2344, A bill to be entitled An Act relating to authorizing the use of a writing portfolio assessment to assess writing performance for public school students.

Amendment No. 1

Representative Zwiener offered the following amendment to **CSHB 2344**:

Amend **CSHB 2344** (house committee report) on page 2, line 12, by striking "may" and substituting "shall".

Amendment No. 1 was adopted.

A record vote was requested by Representative Biedermann.

CSHB 2344, as amended, was passed to engrossment by (Record 1007): 94 Yeas, 49 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burrows; Button; Cain; Campos; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Gates; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, T.; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Patterson; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Slawson; Smith; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wu; Zwiener.

Nays — Anderson; Bell, C.; Biedermann; Bonnen; Burns; Capriglione; Cason; Cook; Craddick; Cyrier; Ellzey; Frank; Frullo; Gervin-Hawkins; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Leach; Leman; Metcalf; Middleton; Murphy; Murr; Noble; Oliverson; Parker; Paul; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Spiller; Swanson; Tinderholt; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Canales; Johnson, J.D.; Moody; Morrison.

STATEMENTS OF VOTE

When Record No. 1007 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 1007 was taken, I was shown voting no. I intended to vote yes.

Harless

When Record No. 1007 was taken, I was shown voting no. I intended to vote yes.

Harris

When Record No. 1007 was taken, I was shown voting no. I intended to vote yes.

Metcalf

When Record No. 1007 was taken, I was shown voting yes. I intended to vote no.

Stucky

When Record No. 1007 was taken, I was shown voting yes. I intended to vote no.

E. Thompson

HB 2821 ON SECOND READING
(by White)

HB 2821, A bill to be entitled An Act relating to the diversion of certain foster youth from the juvenile justice system, including through emergency behavior intervention by certain persons providing foster care services.

Amendment No. 1

Representative White offered the following amendment to **HB 2821**:

Amend **HB 2821** (house committee printing) as follows:

(1) On page 2, lines 3 and 4, strike "Section 42.0426(b), Human Resources Code, is amended" and substitute "Section 42.0426, Human Resources Code, is amended by amending Subsection (b) and adding Subsection (b-1)".

(2) On page 2, between lines 15 and 16, insert the following:

(b-1) The crisis response training required by Subsection (b)(1) may be conducted jointly with local law enforcement to maximize the effectiveness of the training.

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

SECTION _____. The change in law made by this Act to Section 42.0426(b), Human Resources Code, is intended to permit a residential child-care facility to supplement existing training requirements in effect before the effective date of this Act and to conduct the training outside of the existing training curricula. Section 42.0426, Human Resources Code, as amended by this Act, may not be construed as requiring the purchase of a new training program or as requiring additional training hours.

Amendment No. 1 was adopted.

HB 2821, as amended, was passed to engrossment.

CSHB 3121 ON SECOND READING
(by J. Turner, Price, and Coleman)

CSHB 3121, A bill to be entitled An Act relating to a voluntary quality standards certification process for certain private residential psychiatric treatment facilities that provide treatments and services to youth; imposing fees; authorizing civil and administrative penalties.

Amendment No. 1

Representative J. Turner offered the following amendment to **CSHB 3121**:

Amend **CSHB 3121** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. This Act shall be known as Alec's Law.

Amendment No. 1 was adopted.

CSHB 3121, as amended, was passed to engrossment. (Anderson, Dean, and Shine recorded voting no.)

HB 4355 ON SECOND READING
(by Krause and Gates)

HB 4355, A bill to be entitled An Act relating to providing children committed to the Texas Juvenile Justice Department and prisoners serving a sentence in a county jail with certain documents on discharge or release.

Amendment No. 1

Representative Krause offered the following amendment to **HB 4355**:

Amend **HB 4355** (house committee printing) on page 6 as follows:

(1) On line 6, immediately following "certificate" insert "or driver's license".

(2) On line 9, strike "or".

(3) On line 9, between "Government Code," and "is", insert "or Section 521.1421, Transportation Code,".

Amendment No. 1 was adopted.

HB 4355, as amended, was passed to engrossment.

HB 3141 ON SECOND READING
(by Dominguez, Cain, Harris, and Price)

HB 3141, A bill to be entitled An Act relating to requiring the disclosure of fees charged for the sale of concert and other event tickets.

HB 3141 was passed to engrossment. (Anderson recorded voting no.)

CSHB 1984 ON SECOND READING
(by Vasut, Gates, Cook, E. Morales, et al.)

CSHB 1984, A bill to be entitled An Act relating to the duration of a special open hunting season for game animals and certain game birds restricted to persons under 17 years old.

CSHB 1984 was passed to engrossment.

CSHB 3286 ON SECOND READING
(by Schofield and Gates)

CSHB 3286, A bill to be entitled An Act relating to the overnight parking of a commercial motor vehicle near certain apartment complexes.

Amendment No. 1

Representative Schofield offered the following amendment to **CSHB 3286**:

Amend **CSHB 3286** (house committee report) by adding the following language to the bill:

On page 2, line 17, before the beginning of SECTION 2, insert a new Subsection (g) as follows: "(g) Section 545.3075 does not apply to public right-of-ways that are part of the state highway system."

Amendment No. 1 was adopted.

CSHB 3286, as amended, was passed to engrossment.

CSSB 1263 ON SECOND READING
(C. Bell - House Sponsor)

CSSB 1263, A bill to be entitled An Act relating to funding for the Texas emissions reduction plan.

CSSB 1263 was considered in lieu of **HB 3294**.

CSSB 1263 was passed to third reading.

HB 3294 - LAID ON THE TABLE SUBJECT TO CALL

Representative C. Bell moved to lay **HB 3294** on the table subject to call.

The motion prevailed.

HB 4545 - NOTICE GIVEN

Pursuant to the provisions of Rule 7, Section 43, of the House Rules, Representative Dutton gave notice that he would, on the next legislative day, call from the journal the motion to reconsider the vote by which **HB 4545** failed to pass on May 11.

CSHB 3162 ON SECOND READING
(by Martinez)

CSHB 3162, A bill to be entitled An Act relating to a certificate of merit in certain actions against certain licensed or registered professionals.

CSHB 3162 was passed to engrossment.

HB 782 ON SECOND READING
(by Swanson, et al.)

HB 782, A bill to be entitled An Act relating to requirements for certain petitions requesting an election and ballot propositions.

HB 782 - POINT OF ORDER

Representative Anchia raised a point of order against further consideration of **HB 782** under Rule 8, Section 1(a), of the House Rules on the grounds that the bill caption failed to give reasonable notice of the subject of the bill.

(Harris in the chair)

The point of order was withdrawn.

Representative Swanson moved to postpone consideration of **HB 782** until 10 a.m. Saturday, December 25.

The motion prevailed.

CSHB 3298 ON SECOND READING
(by Allison and Guillen)

CSHB 3298, A bill to be entitled An Act relating to the establishment of a computer science strategic advisory committee and the essential knowledge and skills of the technology applications curriculum.

Amendment No. 1

Representative M. González offered the following amendment to **CSHB 3298**:

Amend **CSHB 3298** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.466 to read as follows:

Sec. 21.466. COMPUTER SCIENCE AND TECHNOLOGY APPLICATIONS PROFESSIONAL DEVELOPMENT GRANT PROGRAM.

(a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b) The commissioner shall establish a competitive professional development grant program to encourage teachers to:

(1) obtain computer science certification; and

(2) continue professional development in coding, computational thinking, cybersecurity, and computer science education.

(c) From money appropriated for the purpose, the commissioner shall make grants to eligible providers that offer:

(1) professional development for classroom teachers to ensure teachers maintain a working knowledge of current computer industry standard tools and resources; and

(2) training for computer science certification for teachers in accordance with certification requirements adopted by the State Board for Educator Certification.

(d) To be eligible to receive a grant under this section, a provider must:

(1) be an institution of higher education, regional education service center, or school district or partnership of multiple school districts or a nonprofit entity approved by the commissioner that has demonstrated experience in providing professional development through a statewide network; and

(2) meet eligibility standards established by commissioner rule.

(e) An eligible provider receiving a grant under this section must:

(1) provide the training or professional development described by Subsection (c) and establish professional development hubs in each education service center region;

(2) serve high-need campuses;

(3) have established partnerships with institution of higher education faculty with expertise in cybersecurity, computing, and computer science education; and

(4) develop partnerships with computer industry professionals.

(f) The commissioner may adopt rules as necessary to implement this section.

SECTION _____. Not later than December 31, 2021, the commissioner of education shall establish the grant program required under Section 21.466, Education Code, as added by this Act.

Amendment No. 1 was adopted.

CSHB 3298, as amended, was passed to engrossment.

CSHB 3959 ON SECOND READING
(by Buckley, Guillen, Bailes, and Cyrier)

CSHB 3959, A bill to be entitled An Act relating to the establishment of the Texas youth livestock show grant program.

Amendment No. 1

Representative Buckley offered the following amendment to **CSHB 3959**:

Amend **CSHB 3959** (house committee report) as follows:

(1) Strike "department" in each instance in which the term appears in the bill and substitute "office of the governor".

(2) On page 2, line 3, after the underlined period, insert "Not more than 10 percent of the money in the account may be used to promote and encourage donations to the fund."

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Buckley, Burns, Anderson, Murr, Ellzey, K. Bell, Geren, Cyrier, K. King, Price, Spiller, Smith, Ashby, Kacal, Rogers, Harris, and Leman offered the following amendment to **CSHB 3959**:

Amend **CSHB 3959** (house committee report) as follows:

(1) On page 1, strike lines 19-22, and substitute the following:
this section if the livestock show is part of a county or state youth livestock validation program and has Texas 4-H and Texas FFA engagement or sanction.

(2) On page 2, line 8, strike "and".

(3) On page 2, line 10, strike "," and substitute "; and".

(4) On page 2, between lines 10-11, insert the following:

(4) money received from the federal government that may be used for a purpose described by Subsection (a) and that is transferred or deposited to the credit of the fund by the legislature.

(5) Strike page 2, line, 15, and substitute the following appropriately numbered SECTION:

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, 2021.

Amendment No. 2 was adopted.

CSHB 3959, as amended, was passed to engrossment. (Dean recorded voting no.)

CSHB 1156 ON SECOND READING
(by Thierry, Leach, K. Bell, Crockett, et al.)

CSHB 1156, A bill to be entitled An Act relating to creating the criminal offense of financial abuse of an elderly individual.

CSHB 1156 was passed to engrossment.

CSSB 19 ON SECOND READING
(Capriglione - House Sponsor)

CSSB 19, A bill to be entitled An Act relating to prohibited contracts with companies that discriminate against the firearm or ammunition industries.

CSSB 19 was considered in lieu of **HB 2558**.

Amendment No. 1

Representative Capriglione offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee report) as follows:

(1) On page 1, line 17, after the underlined period, insert "The term does not include a sole proprietorship."

(2) Strike page 1, line 22, through page 2, line 9, and substitute the following:

(i) refuse to engage in the trade of any goods or services with the entity or association based solely on its status as a firearm entity or firearm trade association;

(ii) refrain from continuing an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; or

(iii) terminate an existing business relationship with the entity or association based solely on its status as a firearm entity or firearm trade association; and

(B) does not include:

(i) the established policies of a merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories; and

(ii) a company's refusal to engage in the trade of any goods or services, decision to refrain from continuing an existing business relationship, or decision to terminate an existing business relationship:

(aa) to comply with federal, state, or local law, policy, or regulations or a directive by a regulatory agency; or

(bb) for any traditional business reason that is specific to the customer or potential customer and not based solely on an entity's or association's status as a firearm entity or firearm trade association.

(3) On page 3, strike lines 9-12, and substitute the following:

Sec. 2274.002. PROVISION REQUIRED IN CONTRACT. (a) This section applies only to a contract that:

(1) is between a governmental entity and a company with at least 10 full-time employees; and

(2) has a value of at least \$100,000 that is paid wholly or partly from public funds of the governmental entity.

(4) On page 3, line 13, between "by" and "Section", insert "Subsection (c) and".

(5) On page 3, strike lines 17-24, and substitute the following:

(1) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and

(2) will not discriminate during the term of the contract against a firearm entity or firearm trade association.

(c) Subsection (b) does not apply to a governmental entity that:

(1) contracts with a sole-source provider; or

(2) does not receive any bids from a company that is able to provide the written verification required by that subsection.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Beckley offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. This Act may be cited as the Snowflake Protection Act.

A record vote was requested by Representative Cain.

Amendment No. 2 failed of adoption by (Record 1008): 62 Yeas, 80 Nays, 2 Present, not voting.

Yeas — Allen; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Smithee; Talarico; Thierry; Thompson, S.; Turner, C.; Vo; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Anchia; Dean; Perez; Walle.

CSSB 19, as amended, was passed to third reading.

HB 2558 - LAID ON THE TABLE SUBJECT TO CALL

Representative Capriglione moved to lay **HB 2558** on the table subject to call.

The motion prevailed.

HB 3673 ON SECOND READING

(by J.D. Johnson, S. Thompson, Klick, Oliverson, et al.)

HB 3673, A bill to be entitled An Act relating to the establishment of a sickle cell disease registry.

HB 3673 was passed to engrossment. (Ashby, Dean, and Shine recorded voting no.)

SB 804 ON SECOND READING

(Cortez - House Sponsor)

SB 804, A bill to be entitled An Act relating to the authority of a municipality to add property to a common characteristic public improvement district.

SB 804 was considered in lieu of **HB 3546**.

Amendment No. 1

Representative Schofield offered the following amendment to **SB 804**:

Amend **SB 804** as follows:

On page 1, line 23, insert the following and renumber subsequent sections accordingly:

(b) Notwithstanding Subsection (a), no newly constructed hotel property may be added to the district unless the record owner of the property consents to its inclusion.

Amendment No. 1 was adopted.

SB 804, as amended, was passed to third reading.

HB 3546 - LAID ON THE TABLE SUBJECT TO CALL

Representative Cortez moved to lay **HB 3546** on the table subject to call.

The motion prevailed.

CSHB 100 ON SECOND READING

(by Gervin-Hawkins)

CSHB 100, A bill to be entitled An Act relating to a notarized affidavit requesting a municipal animal control authority to manage dangerous dogs and aggressive dogs in the municipality's extraterritorial jurisdiction.

CSHB 100 was passed to engrossment.

CSHB 2095 ON SECOND READING

(by Wilson)

CSHB 2095, A bill to be entitled An Act relating to water research conducted by The University of Texas Bureau of Economic Geology.

Amendment No. 1

Representative Wilson offered the following amendment to **CSHB 2095**:

Amend **CSHB 2095** (house committee report) on page 1, between lines 8 and 9, by inserting the following:

Sec. 39.0100. SHORT TITLE. This chapter may be cited as the Texas Water Information Network Exchange program.

Amendment No. 1 was adopted.

CSHB 2095, as amended, was passed to engrossment.

HB 156 ON SECOND READING

(by Ortega, Moody, M. González, Fierro, and Ordaz Perez)

HB 156, A bill to be entitled An Act relating to the authorization by referendum of an optional county fee on vehicle registration in certain counties.

HB 156 was passed to engrossment. (Ashby, Dean, and Shine recorded voting no.)

HB 3598 ON SECOND READING

(by Leach and Rodriguez)

HB 3598, A bill to be entitled An Act relating to increasing the minimum term of imprisonment and changing the eligibility for community supervision, mandatory supervision, and parole for persons convicted of intoxication manslaughter.

Representative Goldman moved to postpone consideration of **HB 3598** until 10:25 p.m. today.

The motion prevailed.

SB 337 ON SECOND READING

(Dominguez - House Sponsor)

SB 337, A bill to be entitled An Act relating to the award of grants by the Texas Workforce Commission to facilitate the participation of certain veterans and military personnel in apprenticeship training programs.

SB 337 was considered in lieu of **HB 1884**.

SB 337 was passed to third reading.

HB 1884 - LAID ON THE TABLE SUBJECT TO CALL

Representative Dominguez moved to lay **HB 1884** on the table subject to call.

The motion prevailed.

HB 1781 ON SECOND READING

(by Krause and Martinez)

HB 1781, A bill to be entitled An Act relating to the propagation of breeder deer by cloning.

HB 1781 - POINT OF ORDER

Representative Cyrier raised a point of order against further consideration of **HB 1781** under Rule 8, Section 1(d), of the House Rules on the grounds that the bill caption is inaccurate. The point of order was withdrawn.

Representative Krause moved to postpone consideration of **HB 1781** until 10 a.m. Sunday, November 7.

The motion prevailed.

HB 4293 ON SECOND READING

(by Hinojosa, Krause, Moody, Leach, and J. González)

HB 4293, A bill to be entitled An Act relating to the creation of a court reminder program for criminal defendants.

HB 4293 was passed to engrossment.

CSHB 1568 ON SECOND READING

(by Middleton, Buckley, K. Bell, Krause, et al.)

CSHB 1568, A bill to be entitled An Act relating to the school district property value study conducted by the comptroller of public accounts.

CSHB 1568 - REMARKS

REPRESENTATIVE BERNAL: It seems that sometimes my role here is to make sure we all understand what we're doing. And so I wanted, if you could, to talk about the fiscal note of the bill. And not just to schools, although I appreciate that, but what it would mean to all the other taxing jurisdictions.

REPRESENTATIVE MIDDLETON: Right, fiscal note is an estimate, obviously, because the state, doesn't really—I mean there are grants, of course. But for other political subdivisions besides school districts, like cities, counties, special purpose districts, that's just an estimate by the comptroller's office.

BERNAL: What's the estimate?

MIDDLETON: It's quite large. I've got the updated one right here, and it's based on one assumption that I do not think is entirely accurate, that values would decrease at a half percent per year. We don't know that. We haven't seen that, at least in my area, except for once after a hurricane when there's a large amount of damage to improvements, where the improvement value goes down. It's rare for values to go down. This bill really is addressing when values are going up and when our local CADs disagree with how much the comptroller is saying they should go up.

BERNAL: Okay, I appreciate the explanation, and I actually like the spirit of the bill. But as with all of our other bills, there is a fiscal note that's associated with it, not just for schools but for the other taxing jurisdictions. And I'm wondering if you could tell us what that is.

MIDDLETON: Right, so it's estimated for counties at \$59 million, \$64 million for cities, and \$51 million for special purpose districts. But that's an estimate that I don't think is, frankly, accurate because one, it's assuming a half percent decrease per year. That's also assuming that they keep the tax rate the same as the valuations go down, which I don't believe they'll go down either.

BERNAL: And so what was it for schools?

MIDDLETON: For schools it was \$197 million.

BERNAL: And that's per year?

MIDDLETON: Per year estimate, yes.

BERNAL: Okay, so at least according to the comptroller—despite your objections and your dispute over the assumptions and the way that it was calculated—the comptroller says that this bill will cost close to \$2 billion a year? Is that fair?

MIDDLETON: Well, that's over a number of years. That's only in values, too. So here's the issue that they're not building in here is what we've done with the two and a half percent limit for M&O for school districts and then also the three and a half percent limit for the large cities and counties. So that doesn't build that into this equation. Because what would happen, say, for example, in a large city, right, say the value went down that half a percent, which I disagree with, but let's assume that they're right. Then that means with that three and a half percent, you could actually raise the tax rate four percent, right, under what we passed with **SB 2** last session.

BERNAL: Did you register your objections to the assumptions with—

MIDDLETON: I brought it up in committee. My tax assessor mentioned it as well that she strongly disagreed. I mean, we know there's some tax savings, but these numbers are based on estimates that we really can't project on that half a percent because I don't believe that's accurate. I mean, we haven't seen values go down like that, and I don't believe our CADs are going to artificially do that.

BERNAL: Well, let's go to what we're asking the body to do. Because here we are on the floor about to vote, and so we have a decision to make. Right now, your bill as estimated by the comptroller has a fiscal note of close to \$2 billion a year. You disagree with the assumptions that have been made in the calculations. However, if this bill passes out of here and becomes law, what assurances—what guardrails—exist to make sure that we haven't made some kind of mistake? How are we supposed to know that we're not doing something that would result exactly as the comptroller has predicted or calculated? Because you want our support, and I understand that. But you understand that this leap of faith is a very, very expensive leap of faith. Would you agree?

MIDDLETON: I'll tell you what is expensive is when the values go up every year and our school districts object and our CAD objects but they can't do anything because of the five percent margin of error. So they're stuck with

imputing that higher value, and they're punished because of that, and a lot of them have to sue. This doesn't even build into account all of the legal fees that have to go into that.

BERNAL: I don't disagree with anything you're saying, but I am saying that the comptroller has said that you've got close to a \$2 billion fiscal note. You disagree with that, I understand, but you're still asking for us to vote not knowing what it's going to look like or what's going to happen. And by the way, \$2 billion in this building is both not a lot and quite a bit. I had a bill where I got a fiscal note of a million and a half dollars and that prevented me from getting it here. So here you are with a bill that has a fiscal note of close to \$2 billion. You disagree with the calculation, but you haven't given us any assurances that were we to vote for it and pass it, that that won't end up being what's happening. So I'm asking you in a real way to tell all these folks how we know we're not going to be depleting our cash funds by \$2 billion a year, which would be about \$4 billion a biennium, which is greater, by the way, than the deficit we were facing after COVID.

MIDDLETON: This doesn't lower funding. This increases the funding to our schools \$21 million a year and they are still able to raise the tax rate. The only result that this could have is it could possibly lower the increase in values, but they still have the tool to raise the tax rate. This doesn't take away that tool. So the fiscal note for them if they chose to raise the tax rate is nothing. It's up to each local city. It's up to each local county. It's up to each local special purpose district to decide that. They can choose to raise the rate or they can choose not to. It is up to them.

BERNAL: But Representative, you understand what I'm saying. You understand—and I mean this in the most sincere way—you understand my point, which is there is no way for us to know or verify that because all we have to go on is the statement and testimony you're giving now. There's literally nothing for us to go on to know that that's the case. How would you suggest we go about being responsible and voting for this where all we have to go on is the one body that's responsible for costing out these bills saying it's going to cost \$2 billion a year and \$4 billion over a biennium?

MIDDLETON: Because we're leaving the decision on whether or not this has a fiscal impact on each city, county, school district, and special purpose district. We're leaving that to them. They are welcome to raise the rates if they want to or not. It is up to them. It is their decision. They could vote tomorrow to lower rates without this bill and would lower their revenue. That's up to them.

BERNAL: I understand. You understand what I'm saying—

Amendment No. 1

Representative P. King offered the following amendment to **CSHB 1568**:

Amend **CSHB 1568** (house committee printing) on page 2 as follows:

(1) On line 1, strike "Section 403.302(c)" and substitute "Sections 403.302(c) and (d)".

(2) Between lines 16 and 17, insert the following:

(d) For the purposes of this section, "taxable value" means the market value of all taxable property less:

(1) the total dollar amount of any residence homestead exemptions lawfully granted under Section 11.13(b) or (c), Tax Code, in the year that is the subject of the study for each school district;

(2) one-half of the total dollar amount of any residence homestead exemptions granted under Section 11.13(n), Tax Code, in the year that is the subject of the study for each school district;

(3) the total dollar amount of any exemptions granted before May 31, 1993, within a reinvestment zone under agreements authorized by Chapter 312, Tax Code;

(4) subject to Subsection (e), the total dollar amount of any captured appraised value of property that:

(A) is within a reinvestment zone created on or before May 31, 1999, or is proposed to be included within the boundaries of a reinvestment zone as the boundaries of the zone and the proposed portion of tax increment paid into the tax increment fund by a school district are described in a written notification provided by the municipality or the board of directors of the zone to the governing bodies of the other taxing units in the manner provided by former Section 311.003(e), Tax Code, before May 31, 1999, and within the boundaries of the zone as those boundaries existed on September 1, 1999, including subsequent improvements to the property regardless of when made;

(B) generates taxes paid into a tax increment fund created under Chapter 311, Tax Code, under a reinvestment zone financing plan approved under Section 311.011(d), Tax Code, on or before September 1, 1999; and

(C) is eligible for tax increment financing under Chapter 311, Tax Code;

(5) the total dollar amount of any captured appraised value of property that:

(A) is within a reinvestment zone:

(i) created on or before December 31, 2008, by a municipality with a population of less than 18,000; and

(ii) the project plan for which includes the alteration, remodeling, repair, or reconstruction of a structure that is included on the National Register of Historic Places and requires that a portion of the tax increment of the zone be used for the improvement or construction of related facilities or for affordable housing;

(B) generates school district taxes that are paid into a tax increment fund created under Chapter 311, Tax Code; and

(C) is eligible for tax increment financing under Chapter 311, Tax Code;

(6) the total dollar amount of any exemptions granted under Section 11.251 or 11.253, Tax Code;

(7) the difference between the comptroller's estimate of the market value and the productivity value of land that qualifies for appraisal on the basis of its productive capacity, except that the productivity value estimated by the comptroller may not exceed the fair market value of the land;

(8) the portion of the appraised value of residence homesteads of individuals who receive a tax limitation under Section 11.26, Tax Code, on which school district taxes are not imposed in the year that is the subject of the study, calculated as if the residence homesteads were appraised at the full value required by law;

(9) a portion of the market value of property not otherwise fully taxable by the district at market value because of action required by statute, including Section 23.01(e), Tax Code, or the constitution of this state, other than Section 11.311, Tax Code, that, if the tax rate adopted by the district is applied to it, produces an amount equal to the difference between the tax that the district would have imposed on the property if the property were fully taxable at market value and the tax that the district is actually authorized to impose on the property, if this subsection does not otherwise require that portion to be deducted;

(10) the market value of all tangible personal property, other than manufactured homes, owned by a family or individual and not held or used for the production of income;

(11) the appraised value of property the collection of delinquent taxes on which is deferred under Section 33.06, Tax Code;

(12) the portion of the appraised value of property the collection of delinquent taxes on which is deferred under Section 33.065, Tax Code;

(13) the amount by which the market value of a residence homestead to which Section 23.23, Tax Code, applies exceeds the appraised value of that property as calculated under that section; and

(14) the total dollar amount of any exemptions granted under Section 11.35, Tax Code.

(Speaker in the chair)

REMARKS ORDERED PRINTED

Representative Walle moved to print remarks between Representative Bernal and Representative Middleton on **CSHB 1568**.

The motion prevailed.

Amendment No. 1 was adopted.

CSHB 1568, as amended, was passed to engrossment.

HB 16 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 16, A bill to be entitled An Act relating to the sale of wholesale indexed products by retail electric providers.

Representative Hernandez moved to concur in the senate amendments to **HB 16**.

The motion to concur in the senate amendments to **HB 16** prevailed by (Record 1009): 123 Yeas, 24 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Shaheen; Sherman; Shine; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Biedermann; Cain; Cason; Cook; Dean; Gates; Harris; Hefner; Hull; King, P.; Krause; Noble; Patterson; Sanford; Schaefer; Slaton; Slawson; Smithee; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

STATEMENTS OF VOTE

When Record No. 1009 was taken, I was shown voting yes. I intended to vote no.

Capriglione

When Record No. 1009 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 1009 was taken, I was shown voting yes. I intended to vote no.

Middleton

Senate Committee Substitute

CSHB 16, A bill to be entitled An Act relating to the regulation of certain retail electric products.

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

SECTION 1. Subchapter C, Chapter 39, Utilities Code, is amended by adding Section 39.110 to read as follows:

Sec. 39.110. WHOLESALE INDEXED PRODUCTS PROHIBITED. (a) In this section, "wholesale indexed product" means a retail electric product in which the price a customer pays for electricity includes a direct pass-through of real-time settlement point prices determined by the independent organization certified under Section 39.151 for the ERCOT power region.

(b) An aggregator, a broker, or a retail electric provider may not offer a wholesale indexed product to a residential or small commercial customer.

(c) An aggregator, a broker, or a retail electric provider may enroll a customer other than a residential and small commercial customer in a wholesale indexed product only if the provider, aggregator, or broker obtains before the customer's enrollment an acknowledgment signed by the customer that the customer accepts the potential price risks associated with a wholesale indexed product.

(d) An acknowledgment required by Subsection (c) must include the following statement, in clear, boldfaced text:

"I understand that the volatility and fluctuation of wholesale energy pricing may cause my energy bill to be multiple times higher in a month in which wholesale energy prices are high. I understand that I will be responsible for charges caused by fluctuations in wholesale energy prices."

(e) An acknowledgment required by Subsection (c) may be included as an addendum to a contract.

(f) A retail electric provider that provides a wholesale indexed product to a customer must keep on file the acknowledgment required by Subsection (c) for each customer while the customer is enrolled with the retail electric provider in the wholesale indexed product.

SECTION 2. Section 39.112, Utilities Code, is amended to read as follows:

Sec. 39.112. NOTICE OF EXPIRATION AND PRICE CHANGE. (a) In this section, "fixed rate product" means a retail electric product with a term of at least three months for which the price for each billing period, including recurring charges, does not change throughout the term of the contract, except that the price may vary to reflect actual changes in transmission and distribution utility charges, changes to ERCOT or Texas Regional Entity administrative fees charged to loads, or changes to federal, state, or local laws that result in new or modified fees or costs that are not within the retail electric provider's control.

(b) A retail electric provider shall provide a residential customer who has a fixed rate product with at least three ~~[one]~~ written notices ~~[notice]~~ of the date the fixed rate product will expire. The notices ~~[notice]~~ must be provided during the last third of the contract period and in intervals that allow for, as practicable, even distribution of the notices throughout the last third of the contract period. The final notice for a contract with a period of more than four months must be provided at least 30 days before the date that the contract will expire. The final notice for a contract with a period of less than four months must be provided at least 15 days before the date that the contract will expire.

(c) The retail electric provider must provide each notice required by Subsection (b) to the customer by mail at the customer's billing address, unless the customer has opted to receive communications electronically from the retail electric provider.

(d) If the retail electric provider has access to customer contact information that allows the provider to send the customer a text message or call the customer, and the customer has agreed to receive notices by text message or call, the retail electric provider may provide additional notice to the customer by text message or call of the date the fixed rate product will expire. Notice provided by text message or call does not constitute notice under Subsection (b).

(e) A notice required by Subsection (b) must:

(1) for a notice provided by mail, ~~be sent to the customer's billing address by mail at least 30, but not more than 60, days preceding the date the contract will expire;~~

~~(2) be sent to the customer's e-mail address, if available to the provider and if the customer has agreed to receive notices electronically, at least 30, but not more than 60, days preceding the date the contract will expire;~~

~~(3)~~ include in a manner visible from ~~on~~ the outside of the envelope in which the notice is sent, a statement that reads: "Contract Expiration Notice. See Enclosed.";

(2) ~~(4)~~ if included with a customer's bill, be printed on a separate page or included as a separate document; ~~and~~

(3) ~~(5)~~ include a description of any fees or charges associated with the early termination of the customer's fixed rate product; and

(4) describe any renewal offers the retail electric provider chooses to make available to the customer and identify methods by which the customer may obtain the contract documents for each of the offered products.

(f) The final notice provided under Subsection (b) must include the pricing terms for the default renewal product required by Subsection (h).

(g) ~~(e)~~ A retail electric provider shall include on each billing statement, in boldfaced and underlined text, the end date of the fixed rate product.

(h) Except as provided by Subsection (j), if a customer does not select another retail electric product before the expiration of the customer's contract term with a retail electric provider, the provider shall automatically serve the customer through a default renewal product that the customer may cancel at any time without a fee. The default renewal product must be:

(1) a month-to-month product in which the price the customer pays for electricity may vary between billing cycles; and

(2) based on clear terms designed to be easily understood by the average customer.

(i) A retail electric provider shall include in each contract for service the terms of the default renewal product that the customer will automatically be enrolled in under Subsection (h) if the customer does not select another retail electric product before the expiration of the contract term.

(j) If a retail electric provider does not provide notice of the expiration of a customer's contract with the provider in accordance with this section and the customer does not select another retail electric product before the expiration of the customer's contract term with the provider, the retail electric provider must continue to serve the customer under the pricing terms of the fixed rate product contract until:

(1) the provider provides notice of the expiration of the contract in accordance with this section; or

(2) the customer selects another retail electric product.

(k) ~~(4)~~ No provision in this section shall be construed to prohibit the commission from adopting rules that would provide a greater degree of customer protection.

SECTION 3. The changes in law made by this Act apply only to an enrollment or re-enrollment of a customer in a retail electric product that is executed on or after the effective date of this Act. An enrollment or re-enrollment of a customer in a retail electric product that is executed 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 4. This Act takes effect September 1, 2021.

HB 1585 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 1585, A bill to be entitled An Act relating to the operations and functions of the Teacher Retirement System of Texas.

Representative Cyrier moved to concur in the senate amendments to **HB 1585**.

The motion to concur in the senate amendments to **HB 1585** prevailed by (Record 1010): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman;

Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Walle.

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

Amend **HB 1585** (senate committee printing) as follows:

- (1) Strike the following SECTIONS of the bill:
 - (A) SECTION 1 (page 1, lines 20 through 29);
 - (B) SECTIONS 3 and 4 (page 1, lines 55 through 61); and
 - (C) SECTION 6 (page 2, line 33, through page 3, line 18).
- (2) In the recital to SECTION 5 of the bill (page 2, line 2), strike "Subsections (b) and (e)" and substitute "Subsection (b)".
- (3) In SECTION 5 of the bill, strike amended Section 824.601(b), Government Code (page 2, lines 4 through 17), and substitute the following:
 - (b) Except as provided by Subsection (b-1) or (b-4), or Section 824.602 and subject to Subsection (b-2) and, if applicable, Subsection (b-3), a retiree is not entitled to service or disability retirement benefit payments, as applicable, for any month in which the retiree is employed in any position by a Texas public educational institution.
- (4) In SECTION 5 of the bill, strike added Section 824.601(b-3), Government Code (page 2, lines 18 through 22), and substitute the following:

(b-3) A retiree under Section 824.202 is subject to Subsection (b) only if the retirement system first issues the following notices to the retiree:

 - (1) with respect to the first occurrence of the retiree's employment that does not qualify for an exception under Section 824.602, the system issued a written warning notifying the retiree of that fact; and
 - (2) in a month following the month in which the system issued the warning described by Subdivision (1) and with respect to a subsequent occurrence of the retiree's continued employment that does not qualify for an exception under Section 824.602, the system issued a written notice:
 - (A) warning the retiree of the fact described by this subdivision;

and

 - (B) requiring the retiree to pay to the system, in a form and manner prescribed by the system, an amount, as elected by the retiree, that equals the total sum the retiree:
 - (i) earned for all employment by Texas public educational institutions for each month occurring after the issuance of the warning under Subdivision (1) for which the retiree did not qualify for an exception under Section 824.602 and before the month the system issued the written notice described by this subdivision; or

(ii) received in retirement benefit payments for each month occurring after the issuance of the warning under Subdivision (1) for which the retiree did not qualify for an exception under Section 824.602 and before the month the system issued the written notice described by this subdivision.

(5) In SECTION 5 of the bill, strike amended Section 824.601(e), Government Code (page 2, lines 30 through 32).

(6) In SECTION 11 of the bill, strike amended Section 825.308(3), Government Code (page 4, lines 22 through 24), and substitute the following:

(3) retirement annuities waived or forfeited in accordance with Section 824.601 or 824.004;

(3-a) retiree earnings described by Section 824.601(b-3)(2)(B)(i) that have been paid to the system;

(7) In SECTION 25 of the bill (page 7, lines 35 through 38), strike the transition language and substitute the following:

SECTION 25. Section 824.601, Government Code, as amended by this Act, applies only to employment by a retiree of the Teacher Retirement System of Texas that occurs on or after the effective date of this Act.

(8) Renumber the SECTIONS of the bill accordingly.

Senate Amendment No. 2 (Senate Floor Amendment No. 2)

Amend **HB 1585** (senate committee printing) as follows:

(1) In SECTION 5 of the bill, in the recital (page 2, line 2), between "(b)" and "and (e)", add ", (b-1),".

(2) In SECTION 5 of the bill, in amended Section 824.601, Government Code (page 2, between lines 17 and 18), insert the following:

(b-1) Subsection (b) does not apply to a retiree under Section 824.202 whose effective date of retirement is on or before January 1, 2021 ~~[2011]~~.

(3) Strike SECTION 25 of the bill (page 7, lines 35 through 38) and substitute the following:

SECTION 25. Sections 824.601 and 824.602, Government Code, as amended by this Act, apply only to employment by a retiree of the Teacher Retirement System of Texas that occurs on or after the effective date of this Act.

HB 33 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 33, A bill to be entitled An Act relating to measures to facilitate the award of postsecondary course credit leading to workforce credentialing based on military experience, education, and training.

Representative Dominguez moved to concur in the senate amendments to **HB 33**.

The motion to concur in the senate amendments to **HB 33** prevailed by (Record 1011): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wu; Zwiener.

Nays — Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — González, M.; Tinderholt.

STATEMENT OF VOTE

When Record No. 1011 was taken, I was in the house but away from my desk. I would have voted yes.

Tinderholt

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

Amend **HB 33** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION ____ Subchapter A, Chapter 434, Government Code, is amended by adding Section 434.027 to read as follows:

Sec. 434.027. ENERGY INDUSTRY PROGRAM FOR VETERAN PROFESSIONAL DEVELOPMENT. (a) The Texas Veterans Commission shall develop and administer a program to provide assistance to veterans seeking a certification or training to prepare for employment in the energy industry.

(b) The commission, in coordination with the General Land Office and Veterans' Land Board, shall conduct an outreach campaign to encourage veterans to participate in the program established under this section.

(c) The commission shall adopt rules to implement the program established under this section.

ADJOURNMENT

Representative Paddie moved that the house adjourn until 10 a.m. tomorrow.

A record vote was requested by Representative Slaton.

The motion to adjourn prevailed by (Record 1012): 116 Yeas, 19 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lucio; Martinez Fischer; Metcalf; Meyer; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Paddie; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Shaheen; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Biedermann; Cason; Cook; Gates; Jetton; Meza; Noble; Pacheco; Parker; Patterson; Schofield; Slaton; Slawson; Stucky; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Anderson; Cain; Collier; Hull; Krause; Lozano; Martinez; Middleton; Moody; Rogers; Sanford; White.

STATEMENTS OF VOTE

When Record No. 1012 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1012 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 1012 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 1012 was taken, I was in the house but away from my desk. I would have voted no.

Hull

When Record No. 1012 was taken, I was in the house but away from my desk. I would have voted no.

Middleton

When Record No. 1012 was taken, my vote failed to register. I would have voted no.

White

The house accordingly, at 10:39 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

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

HR 1001 (By Jetton), Commending Sitara Seth for her service as a legislative intern in the office of State Representative Jacey Jetton.
To Resolutions Calendars.

HR 1002 (By Jetton), Commending Thomas Le for his service as a legislative intern in the office of State Representative Jacey Jetton.
To Resolutions Calendars.

HR 1003 (By Jetton), Commending Grace Beecroft for her service as a legislative intern in the office of State Representative Jacey Jetton.
To Resolutions Calendars.

HR 1004 (By Jetton), Commending Rea Motiwala for her service as a legislative intern in the office of State Representative Jacey Jetton.
To Resolutions Calendars.

HR 1005 (By Jetton), Commending Rahil Motiwala for his service as a legislative intern in the office of State Representative Jacey Jetton.
To Resolutions Calendars.

HR 1006 (By Jetton), Congratulating Albon Wu, Laaiqa Muhammad, Unna Ramanathan, Gabriel Rodriguez, Brenda Frye, and Ted Lieb on being named 2020 Volunteers of the Year by the City of Sugar Land.
To Resolutions Calendars.

HR 1007 (By Jetton), Congratulating Jakob Jones on graduating as salutatorian of the Fort Bend Christian Academy Class of 2021.
To Resolutions Calendars.

HR 1008 (By Jetton), Congratulating Sam Wadlington on graduating as valedictorian of the Class of 2021 at Fort Bend Christian Academy in Sugar Land.

To Resolutions Calendars.

HR 1009 (By Jetton), Congratulating the Sugar Land Skeeters baseball team on its acquisition as the Triple A affiliate of the Houston Astros.

To Resolutions Calendars.

HR 1010 (By Jetton), Congratulating Dr. Gildardo Andres Ceballos on being honored as the 2020 Physician of the Year at OakBend Medical Center.

To Resolutions Calendars.

HR 1011 (By Jetton), Commending Raymond Freeman American Legion Post 942 for its service to its members and to the Sugar Land community.

To Resolutions Calendars.

HR 1012 (By Jetton, Shaheen, and Oliverson), Recognizing the festival of Diwali 2021.

To Resolutions Calendars.

HR 1013 (By Jetton), Honoring Manish Seth for his service during Winter Storm Uri.

To Resolutions Calendars.

HR 1014 (By Frullo), Congratulating Zach Casias of Lubbock High School on winning the 2021 UIL 5A wrestling state championship in the 120-pound division.

To Resolutions Calendars.

HR 1015 (By Stucky), Congratulating Caitlin Elise Nowlin on graduating from the University of North Texas in Denton.

To Resolutions Calendars.

HR 1016 (By Frullo), Congratulating the Lubbock High School girls' swimming & diving team on winning the 2021 UIL 5A state championship.

To Resolutions Calendars.

HR 1017 (By Murr), In memory of Lorelei Hankins of Rocksprings.

To Resolutions Calendars.

HR 1018 (By Morales Shaw), In memory of Linda Lelia Susan "Muffie" Moroney of Houston.

To Resolutions Calendars.

HR 1020 (By A. Johnson), Congratulating Alkiviades Boukas on graduating as valedictorian of the Class of 2021 at Bellaire High School.

To Resolutions Calendars.

HR 1021 (By A. Johnson), Congratulating Daniel Chen on graduating as valedictorian of the Class of 2021 at Bellaire High School.

To Resolutions Calendars.

HR 1022 (By A. Johnson), Congratulating Evie Tsen-Ying Kao on graduating as valedictorian of the Class of 2021 at Bellaire High School.

To Resolutions Calendars.

HR 1023 (By A. Johnson), Congratulating Angela Ling on graduating as valedictorian of the Class of 2021 at Bellaire High School.

To Resolutions Calendars.

HR 1024 (By A. Johnson), Congratulating Miles Mackenzie on graduating as valedictorian of the Class of 2021 at Bellaire High School.

To Resolutions Calendars.

HR 1025 (By A. Johnson), Congratulating Wenson Tsiach-Hao Tang on graduating as valedictorian of the Class of 2021 at Bellaire High School.

To Resolutions Calendars.

HR 1026 (By A. Johnson), Congratulating Christopher Zhou on graduating as valedictorian of the Class of 2021 at Bellaire High School.

To Resolutions Calendars.

HR 1027 (By A. Johnson), Congratulating Annie Zhu on graduating as valedictorian of the Class of 2021 at Bellaire High School.

To Resolutions Calendars.

HR 1028 (By A. Johnson), Congratulating Shirley Zhu on graduating as valedictorian of the Class of 2021 at Bellaire High School.

To Resolutions Calendars.

HR 1029 (By J. González), Congratulating Nancy Pelosi on her election to a fourth term as speaker of the U.S. House of Representatives.

To State Affairs.

HR 1030 (By J. González), Congratulating President Joe Biden and Vice President Kamala Harris on their achievements during their first 100 days in office.

To State Affairs.

HR 1031 (By Hinojosa), Honoring the participants in the 2021 Texas Folklife Apprenticeship in the Folk and Traditional Arts Program.

To Resolutions Calendars.

HR 1032 (By Herrero), Congratulating Ruben Perez on his retirement as Fire Chief of Naval Air Station Corpus Christi.

To Resolutions Calendars.

HR 1033 (By A. Johnson), Congratulating the Rice University women's basketball team on winning the 2021 Women's National Invitation Tournament.

To Resolutions Calendars.

HR 1035 (By Ordaz Perez), Congratulating Norma Myers, principal of Capistrano Elementary School in El Paso, on being honored as the 2021 Region 19 TEPSAN of the Year by the Texas Elementary Principals and Supervisors Association.

To Resolutions Calendars.

HR 1036 (By Ordaz Perez), Commending YWCA El Paso del Norte Region for its service to the community during the COVID-19 pandemic.

To Resolutions Calendars.

HR 1037 (By Ordaz Perez), Congratulating the El Paso Chapter of Credit Unions for receiving a 2020 Chapter of the Year Award from the Cornerstone Credit Union League.

To Resolutions Calendars.

HR 1038 (By Ordaz Perez), Commending Astro the pit bull terrier mix for heroically assisting his owner during a medical emergency.

To Resolutions Calendars.

HR 1039 (By Ordaz Perez), Congratulating Amanda Martinez of Bel Air High School in El Paso for placing third in the combined all-around competition at the 2021 Texas High School State Gymnastics Championship.

To Resolutions Calendars.

HR 1040 (By White), Honoring Mayor Floyd Petri of Chester for his achievements in military and public service.

To Resolutions Calendars.

HR 1041 (By E. Morales), Congratulating Joe Morales on his retirement as assistant principal of Memorial Junior High in Eagle Pass ISD.

To Resolutions Calendars.

HR 1042 (By Fierro), Commending Estine Davis of El Paso for her contributions to the community.

To Resolutions Calendars.

HR 1043 (By Fierro), Congratulating Vincent Sheffield on his appointment as interim superintendent of El Paso ISD.

To Resolutions Calendars.

HR 1044 (By Darby), Commending the Texas Department of Public Safety for protecting the Capitol Complex in Austin and extending appreciation to all members of the agency.

To Resolutions Calendars.

HR 1045 (By A. Johnson), Honoring historians Betty Trapp Chapman and Anne Hulme Sloan for curating The Heritage Society exhibit "Houston Women Cast Their Ballots: Celebrating 100 Years of the Right to Vote."

To Resolutions Calendars.

HR 1046 (By Cason), In memory of former Bedford Fire Chief James Lauren Tindell.

To Resolutions Calendars.

HR 1047 (By Buckley), Honoring Clifton Park Elementary School on the occasion of its farewell ceremony at the Trimmier Road campus in Killeen.

To Resolutions Calendars.

HR 1048 (By White), Congratulating Cameron Thomas on helping the Stephen F. Austin State University coed cheer squad win second place at the 2021 College Cheer and Dance National Championship.

To Resolutions Calendars.

HR 1049 (By Davis), In memory of Opal M. Allen of San Angelo.

To Resolutions Calendars.

HR 1050 (By Sherman), Congratulating Megan Rios on her selection as the 2020-2021 Teacher of the Year at Plummer Elementary in Cedar Hill ISD.

To Resolutions Calendars.

HR 1051 (By Raymond), Congratulating former Dallas Cowboys head coach Jimmy Johnson on his induction into the Pro Football Hall of Fame.

To Resolutions Calendars.

HR 1052 (By Sanford), In memory of Linda Fincher Nevil of Anna.

To Resolutions Calendars.

HR 1053 (By Holland), Recognizing June 12, 2021, as Texas Pie Fest Day.

To Resolutions Calendars.

HR 1054 (By Neave), In memory of Pamela Christine Brandes Tackett of Austin.

To Resolutions Calendars.

HR 1055 (By Herrero), Congratulating Mike Markle on his retirement as chief of the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1056 (By Herrero), Commending Senior Officer Alex Labatto of the Corpus Christi Police Department for saving the life of a fellow citizen.

To Resolutions Calendars.

HR 1057 (By Herrero), Commending Captain Denny Asbury for 35 years of service to the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1058 (By Herrero), Congratulating Senior Officer Edward Kearney on his retirement from the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1059 (By Herrero), Congratulating Senior Officer Karl Wright on his retirement from the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1060 (By Herrero), Congratulating Senior Officer David Gonzalez on his retirement from the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1061 (By Herrero), Congratulating Senior Officer Richard Olden on his retirement from the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1062 (By Herrero), Congratulating Senior Officer Tracy Roberts on his retirement from the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1063 (By Herrero), Congratulating Senior Officer Jeffrey Mills on his retirement from the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1064 (By Herrero), Congratulating Detective Joe Garza on his retirement from the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1065 (By Herrero), Congratulating Senior Officer Shawn Kleven on his retirement from the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1066 (By Herrero), In memory of Senior Officer Charlie "Chuck" Williams Jr. of the Corpus Christi Police Department.

To Resolutions Calendars.

HR 1067 (By Dean), Congratulating Monsignor Xavier Pappu of St. Matthew Catholic Church in Longview on the 40th anniversary of his ordination as a priest.

To Resolutions Calendars.

HR 1068 (By Fierro), Congratulating Brayden Davis of Lincoln Middle School in El Paso for his outstanding performance in the 2021 Texas Math and Science Coaches Association Middle School State Meet.

To Resolutions Calendars.

HR 1069 (By P. King), In memory of Christopher Ray Vardy of Fort Worth.

To Resolutions Calendars.

HR 1070 (By J.D. Johnson), Congratulating Dr. Ruth Simmons, president of Prairie View A&M University, on her selection as principal speaker for the 2021 Harvard University commencement celebration.

To Resolutions Calendars.

HR 1071 (By Parker), Congratulating the Argyle High School band on winning the UIL 4A State Open Class Marching Band Contest.

To Resolutions Calendars.

HR 1072 (By Parker), Congratulating the Flower Mound High School girls' soccer team on winning the 2021 UIL 6A state championship.

To Resolutions Calendars.

HR 1073 (By Parker), Congratulating the Ponder High School girls' basketball team on advancing to the semifinals of the 2021 3A state playoffs.

To Resolutions Calendars.

HR 1074 (By Parker), In memory of Vincent Michael Jones of Justin.

To Resolutions Calendars.

HR 1075 (By Parker), In memory of Roanoke City Council member Steven Heath.

To Resolutions Calendars.

HR 1076 (By Parker), In memory of U.S. Navy Midshipman Duke Anthony Carrillo.

To Resolutions Calendars.

HR 1077 (By Parker), In memory of Denton County Chief Deputy Constable Wayne Rhodes.

To Resolutions Calendars.

HR 1078 (By Parker), In memory of Jessica Courtney Duke.

To Resolutions Calendars.

HR 1079 (By Parker), In memory of Dylan Dorrell of Denton.

To Resolutions Calendars.

HR 1080 (By Kacal), Congratulating Joseph Frazier Radcliffe of Waco on his 100th birthday and recognizing him as an honorary Texan.

To Resolutions Calendars.

HR 1081 (By K. King), Commemorating the 100th anniversary of First National Bank of Quitaque.

To Resolutions Calendars.

HR 1082 (By Meza), Honoring Dr. Yuba Raj Khatiwada, Nepal's ambassador to the United States, on the occasion of his visit to Irving.

To Resolutions Calendars.

HR 1083 (By Wu), In memory of Leonard F. LaNoue of Houston.

To Resolutions Calendars.

HR 1084 (By Neave), Congratulating the Lakehill Preparatory School football team on winning the 2020 TAPPS Six-Man Division II state championship.

To Resolutions Calendars.

HR 1085 (By Sanford), In memory of John Edward Gay, former mayor of McKinney.

To Resolutions Calendars.

HR 1086 (By Jetton), Recognizing May 2021 as ALS Awareness Month.

To Resolutions Calendars.

HR 1087 (By Jetton), In memory of John William "Bill" Hartman of Richmond.

To Resolutions Calendars.

HR 1088 (By Jetton), Commending the Chinese American business owners of Fort Bend County for their service to their communities.

To Resolutions Calendars.

HR 1089 (By Kacal), Commemorating the 35th anniversary of Brookhaven Youth Ranch.

To Resolutions Calendars.

HR 1090 (By Murr), In memory of retired Kerr County judge Spencer Whitewood Brown.

To Resolutions Calendars.

HR 1091 (By Murr), In memory of G. Stanley Toeppich of Mason County.

To Resolutions Calendars.

HR 1092 (By Murr), Congratulating Rebecca Lange for her service as Llano County attorney.

To Resolutions Calendars.

HR 1093 (By Huberty), Commending Matthew Lair for his service as an intern in the office of State Representative Dan Huberty.

To Resolutions Calendars.

HR 1094 (By Murr), Congratulating Johnny Mayo on his retirement as Schleicher County Precinct 1 commissioner.

To Resolutions Calendars.

HR 1095 (By Murr), Congratulating Scott Monroe on his retirement as the district attorney for the 198th Judicial District of Texas.

To Resolutions Calendars.

HR 1096 (By Murr), Congratulating David R. Doran on his retirement as sheriff of Schleicher County.

To Resolutions Calendars.

HR 1097 (By Murr), Commending the Honorable Keith Williams on his service as judge of the 216th District Court.

To Resolutions Calendars.

HR 1098 (By Murr), Commending Bob Reeves for his service as Kerr County tax assessor-collector.

To Resolutions Calendars.

HR 1099 (By Raymond), Commending the work of El Camino Real de los Tejas National Historic Trail Association.

To Resolutions Calendars.

HR 1100 (By Herrero), Congratulating Dr. Max Thompson on his retirement as superintendent of the Banquete Independent School District.

To Resolutions Calendars.

HR 1101 (By Frullo), Commemorating the 100th anniversary of the Rotary Club of Lubbock.

To Resolutions Calendars.

HR 1102 (By C. Morales), Honoring the Houston-based band the Fab 5 for its accomplishments.

To Resolutions Calendars.

HR 1103 (By Ortega), Congratulating Austin High School in El Paso ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

To Resolutions Calendars.

HR 1104 (By Ortega), Congratulating Logan Elementary School in El Paso ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

To Resolutions Calendars.

HR 1105 (By Ortega), Congratulating Colin L. Powell Elementary School in El Paso ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

To Resolutions Calendars.

HR 1106 (By Morrison), In memory of Earley Elton Calhoun Jr. of Victoria.

To Resolutions Calendars.

HR 1107 (By Lopez), In memory of Raul Basaldua Medrano of San Antonio.

To Resolutions Calendars.

HR 1108 (By Lopez), In memory of Cosmo Frank Guido of San Antonio.

To Resolutions Calendars.

HR 1109 (By Lopez), In memory of Epifanio "Prieto" Quiroga Jr. of San Antonio.

To Resolutions Calendars.

HR 1110 (By Lopez), In memory of John P. "Jack" Riegel III.

To Resolutions Calendars.

HR 1111 (By Lopez), In memory of Daniel B. Markson of San Antonio.

To Resolutions Calendars.

HR 1112 (By Lopez), Congratulating Katie N. Reed on her retirement from the Northside ISD school board.

To Resolutions Calendars.

HR 1113 (By Oliverson), Honoring the Texas Pediatric Society on the occasion of its 100th anniversary.

To Resolutions Calendars.

HR 1114 (By E. Morales), In memory of Jeff Davis County Judge Kerith Risa Sproul-Hurley.

To Resolutions Calendars.

HR 1115 (By Sherman), Commending Candace Quarles for her service to the DeSoto City Council.

To Resolutions Calendars.

HR 1116 (By Sherman), Congratulating Patricia A. Davis on her retirement from the Dallas College Cedar Valley Campus.

To Resolutions Calendars.

HR 1117 (By Lopez), In memory of Vidal Castillo of San Antonio.
To Resolutions Calendars.

HR 1118 (By Slaton), Honoring entrepreneur and explorer Victor L. Vescovo of Dallas for his accomplishments.
To Resolutions Calendars.

HR 1119 (By Price), Congratulating the Panhandle High School girls' basketball team on advancing to the UIL 2A semifinals.
To Resolutions Calendars.

HR 1120 (By Price), Recognizing the Stanley Lamb farm for more than a century of operation in the Texas Panhandle.
To Resolutions Calendars.

HR 1121 (By E. Morales), In memory of Ricardo Treviño of Eagle Pass.
To Resolutions Calendars.

HR 1122 (By Ordaz Perez), Congratulating Bliss Elementary School in El Paso ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.
To Resolutions Calendars.

HR 1123 (By Ordaz Perez), Congratulating Ross Middle School in El Paso ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.
To Resolutions Calendars.

HR 1124 (By Ordaz Perez), Congratulating Hughey Elementary School in El Paso ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.
To Resolutions Calendars.

HR 1125 (By A. Johnson), Honoring Baylor College of Medicine for its service during the COVID-19 pandemic.
To Resolutions Calendars.

HR 1126 (By Cook), Congratulating Tamera J. Bounds on her election to the Mansfield City Council.
To Resolutions Calendars.

HR 1127 (By Cook), Congratulating Todd Tonore on his election to the Mansfield City Council.
To Resolutions Calendars.

HR 1128 (By Cook), Congratulating Glenn Mayer of Arlington on his 90th birthday.
To Resolutions Calendars.

HR 1129 (By Dean), Congratulating Jasmyne Nelms of St. Mary's Catholic School in Longview on participating in the 2021 TAPPS Track and Field State Championships.
To Resolutions Calendars.

HR 1130 (By Dean), Congratulating Rebecca Dunn of St. Mary's Catholic School in Longview on participating in the 2021 TAPPS Track and Field State Championships.

To Resolutions Calendars.

HR 1131 (By Dean), Congratulating Kassidy McCullough of St. Mary's Catholic School in Longview for winning the bronze medal in the 1A women's shot put at the 2021 TAPPS Track and Field State Championships.

To Resolutions Calendars.

HR 1132 (By Dean), Congratulating Dominic Tucker of St. Mary's Catholic School in Longview on participating in the 2021 TAPPS Track and Field State Championships.

To Resolutions Calendars.

HR 1133 (By Dean), Congratulating Dewey Nelms of St. Mary's Catholic School in Longview on participating in the 2021 TAPPS Track and Field State Championships.

To Resolutions Calendars.

HR 1134 (By Dean), Congratulating Marlin Reeves of Trinity School of Texas in Longview on his participation in the 2021 TAPPS Track and Field State Championships.

To Resolutions Calendars.

HR 1135 (By Dean), Congratulating T. J. Daniels of Longview Christian School on participating in the 2021 TAPPS Track and Field State Championships.

To Resolutions Calendars.

HR 1136 (By Dean), Congratulating Raven East of Longview Christian School on participating in the 2021 TAPPS Track and Field State Championships.

To Resolutions Calendars.

HR 1137 (By Dean), Congratulating Evan Hodge of St. Mary's Catholic School in Longview on winning two medals at the 2021 TAPPS Track and Field State Championships.

To Resolutions Calendars.

HR 1138 (By Dean), Congratulating Georgia Scott of Trinity School of Texas on winning four medals at the 2021 TAPPS Track and Field State Championships.

To Resolutions Calendars.

SB 957 to Appropriations.

SB 1020 to State Affairs.

SCR 43 to Resolutions Calendars.

SIGNED BY THE SPEAKER

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

House List No. 19

HB 317, HB 1759, HB 2494, HB 2586, HB 2749, HB 3067

Senate List No. 10

SB 43, SB 44, SB 195, SB 315, SB 346, SB 390, SB 511, SB 538, SB 609, SB 633, SB 726, SB 730, SB 770, SB 780, SB 785, SB 788, SB 792, SB 813, SB 879, SB 885, SB 930, SB 1118, SB 1124, SB 1156, SB 1181, SB 1210, SB 1216, SB 1259, SB 1265, SB 1338, SB 1339, SB 1343, SB 1355, SB 1373, SB 1643, SB 1890, SB 1986, SB 1987, SB 2145, SB 2146, SB 2147, SB 2163, SB 2171, SB 2172, SB 2174, SB 2175, SB 2180, SB 2182, SB 2197, SB 2205, SB 2208, SB 2217, SCR 9, SCR 20, SCR 33, SCR 46, SCR 47

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

Wednesday, May 12, 2021

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 103 Landgraf SPONSOR: Zaffirini

Relating to establishment of the Texas Active Shooter Alert System.

HB 574 Bonnen SPONSOR: Taylor

Relating to the creation of criminal offenses involving elections.

(Committee Substitute/Amended)

HB 719 White SPONSOR: Whitmire

Relating to Texas Department of Criminal Justice transfer facilities.

HB 788 Geren SPONSOR: Zaffirini

Relating to the eligibility of emergency service dispatchers to participate in a public safety employees treatment court program.

HB 918 Leman SPONSOR: Hughes

Relating to a license to carry a handgun for certain young adults who are protected under certain court orders related to family violence.

(Amended)

HB 1071 Harris SPONSOR: Whitmire
Relating to the presence of a qualified facility dog in certain court proceedings.
(Committee Substitute/Amended)

HB 2152 Meyer SPONSOR: Nichols
Relating to the online renewal of vehicle registration.
(Committee Substitute)

HB 3390 Thompson, Ed SPONSOR: Blanco
Relating to the purchase of cybersecurity insurance coverage by the Texas Department of Transportation.

HB 3401 Price SPONSOR: Blanco
Relating to the issuance of specialty license plates to honor members of the United States Navy SEALs.

SB 402 Johnson
Relating to the municipal sales and use tax for street maintenance.

SB 1648 Perry
Relating to the provision of benefits to certain Medicaid recipients with complex medical needs.

SB 2051 Menéndez
Relating to step therapy protocols required by health benefit plans for coverage of prescription drugs for serious mental illnesses.

SB 2181 West
Relating to the use of hotel occupancy tax revenue by certain municipalities for certain projects.

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 13
Senate Conferees: Birdwell - Chair/Hughes/Kolkhorst/Lucio/Seliger

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 12, 2021 - 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:

SB 1254 Hall

Relating to an interstate compact on border security and immigration enforcement.

SB 1606 Hall

Relating to the resilience of the electric grid and certain municipalities.

SB 2081 Menéndez

Relating to class size limits for prekindergarten classes provided by or on behalf of public schools.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 11

Corrections - **SB 48, SB 49**

Criminal Jurisprudence - **SB 280, SB 1354**

Defense and Veterans' Affairs - **SB 1185**

Elections - **HB 46, HB 4555**

Higher Education - **SB 937, SB 1102, SB 1371, SB 1385, SB 1467, SB 1490, SB 1677**

Homeland Security and Public Safety - **SB 69, SB 922, SB 2212**

Insurance - **SB 827, SB 2124**

Judiciary and Civil Jurisprudence - **SB 484, SB 808, SB 1134, SCR 41, SJR 47**

Land and Resource Management - **SB 2173**

Natural Resources - **SB 526, SB 997**

Pensions, Investments, and Financial Services - **SB 288, SB 1105**

Public Education - **HB 97**

Public Health - **HB 784, HB 881, HB 2313, HB 2609, HB 3701, HB 3760, HCR 29, HCR 86, SB 1137, SB 1534**

State Affairs - **SB 1650**

Transportation - **SB 445**

Ways and Means - **SB 197, SB 313, SB 586, SB 696**

ENGROSSED

May 11 - **HB 3, HB 130, HB 225, HB 297, HB 316, HB 671, HB 692, HB 697, HB 746, HB 750, HB 854, HB 911, HB 1126, HB 1127, HB 1206, HB 1252, HB 1290, HB 1476, HB 1482, HB 1504, HB 1613, HB 1664, HB 1683, HB 1719, HB 1793, HB 1810, HB 1935, HB 1959, HB 1966, HB 1967, HB 1987, HB 2108, HB 2148, HB 2242, HB 2251, HB 2295, HB 2357, HB 2380, HB 2424, HB 2503, HB 2539, HB 2545, HB 2656, HB 2688, HB 2701, HB 2709, HB 2748, HB 2754, HB 2756, HB 2803, HB 2822, HB 2831, HB 2851, HB 2912, HB 2926, HB 2975, HB 2988, HB 2998, HB 3005, HB 3007, HB 3081, HB 3098, HB 3115, HB 3153, HB 3203, HB 3276, HB 3301, HB 3319, HB 3322, HB 3374, HB 3417, HB 3422, HB 3449, HB 3456, HB 3469, HB 3485, HB 3489, HB 3504, HB 3512, HB 3521, HB 3551, HB 3584, HB 3660, HB 3742, HB 3744, HB 3818, HB 3819, HB 3838, HB 3859, HB 3868, HB 3897, HB 3898, HB 3922, HB 3932, HB 3949, HB 3964, HB 3976, HB 3979, HB 4004, HB 4012, HB 4018, HB 4025, HB 4068, HB 4073, HB 4074, HB 4087, HB 4094, HB 4113, HB 4131, HB 4140, HB 4146, HB 4210, HB 4269, HB 4279, HB 4354, HB 4356, HB 4374, HB 4387, HB 4450, HB 4474, HB 4485, HB 4563, HB 4568, HB 4604, HB 4661, HCR 23, HCR 32, HCR 46, HCR 61, HCR 62, HCR 71, HCR 83**

ENROLLED

May 11 - **HB 317, HB 533, HB 1622, HB 1699, HB 1759, HB 1905, HB 2494, HB 2586, HB 2749, HB 3067, HCR 87, HCR 88, HCR 100, HCR 102**

SENT TO THE GOVERNOR

May 11 - **HB 533, HB 867, HB 1082, HB 1622, HB 1699, HB 1905, HCR 87, HCR 88, HCR 93, HCR 95, HCR 96, HCR 97, HCR 98, HCR 99, HCR 100, HCR 102**

