

HOUSE JOURNAL

EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-NINTH DAY — WEDNESDAY, APRIL 12, 2023

The house met at 10:26 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 148).

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

Absent, Excused — Vo.

Absent — Tinderholt.

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

Eternal Father, at the beginning of this day, we come to you humbly, knowing our weakness, but confident in the promises you hold out to us because of who you are. Send forth your spirit, that each of us may choose to love you in each and every moment, be reminded of you throughout the day, and in so doing living the life you offer us. Permit nothing to come between us and you. We ask this through Christ Jesus, our Lord. Amen.

The chair recognized Representative Goodwin 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 today because of important business in the district:

Vo on motion of Bernal.

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).

REGULAR ORDER OF BUSINESS SUSPENDED

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

COMMITTEE MEETING ANNOUNCEMENT

At 10:30 a.m., the following committee meeting was announced:

Corrections, upon final adjournment today, Desk 25, for a formal meeting, to consider pending and referred business.

(Tinderholt now present)

**HR 1065 - ADOPTED
(by Goodwin)**

Representative Goodwin moved to suspend all necessary rules to take up and consider at this time **HR 1065**.

The motion prevailed.

The following resolution was laid before the house:

HR 1065, In memory of Danny Fetonte of Austin.

HR 1065 was unanimously adopted by a rising vote.

**HR 1058 - ADOPTED
(by V. Jones)**

Representative V. Jones moved to suspend all necessary rules to take up and consider at this time **HR 1058**.

The motion prevailed.

The following resolution was laid before the house:

HR 1058, In memory of Kirk D. Myers-Hill of DeSoto, founder of Abounding Prosperity, Inc.

HR 1058 was unanimously adopted by a rising vote. (Burrows, Spiller, and Stucky recorded voting no.)

On motion of Representative Manuel, the names of all the members of the house were added to **HR 1058** as signers thereof.

HR 966 - ADOPTED
(by Bonnen)

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 966**.

The motion prevailed.

The following resolution was laid before the house:

HR 966, Recognizing April 10 to 14, 2023, as Texas Retired Teachers Week.

HR 966 was adopted.

On motion of Representative Noble, the names of all the members of the house were added to **HR 966** as signers thereof.

HR 1009 - ADOPTED
(by Rosenthal)

Representative Rosenthal moved to suspend all necessary rules to take up and consider at this time **HR 1009**.

The motion prevailed.

The following resolution was laid before the house:

HR 1009, Recognizing the members of Texans for Public Education.

HR 1009 was adopted.

HR 972 - ADOPTED
(by Bowers)

Representative Bowers moved to suspend all necessary rules to take up and consider at this time **HR 972**.

The motion prevailed.

The following resolution was laid before the house:

HR 972, Recognizing April 12, 2023, as Mesquite Day at the State Capitol.

HR 972 was adopted.

On motion of Representative Neave Criado, the names of all the members of the house were added to **HR 972** as signers thereof.

HR 1012 - ADOPTED
(by Guillen)

Representative Guillen moved to suspend all necessary rules to take up and consider at this time **HR 1012**.

The motion prevailed.

The following resolution was laid before the house:

HR 1012, Recognizing April 12, 2023, as Three Rivers Day at the State Capitol.

(Goldman in the chair)

HR 1012 was adopted.

**HR 921 - ADOPTED
(by Kitzman)**

Representative Kitzman moved to suspend all necessary rules to take up and consider at this time **HR 921**.

The motion prevailed.

The following resolution was laid before the house:

HR 921, Commemorating the 200th anniversary of the city of Columbus.

HR 921 was adopted.

**MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 8 ON THIRD READING
(by VanDeaver, Kuempel, Buckley, Bonnen, Longoria, et al.)**

HB 8, A bill to be entitled An Act relating to the administration, coordination, and support of public higher education, including the public junior college state finance program and a Financial Aid for Swift Transfer (FAST) program to enable certain students to enroll at no cost to the student in dual credit courses offered by certain public institutions of higher education.

HB 8 was passed by (Record 149): 146 Yeas, 1 Nays, 2 Present, not voting.

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

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

Nays — Slaton.

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

Absent, Excused — Vo.

GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING

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

HB 492 ON THIRD READING
(by Craddick and E. Morales)

HB 492, A bill to be entitled An Act relating to the creation and operation of a mental health services district by the Midland County Hospital District of Midland County, Texas, and the Ector County Hospital District.

HB 492 was passed by (Record 150): 144 Yeas, 2 Nays, 2 Present, not voting.

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

Nays — Bell, C.; Schaefer.

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

Absent, Excused — Vo.

Absent — Lopez, R.

STATEMENT OF VOTE

When Record No. 150 was taken, I was shown voting no. I intended to vote yes.

C. Bell

HB 1825 ON THIRD READING
(by Turner and Cook)

HB 1825, A bill to be entitled An Act relating to the consumption, possession, and sale of alcoholic beverages at certain performing arts facilities owned by certain school districts.

HB 1825 was passed by (Record 151): 105 Yeas, 39 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bernal; Bhojani; Bowers; Bryant; Bucy; Burns; Burrows; Button; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dutton; Flores; Frank; Gámez; Garcia; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hernandez; Herrero; Hinojosa; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Longoria; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Shine; Slaton; Smith; Smithee; Spiller; Talarico; Tepper; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Troxclair; Turner; VanDeaver; Walle; Wu; Zwiener.

Nays — Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Cain; Canales; Dean; DeAyala; Dorazio; Gates; Gerdes; Harris, C.J.; Hefner; Holland; Hull; Isaac; Landgraf; Leach; Leo-Wilson; Metcalf; Murr; Noble; Oliverson; Patterson; Price; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Stucky; Swanson; Thimesch; Toth; Vasut; Wilson.

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

Absent, Excused — Vo.

Absent — Frazier; Moody.

STATEMENTS OF VOTE

When Record No. 151 was taken, I was shown voting yes. I intended to vote no.

Ashby

When Record No. 151 was taken, I was in the house but away from my desk. I would have voted yes.

Frazier

HB 205 ON THIRD READING

(by Moody)

HB 205, A bill to be entitled An Act relating to an application for a writ of habeas corpus based on certain relevant scientific evidence that was not available at the applicant's trial.

HB 205 was passed by (Record 152): 144 Yeas, 1 Nays, 2 Present, not voting.

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

Nays — Schofield.

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

Absent, Excused — Vo.

Absent — Bryant; Frazier.

STATEMENTS OF VOTE

When Record No. 152 was taken, I was in the house but away from my desk. I would have voted yes.

Bryant

When Record No. 152 was taken, I was in the house but away from my desk. I would have voted yes.

Frazier

HB 1805 ON THIRD READING

(by Klick, Oliverson, Howard, Jetton, Lalani, et al.)

HB 1805, A bill to be entitled An Act relating to the medical use of low-THC cannabis by patients with certain medical conditions.

HB 1805 was passed by (Record 153): 127 Yeas, 19 Nays, 2 Present, not voting.

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

Nays — Anderson; Ashby; Bell, C.; Bonnen; Capriglione; Craddick; DeAyala; Dorazio; Hefner; Kitzman; Leo-Wilson; Metcalf; Noble; Paul; Schaefer; Shaheen; Slaton; Slawson; Thompson, E.

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

Absent, Excused — Vo.

Absent — Johnson, J.D.

STATEMENT OF VOTE

When Record No. 153 was taken, I was shown voting yes. I intended to vote no.

Isaac

HB 728 ON THIRD READING (by Rose)

HB 728, A bill to be entitled An Act relating to the statewide interagency aging services coordinating council.

HB 728 was passed by (Record 154): 97 Yeas, 47 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Ashby; Bernal; Bhojani; Bonnen; Bowers; Bryant; Bucy; Burrows; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dutton; Flores; Frank; Gámez; Garcia; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hayes; Hernandez; Herrero; Hinojosa; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Kuempel; Lalani; Lambert; Landgraf; Longoria; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody;

Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murr; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Spiller; Talarico; Thierry; Timesch; Thompson, S.; Turner; VanDeaver; Walle; Wu; Zwiener.

Nays — Anderson; Bailes; Bell, C.; Bell, K.; Buckley; Bumgarner; Burns; Cain; Dean; DeAyala; Dorazio; Gates; Gerdes; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hefner; Holland; Hull; Isaac; Kitzman; Leach; Leo-Wilson; Metcalf; Morrison; Noble; Patterson; Paul; Price; Rogers; Schaefer; Schatzline; Shaheen; Slaton; Slawson; Smith; Smithee; Stucky; Swanson; Tepper; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut; Wilson.

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

Absent, Excused — Vo.

Absent — Button; Frazier; Lopez, J.

STATEMENTS OF VOTE

When Record No. 154 was taken, I was in the house but away from my desk. I would have voted yes.

Button

When Record No. 154 was taken, I was in the house but away from my desk. I would have voted yes.

Frazier

When Record No. 154 was taken, I was shown voting yes. I intended to vote no.

Hayes

When Record No. 154 was taken, I was shown voting yes. I intended to vote no.

Landgraf

When Record No. 154 was taken, I was in the house but away from my desk. I would have voted yes.

J. Lopez

HB 2970 ON THIRD READING (by Guillen and Cain)

HB 2970, A bill to be entitled An Act relating to the municipal regulation of HUD-code manufactured homes.

HB 2970 was passed by (Record 155): 107 Yeas, 36 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Burns; Burrows; Button; Cain; Campos; Clardy; Cortez; Craddick; Cunningham; Darby; Davis; DeAyala;

Dorazio; Dutton; Flores; Frazier; Gámez; Garcia; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hefner; Hernandez; Herrero; Hinojosa; Howard; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Landgraf; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shine; Slaton; Spiller; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Walle; Wu; Zwiener.

Nays — Bell, K.; Bumgarner; Canales; Capriglione; Collier; Cook; Dean; Frank; Gates; Gerdes; Harris, C.J.; Holland; Hull; Hunter; Johnson, J.E.; Kitzman; Klick; Leach; Martinez; Murr; Noble; Patterson; Price; Rogers; Shaheen; Sherman; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thimesch; Vasut; Wilson.

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

Absent, Excused — Vo.

Absent — Bucy; Cole; Hayes; Longoria.

STATEMENTS OF VOTE

When Record No. 155 was taken, I was in the house but away from my desk. I would have voted no.

Hayes

When Record No. 155 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 155 was taken, I was shown voting yes. I intended to vote no.

Ramos

When Record No. 155 was taken, I was shown voting no. I intended to vote yes.

Wilson

HB 1422 ON THIRD READING

(by Metcalf, Murr, Slawson, Rogers, Craddick, et al.)

HB 1422, A bill to be entitled An Act relating to daylight saving time.

HB 1422 was passed by (Record 156): 138 Yeas, 5 Nays, 4 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Button; Cain; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez;

Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Walle; Wilson; Wu.

Nays — Canales; Hinojosa; Kitzman; Noble; Zwiener.

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

Absent, Excused — Vo.

Absent — Burrows; Gates.

STATEMENTS OF VOTE

When Record No. 156 was taken, I was in the house but away from my desk. I would have voted yes.

Burrows

When Record No. 156 was taken, I was in the house but away from my desk. I would have voted yes.

Gates

HB 64 ON THIRD READING (by Landgraf)

HB 64, A bill to be entitled An Act relating to the peace officers authorized to operate an authorized emergency vehicle used to conduct a police escort.

HB 64 was passed by (Record 157): 146 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Vo.

Absent — Lopez, R.

HB 165 ON THIRD READING

(by A. Johnson, Bonnen, Kuempel, Landgraf, Ordaz, et al.)

HB 165, A bill to be entitled An Act relating to the prosecution of and punishment for an aggravated assault occurring as part of a mass shooting; increasing a criminal penalty.

HB 165 was passed by (Record 158): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Vo.

Absent — Morales, E.; Morales Shaw; Ordaz; Talarico.

STATEMENTS OF VOTE

When Record No. 158 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 158 was taken, I was in the house but away from my desk. I would have voted yes.

Ordaz

When Record No. 158 was taken, I was in the house but away from my desk. I would have voted yes.

Talarico

HB 90 ON THIRD READING

(by Patterson, Buckley, Cook, Raymond, Shine, et al.)

HB 90, A bill to be entitled An Act relating to benefits for certain members of the Texas military forces and survivors of members of the Texas military forces.

HB 90 was passed by (Record 159): 146 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Vo.

Absent — Morales, E.

HB 178 ON THIRD READING

(by Murr and Cook)

HB 178, A bill to be entitled An Act relating to testing possible controlled substance evidence for fentanyl.

Amendment No. 1

Representative Lujan offered the following amendment to **HB 178**:

Amend **HB 178** on third reading in SECTION 1 of the bill in added Article 38.51, Code of Criminal Procedure, as follows:

(1) Immediately before the underlined comma, strike "fentanyl" and substitute "a controlled substance included in Penalty Group 1-B under Section 481.1022, Health and Safety Code".

(2) Immediately before the underlined period, strike "fentanyl" and substitute "a controlled substance included in Penalty Group 1-B".

Amendment No. 1 was adopted.

HB 178, as amended, was passed by (Record 160): 143 Yeas, 1 Nays, 2 Present, not voting.

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

Nays — Wu.

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

Absent, Excused — Vo.

Absent — Morales Shaw; Shaheen; Thompson, S.

STATEMENTS OF VOTE

When Record No. 160 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 160 was taken, I was in the house but away from my desk. I would have voted yes.

Shaheen

HB 367 ON THIRD READING (by Jetton)

HB 367, A bill to be entitled An Act relating to the powers and duties of the State Commission on Judicial Conduct.

HB 367 was passed by (Record 161): 147 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Vo.

HB 25 ON THIRD READING

(by Talarico, Frank, Burrows, Rose, Klick, et al.)

HB 25, A bill to be entitled An Act relating to wholesale importation of prescription drugs in this state; authorizing a fee.

HB 25 was passed by (Record 162): 144 Yeas, 1 Nays, 2 Present, not voting.

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

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

Nays — Dorazio.

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

Absent, Excused — Vo.

Absent — King, T.; Rogers.

STATEMENTS OF VOTE

When Record No. 162 was taken, I was shown voting no. I intended to vote yes.

Dorazio

When Record No. 162 was taken, I was in the house but away from my desk. I would have voted yes.

Rogers

HB 1337 ON THIRD READING

(by Hull, Oliverson, Harless, J. González, A. Johnson, et al.)

HB 1337, A bill to be entitled An Act relating to step therapy protocols required by health benefit plans for coverage of prescription drugs for serious mental illnesses.

HB 1337 was passed by (Record 163): 146 Yeas, 1 Nays, 2 Present, not voting.

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

Nays — Slaton.

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

Absent, Excused — Vo.

HB 249 ON THIRD READING

(by Rogers, Lozano, Darby, C.J. Harris, Buckley, et al.)

HB 249, A bill to be entitled An Act relating to a school security volunteer program in certain counties.

Amendment No. 1

Representative J.D. Johnson offered the following amendment to **HB 249**:

Amend **HB 249** on third reading in SECTION 1 of the bill, in added Section 37.0817, Education Code, by adding the following appropriately lettered subsection to that section and relettering subsequent subsections and references to those sections accordingly:

() A school district or open-enrollment charter school that approves a program under this section must:

(1) provide to each person serving as a school security volunteer under the program a uniform that clearly identifies the person as a school security volunteer; and

(2) require each school security volunteer to wear a uniform described by Subdivision (1) while providing security services at the district or school in the manner provided under Subsection (c).

Amendment No. 1 was adopted.

Amendment No. 2

Representative Moody offered the following amendment to **HB 249**:

Amend **HB 249** on third reading in added Section 37.0817, Education Code, by inserting the following appropriately lettered subsection and relettering subsequent subsections and references to those subsections accordingly:

() A person who serves as a school security volunteer under this section is not a commissioned peace officer or a school resource officer, as defined by Section 1701.601, Occupations Code, and may not, in providing security services in the manner allowed under Subsection (c), engage in law enforcement activities or otherwise exercise powers or duties reserved to commissioned peace officers or school resource officers under this chapter or other law.

Amendment No. 2 was adopted.

HB 249, as amended, was passed by (Record 164): 118 Yeas, 22 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; González, M.; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez;

Herrero; Holland; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Martinez; Martinez Fischer; Metcalf; Meyer; Moody; Morales, E.; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez; Price; Raymond; Reynolds; Rogers; Romero; Rose; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Walle; Wilson.

Nays — Anchía; Bernal; Bucy; Cole; Collier; Flores; González, J.; Hinojosa; Johnson, A.; Jones, V.; Manuel; Meza; Morales, C.; Morales Shaw; Ortega; Plesa; Ramos; Rosenthal; Sherman; Talarico; Wu; Zwiener.

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

Absent, Excused — Vo.

Absent — Goodwin; Howard; Raney; Thierry; Thompson, S.; Turner; Vasut.

STATEMENTS OF VOTE

When Record No. 164 was taken, my vote failed to register. I would have voted no.

Goodwin

When Record No. 164 was taken, I was in the house but away from my desk. I would have voted no.

Howard

When Record No. 164 was taken, I was shown voting yes. I intended to vote no.

J. Jones

When Record No. 164 was taken, I was shown voting yes. I intended to vote no.

Neave Criado

When Record No. 164 was taken, I was shown voting yes. I intended to vote no.

Romero

When Record No. 164 was taken, my vote failed to register. I would have voted no.

S. Thompson

When Record No. 164 was taken, I was in the house but away from my desk. I would have voted yes.

Vasut

POSTPONED BUSINESS

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

HB 112 ON SECOND READING**(by Howard, Oliverson, Rogers, Klick, Bonnen, et al.)**

HB 112, A bill to be entitled An Act relating to workplace violence prevention in certain health facilities.

HB 112 was read second time on April 5 and was postponed until 10 a.m. today.

Representative Howard moved to postpone consideration of **HB 112** until 10 a.m. Monday, April 17.

The motion prevailed.

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

CSHB 14 ON SECOND READING**(by C.J. Harris, et al.)**

CSHB 14, A bill to be entitled An Act relating to third-party review of plats and property development plans, permits, and similar documents, and the inspection of an improvement related to such a document.

(Speaker in the chair)

CSHB 14 was passed to engrossment.

CSHB 866 ON SECOND READING**(by Oliverson, C. Bell, et al.)**

CSHB 866, A bill to be entitled An Act relating to approval of certain land development applications by a municipality or county.

CSHB 866 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE T. KING: I have a question regarding your legislative intent on one of the provisions in **CSHB 866**. In **CSHB 866**, a provision appeared that was not in the bill as filed, which repeals some language in the Local Government Code regarding groundwater availability certifications. Section 17 of the committee substitute repeals two provisions that we put in the Local Government Code in 2019 regarding the deadlines for taking action on a plat application in instances where a county or city has chosen to exercise its authority to require a groundwater availability certification to be completed for certain subdivisions where groundwater will be the source of the water supply.

In 2019, the legislature found it important to clarify that the clock did not start on the deadline for the county or city to take action on the plat application until the groundwater availability certification was completed. Those groundwater availability certifications are very important in some parts of our state, like in Representative Rogers' and Chairman Burns' house districts, and others where there are areas of scarce groundwater, so that people don't invest in

a home that won't have a reliable source of water in the future. Section 17 of the committee substitute repeals those two provisions for cities and counties in the Local Government Code that we put in the statute in 2019.

Thank you for bearing with me here. It's my understanding that the reason the committee substitute repeals those provisions is that it is your intent in **CSHB 866** that the groundwater availability certifications are just one of the many plans that must be completed before the plat is considered filed under Sections 3 and 10 of the committee substitute, for cities and counties respectively, which starts the proverbial shot clock for them to take action on the plat application. Is that your intent, that the groundwater availability certifications would have to be completed before the plat application is considered filed?

REPRESENTATIVE OLIVERSON: It is and if I may add, the change that we made in this bill largely centers around the fact, as I said in the committee substitute—we completely removed "plans," entirely. And so this change was necessary for conforming to make sure that these groundwater plans, obviously, also now don't fall under the statute.

T. KING: Thank you, Dr. Oliverson, for your time and your clarification of your legislative intent as the author of **CSHB 866**. I just want to make sure that our cities and counties would still have adequate time to review the results of the groundwater availability certification before the deadlines in your bill.

REMARKS ORDERED PRINTED

Representative T. King moved to print remarks between Representative Oliverson and Representative T. King on **CSHB 866**.

The motion prevailed.

CSHB 866 was passed to engrossment.

CSHB 1526 ON SECOND READING (by C.J. Harris)

CSHB 1526, A bill to be entitled An Act relating to parkland dedication for multifamily, hotel, and motel property development by certain municipalities; authorizing a fee.

A record vote was requested by Representative Wu.

CSHB 1526 was passed to engrossment by (Record 165): 99 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gámez; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Herrero; Holland; Hull; Hunter; Isaac; Jetton; Kacal; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lozano; Manuel; Metcalf; Meyer; Moody; Morales, E.; Morrison; Muñoz; Murr; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Price; Raney; Raymond; Rogers; Schatzline;

Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thierry; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Anchia; Bernal; Bowers; Bryant; Bucy; Bumgarner; Campos; Cole; Cook; Davis; Dutton; Flores; Garcia; González, J.; González, M.; Goodwin; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lopez, J.; Lopez, R.; Lujan; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Neave Criado; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Talarico; Thompson, S.; Turner; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Vo.

Absent — Bhojani; King, K.; Schaefer.

STATEMENTS OF VOTE

When Record No. 165 was taken, I was in the house but away from my desk. I would have voted no.

Bhojani

When Record No. 165 was taken, I was shown voting no. I intended to vote yes.

M. González

When Record No. 165 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 165 was taken, I was in the house but away from my desk. I would have voted yes.

K. King

When Record No. 165 was taken, my vote failed to register. I would have voted yes.

Schaefer

GENERAL STATE CALENDAR

HOUSE BILLS

SECOND READING

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

HB 1263 ON SECOND READING

(by S. Thompson, Walle, Wu, and Allen)

HB 1263, A bill to be entitled An Act relating to the ability of a local authority to designate school crossing zones and school crosswalks at high school campuses located in certain municipalities.

HB 1263 - REMARKS

REPRESENTATIVE PAUL: I just wanted to make sure that these crosswalks that you're talking about will still be something designed by a professional engineer.

REPRESENTATIVE S. THOMPSON: Absolutely.

REMARKS ORDERED PRINTED

Representative Paul moved to print remarks between Representative S. Thompson and Representative Paul on **HB 1263**.

The motion prevailed.

HB 1263 was passed to engrossment.

**CSHB 1635 ON SECOND READING
(by Burrows)**

CSHB 1635, A bill to be entitled An Act relating to the operation of political parties.

A record vote was requested by Representative Burrows.

CSHB 1635 was passed to engrossment by (Record 166): 137 Yeas, 6 Nays, 2 Present, not voting.

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

Nays — Dorazio; Meza; Ramos; Slaton; Tinderholt; Troxclair.

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

Absent, Excused — Vo.

Absent — Bhojani; Hunter; Johnson, J.D.; Schofield.

STATEMENTS OF VOTE

When Record No. 166 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 166 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 166 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 166 was taken, I was shown voting yes. I intended to vote no.

Toth

When Record No. 166 was taken, I was shown voting no. I intended to vote yes.

Troxclair

CSHB 180 ON SECOND READING (by Moody)

CSHB 180, A bill to be entitled An Act relating to the withdrawal of an execution date on the motion of the attorney representing the state.

A record vote was requested by Representative Tinderholt.

CSHB 180 was passed to engrossment by (Record 167): 129 Yeas, 16 Nays, 1 Present, not voting.

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

Nays — Bumgarner; Cain; Frazier; Gates; Gerdes; Hayes; Hefner; Leo-Wilson; Noble; Oliverson; Schofield; Slaton; Slawson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Vo.

Absent — Lopez, J.; Orr; Schatzline.

STATEMENTS OF VOTE

When Record No. 167 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 167 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 167 was taken, I was in the house but away from my desk. I would have voted yes.

J. Lopez

When Record No. 167 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 167 was taken, I was in the house but away from my desk. I would have voted no.

Schatzline

When Record No. 167 was taken, I was shown voting yes. I intended to vote no.

Wilson

CSHB 1615 ON SECOND READING

(by Button, Murr, Talarico, Raney, and Morales Shaw)

CSHB 1615, A bill to be entitled An Act relating to strategies to increase the availability of child-care and prekindergarten programs.

CSHB 1615 was passed to engrossment.

HB 2314 ON SECOND READING

(by Canales)

HB 2314, A bill to be entitled An Act relating to filing death benefits claims under the workers' compensation system.

HB 2314 was passed to engrossment.

HB 2015 ON SECOND READING

(by Leach)

HB 2015, A bill to be entitled An Act relating to the exemption from jury service for persons over a certain age.

A record vote was requested by Representative Tinderholt.

HB 2015 was passed to engrossment by (Record 168): 142 Yeas, 3 Nays, 1 Present, not voting.

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

Nays — Hunter; Slaton; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Vo.

Absent — Burns; Lopez, J.; VanDeaver.

STATEMENTS OF VOTE

When Record No. 168 was taken, I was in the house but away from my desk. I would have voted yes.

Burns

When Record No. 168 was taken, I was in the house but away from my desk. I would have voted yes.

J. Lopez

HB 699 ON SECOND READING**(by Frank)**

HB 699, A bill to be entitled An Act relating to determining the student enrollment of a public school that allows non-enrolled students to participate in University Interscholastic League activities for purposes of assigning a University Interscholastic League classification.

HB 699 was passed to engrossment.

HB 767 ON SECOND READING**(by Harless)**

HB 767, A bill to be entitled An Act relating to the entry into the Texas Crime Information Center of certain information regarding conditions of bond for stalking offenses.

HB 767 was passed to engrossment.

CSHB 166 ON SECOND READING**(by M. González, VanDeaver, C.E. Harris, Gámez, and Moody)**

CSHB 166, A bill to be entitled An Act relating to policies and procedures regarding certain public school students with disabilities.

CSHB 166 was passed to engrossment.

HB 659 ON SECOND READING**(by Cook, Troxclair, et al.)**

HB 659, A bill to be entitled An Act relating to specialty license plates issued for recipients of the Commendation Medal.

HB 659 was passed to engrossment.

HB 697 ON SECOND READING**(by Holland, Longoria, Lambert, Frazier, and A. Johnson)**

HB 697, A bill to be entitled An Act relating to seller's disclosures regarding fuel gas piping in residential real property.

Amendment No. 1

Representative C. Bell offered the following amendment to **HB 697**:

Amend **HB 697** (house committee report) on page 8, between lines 23 and 24, by inserting the following:

12. Provide the following information about each special district in which the property is located:

(A) the name of the district;

(B) the ad valorem tax rate or assessment rate imposed by the district for the preceding tax year; and

(C) the dollar amount of any ad valorem taxes or assessments imposed by the district for the preceding tax year. (Attach additional sheets if necessary):

Amendment No. 1 was adopted.

HB 697, as amended, was passed to engrossment.

HB 567 ON SECOND READING

(by Bowers, Rose, Reynolds, Sherman, Buckley, et al.)

HB 567, A bill to be entitled An Act relating to discrimination on the basis of hair texture or protective hairstyle associated with race.

HB 567 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE SCHAEFER: Thank you for this bill. I think you've got a good bill and I'm going to support it. I heard you say in your layout that for those cheer teams and dance teams where the coach or the director asks the young ladies to pull their hair back as part of their performance—it's not the intent of your bill to prohibit that, correct?

REPRESENTATIVE BOWERS: It is not, Mr. Schaefer, and thank you for asking. I was a cheerleader myself and many girls that are on these squads are asked to pull their hair back. Sometimes they might not be able to, but they do have to alter their hair to change their hair so that they can. But it will not prohibit coaches of dance squads or cheer squads from asking them to do so.

REMARKS ORDERED PRINTED

Representative Schaefer moved to print remarks between Representative Bowers and Representative Schaefer on **HB 567**.

The motion prevailed.

A record vote was requested by Representative Tinderholt.

HB 567 was passed to engrossment by (Record 169): 141 Yeas, 3 Nays, 1 Present, not voting.

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

Nays — Slaton; Tinderholt; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Vo.

Absent — Bhojani; Cain; Schofield; Troxclair.

STATEMENT OF VOTE

When Record No. 169 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

HB 1955 ON SECOND READING

(by Buckley)

HB 1955, A bill to be entitled An Act relating to establishing residency for purposes of admission into public schools.

Representative Buckley moved to postpone consideration of **HB 1955** until 10 a.m. Tuesday, April 18.

The motion prevailed.

HB 1730 ON SECOND READING

(by Schaefer, Cook, et al.)

HB 1730, A bill to be entitled An Act relating to the punishment for the offense of indecent exposure; increasing a criminal penalty.

HB 1730 was passed to engrossment.

HB 2138 ON SECOND READING

(by Kacal and Bailes)

HB 2138, A bill to be entitled An Act relating to the sale of charitable raffle tickets by certain nonprofit wildlife conservation associations.

HB 2138 was passed to engrossment.

CSHB 842 ON SECOND READING

(by Patterson)

CSHB 842, A bill to be entitled An Act relating to prohibiting the suspension of a person's driver's license or extension of the period of a driver's license suspension for certain driving while license invalid convictions; authorizing a fee.

CSHB 842 was passed to engrossment.

CSHB 1590 ON SECOND READING

(by Burns)

CSHB 1590, A bill to be entitled An Act relating to the establishment of the Texas Leadership Scholars Program to serve as a merit-based scholarship and leadership opportunity for high-achieving, emerging leaders with financial need.

CSHB 1590 was passed to engrossment.

MESSAGE FROM THE CHIEF JUSTICE OF THE SUPREME COURT OF TEXAS

The chair laid before the house and submitted the following message by the chief justice for inclusion in the journal:

TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH TEXAS LEGISLATURE, REGULAR SESSION:

I, NATHAN L. HECHT, Chief Justice of the Supreme Court of Texas, pursuant to Section 21.004, Government Code, do hereby submit the following written State of the Judiciary message, which was originally performed live as a speech in Austin, Texas, on April 5, 2023:

My fellow Texans: Welcome to the courtroom of the Supreme Court of Texas.

September 11, 2001, dawned like any other day. By evening, the twin towers of the World Trade Center lay in rubble and nearly 3,000 were dead. It was a defining moment. The world would never be the same. We quickly took important lessons from the tragedy, terrible as it was. Airport officials admitted a 9/11 could have happened long before with security so lax. Within weeks, President Bush signed TSA into law, and you could no longer stroll through an airport to your gate. IDs, boarding passes, and searched bags became mandatory. Security screening was immediately put in place here at the Texas Capitol. Those changes and many others became normal—the new normal we now take for granted.

COVID-19 struck, not as suddenly, but unrelentingly, wringing from us life and routine month after month, with more than 100 million cases and a million deaths in the U.S. to date. The pandemic was historic, a defining moment. The world will never be the same. That's certainly true of the justice system. Texas courts kept their doors open with participants joining proceedings remotely to minimize health risks. We've had to learn how to Zoom. We've had to learn to do jury trials in make-do facilities and to reduce resulting backlogs. We've had to learn . . . many things.

Former Michigan Chief Justice Bridget McCormack put it well: "This pandemic was not the disruption we wanted but it might have been the disruption we needed in courts to accelerate change in a way that can produce a justice system that's more accessible and more transparent and more efficient." America's civil justice system is still, after 85 years, very much a product of the 1938 Federal Rules of Civil Procedure, which are foundational in Texas and most other state courts. Our criminal justice system is still deeply rooted in 19th century practices. If we sat down to create a 21st century justice system from scratch, it would bear little resemblance to the system we have. Lawyers and judges resist change. To their credit, stability and predictability are virtues in the law. But obstinacy is not. In my 2019 State of the Judiciary, I reported that Texas' 3,200 judges had resolved 8.6 million cases the prior year—23 times the number of cases handled by all the federal courts in the country. In a small fraction of those—maybe one-half of one percent—procedures designed for

felonies and complex civil cases assured justice. For the remaining millions of more straightforward cases, which also sought justice, those same procedures impeded a fair, cost-effective, and efficient resolution.

We have long known our justice system ill fits present realities. The public complains that going to court takes too long and costs too much. Our response has been slow and muted. By contrast, the marketplace turns on a dime. When COVID-19 prompted many households to want food delivered to their doorsteps, the market immediately responded, offering all sorts of convenient, reasonably priced food delivery systems, not simply insisting that people go to stores. The contrast between the justice "market" and economic markets is jolting. If the justice system were a business, and its customers had any choice, it would be in bankruptcy.

The pandemic is—and we must see it as—a defining moment, like 9/11, an impetus for innovation and change. I don't mean change for change's sake. And I certainly don't mean change for the worse. But we have long known that improvements can and should be made, and we have not adequately responded. Now should be the time for taking stock and taking action. "Never," in the words of Winston Churchill, "let a good crisis go to waste."

As Chief Justice of the Supreme Court of Texas, I am required by law during each regular legislative session to report on the State of the Texas Judiciary. This is my fifth occasion to do so. Last time, in 2021, I concluded by saying: "We will defeat the pandemic. We will return to normal. For the judiciary, it will be a new normal, one with even greater promises of justice for all." We are hard at work to fulfill that promise. We are gaining on it.

The first measure courts took to stay open in March 2020 was to conduct proceedings with participants joining remotely by electronic means, usually Zoom, a rarity before. Within a year, Texas courts had conducted almost one million Zoom hearings with more than 3.5 million participants.

Courts used Zoom simply to keep dockets moving amidst health risks of congregating in-person. What we did not expect—though we certainly should have—was that if parties don't have to take off work, arrange for child care, travel across town to a courthouse they have no other reason to visit, and spend hours waiting for their case to be called, just for a few minutes to try to protect their rights, they will show up much more often. Some trial judges reported that participation rates in high-volume dockets like child-custody and traffic cases flipped from 80 percent no-shows to 80 percent appearances. A legal system that would knowingly structure proceedings to make participation impossible for those most affected should be ashamed of itself—and should change.

Electronic participation is not right for every proceeding, like most jury trials, for example. And losing the benefits of in-person exchanges and the experience of the solemn awe of the courtroom carry their own costs. But for many hearings, the efficiencies clearly outweigh the drawbacks, and electronic participation has become standard procedure. It would be virtually impossible, for example, for visiting judges and lawyers willing to assist small border counties with increased dockets in Operation Lone Star if they had to travel across the state.

To bring structure and uniformity to this developing practice, the Texas Supreme Court adopted new Rules of Civil Procedure 21d and 500.10, and amended other rules, effective February 1. The rules set out when courts can permit or require participation in court proceedings by electronic means and the factors to be considered. The rules are the product of lengthy discussions among judges, lawyers, and the public, with legislative input. They balance the benefits and detriments of electronic proceedings. And they can be nimbly modified as we gain more experience with this new normal in the justice system. The rules provide a solid foundation for its development.

Our appellate courts are up-to-date with their work. COVID-19 impacted their dockets at first. No longer. Throughout the pandemic, the Texas Supreme Court has held to its practice of deciding all argued cases by the end of June. The Court of Criminal Appeals has handled its work with its usual efficiency. The Courts of Appeals have kept current with the assistance of a strong legal staff that needs increased funding, which the legislature should provide.

Trial courts are trending current except with cases that must be tried to a jury, and even there, they are gaining ground. In 2019, Texas courts tried roughly 9,000 cases to verdict. In the first year of the pandemic, we tried 239. We went from some 186 jury trials per week to 4. This was not for want of effort by courts. We could not responsibly summon to service jurors who feared for their health. But for some time now, jury trials have resumed safely. Setting trials settles cases. The clearance rate in criminal cases is now 101 percent in felony cases and 110 percent in misdemeanors—meaning courts are disposing of more cases than are being filed. And the rate is very close to that in civil cases—97 percent. The criminal district court backlog has been reduced by a remarkable 32 percent. Harris County district courts, specifically, are making progress. Trial judges are actively using visiting judges and emergency dockets to augment their efforts. Being completely current is the goal. Efficiencies prompted by COVID-19 are becoming the new normal.

We need to know more about how this is happening. Texas collects aggregate, statewide court data, but data on case types, numbers of hearings, and other court operations are hard to come by. To understand where improvement or resources are needed, we must have case-level data. Courts nationwide have always lagged in collecting data on their activities. For a retailer, it would be like having monthly gross sales figures for the store versus knowing that product A is flying off the shelves while product B just sits there. Court operations and experiences vary across our very different and widespread 254 counties. Knowing how their court operations differ would help increase productivity. Funding for case-level court data collection is included in both general appropriations bills, **SB 1** and **HB 1**. The new normal should be more information.

The Office of Court Administration, led by Megan LaVoie, recently launched a Uniform Case Management System for counties under 20,000 population, more than half the counties in Texas. This system will allow counties to more accurately report criminal data to appropriate databases and more easily report court-level data to the state.

The gross inadequacy of compensation for Texas judges, a perennial issue, is once again critical. The base salary of Texas judges has not been raised since 2013. Considering inflation, it is now below 1981 levels. Texas is in next-to-last place in the nation, behind all states but West Virginia, and just behind Guam.

I was appointed to the district court in 1981, when federal district judges were paid \$2,500 more—5 percent—than a Dallas County district judge. Now a federal district judge is paid \$92,000 more—two-thirds—than the Texas district court base salary. One judge put it this way: dividing salary by case dispositions, federal district judges cost about \$400 per case, and Texas district judges only \$68 per case. Fault that simple formula if you will, it is an illustration of the huge discrepancy in compensation for which there is no rational basis.

The first 20 years I was on the bench, the legislature regularly reviewed judicial compensation, raising it 11 times. Since 2000, the judiciary has had only three pay raises. Inadequate compensation is the obvious reason for high attrition in the judiciary. Of the 579 appellate and district judges serving during the 2020-2021 biennium, 90 left the judiciary on their own volition—a turnover rate of 16 percent. Constitutional qualifications for judges have increased, which is positive; but to raise those standards and increase workloads without commensurate increases in compensation is not right. We cannot expect to recruit top-notch lawyers to be judges when they not only must take a substantial pay cut leaving practice, they are faced with no reasonable hope for dependable raises.

The Judicial Compensation Commission, created by the legislature to assess judicial pay, has recommended an 11 percent increase in the base salary each year of the next biennium. **SB 802** by Chair Hughes and **HB 2779** by Chair Leach would adopt that recommendation. In addition, **HB 438** by Representative Schofield would institute a biennial cost-of-living increase—a COLA—for judicial compensation so that it would cease to be an issue every legislative session, just as Congress has done for federal judges. I urge the legislature to both increase and stabilize judicial pay.

Judicial compensation is critical to legislation providing for specialty courts for business cases. Separating court dockets by case types is standard practice in Texas courts and throughout the country. For example, we separate felony dockets from misdemeanors and family from general civil. The Civil Justice Improvements Committee of the national Conference of Chief Justices, of which I served as president through the pandemic, has recommended that cases be separated by complexity for more efficient and fairer processing, benefitting parties and courts alike.

Business cases are often more complex than other civil cases, and handling them alongside simpler cases makes for serious inefficiencies. The costs and increased uncertainties of such litigation have led businesses to turn to arbitration and other dispute-resolution alternatives with the resulting lack of transparency and development of precedent. Many states have met this problem by providing specialized business courts.

The proposal is not without controversy here, though the Texas Judicial Council has endorsed a pilot project. **SB 27** by Chair Hughes and **HB 19** by Chair Leach, Chair Murr, and Chair Landgraf would provide permanent footing for the specialty courts. I believe business courts would benefit the Texas justice system, and I support their creation.

Last May, we read a draft of U.S. Supreme Court Justice Samuel Alito's majority opinion in *Dobbs v. Jackson Women's Health Organization* that had been leaked to the press. The violation of confidentiality was unprecedented. Leaks of a court's internal operations disrupt deliberations, weaken judicial independence by subjecting judges to political pressure and intimidation, and threaten public trust and confidence in the courts. The Texas Judicial Council has requested the legislature to make it a criminal offense to publicly distribute draft judicial opinions and work product before official release. **SB 372** by Chair Huffman and **HB 1741** by Chair Leach would do that. The legislature should grant the judicial council's request. Stealing confidential court information should be criminal.

Beginning in 2017, Presiding Judge Keller and I, working with Chair Whitmire, urged reforms to the bail and pretrial release system so that a defendant who posed no risk of flight or violence would not be detained, while a defendant could be detained without bond when no conditions of release could reasonably assure his appearance in court and community safety. The latter required a constitutional amendment. A special session of the 87th Legislature passed **SB 6**, authored by Chair Huffman and Chair Smith. It is the most important change in bail in 100 years, providing background information on a defendant that must be used in making informed decisions on bail, and also requiring that bail decisions be sent to the Public Safety Report System in the Office of Court Administration. Already, 489,000 decisions have been reported. This session, the **SB 6** authors propose additional improvements to bail in **SB 1318** and **HB 3400**, which should be enacted. And **SJR 44** and **HJR 181**, again by the same authors, would amend the Constitution to allow detention of high-risk defendants without bond as is done in at least 27 other states, the District of Columbia, and the federal courts. The proposed amendment would complete the reform efforts begun in 2017, and I support it.

People charged with first-time, non-serious misdemeanors may have their records sealed, but only by court petition, an overly complex and expensive process. **SB 499** by Senator Zaffirini and Chair Perry, and **HB 1737** by Chair Leach, would allow eligible individuals to obtain sealing more easily through the use of electronic processing and without going to court and should be enacted.

The number of cases against juveniles in justice and municipal courts remains high with more than 36,300 non-traffic Class C misdemeanor cases filed last year. The Texas Youth Diversion and Early Intervention Act would allow local governments to adopt youth diversion plans with a wide range of strategies on the front end of a case where they are most effective, rather than only on the back end as part of a conviction or deferred disposition. This would bring

municipal and justice court practice in line with juvenile courts. The Act is set out in **SB 1505** by Senator Zaffirini and Chair Perry, and in **HB 3186** by Chair Leach, which the legislature should pass.

The federal Bipartisan Safer Communities Act signed last summer requires that background checks by federally licensed sellers of firearms include mental health adjudications of juveniles 16 and older, but Texas has not had a centralized source for reporting such information to NICS, the national clearing house. **SB 728** by Chair Huffman corrects this problem and was the first bill passed out of the senate this session. Companion legislation is **SB 1184** by Senator Eckhardt and **HB 2780** by Chair Leach. This reporting improvement will help the federal gun legislation achieve its purpose and should be enacted.

The pandemic's burdens have fallen especially hard on Texans of limited means, including children. Increasing access to justice continues to be a priority of the judiciary, joined fully by the legislature and the executive branch. Texas efforts have been completely bipartisan. Access to justice is about good government, not politics. Texas lawyers have helped by providing free legal services pro bono publico—for the public good—but the need is far too great. The legislature has included in this session's budgets, as it has before, appropriations for basic civil legal services for some five million Texans who qualify for them, including specifically veterans and victims of domestic violence. The Texas Access to Justice Commission has requested additional funding to provide legal services focused on youth, and to support kiosks located throughout the state to provide those who qualify for legal services with easier electronic access to legal aid providers and courts.

We have called the difference between the need for legal services for the poor and their availability "the justice gap." With as many as 90 percent of those who qualify going unserved, it is more a justice chasm. The commission, with the bar's expertise and assistance, is exploring ways to expand delivery of legal services, as many other states are. As I have said, justice for only those who can afford it is neither justice for all nor justice at all. Lessons learned from the pandemic can advance us toward justice for all.

The Children's Commission established by the Texas Supreme Court in 2007 and now led by Jamie Bernstein continues to provide invaluable resources and training for lawyers and judges in child-welfare cases. Resources explain how parents can productively participate in such cases, the rights of fathers, and the roles of the various participants—attorneys ad litem, guardians ad litem, parents' attorneys, judges, and prosecutors. The commission is piloting projects for handling cases involving trauma and creating early intervention liaisons to better connect child-protection courts and service providers.

Funding, administration, and oversight of appointed counsel in the tens of thousands of child-protection cases filed every year falls almost entirely upon Texas counties, with legal representation of parents and children varying widely. The Judicial Council has called for legal representation in those cases to be funded by the state. **SB 2120** by Senator Zaffirini and Senator Sparks would accomplish this objective and should be enacted.

The Children's Commission has for years been a "go-to" resource and authority for both the legislature and the judiciary in cases involving families and children. I am very proud of the commission's work.

The Texas Judicial Commission on Mental Health is celebrating its fifth anniversary, having been created in 2018 by an historic joint order of the Texas Supreme Court and the Court of Criminal Appeals. The commission, led by Kristi Taylor, has become a model for other states. The commission's recommendations for emergency detention and competency restoration are in **SB 2479** by Senator Zaffirini and **HB 5088** by Chair Moody, and should be enacted.

Over its five years, the commission has convened annual summits attended by more than 5,000 judges and court stakeholders. It has created and distributed almost 5,500 bench books and code books. And it has developed an online forms bank with 75 mental health law forms. The commission has led in the formation of more than 38 mental health courts in Texas and has provided best practices and forms to assist with early identification of individuals with mental illness entering courts, ways to facilitate treatment, and assistance in navigating courts. The commission has urged legislative proposals focusing on youth with mental health needs in juvenile and family law cases, in collaboration with the Children's Commission. I urge the legislature to enact these proposals. As with the Children's Commission, I am extremely proud of the Mental Health Commission's work.

I have laid out some of the judiciary's initiatives, many prompted by the pandemic's demands on courts and lessons learned, along with areas in which we seek the assistance of the legislature and the executive branch. In all, the judiciary is responding to its users, to make its processes more accessible and fair to all. We have long known that the key to a better public appreciation of the function of the judiciary is stronger civics education in the schools, as former Justice Sandra Day O'Connor has advocated for many years. The public must understand the differences between the judiciary and its sister branches, how the justice system is designed, and how courts must operate differently from the political branches. **SB 1954** by Senator Zaffirini would require specific civics education on the judicial branch and should be enacted.

I must add this. I grow concerned that political divisions among us threaten the judicial independence essential to the rule of law. President Trump notably criticized a court ruling as being by "an Obama judge". Chief Justice John Roberts responded that there is no such thing, "only an extraordinary group of dedicated judges doing their level best to do equal right to those appearing before them." The exchange prompted a response from Rhode Island Democratic Senator Sheldon Whitehouse, rated one of the most liberal members of Congress. He agreed with the President, sort of: "In spite of my distaste for Trump's attacks on our judiciary," Whitehouse wrote in an op-ed piece, "on this one, the facts are with Trump." Except that, he said, the facts show that republican judicial appointees in general, and those on the Roberts Court in particular, "show no respect for precedent, federalism, originalism or judicial restraint." In other words: the judiciary certainly deserves to be attacked—only by me, not you. So the

left and right, and leaders in both the executive and legislative branches, are in agreement: judges are not independent, and shouldn't be; they should take sides—my side.

Last night, the most expensive state court election in American history came to an end in Wisconsin. The total spent? \$45 million—\$25 per vote. Press accounts of the race abound. One reports that the winning candidate "was especially open about her politics during the campaign" while her opponent "downplayed his political views" throughout the campaign. The same account states that the winner's campaign "relied more than any in history on the Democratic Party of Wisconsin's financial support, so much so that [she] vowed to recuse herself" from its cases. That story was by NPR, not Fox. The election of the judge is hailed or decried as a political event, not a judicial one. It will not be a one-off. The message to the public is unmistakable, loud, and clear: judges take sides, and they should.

Judges are certainly not beyond criticism. After all, we criticize each other in our opinions. Criticizing public officials is a time-honored tradition in this country. Judges are not exempt and should not be. But with much sharper rhetoric, threats of violence against judges, their families, and even their neighborhoods have also increased. Judges are not independent of the accountability all public officials owe the people for their stewardship of power. But for the judiciary, the measure of fidelity is different. The executive and legislative branches must uphold the Constitution, of course, but they must also answer to their constituents for shaping and effectuating social policy and the popular will. Judges have no constituencies. They account to the people for their adherence to the rule of law. When judges follow the law, even against the popular will of the time—especially against the popular will of the time—they have done their job. When judicial accountability is measured by whether a judge decides cases the way people like—the way some people like—and what they like is different from what the law is—the pressure is on the judge to surrender independence, and the law, to popular will—to take sides. That pressure destroys the rule of law essential to justice for all. We must oppose it in every form at all costs.

I am in my 42nd year of judicial service, and in my 35th on the Texas Supreme Court, the longest in Texas history. I have been elected to the court seven times. As past president of the national Conference of Chief Justices and past chair of the National Center for State Courts, I have been privileged to work every day with judges across the country to ensure the justice system is working for all. I will tell you this: the people of Texas can take deep pride in their judges—municipal judges, justices of the peace, county judges, district judges, courts of appeals justices, and my colleagues on the high courts. They have stood to the historic challenges of the COVID-19 pandemic. They are anxious to make lessons learned a reality, the new normal.

The Texas judiciary is committed to upholding the rule of law. It is committed to a court system that is fair, efficient, and just, interpreting and applying the law guided by fixed principles. And it is committed to a justice system that is accessible to all, regardless of means. That, my fellow Texans, is

the state of the Texas judiciary, and my message is that the third branch will pursue these commitments, working together with the legislative and executive branches, in every way it can for the good of the people of Texas.

God bless you, and may God bless Texas.

Respectfully submitted,

/s/Nathan L. Hecht

Chief Justice

Austin, Texas

April 11, 2023

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

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).

ADJOURNMENT

Representative Geren moved that the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

The house accordingly, at 12:23 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 1021 (By Plesa), Honoring the Texas Pool Foundation for its role in preserving Plano history.

To Resolutions Calendars.

HR 1022 (By Plesa), Commending Cynthia Hentges for her service as principal of Wyatt Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1023 (By Plesa), Commending Mark Letterer for his service as principal of Wilson Middle School in the Plano Independent School District.

To Resolutions Calendars.

HR 1024 (By Plesa), Commending Jill Engelking for her service as principal of Williams High School in the Plano Independent School District.

To Resolutions Calendars.

HR 1025 (By Plesa), Commending Sara Meyer for her service as principal of Wells Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1026 (By Plesa), Commending Dr. Nidia Cedillo for her service as principal of Weatherford Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1027 (By Plesa), Commending Julie-Anne Zamorano Dean for her service as principal of Vines High School in the Plano Independent School District.

To Resolutions Calendars.

HR 1028 (By Plesa), Commending Karen Lee for her service as principal of Skaggs Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1029 (By Plesa), Commending Tyson Jones for his service as principal of Sigler Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1030 (By Plesa), Commending Kristin Bishop for her service as principal of Shepard Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1031 (By Plesa), Commending Kristen Kinnard for her service as principal of Schimelpfenig Middle School in the Plano Independent School District.

To Resolutions Calendars.

HR 1032 (By Plesa), Commending Chris Dunkle for his service as principal of Saigling Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1033 (By Plesa), Commending Amy Weems for her service as principal of Rose Haggard Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1034 (By Plesa), Commending Leigh Ann Earnhart for her service as principal of Rasor Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1035 (By Plesa), Commending Janis Williams for her service as principal of Plano West Senior High School in the Plano Independent School District.

To Resolutions Calendars.

HR 1036 (By Plesa), Commending George King for his service as principal of Plano East Senior High School in the Plano Independent School District.

To Resolutions Calendars.

HR 1037 (By Plesa), Commending Jeff Banner for his service as principal of Plano Senior High School in the Plano Independent School District.

To Resolutions Calendars.

HR 1038 (By Plesa), Commending Jen Haugh for her service as principal of Pearson Early Childhood School in the Plano Independent School District.

To Resolutions Calendars.

HR 1039 (By Plesa), Commending Chad Stoker for his service as principal of Mitchell Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1040 (By Plesa), Commending Jana Prince for her service as principal of Mendenhall Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1041 (By Plesa), Commending Stacey Whaling for her service as principal of Liberty High School in the Frisco Independent School District.

To Resolutions Calendars.

HR 1042 (By Plesa), Commending Dr. Jacob Duce for his service as principal of Lebanon Trail High School in the Frisco Independent School District.

To Resolutions Calendars.

HR 1043 (By Plesa), Commending Crystal Roach for her service as principal of Jackson Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1044 (By Plesa), Commending Dr. Jacye Jamar for her service as principal of Harrington Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1045 (By Plesa), Commending Bryan McCord for his service as principal of Haggard Middle School in the Plano Independent School District.

To Resolutions Calendars.

HR 1046 (By Plesa), Commending Katie Brittain for her service as principal of Frankford Middle School in the Plano Independent School District.

To Resolutions Calendars.

HR 1047 (By Plesa), Commending Donnie Wiseman for his service as principal of Fowler Middle School in the Frisco Independent School District.

To Resolutions Calendars.

HR 1048 (By Plesa), Commending Karma Cunningham for her service as principal of Davis Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1049 (By Plesa), Commending Pamela Clark for her service as principal of Clark High School in the Plano Independent School District.

To Resolutions Calendars.

HR 1050 (By Plesa), Commending Jeimi Sayklay for her service as principal of Borchardt Elementary School in the Frisco Independent School District.

To Resolutions Calendars.

HR 1051 (By Plesa), Commending Bryan Bird for his service as principal of Bethany Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1052 (By Plesa), Commending Dr. Joy Lovell for her service as principal of Andrews Elementary School in the Plano Independent School District.

To Resolutions Calendars.

HR 1053 (By Plesa), Commending Laura Del Hierro for her service as principal of Anderson Elementary School in the Frisco Independent School District.

To Resolutions Calendars.

HR 1054 (By Plesa), Commending Matt Russell for his service as principal of Allen High School in the Allen Independent School District.

To Resolutions Calendars.

HR 1056 (By Ramos), Recognizing the Swear 2 Care organization on the occasion of Students Engaged in Advancing Texas Day at the State Capitol on April 11, 2023.

To Resolutions Calendars.

HR 1057 (By Clardy), Recognizing April 12, 2023, as Panola County Day at the State Capitol.

To Resolutions Calendars.

HR 1059 (By Cole), Commemorating the 150th anniversary of Mt. Zion Baptist Church in Austin.

To Resolutions Calendars.

HR 1060 (By Martinez), In memory of Maria Adela Saenz of Donna.

To Resolutions Calendars.

HR 1061 (By A. Johnson), Commemorating the 100th anniversary of the Miller Outdoor Theatre in Houston.

To Resolutions Calendars.

HR 1063 (By Burns), Congratulating Cleburne Regional Airport on receiving the 2023 Project of the Year award in the National/Regional Airport category from the Texas Department of Transportation.

To Resolutions Calendars.

HR 1064 (By Thimesch), Honoring the memory of Linda Anne Hoffman of Plano on the occasion of the Carrollton Women's Club Spring Luncheon.

To Resolutions Calendars.

HR 1066 (By Leo-Wilson), Congratulating the Reverend D. N. Benford Sr. of Rising Star Missionary Baptist Church in Texas City on being recognized by Guinness World Records as the longest-serving pastor of the same church.

To Resolutions Calendars.

List No. 2

HB 5352 (By Bucy), Relating to the approval and creation of the Williamson County Development District No. 1; and to the administration, powers, duties, operation, and financing of the district, including the authority to impose an assessment, a tax, and issue bonds.

To County Affairs.

HB 5353 (By Oliverson), Relating to the creation of the Harris County Municipal Utility District No. 594; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5354 (By Metcalf), Relating to the creation of the Firefly Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5355 (By Price), Relating to the creation of the Prairie View Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Urban Affairs.

HB 5356 (By Frazier), Relating to the creation of the Honey Creek Improvement District No. 1; providing authority to issue bonds; providing authority to impose assessments and fees.

To Urban Affairs.

HB 5357 (By Wilson), Relating to the creation of the Liberty Hill Municipal Utility District; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5358 (By Rogers), Relating to the creation of the Ranger Ridge Municipal Utility District of Palo Pinto County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5359 (By Bucy), Relating to the approval and creation of the Williamson County Development District No. 1; and to the administration, powers, duties, operation, and financing of the district, including the authority to impose an assessment, a tax, and issue bonds.

To County Affairs.

HB 5360 (By Shine), Relating to the creation of the Deer Creek Ranch Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5361 (By Stucky), Relating to the creation of the Denton County Municipal Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting a limited power of eminent domain.

To Urban Affairs.

HB 5362 (By Kitzman), Relating to the creation of the Waller County Municipal Utility District No. 57; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5363 (By Allison), Relating to the creation of the Jones Avenue Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Urban Affairs.

HB 5364 (By Cain), Relating to the eminent domain authority of the Crosby Municipal Utility District.

To Land and Resource Management.

HB 5365 (By Kitzman), Relating to the creation of the Austin County Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5366 (By Kacal), Relating to the creation of the Grimes County Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5367 (By Buckley), Relating to the creation of the Solana Ranch Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HB 5368 (By Gerdes), Relating to the Open R Fresh Water Supply District of Caldwell County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Land and Resource Management.

HR 555 (By J.D. Johnson), Honoring Jalen Hurts of the Philadelphia Eagles for his professional football career and civic engagement.

To Resolutions Calendars.

SB 28 to Natural Resources.

SB 59 to Land and Resource Management.

SB 224 to Homeland Security and Public Safety.

SB 276 to Culture, Recreation, and Tourism.

SB 315 to Business and Industry.

SB 323 to Transportation.

SB 361 to Ways and Means.

SB 386 to Criminal Jurisprudence.

SB 412 to Higher Education.

SB 459 to Higher Education.

SB 507 to Transportation.

SB 508 to Transportation.

SB 545 to Elections.

SB 602 to Homeland Security and Public Safety.

SB 617 to State Affairs.

SB 745 to Human Services.

SB 768 to Business and Industry.

SB 796 to Insurance.

SB 798 to Public Education.

SB 812 to Public Health.

SB 818 to Transportation.

SB 821 to State Affairs.

SB 936 to State Affairs.

SB 1008 to Public Education.

SB 1015 to State Affairs.
SB 1040 to Public Health.
SB 1114 to State Affairs.
SB 1216 to Select Community Safety.
SB 1237 to Homeland Security and Public Safety.
SB 1249 to Public Health.
SB 1381 to Ways and Means.
SB 1486 to Ways and Means.
SB 1563 to Appropriations.
SB 1909 to Elections.
SB 2013 to State Affairs.
SB 2091 to Ways and Means.
SB 2310 to Judiciary and Civil Jurisprudence.
SJR 28 to County Affairs.
SJR 75 to Natural Resources.

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, April 12, 2023

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 19 Huffman
Relating to the administration and investment of, and distribution and use of money from, certain constitutional and statutory funds to support general academic teaching institutions in achieving national prominence as major research universities and driving the state economy; redesignating the national research university fund as the Texas University Fund.

SB 133 West
Relating to prohibiting the physical restraint of or use of chemical irritants or Tasers on certain public school students by peace officers and school security personnel under certain circumstances.

SB 294 Johnson

Relating to the use of epinephrine auto-injectors and medication designated for treatment of respiratory distress on public and private school campuses.

SB 784 Birdwell

Relating to the exclusive jurisdiction of the state to regulate greenhouse gas emissions in this state and the express preemption of local regulation of those emissions.

SB 838 Creighton

Relating to school districts and open-enrollment charter schools providing silent panic alert technology in classrooms.

SB 938 Blanco

Relating to the issuance by certain conservation and reclamation districts of bonds for the development and maintenance of recreational facilities.

SB 950 Kolkhorst

Relating to the attorney general's defense of a district or county attorney against certain lawsuits in federal court.

SB 1424 Perry

Relating to the continuation and functions of the State Soil and Water Conservation Board and the Texas Invasive Species Coordinating Committee.

SB 1427 Flores

Relating to certain criminal conduct and organizations that threaten the security of this state and its residents and borders; increasing criminal penalties.

SB 1849 Kolkhorst

Relating to an interagency reportable conduct search engine, standards for a person's removal from the employee misconduct registry and eligibility for certification as certain Texas Juvenile Justice Department officers and employees, and the Department of Family and Protective Services' use of certain information to conduct background checks.

SJR 5 Huffman

Proposing a constitutional amendment relating to the Texas University Fund, which provides funding to certain institutions of higher education to achieve national prominence as major research universities and drive the state economy.

SJR 32 Blanco

Proposing a constitutional amendment relating to the authority of the legislature to permit conservation and reclamation districts in El Paso County to issue bonds supported by ad valorem taxes to fund the development and maintenance of parks and recreational facilities.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, April 12, 2023 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:
LOCAL AND UNCONTESTED CALENDAR

SB 158 Perry

Relating to the location of a bank eligible to be selected as a depository or subdepository of county public money, including money held by a county or district clerk.

SB 261 Springer

Relating to titling and registration of assembled trailers.

SB 280 Zaffirini

Relating to the issuance of specialty license plates for members of the military who served in Operation Freedom's Sentinel.

SB 322 Huffman

Relating to the compensation of members of the seawall commission in Matagorda County.

SB 341 Springer

Relating to the applicability of the mixed beverage gross receipts tax and the mixed beverage sales tax to items sold by certain nonprofit entity temporary event permittees.

SB 348 Springer

Relating to the prohibition on posting on the Internet information held by an appraisal district regarding certain residential property.

SB 349 Springer

Relating to county and municipal housing authority pet policies.

SB 423 Paxton

Relating to the use of unmanned aircraft by the Texas military forces.

SB 477 Zaffirini

Relating to accommodating voters with a disability.

SB 483 Johnson

Relating to the regulation of massage therapy.

SB 502

Hughes

Relating to the treatment, recycling for beneficial use, or disposal of drill cuttings.

SB 533

Paxton

Relating to training for peace officers on responding to and investigating child fatalities.

SB 594

Zaffirini

Relating to requirements for and charges for service from public drinking water supply systems.

SB 600

Birdwell

Relating to increasing the minimum term of imprisonment for certain criminal offenses involving the smuggling of persons.

SB 604

King

Relating to land services performed by a landman.

SB 612

Johnson

Relating to the municipal sales and use tax for street maintenance.

SB 667

West

Relating to establishing a state historical marker program to honor African Americans who served in the Texas Legislature during Reconstruction.

SB 702

Perry

Relating to the sourcing, marketing, and sale of certain license plates.

SB 761

Hughes

Relating to photo identification for certain debit or credit card transactions.

SB 790

Kolkhorst

Relating to systems of county road administration in certain counties.

SB 829

Kolkhorst

Relating to cottage food production operations.

SB 947

King

Relating to creating a criminal offense for damaging certain critical infrastructure facilities and providing for the prosecution of that conduct as manslaughter in certain circumstances; increasing a criminal penalty.

SB 952

Perry

Relating to certain tax and fee collection procedures and taxpayer suits.

SB 957

Alvarado

Relating to the designation of a portion of United States Highway 59 in Harris County as the Deputy Sheriff Darren Almendarez Memorial Highway.

SB 1013

Hughes

Relating to the franchise and insurance premium tax credit for the certified rehabilitation of certified historic structures.

SB 1053

Hughes

Relating to the definition of marketplace seller for purposes of sales and use taxes.

SB 1076 King

Relating to the deadline for approving a certificate of public convenience and necessity for certain transmission projects.

SB 1088 Perry

Relating to eligibility to serve as a member of the board of directors of the West Central Texas Municipal Water District.

SB 1112 Schwertner

Relating to access to criminal history record information by the Public Utility Commission of Texas.

SB 1120 Schwertner

Relating to certain prohibited practices by a barber or cosmetologist.

SB 1122 Schwertner

Relating to the exclusion of certain medical services performed to determine an appropriate level of workers' compensation benefits from sales and use taxes.

SB 1167 Birdwell

Relating to the authority of certain municipalities to receive certain tax revenue derived from a hotel and convention center project and to pledge certain tax revenue for the payment of obligations related to the project.

SB 1180 Perry

Relating to civil actions by a civilly committed individual.

SB 1245 Huffman

Relating to contributions to, benefits from, and the administration of the Judicial Retirement System of Texas Plan Two.

SB 1246 Huffman

Relating to authorized investments of public money by certain governmental entities and the confidentiality of certain information related to those investments.

SB 1250 Bettencourt

Relating to the powers of the Harris County Water Control and Improvement District No. 110; providing authority to impose a fee and impose fines and penalties.

SB 1260 Creighton

Relating to certain contracts regarding airports operated by or on behalf of a local government.

SB 1289 Perry

Relating to the disposal of reclaimed wastewater.

SB 1305 Nichols

Relating to the transfer of the ownership rights of the City of Nacogdoches in the Central Heights Water System to the Angelina and Neches River Authority.

SB 1325 Alvarado

Relating to the notice given to certain victims of family violence, stalking, harassment, or terroristic threat.

SB 1332 Huffman

Relating to the provision of funding to the Texas Historical Commission for state historic sites.

SB 1333 Huffman

Relating to the creation of the Texas state buildings preservation endowment fund, including the transfer to the fund of the unencumbered balances of certain other funds.

SB 1373 Hughes

Relating to decedents' estates and the delivery of certain notices or other communications in connection with those estates or multiple-party accounts.

SB 1418 LaMantia

Relating to the route designation for the issuance of a permit for the movement of oversize and overweight vehicles in certain counties.

SB 1420 Birdwell

Relating to municipal and county hotel occupancy taxes.

SB 1425 Perry

Relating to disbursements from the universal service fund for certain small and rural companies.

SB 1439 Springer

Relating to the ad valorem taxation of tangible personal property held or used for the production of income by related business entities.

SB 1444 Zaffirini

Relating to the public retirement systems for employees of certain municipalities.

SB 1457 Zaffirini

Relating to guardianships and the delivery of certain notices or other communications in connection with guardianship proceedings.

SB 1509 Huffman

Relating to the service retirement eligibility and benefits of certain members of the Employees Retirement System of Texas.

SB 1524 Blanco

Relating to the authority of the Texas Department of Transportation to provide department services on federal military property.

SB 1527 Huffman

Relating to human trafficking, including the prosecution and punishment of compelling and solicitation of prostitution and other sexual or assaultive offenses; increasing a criminal penalty; creating a criminal offense.

SB 1588 Blanco

Relating to variances from Department of State Health Services rules governing the provision of emergency medical services.

SB 1603 Hughes

Relating to the decision of a court of appeals not to accept certain interlocutory appeals.

SB 1612 Zaffirini

Relating to court administration and costs; increasing certain court costs; authorizing fees.

SB 1614 Perry

Relating to the computation of the cost of goods sold by television and radio broadcasters for purposes of the franchise tax.

SB 1699 Johnson

Relating to the participation of aggregated distributed energy resources in the ERCOT market.

SB 1717 Zaffirini

Relating to the prosecution of the offense of stalking.

SB 1741 Zaffirini

Relating to the route designation for the issuance of a permit for the movement of oversize and overweight vehicles in Webb County.

SB 1746 Perry

Relating to an exemption from the requirement to obtain a permit from a groundwater conservation district for certain temporary water wells.

SB 1751 Kolkhorst

Relating to the regulation and tax treatment of facilities in the ERCOT power region that demand a large load of interruptible power.

SB 1801 Springer

Relating to a requirement that each appraisal district periodically confirm that recipients of residence homestead exemptions qualify for those exemptions.

SB 1820 Hall

Relating to the prohibited play and facilitation of play of a lottery game by telephone or through the Internet.

SB 1835 Hinojosa

Relating to certain contract and notice requirements for the cancellation of a health spa membership.

SB 1854 Paxton

Relating to optional group benefits for dental and vision care under the Texas Public School Employees Group Insurance Program.

SB 1859 Hancock

Relating to benefits and services for veterans and certain other related benefits.

SB 1869 Perry

Relating to the disposition of surplus real property no longer needed for state highway purposes.

SB 1900 Birdwell

Relating to foreign terrorist organizations, including the compilation of information regarding, certain civil actions brought against, and the prosecution of certain organized crime offenses involving a foreign terrorist organization.

SB 1914 Creighton

Relating to improvement projects of the Sabine-Neches Navigation District of Jefferson County, Texas.

SB 1929 Johnson

Relating to the authority of an independent organization certified for the ERCOT power region to require information from and registration by certain facilities.

SB 1965 Alvarado

Relating to requirements for the purchase or acquisition of certain water and sewer systems.

SB 2150 Nichols

Relating to the designation of the portion of U.S. Highway 84 in Joaquin as the Lt. General O.R. "Cotton" Whiddon Memorial Highway.

SCR 13 West

Recognizing the Texas Black Reconstruction Legislators Recognition Act.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 11

Agriculture and Livestock - **HB 2329, HB 2851, HB 3049**

County Affairs - **HB 1282, HB 2957**

Culture, Recreation, and Tourism - **HB 2777, HB 3051**

Elections - **HB 232, HB 357, HB 386, HB 1631, HB 2351, HB 2800**

Higher Education - **HB 1323, HB 1595, HB 2132, HB 2415, HB 2639, HB 3287, HB 4005, HB 4997, HJR 3**

Homeland Security and Public Safety - **HB 1076**

Human Services - **HB 63, HB 940, HB 1287, HB 2439, HB 2802, HB 2983, HB 3189, HB 4065, HCR 37**

International Relations and Economic Development - **HB 1755, HB 2389, HB 2459**

Judiciary and Civil Jurisprudence - **HB 527, HB 616, HB 1179, HB 2251, HB 2384, HB 2412, HB 2559, HB 2636, HB 3115, HB 3156, HB 3504, HB 3519, HB 3696, HB 3698, HB 3937**

Licensing and Administrative Procedures - **HB 1759, HB 2217, HB 2427, HB 2453, HB 3171, HB 3478**

Transportation - **HB 2806, HB 2901**

Youth Health and Safety, Select - **HB 16, HB 213, HB 1819, HB 2066, HB 2404, HB 2638**

ENGROSSED

April 11 - HB 15, HB 242, HB 362, HB 393, HB 450, HB 793, HB 879, HB 914, HB 1088, HB 1382, HB 1488, HB 1699, HB 1748, HB 1750, HB 1789, HB 2308

RECOMMENDATIONS FILED WITH THE SPEAKER

April 11 - HB 1970, HB 2449, HB 2819, HB 2900, HB 2911