

# HOUSE JOURNAL

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EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SIXTY-FIFTH DAY — WEDNESDAY, MAY 17, 2023

The house met at 10:38 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1753).

Present — Mr. Speaker(C); 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bell, C.

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

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

### **LEAVES OF ABSENCE GRANTED**

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

Herrero on motion of Martinez Fischer.

The following member was granted leave of absence temporarily for today to attend a funeral:

Geren on motion of T. King.

### **MESSAGE FROM THE SENATE**

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

### **CAPITOL PHYSICIAN**

The chair presented Dr. Larry Kravitz of Austin as the "Doctor for the Day."

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

### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 22).

### **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 ANNOUNCEMENTS**

At 10:45 a.m., the following committee meetings were announced:

Natural Resources, 2 p.m. today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

Business and Industry, upon adjournment today, Desk 144, for a formal meeting, to consider pending, referred, and committee business.

Ways and Means, upon adjournment today, Desk 41, for a formal meeting, to consider pending, referred, and committee business.

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Harless requested permission for the Committee on Health Care Reform, Select to meet while the house is in session, at 11:45 a.m. today, in 1W.14, to consider pending, referred, and committee business.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

At 10:46 a.m., the following committee meeting was announced:

Health Care Reform, Select, 11:45 a.m. today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Moody requested permission for the Committee on Criminal Jurisprudence to meet while the house is in session, at 11:15 a.m today, in 1W.14, to consider pending, referred, and, committee business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

At 10:46 a.m., the following committee meeting was announced:

Criminal Jurisprudence, 11:15 a.m. today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

**HR 569 - INTRODUCTION OF GUESTS**

The chair recognized Representative Price who introduced family members of the Honorable Richard Lee Crawford.

**HR 1775 - ADOPTED  
(by Klick)**

Representative Klick moved to suspend all necessary rules to take up and consider at this time **HR 1775**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1775**, In memory of Keren Ella Shalom Leal of Georgetown.

**HR 1775** was unanimously adopted by a rising vote.

**HR 997 - INTRODUCTION OF GUESTS**

The chair recognized Representative Longoria who introduced Keily Guzman and members of her family.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Kuempel requested permission for the Committee on Higher Education to meet while the house is in session, at 2 p.m. today, in 1W.14, to consider pending, referred, and committee business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENTS**

At 11 a.m., the following committee meetings were announced:

Higher Education, 2 p.m. today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

Environmental Regulation, upon adjournment today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative T. King requested permission for the Committee on Natural Resources to meet while the house is in session, at 2 p.m. today, in 1W.14, to consider pending, referred, and committee business.

Permission to meet was granted.

**HR 1724 - ADOPTED**  
**(by Howard)**

Representative Howard moved to suspend all necessary rules to take up and consider at this time **HR 1724**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1724**, Honoring UT Austin professor emeritus Paul Bestor Woodruff.

**HR 1724** was adopted.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative K. King requested permission for the Committee on Licensing and Administrative Procedures to meet while the house is in session, at 1 p.m. today, in 1W.14, to consider pending, referred, and committee business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

At 11:14 a.m., the following committee meeting was announced:

Licensing and Administrative Procedures, 1 p.m. today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

**HR 1743 - ADOPTED**  
**(by Reynolds)**

Representative Reynolds moved to suspend all necessary rules to take up and consider at this time **HR 1743**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1743**, Congratulating the Texas Black Expo on its 20th anniversary.

**HR 1743** was adopted.

**HR 1488 - ADOPTED**  
**(by Jetton and Lalani)**

Representative Jetton moved to suspend all necessary rules to take up and consider at this time **HR 1488**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1488**, Recognizing May 2023 as ALS Awareness Month.

**HR 1488** was adopted.

**HR 1741 - ADOPTED**  
**(by Guerra)**

Representative Guerra moved to suspend all necessary rules to take up and consider at this time **HR 1741**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1741**, Honoring Everardo "Ever" Villarreal for his service as a Hidalgo County commissioner.

**HR 1741** was adopted. (Muñoz and Stucky recorded voting no.)

**HR 1543 - ADOPTED**  
**(by Stucky)**

Representative Stucky moved to suspend all necessary rules to take up and consider at this time **HR 1543**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1543**, Congratulating Chief Ed Reynolds of the University of North Texas Police Department on his retirement.

**HR 1543** was adopted.

**HR 1836 - ADOPTED**  
**(by J. Lopez)**

Representative J. Lopez moved to suspend all necessary rules to take up and consider at this time **HR 1836**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1836**, Congratulating the chess team of Berta Cabaza Middle School in San Benito CISD on its successful 2022-2023 season.

**HR 1836** was adopted.

**MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

**SB 1070 - VOTE RECONSIDERED**

Representative Jetton moved to reconsider the vote by which **SB 1070** was postponed on May 16 until 10 a.m. Friday, July 28.

The motion to reconsider prevailed.

**SB 1070 ON SECOND READING**  
**(Jetton - House Sponsor)**

The chair laid before the house, on its second reading and passage to third reading,

**SB 1070**, A bill to be entitled An Act relating to the interstate voter registration crosscheck program.

**SB 1070** was read second time on May 16 and was postponed until 10 a.m. July 28.

### **SB 1070 - POINT OF ORDER**

Representative Plesa raised a point of order against further consideration of **SB 1070** under Rule 4, Section 32(c)(1), of the House Rules. The speaker sustained the point of order, announcing his decision to the house as follows:

Ms. Plesa raises a point of order against further consideration of **SB 1070** under Rule 4, Section 32(c)(1), on the grounds that the background and purpose statement in the bill analysis is substantially or materially misleading.

The complained-of statement is the sentence "However, some say that the costs associated with ERIC participation have outweighed the benefits." Ms. Plesa argues that this statement is not objectively verifiable and that there are no other factual statements in the background and purpose from which a reasonable inference may be drawn to support the statement.

As the Chair has repeatedly held under both long-standing doctrine and recent guidance, a vague statement such as "some say" with no other supporting factual statement is plainly an unverifiable statement of opinion and the Chair has no alternative but to sustain the objection. See 88 H. Jour. 3446-3447 (2023) (ruling on Bucy point of order).

Accordingly, the point of order is well-taken and sustained.

**SB 1070** was returned to the Committee on Elections.

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Burns requested permission for the Committee on Land and Resource Management to meet while the house is in session, at 1 p.m. today, in 1W.14, to consider pending, referred, and committee business.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENTS**

At 11:45 a.m., the following committee meeting was announced:

Land and Resource Management, 1 p.m. today, 1W.14, for a formal meeting, to consider pending, referred, and committee business.

At 11:49 a.m., the following committee meeting was announced:

Elections, upon adjournment today, Desk 34, for a formal meeting, to consider pending, referred, and committee business.

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

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

**SB 28 ON THIRD READING**

**(T. King, Troxclair, Price, Kacal, et al. - House Sponsors)**

**SB 28**, A bill to be entitled An Act relating to financial assistance provided and programs administered by the Texas Water Development Board.

**SB 28** was passed by (Record 1754): 136 Yeas, 8 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hernandez; 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; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Wiener.

Nays — Cain; Harrison; Patterson; Schaefer; Schatzline; Shaheen; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bell, C.

**STATEMENTS OF VOTE**

When Record No. 1754 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1754 was taken, I was shown voting no. I intended to vote yes.

Wilson

(C. Bell now present)

**SB 1397 ON THIRD READING**

**(K. Bell, Holland, Goldman, Canales, Clardy, et al. - House Sponsors)**

**SB 1397**, A bill to be entitled An Act relating to the continuation and functions of the Texas Commission on Environmental Quality.

**SB 1397 - REMARKS**

REPRESENTATIVE K. BELL: I'd like to thank a few people for their work on this bill. First, my chief of staff, Georgeanne Palmer, for their countless hours of work on this bill throughout the interim and the session. I'd also like to thank the speaker's staff, Sunset Advisory Commission staff, Vice-chair Holland, and my fellow commission members for their efforts. I look forward to continue to work on the issues that are important to the members of this body like cumulative effects, expanding the robust air monitoring network, and ensuring that the agency will lead with transparency and access for the public.

REPRESENTATIVE GOODWIN: Representative Bell, thank you for your work on this. I know that you've put a lot of work into the TCEQ sunset bill, and yesterday you addressed some issues and questions about standing. So I wanted to ask you a few questions about standing. Is the EPA currently investigating the adequacy of Texas's implementation of delegated federal air and wastewater permitting programs?

K. BELL: The TCEQ does have the authority by the EPA to do so in the State of Texas.

GOODWIN: And is the EPA examining whether standing to obtain a contested case hearing improperly limits who may obtain judicial review of a TCEQ decision?

K. BELL: Representative Goodwin, I'm unadvised of whether or not the EPA is investigating that with the TCEQ.

GOODWIN: Is the standard for who has standing to request a contested case hearing the same as the standard for standing in federal court? For example, would a person have standing to request a hearing if they fish regularly in waters near a proposed wastewater discharge point?

K. BELL: Requestors must be personally affected by the permit decision, and that granting of the permit would specifically affect the requestor in ways not shared by the general public. And that's called a personal justiciable interest. If the request is made on behalf of associates of another group, requests must identify one or more members who have standing and state how the interest that group seeks to protect is relevant to its purpose.

GOODWIN: Okay. Would a resident of an assisted living facility have standing if they lived next to a concrete batch plant?

K. BELL: I'm unadvised.

GOODWIN: How about the owner of the assisted living facility?

K. BELL: Once again, I am not advised of whether or not they would be considered in a contested case—to receive a contested case hearing. That affected person may request—if they are affected—a CCH to challenge the ED's decision on an application.

GOODWIN: To have standing to request a contested case hearing, you have to be a property owner?



K. BELL: That is correct.

GOODWIN: Thank you for answering these questions.

### REMARKS ORDERED PRINTED

Representative Goodwin moved to print remarks between Representative K. Bell and Representative Goodwin on **SB 1397**.

The motion prevailed.

**SB 1397** was passed by (Record 1755): 142 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Dutton; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Morales Shaw.

### STATEMENT OF VOTE

When Record No. 1755 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

### SB 1414 ON THIRD READING

**(Holland, Goldman, Canales, K. Bell, and Clardy - House Sponsors)**

**SB 1414**, A bill to be entitled An Act relating to the temporary regulation of the practice of veterinary medicine by the Texas Department of Licensing and Regulation.

**SB 1414 - REMARKS**

REPRESENTATIVE STUCKY: Representative Holland, it is my understanding this will be temporary, and the Texas Department of Licensing and Regulation will oversee the board for, hopefully, four years. Then they will go back to the same position they have today?

REPRESENTATIVE HOLLAND: Dr. Stucky, it is the full intention of the Sunset Advisory Commission to make the four-year move to TDLR temporary and back to an autonomous, standalone agency at that time.

STUCKY: Thank you, sir. Is it also the intent not to raise the licensing fee—yearly fee—to the veterinarians, but to maintain a consistent level where we are at today?

HOLLAND: In our conversations with TDLR, it has been communicated to us that it is their intention for the fees on the licensees not to go up.

STUCKY: Thank you very much, Chairman Holland.

**REMARKS ORDERED PRINTED**

Representative Stucky moved to print remarks between Representative Holland and Representative Stucky on **SB 1414**.

The motion prevailed.

**SB 1414** was passed by (Record 1756): 140 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu.

Nays — Cain; Toth.

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Ashby; Clardy.

**STATEMENTS OF VOTE**

When Record No. 1756 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 1756 was taken, I was in the house but away from my desk. I would have voted yes.

Clardy

**SB 1424 ON THIRD READING**

**(Clardy, Canales, Goldman, Holland, and K. Bell - House Sponsors)**

**SB 1424**, A bill to be entitled An Act relating to the continuation and functions of the State Soil and Water Conservation Board and the Texas Invasive Species Coordinating Committee.

**SB 1424** was passed by (Record 1757): 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; 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Tinderholt; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

**SB 1659 ON THIRD READING**

**(Holland, K. Bell, Canales, Clardy, and Goldman - House Sponsors)**

**SB 1659**, A bill to be entitled An Act relating to the sunset review process and certain governmental entities subject to that process.

**SB 1659** was passed by (Record 1758): 136 Yeas, 8 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; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hernandez; 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; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Bumgarner; Cain; Harrison; Hefner; Schaefer; Tinderholt; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Thierry.

### STATEMENTS OF VOTE

When Record No. 1758 was taken, I was shown voting no. I intended to vote yes.

Hefner

When Record No. 1758 was taken, I was shown voting yes. I intended to vote no.

Isaac

### SB 1727 ON THIRD READING (Canales and Dutton - House Sponsors)

**SB 1727**, A bill to be entitled An Act relating to the continuation and functions of the Texas Juvenile Justice Department, the functions of the office of independent ombudsman for the Texas Juvenile Justice Department, and the powers and duties of the office of inspector general of the Texas Juvenile Justice Department.

**SB 1727** was passed by (Record 1759): 141 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio;

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

Nays — Murr; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Morales Shaw; Thierry.

### STATEMENTS OF VOTE

When Record No. 1759 was taken, I was shown voting yes. I intended to vote no.

J. Lopez

When Record No. 1759 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

### SB 2592 ON THIRD READING

**(Clardy, Holland, Canales, Goldman, and K. Bell - House Sponsors)**

**SB 2592**, A bill to be entitled An Act relating to the Lavaca-Navidad River Authority, following the recommendations of the Sunset Advisory Commission; altering terms of the board of directors; specifying grounds for the removal of a member of the board of directors.

**SB 2592** was passed by (Record 1760): 141 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; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Tinderholt; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Johnson, J.D.

**GENERAL STATE CALENDAR  
SENATE BILLS  
THIRD READING**

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

**SB 994 ON THIRD READING  
(Burrows - House Sponsor)**

**SB 994**, A bill to be entitled An Act relating to the declaration of a candidate's ineligibility on the basis of failure to pay a filing fee or submit a petition in lieu of a filing fee.

**SB 994** was passed by (Record 1761): 93 Yeas, 51 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Dutton.

### STATEMENTS OF VOTE

When Record No. 1761 was taken, I was shown voting yes. I intended to vote no.

Campos

When Record No. 1761 was taken, I was shown voting yes. I intended to vote no.

Guerra

### SB 1076 ON THIRD READING (Geren - House Sponsor)

**SB 1076**, A bill to be entitled An Act relating to the deadline for approving a certificate of public convenience and necessity for certain transmission projects.

**SB 1076** was passed by (Record 1762): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

### SB 2186 ON THIRD READING (S. Thompson - House Sponsor)

**SB 2186**, A bill to be entitled An Act relating to the manner of executing certain anatomical gift records.

**SB 2186** was passed by (Record 1763): 115 Yeas, 29 Nays, 1 Present, not voting.

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

Nays — Bell, C.; Bumgarner; Cain; Canales; Dorazio; Gerdes; Harris, C.J.; Hayes; Hefner; Hull; Isaac; Leach; Leo-Wilson; Metcalf; Murr; Oliverson; Patterson; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smith; Swanson; Tinderholt; Toth; Troxclair; VanDeaver; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Cook.

### **STATEMENTS OF VOTE**

When Record No. 1763 was taken, I was temporarily out of the house chamber. I would have voted no.

Cook

When Record No. 1763 was taken, I was shown voting yes. I intended to vote no.

C.E. Harris

When Record No. 1763 was taken, I was shown voting yes. I intended to vote no.

Spiller

### **SB 1133 ON THIRD READING (T. King - House Sponsor)**

**SB 1133**, A bill to be entitled An Act relating to a program to compensate landowners for property damage caused by certain criminal activities.

**SB 1133** was passed by (Record 1764): 144 Yeas, 0 Nays, 1 Present, not voting.



Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Hinojosa.

**SB 2538 ON THIRD READING**  
**(Longoria and Cole - House Sponsors)**

**SB 2538**, A bill to be entitled An Act relating to limitations on the automatic admission of undergraduate students to general academic teaching institutions.

**SB 2538** was passed by (Record 1765): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky;

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Guillen.

**SB 621 ON THIRD READING**  
**(Capriglione - House Sponsor)**

**SB 621**, A bill to be entitled An Act relating to the position of chief information security officer in the Department of Information Resources.

**SB 621** was passed by (Record 1766): 143 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; 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; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Holland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Ramos.

**STATEMENTS OF VOTE**

When Record No. 1766 was taken, I was shown voting no. I intended to vote yes.

Holland

When Record No. 1766 was taken, I was in the house but away from my desk. I would have voted yes.

Ramos

**SB 2139 ON THIRD READING**  
**(Longoria - House Sponsor)**

**SB 2139**, A bill to be entitled An Act relating to the establishment of the Opportunity High School Diploma program.

**SB 2139** was passed by (Record 1767): 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; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Dorazio; Schaefer.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

**STATEMENTS OF VOTE**

When Record No. 1767 was taken, I was shown voting no. I intended to vote yes.

Dorazio

When Record No. 1767 was taken, I was shown voting no. I intended to vote yes.

Schaefer

When Record No. 1767 was taken, I was shown voting yes. I intended to vote no.

Toth

**SB 849 ON THIRD READING**  
**(Moody - House Sponsor)**

**SB 849**, A bill to be entitled An Act relating to the continuation and operations of a health care provider participation program by the El Paso County Hospital District.

**SB 849** was passed by (Record 1768): 106 Yeas, 34 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Craddick; Cunningham; Darby; Davis; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hefner; Hernandez; Hinojosa; Holland; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Landgraf; 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; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Stucky; Talarico; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, K.; Bonnen; Bumgarner; Cain; Clardy; Dean; DeAyala; Dorazio; Gerdes; Goldman; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hull; Isaac; Leo-Wilson; Noble; Oliverson; Patterson; Paul; Schaefer; Schatzline; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Swanson; Tepper; Tinderholt; Vasut; Wilson.

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Cortez; Dutton; Klick; Leach.

**STATEMENTS OF VOTE**

When Record No. 1768 was taken, I was shown voting no. I intended to vote yes.

Clardy

When Record No. 1768 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 1768 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1768 was taken, I was shown voting yes. I intended to vote no.

Toth

**SB 599 ON THIRD READING**

**(Anderson, Orr, Guillen, C.J. Harris, et al. - House Sponsors)**

**SB 599**, A bill to be entitled An Act relating to the carrying or possession of a handgun by a district or county clerk and the issuance of a handgun license to a district or county clerk.

**SB 599** was passed by (Record 1769): 91 Yeas, 53 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Cortez.

**STATEMENTS OF VOTE**

When Record No. 1769 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 1769 was taken, I was shown voting no. I intended to vote yes.

Martinez

When Record No. 1769 was taken, I was shown voting yes. I intended to vote no.

Ramos

**SB 61 ON THIRD READING**  
**(Hefner - House Sponsor)**

**SB 61**, A bill to be entitled An Act relating to the methods by which the comptroller may provide certain notices relating to the revocation or suspension of a permit or license or the forfeiture of corporate privileges in this state.

**SB 61** was passed by (Record 1770): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Frazier; Johnson, J.D.

**STATEMENT OF VOTE**

When Record No. 1770 was taken, I was in the house but away from my desk. I would have voted yes.

Frazier

**SB 576 ON THIRD READING**  
**(Thierry - House Sponsor)**

**SB 576**, A bill to be entitled An Act relating to the reporting, investigation, and prosecution of the criminal offense of financial abuse of an elderly individual.

**SB 576** was passed by (Record 1771): 143 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Johnson, J.D.

### STATEMENT OF VOTE

When Record No. 1771 was taken, I was shown voting present, not voting. I intended to vote yes.

V. Jones

### SB 728 ON THIRD READING (Leach - House Sponsor)

**SB 728**, A bill to be entitled An Act relating to the reporting of mental health and intellectual disability information with respect to certain children for purposes of a federal firearm background check.

**SB 728** was passed by (Record 1772): 116 Yeas, 28 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; García; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Hinojosa; Holland; Howard; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Landgraf; Leach;

Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Shine; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bell, C.; Cain; Dorazio; Gates; Gerdes; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Kitzman; Klick; Metcalf; Murr; Noble; Oliverson; Schaefer; Schatzline; Schofield; Shaheen; Slawson; Smith; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Thierry.

### STATEMENTS OF VOTE

When Record No. 1772 was taken, I was shown voting yes. I intended to vote no.

Bumgarner

When Record No. 1772 was taken, I was shown voting no. I intended to vote yes.

C.E. Harris

When Record No. 1772 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1772 was taken, I was shown voting no. I intended to vote yes.

Kitzman

When Record No. 1772 was taken, I was shown voting yes. I intended to vote no.

Rogers

When Record No. 1772 was taken, I was shown voting no. I intended to vote yes.

Shaheen

When Record No. 1772 was taken, I was shown voting yes. I intended to vote no.

Stucky



**SB 798 ON THIRD READING**  
**(Buckley - House Sponsor)**

**SB 798**, A bill to be entitled An Act relating to the certification requirements for a public school counselor.

**SB 798** was passed by (Record 1773): 91 Yeas, 52 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Klick.

**STATEMENTS OF VOTE**

When Record No. 1773 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 1773 was taken, I was shown voting yes. I intended to vote no.

Garcia

**SB 821 ON THIRD READING**  
**(K. Bell - House Sponsor)**

**SB 821**, A bill to be entitled An Act relating to the review by the Sunset Advisory Commission of the sale of personal data by state agencies.

**SB 821** was passed by (Record 1774): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

### **SB 975 ON THIRD READING**

**(Dorazio, Swanson, Garcia, Bucy, et al. - House Sponsors)**

**SB 975**, A bill to be entitled An Act relating to the procedures for the issuance of a personal identification certificate to a person whose driver's license is surrendered.

**SB 975** was passed by (Record 1775): 145 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

**SB 1179 ON THIRD READING  
(Herrero - House Sponsor)**

**SB 1179**, A bill to be entitled An Act relating to sexually violent predators and the prosecution of certain offenses involving prohibited items at correctional or civil commitment facilities; creating a criminal offense.

**SB 1179** was passed by (Record 1776): 142 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Hinojosa; Thompson, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — González, M.

**STATEMENTS OF VOTE**

When Record No. 1776 was taken, I was shown voting yes. I intended to vote no.

J. Jones

When Record No. 1776 was taken, I was shown voting yes. I intended to vote no.

Plesa

**SB 1080 ON THIRD READING**  
**(Gerdes - House Sponsor)**

**SB 1080**, A bill to be entitled An Act relating to a mitigation program and fees for the Lost Pines Groundwater Conservation District.

**SB 1080** was passed by (Record 1777): 142 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; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Harrison.

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Button.

**STATEMENTS OF VOTE**

When Record No. 1777 was taken, I was shown voting no. I intended to vote yes.

Harrison

When Record No. 1777 was taken, I was shown voting present, not voting. I intended to vote yes.

Isaac

**SB 1516 ON THIRD READING**  
**(Cook - House Sponsor)**

**SB 1516**, A bill to be entitled An Act relating to the procedures for an application for a writ of habeas corpus and the issuance of the writ.

**SB 1516** was passed by (Record 1778): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

**SB 1849 ON THIRD READING**  
**(Noble, et al. - House Sponsors)**

**SB 1849**, A bill to be entitled An Act 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 use of certain information by certain state agencies to conduct background checks.

**SB 1849** was passed by (Record 1779): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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, 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; Shine; Slawson; Smith; Smithee;

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Cortez; Morales, C.

**SB 1794 ON THIRD READING**  
**(Cortez - House Sponsor)**

**SB 1794**, A bill to be entitled An Act relating to conditions imposed on an emergency services district that includes territory in the extraterritorial jurisdiction of certain municipalities.

**SB 1794** was passed by (Record 1780): 131 Yeas, 12 Nays, 1 Present, not voting.

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

Nays — Bell, K.; Cain; Harrison; Hayes; Hefner; Leo-Wilson; Metcalf; Paul; Schaefer; Schatzline; Slawson; Thompson, E.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Dean; Morrison.

**STATEMENTS OF VOTE**

When Record No. 1780 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 1780 was taken, I was shown voting yes. I intended to vote no.

Isaac

### POSTPONED BUSINESS

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

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

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

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

**SB 786** was read second time on May 15 and was postponed until 10 a.m. today.

**SB 786** was passed to third reading.

#### **SB 1245 ON SECOND READING**

**(Bonnen - House Sponsor)**

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

**SB 1245** was read second time on May 15 and was postponed until 10 a.m. today.

#### **Amendment No. 1**

Representative Bonnen offered the following amendment to **SB 1245**:

Amend **SB 1245** (house committee report) as follows:

(1) On page 3, line 11, between "837.002(2)" and the underlined comma, insert "and subject to Subsection (d)".

(2) On page 3, line 16, strike "12" and substitute "six".

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

(d) A person may make an election under this section only once.

(4) On page 4, line 3, strike "(d)" and substitute "(e)".

(5) On page 7, between lines 9 and 10, insert the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter E, Chapter 840, Government Code, is amended by adding Section 840.407 to read as follows:

Sec. 840.407. EXCESS BENEFIT ARRANGEMENT. (a) A separate, nonqualified, unfunded excess benefit arrangement is created outside the trust fund of the retirement system. This excess benefit arrangement shall be administered as a governmental excess benefit arrangement under Section 415(m) of the Internal Revenue Code of 1986 (26 U.S.C. Section 415(m)). The purpose of the excess benefit arrangement is to pay to annuitants of the retirement system benefits otherwise payable by the retirement system that exceed the limitations on benefits imposed by Section 415(b)(1)(A) of the Internal Revenue Code of 1986 (26 U.S.C. Section 415(b)(1)(A)).

(b) The board of trustees is responsible for the administration of this arrangement. Except as otherwise provided by this section, the board has the same rights, duties, and responsibilities concerning the excess benefit arrangement as it has to the trust fund.

(c) Benefits under this section are exempt from execution to the same extent as provided by Section 836.004, except that the benefits are completely unassignable. Contributions to this arrangement are not held in trust and may not be commingled with other funds of the retirement system.

(d) An annuitant is entitled to a monthly benefit under this section in an amount equal to the amount by which the benefit otherwise payable by the retirement system has been reduced by the limitation on benefits imposed by Section 415(b)(1)(A) of the Internal Revenue Code of 1986 (26 U.S.C. Section 415(b)(1)(A)). The benefit payable by this arrangement is payable at the times and in the form that the benefit payable under the trust fund is paid.

(e) The benefit payable under this section shall be paid from state contributions that otherwise would be made to the trust fund under Section 840.103. In lieu of deposit in the state accumulation account, an amount determined by the retirement system to be necessary to pay benefits under this section shall be paid monthly to the credit of a dedicated account in the general revenue fund maintained only for the excess benefit arrangement. The account may include amounts needed to pay reasonable and necessary expenses of administering this arrangement. The monthly amount to be paid to the credit of the account shall be transferred to the account at least 15 days before the date of a monthly disbursement under this section.

(f) The board of trustees may adopt rules governing the excess benefit arrangement that are necessary for the efficient administration of the arrangement in compliance with Section 415(m) of the Internal Revenue Code of 1986 (26 U.S.C. Section 415(m)).

Amendment No. 1 was adopted.

**SB 1245**, as amended, was passed to third reading.

**SB 1447 ON SECOND READING**  
**(Campos - House Sponsor)**

**SB 1447**, A bill to be entitled An Act relating to a training program for persons investigating suspected child abuse or neglect.

**SB 1447** was read second time on May 16 and was postponed until 10 a.m. today.

A record vote was requested.

**SB 1447** was passed to third reading by (Record 1781): 114 Yeas, 28 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bailes; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dorazio; Dutton; Flores; Frank; Gámez; García; Gervin-Hawkins;



Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hernandez; Hinojosa; Holland; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shaheen; Shine; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bell, C.; Bell, K.; Cain; Clardy; Dean; Gates; Gerdes; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Isaac; Leo-Wilson; Metcalf; Oliverson; Patterson; Paul; Schaefer; Schatzline; Slawson; Swanson; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — DeAyala; Frazier; Lopez, J.

### STATEMENTS OF VOTE

When Record No. 1781 was taken, I was in the house but away from my desk. I would have voted no.

Frazier

When Record No. 1781 was taken, I was shown voting yes. I intended to vote no.

C.E. Harris

When Record No. 1781 was taken, I was in the house but away from my desk. I would have voted yes.

J. Lopez

### SCR 2

#### (Canales - House Sponsor)

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

**SCR 2** was laid before the house on May 15 and was postponed until 12 p.m. today.

**SCR 2** was adopted by (Record 1782): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio;

Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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, 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Wiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Morales, C.

### **SB 15 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED**

Representative Kuempel moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 15** all joint authors and co-authors for **HB 23** who sign on to **HB 23** before **SB 15** passes the house on third reading.

The motion prevailed.

### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 25).

### **COMMITTEE MEETING ANNOUNCEMENT**

At 12:26 p.m., the following committee meeting was announced:

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

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

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

### **CSSB 15 ON SECOND READING (Swanson - House Sponsor)**

**CSSB 15**, A bill to be entitled An Act relating to requiring public institution of higher education students who compete in intercollegiate athletic competitions to compete based on biological sex.

**CSSB 15 - REMARKS**

REPRESENTATIVE SWANSON: On behalf of Texas's 227,000 female college athletes, I am honored to bring forward today the Save Women's Sports Act. It will codify necessary protections for our college female athletes to ensure their safety, promote fair competition, and uphold the monumental progress of women's athletics that has occurred since the passage of Title IX just over 50 years ago. Our young women deserve to compete on a level playing field. It is not fair that young women are watching their records get broken, accolades taken, and scholarships awarded—not to other women but to biological men. This bill is about fairness. **CSSB 15** codifies in Texas statute that when competing in sex-segregated sports, athletes must compete in accordance with their biological sex. Men compete against men, and women compete against women. Last session, Texas codified similar protections for our seventh through 12th grade athletes, and it is now time for Texas to act to protect our collegiate women as well. Currently, 21 states have passed protections for K-12, and 16 of those states have legal protections in place for female collegiate athletes.

Members, it is a scientific fact that the average biological male has a significant advantage in athletic competitions over biological females. The biological differences between boys and girls begin on day one and become exponentially more evident during puberty. Regardless of hormone suppression, male athletes consistently achieve performances 10 to 50 percent better than comparably fit and trained female athletes. What are a few of these inherent advantages? Males have larger hearts and lungs and a greater concentration of hemoglobin to transport oxygen to the blood, thus increasing aerobic capacity. Males have longer limbs as well as larger and denser skeletal structures with greater bone mass. Males have a much different skeletal structure that does not have to account for the birthing of babies. This alone allows a male to statistically outperform a female in athletic competitions that involve running, jumping, and throwing. Adult males have approximately 36 percent greater muscle mass, jump 25 percent higher, throw 25 percent farther, run 11 percent faster, accelerate 20 percent faster, and are 30 percent stronger than females of equivalent stature and mass. This creates an unsafe and dangerous playing environment at all levels of sports, but especially at the collegiate level. Remember, in many sports, there have been adjustments made to account for the strength of men. In volleyball, the nets are higher. In baseball, the mound and bases are further away. In golf, tees for men are much further away than for women. Many claim that these advantages are negated by testosterone suppression. This simply is not true. The structural advantages absolutely remain. A 2019 Swedish study found that biological males generally maintained the same level of strength even after a year of testosterone suppression. In the case of CeCé Telfer, who we'll address in a moment, her performance times actually improved in several track and field events after a year of testosterone suppression. According to the *British Journal of Sports Medicine*, biological men retain a nine percent speed advantage over biological women even while being on testosterone suppression drugs. College

females are losing their titles to biological males. Initially, no one wanted to believe that biological males were taking opportunities from women, but they are.

You've all heard about Lia Thomas, who grew up right here in Austin. She was a competitive swimmer who went on to swim in the Ivy League for Penn State. Lia competed on the men's team for his first three years. She was ranked 462nd in the nation. Then she decided to become Lia and compete her final year as a female. Identifying as a female, Lia became an NCAA Division I national champion. Another example that has Texas ties, CeCé Telfer was an NCAA Division II athlete who ran the men's 400-meter hurdles. She ranked 390th in 2017. But her senior year decided to compete as CeCé and run on the women's team. As CeCé Telfer, she won the women's NCAA Division II national championships in the 400-meter hurdles right here at Texas A&M-Kingsville. Unfortunately, that spot belonged to Texas A&M-Commerce's very own Minna Svaerd. Another example ran in the Big Sky Conference. June Eastwood ran for the University of Montana for three years as a male. Her senior year, she decided to run as June Eastwood. In the indoor Big Sky 1600-meter championship, June annihilated the rest of the women to easily win the indoor title. The only thing that kept June from winning a national title was a few weeks later, in 2020, when COVID shut all sports down. Otherwise, June was bound to be the first ever biological male to hold an NCAA national women's championship.

The simple fact is even the boys are outperforming women. Allyson Felix is the most decorated U.S.A. Olympic world record holder ever in history. She's the fastest female in the 400 meters in the U.S. In 2017, 275 high school boys ran the 400 meters faster than Allyson Felix ever has.

#### **CSSB 15 - POINT OF ORDER**

Representative Zwiener raised a point of order against further consideration of **CSSB 15** under Rule 8, Section 1(a)(1), of the House Rules on the grounds that the bill caption failed to give reasonable notice of the subject of the bill. The point of order was withdrawn.

#### **CSSB 15 - POINT OF ORDER**

Representative Zwiener raised a point of order against further consideration of **CSSB 15** under Rule 4, Section 32(c)(1), of the House Rules on the grounds that the background and purpose statement in the bill analysis is substantially or materially misleading. The point of order was withdrawn.

#### **CSSB 15 - POINT OF ORDER**

Representative Zwiener raised a point of order against further consideration of **CSSB 15** under Rule 4, Section 40, and Rule 11, Section 2, of the House Rules on the grounds that the committee substitute is not germane. The point of order was withdrawn.

REPRESENTATIVE SWANSON: On a positive note, following Lia Thomas's dominance in the pool, the International Swimming Federation known as FINA, the organization that administers international aquatic sports competitions, voted to bar biological male athletes from competing in professional women's

swimming. Also, to ensure women have access to equal opportunity and fair competition, the World Athletics Council—the international governing body for all athletics—also recently moved to prohibit biological males from competing against women. Competing against males is simply unsafe. Not only do the physical advantages of a biological male create unfair competition, they also can and have put the safety of women at risk. By allowing biological men to compete against women, we're opening our women up to an expanded, unnecessary risk. Just this past October in North Carolina, a biological male competing on the girls' high school volleyball team spiked a volleyball so hard on the girls' shorter net that it knocked Payton McNabb out. The hit was so hard that she experienced a severe neck injury, partial paralysis on her right side, long-term concussion symptoms, impaired vision, and constant headaches, as well as anxiety and depression. The biological male who caused the injury posted the video on his highlight reel. Payton did not join a male team. She did not consent to compete against a biological male. A biological male who was bigger and stronger than her caused her significant injury in a sport she loved to play, forcing her to give it up for life.

Another recent example that happened right here in Texas. In 2022, Averie Satchell, a 25-year-old biological male, received a scholarship to attend Ranger Junior College in Ranger, Texas, to be on the women's cheer team and got a scholarship. Averie still had intact male genitalia. Three years prior to the incident at Ranger College, while identifying as a male, Averie had been thrown off the Oklahoma State Panhandle cheer team where she was, again, cheering as a male after posting a naked photo of a female teammate in the shower and waging a campaign of harassment against other women who objected to her behavior. Averie was allowed to stay in the same rooms as biological women on trips and shower right next to them, all while posing a significant threat to their safety. That July, Averie was kicked out of Ranger Junior College after choking Karleigh Jones, a 17-year-old—keep in mind she's 25 and she's 17—female teammate on the Ranger College cheer team in the dorms after previously verbally harassing her in the communal shower. The district attorney handling the case said, "There definitely was an assault and it could have ostensibly been charged as a Class A misdemeanor." Karleigh did not join a coed team. She did not consent to compete with a biological male. And that biological male—who was older and stronger—assaulted her in a dorm room forcing her to leave college, quit the sport she loved, and face retaliation from institutions as she sought to cheer elsewhere.

Members, I want to be clear. This legislation is not about participation. This legislation is not about restricting anyone's opportunity to casually play sports with their friends in a private league or at a university on a team that matches their biological sex. This legislation is about intercollegiate athletic competition. We are here to ensure that there is fair play at the highest, most competitive levels of college athletics, where millions of dollars in NIL—name, image, likeness—deals in scholarships are on the line. These examples of the differences between men and women and the championships that women have been deprived of due to the participation of biological men are important, but they don't hit at

the heart of the collegiate problem. To better understand what is really at stake, I'd like to use the words of Idaho State Representative Barbara Ehardt, the first in the nation to pass this legislation. Many of you met her, as she's been here to testify multiple times on this legislation. Representative Ehardt was both a Division I women's basketball player out of Idaho State as well as a 15-year Division I women's basketball coach. Representative Ehardt's words explain the problem at the collegiate level best when she said, "In college, we are a Pete and Repeat group of coaches. We copy each other a lot. But I promise you, if June Eastwood and Lia Thomas had decided to identify as female their freshman year rather than their senior year, every single coach in their conferences would have been forced to go and recruit a biological male, or more than one, to counter the effects of June and Lia. You see, no matter how many times the other side says it's about community, inclusion, and humanity, that simply is not so. Those may be components that are farther down the hierarchy of importance, but the most important component is winning. If winning wasn't the most important thing, then players wouldn't be cut and coaches wouldn't be fired. Winning is the number one most important factor for a college coach to keep their job." Professor Doriane Lambelet Coleman, codirector of Duke's Law Center for Sports and Policy, put it best when she said, "If sex classifications are abandoned, female athletes would almost always lose to males. This is as true of athletes at the highest echelons, like Serena Williams and Katie Ledecky, as it is of development athletes in college." This assertion was proven back in 1998 when Serena and Venus Williams took part in an exhibition match titled *The Battle of the Sexes*, where Karsten Braasch, ranked number 203 among male tennis players, challenged the Williams sisters to an unsanctioned match. Against Serena Williams, Braasch quickly raced to a 5-0 lead and closed the match at 6-1. Venus Williams did not fair much better and lost her match 6-2. After the match Serena said, "I hit shots that would have been winners on the women's tour, and he got to them easily." She also said about a possible match against Andy Murray, the former number one in men's tennis, "Are you kidding me? Men's tennis and women's tennis are two completely different sports. If I were to play him, I'd lose 6-0 within 10 minutes. Men are a lot faster. They serve and hit a lot harder."

These are highly decorated and accomplished female athletes who, if forced to compete against equal or significantly less talented male counterparts, would lose every time. Tennis great and noted LGBT activist, Martina Navratilova, discusses this threat to women's sports, saying, "Imagine being a biological female going up against Lia Thomas. A top woman swimmer has to literally be unbelievable to beat an average male swimmer who identifies as female. The hormone suppression therapy doesn't mitigate the advantage they have over biological women." A 2023 poll conducted by The University of Texas at Austin found that 68 percent of Texans support requiring collegiate athletes to compete based on biological sex. Fifty-two percent of those surveyed strongly support this issue. **CSSB 15** is about taking a principled stand for Texas women and ensuring that not a single woman loses a scholarship, a roster spot, or a second of playing time to a biological male. We must act now or men will win men's sports and

men will win women's sports. **CSSB 15** is about protecting women from undue physical harm and making sure that all athletic competitions for women are safe and fair.

REPRESENTATIVE M. GONZÁLEZ: Valoree, just a couple of questions for intent and background, if you don't mind.

SWANSON: Sure.

M. GONZÁLEZ: Has the Texas Legislature ever previously regulated college sports? Isn't college sport regulation up to the National College Athletics Association—the NCAA—and other collegiate sport organizations? Why should we usurp the authority of these college sport regulatory associations?

SWANSON: Thank you for that question. In no way does this bill conflict with the NCAA because the NCAA's policies are permissive. This bill is about fairness to our 227,000 Texas female athletes, who at any one time deserve that fairness. Just think, in 20 years that will be 1.3 million young women. We have to protect them.

M. GONZÁLEZ: In January 2022, the NCAA announced that it would introduce a sport-by-sport approach for regulations of transgender student athletes. Do you know why that is? And does this bill allow for that same sport-by-sport approach, or is it categorically a ban on all trans students' ability to compete in sports based on their gender identity?

SWANSON: Thank you for that question, Representative González. Again, we are not telling the NCAA what to do. We are joining the states across the country who are moving to this policy and who have seen the problem and are now protecting our young women athletes. We do that by having them compete according to biological sex.

M. GONZÁLEZ: So essentially—just to kind of recap what you just said—the bill tries to create a one-size-fits-all approach for all college sports, which would ban all transgender student athletes from ever participating in accordance with who they are. Is that accurate?

SWANSON: Thank you for that question. Again, this bill does not keep anyone from participating. It simply is a commonsense answer that says they must all compete by their biological sex.

M. GONZÁLEZ: In the preparation for this piece of legislation, did you speak to any transgender student athletes about how this bill might affect them?

SWANSON: Appreciate that question, thank you so much. Certainly we have heard from people, but mostly nobody who was an athlete. Any time that these have been heard in hearings, they are not athletes, so it would not have an affect on them. As far as any private conversations, I would not be at liberty to say.

M. GONZÁLEZ: We have heard from multiple transgender men during the committee hearing on May 1, who want to play with boys—men, cisgender men—and don't want to play women's sports at all. Would this bill force transgender men to play in women's sports?

SWANSON: Well, thank you for that question. I think we need to break that down. Certainly as you recall, there is a portion of this bill—and it was law long before we had our **HB 25** last time—that set this policy for seventh through 12th grade girls. We have always said for many years in Texas that females can play on a male team if a corresponding team is not offered for them. It makes sense because once we look at it, and we all agree the science says that the biological men have this huge advantage, then that girl and her parents—if she is still a minor, because we do get a few minors as freshmen in college—they are choosing. They are taking that on and choosing to compete on a men's team. Whereas what we want to stop—

REPRESENTATIVE LAMBERT: Representative Swanson, I don't know if you are familiar, but I was a college athletic director at one time in my career. Do you know when Title IX passed?

SWANSON: It's almost been 51 years.

LAMBERT: Fifty-one years since 1972. Do you know that there are still colleges and universities across this great country that are still struggling to provide equal and equivalent opportunities for women to play collegiate sports, as they are men?

SWANSON: Yes, I am aware of that problem, and this bill doesn't address that, but I am certainly supportive of trying to bring more opportunities for women.

LAMBERT: Do you believe your bill provides additional insurance that those colleges and universities can continue to meet the legislative intent of Title IX?

SWANSON: Absolutely.

### **Amendment No. 1**

Representative Bucy offered the following amendment to **CSSB 15**:

Amend **CSSB 15** (house committee report) on page 1, line 5, by striking the enacting clause.

### **AMENDMENT NO. 1 - REMARKS**

REPRESENTATIVE BUCY: This strikes the enacting clause. In my professional life, I run a youth athletic, academic, and arts league serving over 250,000 students in the great State of Texas. In our league, we allowed students to participate as the gender they identified as until **HB 25** was passed in 2021. Our inclusive policy was successful, and we never had an issue. Even so, the legislature passed a bill last session, in a divided fashion, excluding transgender children from youth sports. As a result, our policy changed, as well as UIL's. We created a solution to a problem that didn't exist, and now we are being asked to consider a similar ban and create more solutions—this time for collegiate sports and student athletes. Once again, we are being asked to "save women's sports," but we must ask ourselves, who are we saving and what exactly is it that we are saving them from?



There is no research or evidence to suggest that this issue is affecting access and opportunity for Texas women. With **CSSB 15**, we are not saving women's sports from anything. We're not. We are not saving sports from a lack of resources in equal funding, in fact, 50 years after Title IX, nearly 60 percent of opportunities in collegiate sports belong to men—an additional 60,000 opportunities. Women's programs are drastically underfunded in terms of athletic scholarships with \$252 million more spent on men's sports recruiting compared to only 30 percent of spending on women. And coaches' compensation making typically between 19 to 29 percent of what male coaches do and women's collegiate sports are chronically underserved by promotional efforts and coverage. **CSSB 15** does not address this problem. We are not saving women's sports from a lack of training and investment in women's coaches. In fact, we have gone from nearly 90 percent of women's collegiate teams being coached by women to only 41 percent today, despite knowing that having women coaches creates positive role models, offers more relevant perspectives, and plays a central role in getting and keeping women involved in sports. This bill does not address this problem. We're not saving women's sports from high rates of sexual assault and harassment. It's not just the famous and high-profile abuse cases or massive lawsuits, but the daily impact of harassment on respect, dignity, and self worth and the looming threats in actualities of sexual violence that don't make the news that drastically impact women's college sports. This bill does not address this problem. And let's not forget that each of these disparities I just highlighted are even worse for women of color. In spite of all of that **CSSB 15** does nothing to save women's sports. This bill does nothing to support Title IX, and it does nothing to address the real and documented threats to equal access and opportunity in sports. Nothing.

**CSSB 15** is yet again a solution in search of a problem and unworthy of serious consideration by this body. There are so many real issues we must address before this legislative session ends. Instead, we are wasting time on a made-up issue completely unmatched with reality. So here are the facts: When asked if they had ever had a transgender athlete compete now or ever, officials at every four-year public university in Texas that participates in NCAA-sanctioned sports who responded said, "No, there are no known transgender athletes in Texas college sports—not one." We were told in committee by the bill author that the Texas colleges, and specifically The University of Texas, were in support of this bill, a claim they were quick to publicly and unequivocally refute. Thirty-four transgender athletes nationwide have competed openly in college sports in the past decade, including at community colleges and junior colleges. Community colleges, junior colleges, Division I, Division II—34. This was published by *Outsports*. The list does not include a single athlete, not one, who has competed while attending at a university in the State of Texas.

The simple truth is the vast majority of female athletes are cisgender, as are the vast majority of winners of those competitions. There is no epidemic of transgender athletes dominating women's sports. The bill layout didn't reference the State of Texas. The examples were from elsewhere. This is the Texas

Legislature. The Olympics have had trans-inclusive policies since 2004, but it wasn't until 2021 that a transgender athlete even qualified. And they did not even make it out of the first round of competition.

Again, what is the problem we are trying to solve? How does that compare with the very real issues this legislation will create? This is yet another bill not based in reality that panders to partisan extremism. Both transgender and cisgender athletes vary in their genetic predispositions. Will we now scrutinize any woman excelling in her sport for being too tall, looking too masculine, or for being too strong or too fast? Women collegiate athletes have worked hard to get to the level of competition where they are at. Now, under this bill, anyone could take civil action against them because they do not necessarily fulfill any random person's stereotypical ideals of femininity. To those who say that won't happen, it already does, just as it always has. Why are we adding to this problem while again doing nothing to address the barriers and problems women face in equal opportunity and participation in collegiate sports?

This bill also only applies to public universities and not private ones. How does that even make sense when Texas colleges compete together with the NCAA? If it's about protecting women and saving women's sports, then why does this bill only apply to public universities? The language in the bill is so loose and so broad that the prohibition applies to any athletic display between teams or individuals, which can include intramural competitions and club sports. This bill will further jeopardize Texas's ability to host NCAA championships by directly contradicting policies with regard to transgender student athletes—meaning all Texas athletes, fans, institutions, and businesses could suffer. Texas has recently hosted the 2017, 2021, and 2023 Women's Final Four; the 2016, 2018 and 2023 Men's Final Four; the 2012 and 2019 Women's Swimming and Diving Championship; the 2014 and 2019 Men's Swimming and Diving Championship; the 2019 Outdoor Track and Field Championship; and the 2017 and the 2018 Indoor Track and Field Championships, just to name some of the recent ones. We will host the 2023 Outdoor Track and Field Championship this summer. How will our ability to host these momentous events be affected by this bill?

Members and friends, sports are a staple in Texas as much as barbecue and boots. Whether it's a Pop Warner football game, a middle school cheer competition, a D1 collegiate volleyball team, or my Dallas Mavericks, sports make a difference in our lives. Sports teach teamwork, persistence, and leadership. They provide lifelong friendships and mentors, and they lay the foundation of success in all facets of life. That's what makes this bill all the more infuriating. It distracts from the real issues women face and it does so in the most condescending way possible. If you want to save women's sports, if you want to support Title IX, let's do that. Let's work together and let's solve those problems that we just outlined—that the back mic questions outlined. It's not equal. Let's work to make it equal. Let's do it together. Let's spend our time in this body to ensure our institutions equally fund women's sports programs. Let's do our part

to create or support initiatives that develop women's coaches at all levels of competition. And let's take sexual harassment and sexual violence in women's sports seriously.

No Texas institution is asking for this bill as we have seen, as was testified to in committee, and as the press has followed up with. Nobody asked for this. We are the Higher Education Committee that oversaw this—our higher education institutions have not come to us with this as a concern. Meanwhile, there are real things we can do to support women's sports based on facts, based on credible research, and based on reality. At the end of the day, **CSSB 15** doesn't do a single one of them, and for that reason, I hope you will vote for this amendment and end this bill right here. Let's come back and let's work on something to help women's sports, but there is not one single trans athlete, according to our colleges, in the State of Texas now or ever. We are in search of solving a problem that does not exist.

REPRESENTATIVE HOWARD: There was a lot that you just said—I hope people were listening to that—focusing on what the real issues are here and what real solutions we might have before us, which this bill does not have. The one thing I want to ask you, did you say that there's not a single instance of a transgender athlete participating in any of the four-year institutions in the State of Texas?

BUCY: Representative Howard, there's not one—not one now and not one ever when asked. I want to say that's the point—that this is a bill that's not dealing with a real issue in this state, but it's also sad. I know there are trans athletes out there that want to aspire to compete, and this is a bill that says you're not welcome in this state.

HOWARD: Just to reiterate and just to making sure everybody hears this. How many transgender athletes participate or have participated in the State of Texas in our four-year institutions? How many?

BUCY: The *Statesman* tried to track this down. It was asked if the bill author had contacted the colleges to find out, and the answer was no. The *Statesman* did the research, and they contacted them all. All but two institutions responded, and they said not now or ever have they had a trans athlete.

HOWARD: Not one?

BUCY: Not one.

REPRESENTATIVE LEACH: I'm really trying to understand. This is the first time I've been to the back mic this session, and it's because I'm concerned about accurate information. I'm really trying to understand what your position is here. Is it your position that, according to you—because this has not yet occurred in Texas, but has happened in other states—Texas should wait for it to happen here in order for this legislature to act?

BUCY: My position, I would say, is twofold. One, this isn't happening in Texas. We're the Texas Legislature, and we need to solve the problems of Texas. Two, I don't think trans athletes in sports is a problem. So not only are we "saving women's sports"—

LEACH: Okay, let me stop you there and ask you: Are there, in other states, biological males that are playing in female sports—in women's sports?

BUCY: As I laid out, there are 37 known cases throughout the country.

LEACH: Thirty-seven?

BUCY: Thirty-seven.

LEACH: Okay, so the answer to your question is yes?

BUCY: Well, that's trans athletes. They may not all be biological males.

LEACH: Yes, there are other instances where biological males are competing against biological females. Is that accurate?

BUCY: Based on their birth, yes. I would say so.

LEACH: Biological males are competing or attempting to compete?

BUCY: Yes, sir.

LEACH: Okay let me ask you genuinely. I want to know your answer to this as I try to wrap my arms around this issue. To you, is it fair for a biological male to compete against a biological female?

BUCY: I think if they are trans—you're talking about a trans woman competing against—

LEACH: Is it fair for a biological male to compete against a biological female?

BUCY: I think it is fair for a trans woman to compete in women's sports.

LEACH: Is it fair for a biological male—a biological male at birth—to compete against a biological female?

BUCY: If they are now a trans woman, then yes, I think that's fair. If they are a trans woman, yes. If we need to solve something, let's look at how the Olympics have done it. I don't have all those details in front of me. Let's look at ways to make sure we keep it fair.

LEACH: I have a daughter. You have two daughters, correct?

BUCY: Yes, I do.

LEACH: I have a daughter as well—Charlotte. She's 12. I don't know if Charlotte is going to continue playing athletics. She plays volleyball and basketball, and I'm trying to get her into golf. She might decide to pursue collegiate athletics, she might not. But Representative Bucy, as a father to young girls, as a father to a young daughter myself, I'm struggling with this question: If Charlotte does in fact continue to put in all of the effort, all of the training, and all of the work that it takes to become a collegiate athlete and she tries out for a team or she attempts to get onto a collegiate team and her spot is taken by a biological

male, what do I tell my daughter? What do I tell Charlotte when she comes to me and says, "Dad, this doesn't seem fair. This doesn't seem fair that a biological male has taken my spot on the team"?

BUCY: Well, I guess in my example, what I would talk to my daughters about is "I want you to play on a sports team for inclusiveness."

LEACH: No. Her spot has been taken on the team, and she says, "Dad, this doesn't seem fair." I want to know from your perspective as a father to two young girls, what's your advice to me as a dad? What do I tell my daughter in that situation?

BUCY: I would say it's fair to everyone to get to compete, and I want that trans athlete to be included also. That's what I would say. We're going to work at it and we're going to keep trying, and we're going to give our best effort. We don't always succeed, just as I've ran for this office and lost before. We don't always succeed.

LEACH: A biological male that—I think you and I could agree—is by the very nature of him being a biological male, has different bone structure, different muscle structure, he's faster, he's stronger, he's taller, and he has taken her spot on a team because he is physically able to perform better than she is, but he is still a biological male. She's a biological female, and she has lost her spot on the team to him. What do I tell her? How is that fair? How is it the pro-women's position, Representative Bucy, to allow men to take women's spots on the team?

BUCY: Well, I think the dialogue is wrong. We're talking about trans women, not men. I think that needs to be corrected at the top. Two, are you talking about the collegiate level or are you talking about the high school level?

LEACH: I'm talking about all levels, but this bill specifically applies to the collegiate level, so tell me about the collegiate level.

BUCY: I think those are athletes competing at the highest level, and they need to compete at the highest level. If that's against anybody, then compete and earn your spot. Compete at the highest level. We will come out and support you, and you will learn teamwork—

LEACH: Representative Bucy, don't we expect the rules of engagement and the rules of the sport—of the contest—to be fair? Is that not underlying all of our athletic competitions at every level? Is fairness not a fundamental requirement for fair sports—for good sports?

BUCY: I think all women—trans women and cis women—can compete together. They can learn teamwork, they can learn camaraderie, and they can learn friendship. They can learn how to win together, compete together, lose together, and they will benefit from that. I don't want to exclude any part of our society from having the ability to compete at that level.

LEACH: I just cannot believe it is the pro-women's position for us to allow such unfairness—such fundamental unfairness as to allow biological men to take their spots, to compete against them, to win all the awards, to essentially write them

out of fair competition. I cannot believe that is the pro-women's spot. And according to you, there's nothing I could tell my daughter to help her make sense of it.

BUCY: Well, according to me—your daughter, I believe you said is 12. I have young daughters. We've already banned this, unfortunately, in high school sports. But as someone that's run a high school sports league for 16 years, for the last handful of those years that allowed it, we did not have these challenges. It happened, and teamwork was built and camaraderie was built. People didn't feel excluded; they felt included. Including more people, having the whole community get to participate was a lesson well-learned. I hope my daughters learn that same lesson. Let's not push people out because they may be better, let's bring people in and work together as we do on some days on this floor really well when we work together.

REPRESENTATIVE SCHAEFER: I was listening to the exchange that you had with Representative Leach, and I want to make sure I have a correct understanding of some of your responses. When he asked you if it was okay for a male to compete against a woman, your answer was that you believe it's fair for a trans woman to compete against other women, correct?

BUCY: Yes, sir, that's correct. I believe in an inclusive Texas.

SCHAEFER: Okay, but you would not agree that a man should compete against a woman?

BUCY: I think one, this bill isn't directly addressing that. Two, we've done that historically in sports, and that's fine, yes. I'm trying to protect trans women's rights to get to be included in our state.

SCHAEFER: I think I understand you. So you would acknowledge that there's a place for women's competition and for men's competition. You're okay with those distinctions?

BUCY: Yes. I am not okay with discriminating against trans women in the State of Texas.

SCHAEFER: Okay. So I'm an athletic director, and I have the men's competition and the women's competition. You believe that a trans woman could compete with the women, correct?

BUCY: Yes.

SCHAEFER: Okay. I'm the athletic director, and I have students that I have to send one way or the other, and I need to make this distinction. Can you tell me—

BUCY: No, the individual makes that distinction, sir. The individual determines who they are in life and who they will be. We don't make that as a state; we don't make that as an athletic director. That is up to the individual.

SCHAEFER: As I was saying, and we both agree: male competition, women competition, correct?

BUCY: Yes.

SCHAEFER: And you allow for—what you say is a trans woman—to compete against the women, correct?

BUCY: Yes. Well, I don't now, because we banned it.

SCHAEFER: Okay. What is a woman?

BUCY: What part of this bill are you referring to with this question?

SCHAEFER: I'm asking you to answer the definitive nature of your statement, you've asserted from the front mic multiple times—

BUCY: When a woman tells me they're a woman, I know they're a woman. I trust them to give me that answer.

SCHAEFER: So can you define a woman?

BUCY: I just did. When they tell me they're a woman, then they're a woman. It's not for me—

SCHAEFER: Can you define that?

BUCY: I just did. That's my answer to you.

SCHAEFER: Mr. Bucy, can you define it without using the word? Because for you to say, "A woman is a woman" is not a definition. I'm asking you to define the term without using the word.

BUCY: I trust you to tell me what gender you are, and I trust everybody on this floor to tell me gender they are or to not tell me. Because it's none of my business.

SCHAEFER: So if I just decide that I'm a woman, then I can go compete against the women?

BUCY: I trust trans women to make that decision.

SCHAEFER: Because you trust me to make that decision?

BUCY: Yes, sir. I do.

SCHAEFER: You trust me to make that decision?

BUCY: Yes, sir. I do. I believe in a Texas that's inclusive, sir.

SCHAEFER: I just want to understand. Your definition of a woman is that it is whatever anyone says it is?

BUCY: I trust people. I trust them to be who they are in their own body. I trust them to get to be a part of this society. I do not support legislation that discriminates against people getting to be included with all of us in the great State of Texas.

SCHAEFER: If a person who has asserted to the whole world that they are a man has now graduated high school and they're a freshman. They decide they want to go play basketball, but they couldn't make the men's team. Can they go to the athletic director at their university and say, "I'm a woman. I'm trying out for the women's basketball team"?

BUCY: I don't think that's how any of the regulation works. Can you point to something you're talking about? Are you just talking hypothetically? Are you talking about something in this bill? Or are you coming up with scenarios to try to get me to change my answer on something? I'm going to trust trans people in the State of Texas.

SCHAEFER: We actually have people that are in charge of these universities who have to make these decisions.

BUCY: And you don't trust them to do so, right? So you want to pass a bill telling them what to do.

SCHAEFER: Well, I trust them to do so, but as lawmakers, we are charged with giving them clear guidance. We want to give them clear guidance about what the law is. So again, I'm going to ask you: What is a woman?

BUCY: Did you not like my answer the first five or six or seven times you asked that question, sir?

SCHAEFER: But you need to be able to define that—

BUCY: Why? This isn't my bill. Why do I need to define that?

SCHAEFER: If you have a person who has claimed to be a man their entire life and comes into college and now wants to compete against the women, doesn't the athletic director need to know what a woman is?

BUCY: This is a made-up falsehood based on nothing happening in this country or in this state. You can't point to an example, and you sure can't point to an example in Texas. I trust our colleges to handle that. They don't need to be regulated on issues that aren't happening. I'm also not the bill author, and you're asking me to define things in a bad bill. I'm not going to do it.

SCHAEFER: I think this is a question, wouldn't you agree, rooted in science and biology that you should be able to answer from the front microphone what a woman is?

BUCY: Is this a science and biology bill? Is that what we're talking about here? Is that what's before us?

SCHAEFER: I think you're having trouble with the basic definitions here, Mr. Bucy.

BUCY: Are you asking questions about this bill or my amendment? You want to read my amendment, sir? I don't think it has to deal with that.

REPRESENTATIVE SCHATZLINE: Representative Bucy, do you believe there are differences in biological male body composition and biological female composition?

BUCY: What are we talking about? At birth?

SCHATZLINE: At any stage of life.

BUCY: Do I believe that there are differences between men and women? Yes.



SCHATZLINE: Did you know that male athletes are, on average, 15.7 percent heavier than female athletes?

BUCY: Is that true after they've transitioned and gone through treatments and hormones?

SCHATZLINE: Absolutely.

BUCY: It is? What are you basing that off of?

SCHATZLINE: Did you know that male athletes are 7.4 percent taller than female athletes?

BUCY: What's your source on that?

SCHATZLINE: This is actually from a study by Baylor College of Medicine in 2021.

BUCY: I'm sorry, I missed your question.

SCHATZLINE: Are you aware that male athletes are 7.4 percent taller than female athletes?

BUCY: I'm not aware of that.

SCHATZLINE: Okay, well it's a known fact. Do you believe that having biological males compete in women's sports provides more or less opportunities for our daughters?

BUCY: I believe that having trans women not be discriminated against and compete in women's sports provides more opportunities for the children and young adults of the State of Texas.

SCHATZLINE: Here's a better question: Do you believe it's fair for a biological man—because that's who we're talking about—to receive a scholarship that would have otherwise gone to a biological woman?

BUCY: I believe that trans women should be allowed to compete in the State of Texas at all levels and that the colleges are handling this issue just fine.

SCHATZLINE: I believe they should be able to compete as well, but in their biological sex's competition. Do you believe that biological males should be able to enter our daughters' locker rooms?

BUCY: I believe that trans women should be treated equally and that the State of Texas should not discriminate against any Texan.

SCHATZLINE: Just to clarify, you believe that biological males should be able to enter our daughters' locker rooms and dress in front of them?

BUCY: I believe that trans women should not be discriminated against by this body or by this state.

SCHATZLINE: Just to clarify, what you're saying is you believe that biological men should be able to undress in a locker room in front of our daughters?

BUCY: I believe that the State of Texas should never condone discrimination, including against trans women in the State of Texas.

SCHATZLINE: Do you believe that to be the case in all sports? Biological men should be able to compete against biological women in all sports?

BUCY: We should not discriminate against trans women in the State of Texas. We shouldn't do it from this front mic or the back mic, and we shouldn't do it in the laws we pass, and we're in danger of doing that today.

SCHATZLINE: Indulge me for a moment. You believe that biological men should be able to compete against our young women in basketball?

BUCY: I believe that trans women should be able to compete in women's sports.

SCHATZLINE: How about wrestling?

BUCY: I believe that—you mean women, men, height? You know I run a youth sports league, and we have wrestling. Wrestling is based on height, and it's based on weight. We've got weight classes. I believe there's about 15 levels. You're the wrestling expert though from the back mic, though?

SCHATZLINE: How about boxing? You believe that a biological man should be able to beat up on a girl inside of a ring?

BUCY: I'm sorry, you want a man to beat up on a girl? No, I don't think a man should beat up on a girl. No, I do not think that. I believe that trans women should be able to compete in any and all women's sports. I don't believe adult men should be beating up on girls.

SCHATZLINE: Do you acknowledge that a trans woman is in fact a biological man who's going through transition?

BUCY: My definition of a trans woman is a trans woman. She's going to tell me and I'm going to trust her because I do not discriminate against a fellow Texan.

SCHATZLINE: Just to be clear, final question, you believe that a biological man should be able to enter into our daughters' locker rooms, compete against them, remove their scholarships—

BUCY: Hold on, hold on. Why are you mixing men with daughters? I don't think adult men should be going into our daughters' locker rooms ever.

SCHATZLINE: I would agree with you on that. I don't think biological men should.

BUCY: Is that what your question is? This bill does not deal with adults and children, which is what your question is.

REPRESENTATIVE SLAWSON: I'm a biological—

BUCY: I trust you.

SLAWSON: —raising some biological women, and I'd just like to be really clear on what you are asking me to tell them. Should they not be able to compete because a biological man, who identifies as a girl, has instead taken their place?

BUCY: I'm asking you to vote for an amendment that strikes the enacting clause. That's what I'm asking you to do right now.

SLAWSON: No, sir. What are you asking me to tell my daughters?

BUCY: Nothing. I'm not telling you how to raise your daughters. I'm asking you to vote for this amendment. It's a one-line amendment. I'd be happy to read it, although I could get point of ordered if I do that. I'm asking you to vote for this amendment. If you want to go tell your daughters, that's what I asked. I asked you to vote for this amendment that would strike the enacting clause.

REPRESENTATIVE SWANSON: On behalf of every young woman seeking fair competition in collegiate sports, I respectfully oppose this amendment because it kills the bill. Please vote no.

REPRESENTATIVE COLLIER: I'm sorry if I missed this part of your layout, but my question deals with how this bill interacts with the public universities that play other universities out of state who may not have the same provisions as Texas. I do recall seeing something in your bill about being able to file a complaint with your university—

SWANSON: I just wanted to check and make sure that we were okay to talk about anything about the bill.

COLLIER: We are, because it is striking the enacting clause.

SWANSON: Yes, absolutely, just wanted to confirm that. Thank you, Representative Collier. I think that's an excellent question, and I appreciate being able to clarify that. This bill does not affect what the NCAA does. So schools in other states that have not enacted this bill will still be able to have biological men on their teams. But we feel like in Texas we must protect our girls. They will be protected, of course, when they play against other Texas teams. They'll be protected from losing their spots and their scholarships. This bill is part of the trend. And as we continue the trend, we will see more and more states enacting laws like this. I think schools will begin to say—as we have seen in high schools around this state, in private schools and all—they're going to protect their women and start refusing to play some of these schools.

COLLIER: Okay, I want to make sure I understand your answer, your response. What I heard was that it has no impact on how public universities in Texas interact or have competition with out-of-state universities and schools, is that right?

SWANSON: Let me clarify that just a little bit. If the Texas school hosted their own competition—some kind of tournament, a swim meet—then they can have whatever rules they want and that does not conflict with the NCAA. Again, you may have missed it, but NCAA policies are permissive, and when a school puts on their own competition, they can set the rules. That would take care of that. When they play against these other schools, the other schools will have to go by their state laws. Again, we are part of standing up, and this is momentum that is spreading across the nation to protect young women.

COLLIER: I'm only asking for clarity, though, because I want to make sure that if the universities are going to comply that they know what they are complying with. So again, if there is an out-of-state competition, because what you are saying—this only applies in the State of Texas? Because if a student who is here

in Texas and is asked to play out-of-state and they do not have any provisions in place like the one you are trying to pass, is that student obligated to play or participate in that game? Can they withdraw? Or can they raise your bill as the exemption as to why they do not participate? Would the university forfeit that game?

SWANSON: Thank you, let me clarify. Certainly, we are not taking away any school or athlete's privilege of refusing to participate, but the Texas school would not be able to force the out-of-state school to change who they allow to participate. Again, the momentum I believe is clearly going our way, and we are going to put an example that Texas stands up for our young women, and it will begin to be less and less of a problem.

COLLIER: I don't think I got a clear answer because is it yes or no? Are they obligated to participate in the out-of-state competition even though they are in violation of your bill? Or would they be open to—

SWANSON: The schools from the other states would not be in violation because they are not Texas public schools.

COLLIER: No, no. I'm talking about Texas schools. I'm only talking about Texas.

SWANSON: They can choose. This bill would not affect their ability to play.

COLLIER: Okay. So if the team that they are competing against does not have a provision in place like the one you are trying to implement, Texas schools would not be in violation or open to a complaint if their students participated in that competition?

SWANSON: Correct.

COLLIER: Okay, that's all I was asking.

REPRESENTATIVE J. JONES: I'm a former NCAA champion—a whole bunch of times. I've competed all around the country and all over the world. I've not once competed against a transgender woman, ever. I also represented the United States at the World University Games, the Goodwill Games, the Pan American Games, and all other kinds of games in Zagreb, Yugoslavia and—I can't even remember all of the places I've been representing the great country and the University of Houston. I never, ever competed against a transgender woman. So I actually think that this bill is regulating something that doesn't exist. I support this amendment.

BUCY: We had a lot of back and forth, and as I said over and over, I believe Texas can do better. Let's not discriminate against trans women. Let's build an inclusive Texas for all.

A record vote was requested.

Amendment No. 1 failed of adoption by (Record 1783): 51 Yeas, 92 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Campos; Garcia.

### STATEMENTS OF VOTE

When Record No. 1783 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 1783 was taken, I was temporarily out of the house chamber. I would have voted yes.

Garcia

When Record No. 1783 was taken, I was shown voting no. I intended to vote yes.

Walle

### REMARKS ORDERED PRINTED

Representative M. González moved to print all remarks on **CSSB 15**.

The motion prevailed.

### Amendment No. 2

Representative V. Jones offered the following amendment to **CSSB 15**:

Amend **CSSB 15** (house committee report) as follows:

(1) On page 1, strike lines 12 through 14 and renumber subsequent subdivisions of the subsection accordingly.

(2) On page 1, between lines 16 and 17, insert the following appropriately numbered subdivision:

( ) "Intercollegiate athletic competition" means an intercollegiate athletic competition governed or regulated by the National Collegiate Athletics Association or the National Association of Intercollegiate Athletics. The term does not include an intramural competition, club sport competition, practice, scrimmage, or exhibition.

#### **AMENDMENT NO. 2 - REMARKS**

REPRESENTATIVE V. JONES: Not every student with an interest in sports wants to be a varsity athlete, but many do not want to give up playing their sport entirely. Or maybe schools do not offer a varsity-level team for sports they are interested in. Many schools offer club sports as a way for students to still be involved in athletics without having the varsity or NCAA level of commitment. Clubs and intramural sports are almost entirely regulated by the school and usually paid for by the student in the club. These sports are not subject to the same regulations as NCAA sports or as competitive with championships and trophies because, for the most part, they're open to all students. This bill would change that "open to all" policy that most clubs and sports teams have and force school clubs to turn away students. By keeping transgender students from being able to play on a club of any kind or sports match between any universities, even though they are not governed by the major regulating body, this bill seeks to deprive transgender students entirely of all benefits of college sports. This amendment would ensure that all club and intramural sports can still allow transgender students to participate, while NCAA and other intercollegiate athletic competitions at the highest level will still be regulated by this bill.

REPRESENTATIVE SCHAEFER: Representative, if I understand your amendment correctly, this would exclude competition for intramurals and club sports, correct?

V. JONES: Correct.

SCHAEFER: Do you think that there should be intramural competition for women and men?

V. JONES: Yes, I do.

SCHAEFER: Okay. And how would you make that distinction?

V. JONES: I think that when it comes to this conversation and this legislation, this is particularly about trans women. And when it comes to trans women, I would include them as part of being a woman.

SCHAEFER: How do you define a trans woman?

V. JONES: I think that you should consult a dictionary and talk to some subject-matter experts. Right now, I'm offering an amendment.

SCHAEFER: You're the author of the amendment, so I'm trying to understand if you want to make it so that trans women can participate—your amendment wants to make it so that intramural competition is not part of this bill, correct?

V. JONES: Correct. It has been mentioned, actually by the author of this legislation, that this is only related to the highest levels of competition. My amendment offers the opportunity for intramural sports to not be included in this bill. And I'm actually addressing what the author has said on countless occasions in this layout.

SCHAEFER: So can you define for me who would be able to compete under your amendment?

V. JONES: I think that, as I've stated before, that's usually up to the university when it comes to intramural sports.

SCHAEFER: But they're going to have to follow the law that we write here. So when they're trying to determine who this applies to and who it doesn't, how will they make that distinction?

V. JONES: I think that is up to the university. All I'm doing with this amendment is making sure that intramural sports are not a part of this bill, as I've stated before.

SCHAEFER: Again, the university officials have to make a decision—

V. JONES: I can continue to say the same thing.

SCHAEFER: —on which individuals the bill applies to and which would apply under your amendment. How will they know who it applies to?

V. JONES: I think that's a conversation that you need to have with the universities that offer this sport. Again, this amendment only simply works to remove intramural sports from this conversation—we often talk about NCAA sports, and we're talking about the highest levels of competition. We do not want to remove all parts of transgender individuals from being able to participate at any level of collegiate sports. That is all this amendment is doing, sir.

SCHAEFER: How will the officials know that it's a transgender individual?

V. JONES: I think you'll have to talk to the rulemaking individuals. I'm sorry, I do not have the answer to that question at this time.

SCHAEFER: You can't provide a definition for them?

V. JONES: All I want to do is make sure that individuals—we do not remove intramural sports from people being able to participate in intramural sports.

SCHAEFER: Can you define for me this class of individuals? Because you're making a distinction now between these two types of sports. On what basis will the school officials be able to determine that your amendment applies?

V. JONES: While I appreciate the diversification of you asking me the same question, it's still the same answer. All I want to do is make sure that intramural sports are not a part of this bill, sir.

SCHAEFER: I don't think you answered my question, Mr. Jones.

(Goldman in the chair)

REPRESENTATIVE FLORES: So your amendment simply says that intramural sports would not be included in this bill prohibiting transgender individuals from competing in university and college sports, correct?

V. JONES: That is correct. As this bill is written right now, it prohibits transgender athletes from competing in any intercollegiate teams that aligns with their gender identity. This would include club sports and any kind of sports games or exhibition between different universities.

FLORES: You are aware obviously that intramural sports and club sports are very different from those, and they do often compete against other intramural or other club sports from other universities, correct?

V. JONES: That is correct. And when we talk about this bill, we oftentimes have heard, on both sides of this argument, about fairness. Sometimes this is just about being able to get together and play sports and have those opportunities on campus. I want to make sure that we do not have this limiting legislation impacting that very important piece of intramural activity—which is often team-building—and not as competitive as the NCAA level of competition that this bill is seeking to address, as stated by the author and many in support of this legislation.

FLORES: Well, I think your amendment is great because it offers opportunities for all athletes to play at other levels and not be prohibited, as this bill would do, correct?

V. JONES: Yes, it is. Thank you so much. I really appreciate it.

FLORES: Thank you so much for your amendment.

REPRESENTATIVE SWANSON: Fair is fair whether you're competing in the NCAA or in an intramural competition. I oppose this amendment and request that you vote no.

A record vote was requested.

Amendment No. 2 failed of adoption by (Record 1784): 59 Yeas, 83 Nays, 2 Present, not voting.

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

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel;



Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thierry; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Campos; Garcia.

### STATEMENTS OF VOTE

When Record No. 1784 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 1784 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

### Amendment No. 3

Representative Rosenthal offered the following amendment to **CSSB 15**:

Amend **CSSB 15** (house committee report) as follows:

(1) On page 1, between lines 16 and 17, insert the following appropriately numbered subdivision:

( ) "Intersex" means the status of having been born with variations in the individual's sex traits, genetics, or reproductive anatomy that do not fit binary notions of male or female.

(2) On page 1, line 17, strike "Except as provided by Subsection (c)" and substitute "Except as otherwise provided by this section".

(3) On page 2, between lines 8 and 9, insert the following appropriately lettered subsection and reletter subsequent subsections and references to those subsections accordingly:

( ) An intercollegiate athletic team described by Subsection (b) may allow an intersex student to compete in:

(1) an intercollegiate athletic competition that is designated for male or female students; or

(2) a mixed-sex intercollegiate athletic competition in a position that is designated for female students.

### AMENDMENT NO. 3 - REMARKS

REPRESENTATIVE ROSENTHAL: This bill, as written, does not include any exceptions for intersex individuals. These are individuals whose sex is—the way that they're born they are neither completely male nor female. What it means is these students would be completely cut off from any opportunity to compete at the intercollegiate level if the bill stays as written. This amendment would insert a definition for an intersex student as the status of having been born with variations in the individual sex traits, genetics, or reproductive anatomy that does

not fit the binary notions of male or female. It would provide an exception for intersex athletes to participate in intercollegiate competition that is either designated for male or female or they could compete as females in a mixed-sex competition.

Members, intersex athletes—people are people who are born that way, born the way the creator intended them to be born—should be able to compete if they want to, like any other young student in collegiate sports. Without this exception, intersex students would suffer this discrimination against them simply for being the way they are born.

REPRESENTATIVE SWANSON: This amendment doesn't take into account the performance enhancing effects of testosterone which is important in these situations. Respectfully, I ask you to vote no on the amendment.

ROSENTHAL: This amendment is just for the children who are born a little bit different, and I do urge you to vote yes. Thank you.

A record vote was requested.

Amendment No. 3 failed of adoption by (Record 1785): 52 Yeas, 83 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bowers; Campos; Garcia; Harrison; Klick; Manuel; Morales Shaw; Romero; Thierry.

### STATEMENTS OF VOTE

When Record No. 1785 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 1785 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

When Record No. 1785 was taken, I was in the house but away from my desk. I would have voted no.

Klick

When Record No. 1785 was taken, my vote failed to register. I would have voted yes.

Manuel

When Record No. 1785 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

#### **Amendment No. 4**

Representative Turner offered the following amendment to **CSSB 15**:

Amend **CSSB 15** (house committee report) on page 2 by striking lines 4 through 8 and substituting the following:

(c) An intercollegiate athletic team described by Subsection (b) may allow a student who would otherwise not be allowed to compete in an intercollegiate athletic competition that is designated for male students under Subsection (b) to compete in the competition if the student:

(1) is female and a corresponding intercollegiate athletic competition designated for female students is not offered or available; or

(2) identifies as a transgender male.

#### **AMENDMENT NO. 4 - REMARKS**

REPRESENTATIVE TURNER: The bill as currently written would require transgender male athletes to compete against women in intercollegiate athletics. During the committee hearing in the house, there was testimony from about half a dozen transgender men who were forced to participate in women's sports because of UIL rules and the discriminatory legislation that we adopted last session pertaining to K-12 athletes. There's no reason why a transgender man who wants to participate in men's college sports shouldn't be allowed to do so. Some may say it's not safe for trans men to compete in women's sports, but this bill and Texas law still allow for all women to participate in sports that are only offered for men and football is a good example. Right now in Texas, if any person wants to play a contact sport like football, that's their own choice, and there's no reason for us to categorically ban all transgender men from playing college sports as the men that they are. If this bill were really about protecting women's sports then it wouldn't discriminate against trans men and force them to keep playing women's sports.

REPRESENTATIVE ORTEGA: Do you think it is still wrong to ban transgender women from participating in women's sports?

TURNER: Absolutely. I think this bill is misguided, is misogynistic, and it's discriminatory to ban transgender women from playing women's sports as the women that they are. This bill imposes a categorical ban, though, that goes far beyond the sport-by-sport approach endorsed by the NCAA and proposed Title IX regulations. It is based on shoddy science and an overly simplistic and incorrect view of biological sex that is not grounded in science or the reality that all athletes who play sports have varying body types and hormone levels. And transgender student athletes' hormone levels are required, under NCAA rules, to be in line with those of their sport's competitors.

ORTEGA: Why are you bringing this amendment that would only protect trans men's ability to play men's sports?

TURNER: To be clear, I oppose this entire bill. I am trying to marginally improve this bill with this amendment. We heard during the committee hearing from over a dozen trans men who have been forced to compete in women's sports because of UIL rules and the law this body passed back in 2021. It was clear from listening to that testimony that they would do anything to play men's sports and compete as the men that they truly are, even if it means losing more games. This bill simply gives those men a chance to play college sports.

ORTEGA: How does this bill require transgender males to compete in women's sports?

TURNER: That's a great question. The bill as written requires students to compete based on their "biological sex as correctly stated". That's a quote from the bill language. "Biological sex, as correctly stated on their birth certificate." Meaning trans men cannot participate on men's teams even if they want to.

ORTEGA: What kinds of exemptions does this amendment allow for?

TURNER: This amendment will simply provide exemptions for trans men to compete in men's sports against people.

ORTEGA: Thank you, Representative Turner, for this amendment.

TURNER: Thank you, Representative Ortega.

REPRESENTATIVE SWANSON: I respectfully oppose this amendment and ask you to vote no. Thank you.

TURNER: Again, members, I think this is a commonsense amendment. It simply would allow for trans male athletes to compete in athletics. I would respectfully ask that you vote for this amendment.

A record vote was requested.

Amendment No. 4 failed of adoption by (Record 1786): 51 Yeas, 87 Nays, 3 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Lopez, R.; Manuel; Martinez;

Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Campos; Garcia; King, T.; Morales Shaw; Romero.

### STATEMENTS OF VOTE

When Record No. 1786 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 1786 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

When Record No. 1786 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

### Amendment No. 5

Representative J. González offered the following amendment to CSSB 15:

Amend **CSSB 15** (house committee report) as follows:

(1) On page 1, strike lines 12 through 14 and renumber subsequent subdivisions of the subsection accordingly.

(2) On page 1, between lines 16 and 17, insert the following appropriately numbered subdivision:

( ) "Intercollegiate athletic competition" governed or regulated by the National Collegiate Athletic Association or the National Association of Intercollegiate Athletics.

(3) On page 2, strike lines 4 through 8 and substitute the following:

(c) An intercollegiate athletic team described by Subsection (b) may allow:

(1) a female student to compete in an intercollegiate athletic competition that is designated for male students if a corresponding intercollegiate athletic competition designated for female students is not offered or available; or

(2) a transgender student to compete in an intercollegiate athletic competition that is designated for the biological sex with which the student identifies if the student meets the requirements to compete in the competition adopted by the National Collegiate Athletic Association or the National Association of Intercollegiate Athletics, as applicable.

(4) On page 3, between lines 11 and 12, insert the following appropriately lettered subsection:

(h) Nothing in this section shall be construed to conflict with the eligibility rules established by the National Collegiate Athletic Association and the National Association of Intercollegiate Athletics. If any provision of this section conflicts with those rules, the rules of the National Collegiate Athletic Association and the National Association of Intercollegiate Athletics are controlling, and this section has no effect.

#### AMENDMENT NO. 5 - REMARKS

REPRESENTATIVE J. GONZÁLEZ: This bill seeks to regulate a problem that we have no complaints from here in Texas. We heard athletes flown in from out of state to advocate on behalf of this bill, while student athletes from Texas registered to testify against it. We heard directly from transgender student athletes who have already been harmed and discriminated against by UIL rules and the legislation that we passed last session, including transgender men who have been forced to participate in women's sports. This amendment would ensure that none of the regulations placed on Texas intercollegiate athletics would contradict NCAA or NAIA guidelines or the guidelines of other collegiate athletic associations. This body has never before passed laws dictating player eligibility in college sports, and we shouldn't directly contradict the rules that already exist and uniquely disadvantage our public colleges and universities.

REPRESENTATIVE SWANSON: This amendment does the opposite of the bill, so I would respectfully ask you to vote no.

J. GONZÁLEZ: This bill as currently written isn't about fair competition or the love of sports, it's about discrimination. This amendment dampens the blow by allowing us to at least not directly conflict with NCAA or NAIA rules and does not significantly change the bill.

A record vote was requested.

Amendment No. 5 failed of adoption by (Record 1787): 54 Yeas, 85 Nays, 2 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Longoria; Lopez, R.; Manuel;

Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Talarico; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Campos; Garcia; King, T.; Toth; Wilson.

#### STATEMENTS OF VOTE

When Record No. 1787 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 1787 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

When Record No. 1787 was taken, I was in the house but away from my desk. I would have voted no.

Toth

When Record No. 1787 was taken, I was in the house but away from my desk. I would have voted no.

Wilson

#### Amendment No. 6

Representative Gámez offered the following amendment to **CSSB 15**:

Amend **CSSB 15** (house committee report) on page 3 by striking lines 2 through 5 and relettering subsequent subsections of the section accordingly.

#### AMENDMENT NO. 6 - REMARKS

REPRESENTATIVE GÁMEZ: My amendment is very simple in that it simply strikes what seems to be a clause which would allow a person, namely any human being, presumably in the continental United States of America, but the way it's

written, it could be any person in the world, to bring an action of civil litigation to allegedly enforce this matter. So I propose—and I'm speaking to my legal mind—

#### **Amendment No. 6 - Point of Order**

Representative Tinderholt raised a point of order against further consideration of Amendment No. 6 under Rule 11, Section 3, of the House Rules on the grounds that the amendment changes the bill's original purpose. The point of order was withdrawn.

#### **AMENDMENT NO. 6 - REMARKS**

REPRESENTATIVE GÁMEZ: As I was stating, this amendment is important because as Texans we need to be sure that only Texans are involved in our issues, especially this one. I want to be clear that my amendment doesn't address the social issue behind this matter at all. It is purely legal.

I want to paint you a scenario wherein you imagine we're two nights before the Final Four and there's someone on the opposing team that you don't like or that you suspect is stronger, bigger, more masculine. Well, I know what I'm going to do—maybe I have a bet on the line. I'm going to get somebody to file an injunction against that team. And the way the law is currently written, you can do that. Can you imagine the turmoil, the market chaos, and the competitive chaos that this would potentially allow? Absolutely anyone could file an injunction moments before the big day, moments before the championship or the competition. We need to be sure that we don't allow that to happen, irrespective of our motives for or against the legislation. In this case, I am asking that we strike this clause because, on a more practical level, any practitioner knows the basic foundation of civil jurisprudence is that you have standing—an actual interest to litigate in a case in order to be involved in litigation. The way the bill is written, this section grants standing to absolutely any human being to intervene and file suit in this matter. So I'm asking, for absolute practical purposes, that you vote yes to adopt this amendment.

REPRESENTATIVE FLORES: You mentioned that anybody under this bill would be able to file a civil action against a university because, as you said, there could be a bad actor, right? Why would this be problematic again? Please explain.

GÁMEZ: You're absolutely correct, Representative. It would allow, as written, any human being to file an injunctive action. I need you to understand, ladies and gentlemen, an injunction is not just a lawsuit asking for damages. It's like putting a stop sign or an immediate halt to whatever's going on. I sincerely fear how this tool could be used as a mechanism to really skew our competitive nature at this point in collegiate sports.

FLORES: Would there be damages available under this bill?

GÁMEZ: It's uncertain, but ordinarily yes. In ordinary Texas Rules of Procedure, the prevailing party is entitled to damages in an injunction.



FLORES: If somebody brought one of these actions, would the university—even if there were no damages found or it was frivolous—the university would still have to pay, wouldn't it, for attorney fees and all of that to defend itself against a frivolous lawsuit? Isn't that correct?

GÁMEZ: It's very concerning, right? As written, this statute is very vague and very ambiguous as to what damages would be. They're not statutorily quantified, so we're all up in the air about this. I'm concerned with the efficacy and the expediency.

FLORES: Does this bill require any proof that the athlete in question is in fact transgender?

GÁMEZ: I'm really glad you brought that up, Representative, because the way the bill is currently written, there is no definition of woman, male, or transgender. The way the bill is written and inviting litigation from the universe, there's no threshold proof to file or initiate this litigation, so it could be I suspect that—you know, maybe you have chin hair or maybe your pectorals are bigger than mine. I don't know what the requisite proof is as written.

FLORES: It would be problematic too, wouldn't it, for athletes of color?

GÁMEZ: Absolutely, and that's our concern. Again, and I know we keep vocalizing this issue. In Texas, we want to make sure that we do not open the floodgates for discrimination, and I really think that we can prevent that. Irrespective of your social position on the matter, we can prevent that by eradicating the floodgates of litigation for any person—any human being—to be able to file suit on an ambiguous and arbitrary, I'm assuming, presumption or animus.

FLORES: Thank you for filing this amendment. I think it's a good amendment. This bill would cause a lot of problems for our universities, and I think your amendment would actually get rid of a lot of those problems, so thank you for filing this amendment.

GÁMEZ: Thank you so much, Representative. And again, members, this is simply a cleanup. We already know how the courts feel about the issues wherein legislation opens the floodgates of litigation to any citizen. We have been there, we have done that, and I'm asking just for practical purposes of jurisprudence, we adopt this amendment.

REPRESENTATIVE SWANSON: This amendment kills the enforcement mechanism of the bill. I respectfully request that you vote no.

GÁMEZ: Representative Swanson, the way your—page 3, Section (f), "a person may bring a civil action for injunctive relief against an institution of higher education." The way you have written this would that allow any person, any citizen—not even citizen, any person to bring suit?

SWANSON: I appreciate that question. If you give me just a minute, I wasn't expecting to have to have the bill. Let me grab my layout.

GÁMEZ: Surely.

SWANSON: Thank you for asking that. Definitely on page 3, we say it that way because there is a real variety of people that may be affected by the school's policies and by Texas policies, so we wanted to make sure that we are not keeping someone from being able to do that. That is why it reads that way. Thank you.

GÁMEZ: Is it your understanding that, as written, any person could file?

SWANSON: A variety of people can be affected, therefore we need it to be read this way.

GÁMEZ: The way it is written, actually, do you even have to be a citizen of the United States to file?

SWANSON: I think the bill speaks for itself.

GÁMEZ: Is there anywhere in your bill that points out that citizenship is a requirement to file suit on this matter?

SWANSON: I am quite sure that you read it. If you found that somewhere—I don't find that in the bill. Do you want to point out something, a specific line to ask about?

GÁMEZ: I guess that's why I'm asking you. Is there anywhere specifically you can point out to me where even Texas citizenship is a requirement to file suit on this bill?

SWANSON: I think that the bill speaks for itself.

GÁMEZ: I would agree with you. I have not found any citizenship requirement in your bill to file suit on this matter. The way the bill is written, are there any standing elements elaborated in order to file suit on this matter?

SWANSON: This is a common way to word this sort of thing. It allows a variety of people—whether it's a parent of a student or anyone. We have foreign students, and we did not want to keep them from being able to use their rights.

GÁMEZ: I would agree with you that it is so common, actually, that this wording was actually used recently in litigation brought forth to the Texas Supreme Court. Are you aware that the Texas Supreme Court has actually stated that this language is entirely too broad and expands—actually eradicates—the necessity for standing in the Texas Rules of Civil Procedure?

SWANSON: I'm not advised.

GÁMEZ: Okay, thank you. Once again, I ask that you please, as a matter of jurisprudence and judicial economy, adopt this amendment.

A record vote was requested.

Amendment No. 6 failed of adoption by (Record 1788): 60 Yeas, 83 Nays, 2 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez;

Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Talarico; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Smith.

#### **Amendment No. 7**

Representative Reynolds offered the following amendment to **CSSB 15**:

Amend **CSSB 15** (house committee report) on page 3, between lines 11 and 12, by inserting the following appropriately lettered subsection:

( ) Nothing in this section may be construed to discriminate against any person on the basis of sex, gender, or gender identity.

#### **AMENDMENT NO. 7 - REMARKS**

REPRESENTATIVE REYNOLDS: Members, right now there is no language ensuring protection from discrimination. This section of the bill currently allows for civil action against anyone alleged to have violated this bill. If the intent of this bill is not to discriminate against anyone but rather equity in sports, then we should include something that protects all Texas college athletes from discrimination. This amendment would ensure that no one can use this law to needlessly discriminate against anyone regardless of their gender identity.

REPRESENTATIVE SWANSON: This bill does not discriminate on the basis of sex, gender, or gender identity. It protects fundamental fairness in women's sports. I oppose it, and I respectfully ask you to vote no.

REYNOLDS: Actually, contrary to that, the U.S. Department of Education recently published a proposed rule that is not yet final but clearly states that categorically barring transgender students from playing sports in accordance with their gender identity, as this bill does, is a clear violation of Title IX. Several court decisions have also reached the same conclusion. And the U.S. Supreme Court recently upheld an order from the Fourth Circuit allowing a transgender middle school girl to keep playing track and field. So this amendment certainly

would help ensure that there is some equity in the law to make sure that anyone who is being discriminated against has a legal cause of action. Also there are proposed regulations that mirror the NCAA rules in that they try to take into account each individual sport, it's unique characteristics, and the hormone levels. That is why this bill would be a violation of Title IX. Members, I ask for your favorable consideration to support my amendment.

A record vote was requested.

Amendment No. 7 failed of adoption by (Record 1789): 59 Yeas, 84 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Dutton.

### STATEMENT OF VOTE

When Record No. 1789 was taken, I was shown voting no. I intended to vote yes.

Raymond

### Amendment No. 8

Representative J.E. Johnson offered the following amendment to **CSSB 15**:

Amend **CSSB 15** (house committee report) on page 3, between lines 11 and 12, by inserting the following appropriately lettered subsection:

( ) Nothing in this section shall be construed to conflict with Title IX of the Education Amendments Act of 1972 (20 U.S.C. Section 1681 et seq.) or the United States Department of Education's regulations implementing the law. An institution of higher education may not enforce any provision of this section that conflicts with Title IX or its regulations.

### AMENDMENT NO. 8 - REMARKS

REPRESENTATIVE J.E. JOHNSON: Title IX was created to ensure equity in sports in all aspects, whether it was funding, resources, or other proponents in athletics. Title IX is the standard for equity in athletics, so we should ensure that our state is doing all that it can to abide by Title IX. Our public universities in our state are required to comply with Title IX, and we can lose our federal funding if we don't. We don't want to irreparably damage or harm women's sports in our state, so we have to follow Title IX. This amendment simply states that no part of this bill should conflict with Title IX and if it is later found to conflict, then it is no longer enforceable. We really do not want to jeopardize the substantial amount of federal funding that we receive for Title IX for women's sports. I strongly encourage you to adopt this amendment.

REPRESENTATIVE SWANSON: Members, this bill does not violate Title IX. It protects the rights women have fought for under Title IX. This amendment is unnecessary, and I respectfully request that you vote no.

J.E. JOHNSON: Members, we really don't want to do anything to jeopardize our Title IX funding. While it's Representative Swanson's belief that this does not in any way compromise Title IX, this amendment ensures that it does not, and so I encourage you to adopt this amendment.

A record vote was requested.

Amendment No. 8 failed of adoption by (Record 1790): 61 Yeas, 82 Nays, 2 Present, not voting.

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

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer;

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

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bhojani.

### STATEMENTS OF VOTE

When Record No. 1790 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1790 was taken, I was shown voting yes. I intended to vote no.

Leo-Wilson

### Amendment No. 9

Representative Moody offered the following amendment to **CSSB 15**:

Amend **CSSB 15** (house committee report) on page 3, between lines 11 and 12, by inserting the following appropriately lettered subsection:

( ) This section expires August 1, 2025.

### AMENDMENT NO. 9 - REMARKS

REPRESENTATIVE MOODY: Most intercollegiate regulatory boards are still actively updating their standards for transgender athletes and what regulations should be in place on them. The NCAA, for example, is implementing a three-phase program that's taken place over several years to ensure that all of their sports are equitable and fair and that every athlete is participating. Since there are ever-changing policies and regulations on transgender athletes and what guidelines they must meet in order to compete, this amendment would put a sunset date on the bill that aligns with the NCAA three-phase plan. This allows the major athletic regulatory boards to completely implement their guidelines for transgender athletes and observe if they need to be tweaked or not. This allows us to come back and revisit this bill once the NCAA and other regulatory boards have fully seen the effects of their work and align our state with what the national regulations are. We all love our college sports in Texas, and this would allow us to ensure that our Texas colleges are providing competition that rivals other universities not just in athletic ability but also equity and fairness.

REPRESENTATIVE SWANSON: There is no reason to sunset this bill. I oppose it and respectfully ask that you vote no.

MOODY: It's hard to respond to such eloquent opposition. I didn't pick the number out of a hat, this aligns with how the NCAA is doing their phase-in rules for transgender athletes. So if this isn't aligned with what they're doing, let's come back and tweak this so that it does, because these are going to be national standards, and we should make sure that we have our college athletics on the

same level as those at the national level. This is the date that aligns with that. It makes us come back to make sure what we did here today aligns with what's done nationally in that three-phase program that's already been outlined and that's already been voted on.

A record vote was requested.

Amendment No. 9 failed of adoption by (Record 1791): 60 Yeas, 81 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bhojani; Campos; Garcia.

### STATEMENTS OF VOTE

When Record No. 1791 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1791 was taken, I was in the house but away from my desk. I would have voted yes.

Campos

When Record No. 1791 was taken, I was shown voting yes. I intended to vote no.

Gerdes

**Amendment No. 10**

Representative Goodwin offered the following amendment to **CSSB 15**:

Amend **CSSB 15** (house committee report) as follows:

(1) On page 1, line 9, strike "Section 51.980" and substitute "Sections 51.980 and 51.9801".

(2) On page 3, between lines 11 and 12, insert the following:

Sec. 51.9801. STUDY ON WOMEN'S SPORTS. (a) In this section:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "Institution of higher education" has the meaning assigned by Section 61.003.

(b) The coordinating board shall conduct a study regarding women's sports at institutions of higher education. In conducting the study, the coordinating board shall evaluate:

(1) equity in women's sports, including equity in funding;

(2) safety for female athletes, including issues regarding sexual harassment and sexual assault; and

(3) any other concerns identified by student athletes, the parents of student athletes, or coaches at institutions of higher education.

(c) Not later than September 1, 2024, the coordinating board shall submit to the legislature a report on the results of the study and any recommendations for legislative or other action.

(d) This section expires September 1, 2025.

**Amendment No. 10 - Point of Order**

Representative Cain raised a point of order against further consideration of Amendment No. 10 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

**AMENDMENT NO. 10 - REMARKS**

REPRESENTATIVE GOODWIN: We should be doing everything we can do to ensure women's sports are as equitable and safe as possible. The amendment would require the Texas Higher Education Coordinating Board to conduct a study regarding equity and safety in women's sports, including issues such as spending equity, sexual harassment, sexual assault, and any other concerns deeply prevalent in women's sports. We've heard the bill author and members express their deep concern for and love of women's sports. We have heard the promise of Title IX to create equality for women's sports and to give opportunities to women athletes, but when I look at the bill, I see it as lacking in actually helping women's sports. I don't see anything to address the huge disparity in funding between men's and women's college sports. If you remember the NCAA basketball tournament in San Antonio two years ago, you will recall how awful the accommodations were for the women's teams compared to the men's teams. Many of you are deeply aware of the epidemic of sexual abuse and sexual assault



in women's sports. This bill does not do anything to help any of these problems or any other real-life issue affecting women athletes. This amendment is simple—to conduct a study. However, I am withdrawing the amendment.

Amendment No. 10 was withdrawn.

### **CSSB 15 - REMARKS**

REPRESENTATIVE RAMOS: Members, like many of you, I ran to become a lawmaker to make Texas a better place to live and to make laws in a state of 30 million people to make Texas a better place for Texas families. And like many of you, I heard my community members—Texans in my neighborhood—saying, "We need you to address issues that are important to us like gun violence, health care, education, and property taxes." After all, here, we are the capital of mass shootings in America, we're the number one uninsured in the U.S., and we severely underfund our public schools. But instead, once again, we are wasting valuable time and resources on whatever bogeyman hate creates today. Whatever bogeyman hate creates today, that's what we're tackling—not gun violence, not education, and not health care, but instead a fictitious bogeyman.

I'm sure many of you are unaware—and frankly, probably don't care—that today is International Day Against Homophobia, Transphobia, and Biphobia. This is a day to reflect on the many challenges that the LGBT community faces in our society and fight to address the prejudice, discrimination, and violence that this community faces—hate and violence that this community faces from legislation like this. Instead of working to create societies that are more tolerant and accepting, we are putting forward more senseless legislation that targets trans people in particular and discriminates against communities at large. This bill, once again, is another hateful and fear-mongering bill to distract Texas voters from the real issues not being addressed this session. It encourages discrimination and exclusion against transgender Texans. This is a violation of the rights of a very small minority of college athletes from being able to pursue their passions and develop their physical skills. All individuals should have equal access to participate in sports, regardless of their gender identity. Period.

Banning trans individuals from sports continues to create a state of stigmatization and a hostile environment for this community. Again, we are telling trans people that they don't belong in our state, in our public spaces, or in our sports. We are sending the message that discrimination based on gender identity is acceptable. And it is not. We are causing this population to feel isolated, have low self-esteem, and increased mental health issues. If we say that we are committed to mental health to address the increasing rates of violence in our community, why are we neglecting the needs of the LGBT community—those who see higher rates of depression, anxiety, homelessness, and suicide than any other population in our society? Members, the numbers speak for themselves. Sixty-one percent of transgender youth are battling symptoms of depression, 40 percent of transgender adults report having attempted suicide—the majority having done so before the age of 25—and 39 percent of transgender adults surveyed by the Human Rights Campaign say they are currently experiencing serious psychological distress. And yet, instead of

helping them, we try to advance more and more bills on discrimination—all the while, our children and our families continue to be slaughtered in our communities.

We're wasting time and valuable resources on discriminatory bills that do nothing to make Texas a better place, but instead put our families in harmful environments. I ask you to vote against this bill, and I ask Texans to say "Stop this nonsense. Let's focus on things that help Texas families, not break us apart and divide each other and divide our families." I ask you to support me in voting against this bill.

(Speaker in the chair)

REPRESENTATIVE FLORES: Representative Ramos, to your knowledge has the legislature done anything to address concerns like high rates of sexual abuse in sports, fewer participation or opportunities for women to play in collegiate athletics, or inadequate program funding? Have you heard any talk during this legislative session about fixing any of those problems?

RAMOS: That is not, I think, a concern of the majority party here at all.

FLORES: So you know, the body is ignoring recommendations of athletes and other major organizations, right? Because we've heard multiple reports have come out stating that it would actually help improve the quality of women's sports, and banning transgender athletes was not one of those recommendations. Isn't that true?

RAMOS: That's true. And one of the priority items that the governor said he would like to address is mental health, yet instead we're exacerbating the problem with legislation like this.

FLORES: Well, I agree with you that we should be focused on the bigger picture and the real issues. If we really wanted to do something about making women's athletics stronger, I think we would be fighting to improve their funding and the safety of women athletes, would we not?

RAMOS: Yes, ma'am.

REPRESENTATIVE SWANSON: This bill is about fairness for our college female athletes, and I respectfully ask that you vote yes. Thank you.

A record vote was requested.

**CSSB 15** was passed to third reading by (Record 1792): 93 Yeas, 49 Nays, 3 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier; Gerdes; Goldman; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lozano; Lujan; Martinez; Metcalf; Meyer; Morales, E.; Morrison; Muñoz; Murr; Noble; Oliverson; Orr; Patterson;

Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thierry; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bowers; Bryant; Bucy; Campos; Cole; Cortez; Davis; Flores; Gámez; Garcia; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Lopez, R.; Manuel; Martinez Fischer; Meza; Moody; Morales, C.; Morales Shaw; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner; Vo; Walle; Wu; Wiener.

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bhojani.

### STATEMENTS OF VOTE

When Record No. 1792 was taken, I was in the house but away from my desk. I would have voted no.

Bhojani

When Record No. 1792 was taken, I was shown voting no. I intended to vote yes.

Gates

When Record No. 1792 was taken, I was shown voting yes. I intended to vote no.

J.D. Johnson

### CONSTITUTIONAL AMENDMENTS CALENDAR SENATE JOINT RESOLUTIONS SECOND READING

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

#### **SJR 87 ON SECOND READING (Bonnen - House Sponsor)**

**SJR 87**, A joint resolution proposing a constitutional amendment to authorize the legislature to exempt from ad valorem taxation equipment or inventory held by a manufacturer of medical or biomedical products to protect the Texas healthcare network and strengthen our medical supply chain.

**SJR 87** was adopted by (Record 1793): 125 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; 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; Garcia; Gerdes; Gervin-Hawkins; Goldman; González, J.;

González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Landgraf; Leach; 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; Schofield; Shaheen; Shine; Smith; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain; Harrison; Hayes; Isaac; Schaefer; Slawson; Smithee; Swanson; Tinderholt; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Anderson; Bhojani; Gates; Johnson, J.D.; Jones, V.; Klick; Leo-Wilson; Morales Shaw; Schatzline; Thompson, S.

#### **STATEMENTS OF VOTE**

When Record No. 1793 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1793 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 1793 was taken, I was shown voting yes. I intended to vote no.

Canales

When Record No. 1793 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1793 was taken, I was in the house but away from my desk. I would have voted yes.

Gates

When Record No. 1793 was taken, I was in the house but away from my desk. I would have voted yes.

V. Jones

When Record No. 1793 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 1793 was taken, I was in the house but away from my desk. I would have voted no.

Schatzline

When Record No. 1793 was taken, I was shown voting yes. I intended to vote no.

Wilson

**GENERAL STATE CALENDAR  
SENATE BILLS  
SECOND READING**

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

**SB 2289 ON SECOND READING  
(Bonnen - House Sponsor)**

**SB 2289**, A bill to be entitled An Act relating to the exemption from ad valorem taxation of equipment or inventory held by a manufacturer of medical or biomedical products to protect the Texas healthcare network and strengthen our medical supply chain.

A record vote was requested.

**SB 2289** was passed to third reading by (Record 1794): 126 Yeas, 13 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Bryant; Buckley; Bucy; 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; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Schofield; Shaheen; Shine; Smith; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Bumgarner; Harrison; Hayes; Hefner; Isaac; Leo-Wilson; Schaefer; Slawson; Smithee; Swanson; Tinderholt; Toth; Wilson.

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

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bhojani; Johnson, J.D.; Jones, V.; Klick; Thompson, S.

**STATEMENTS OF VOTE**

When Record No. 1794 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1794 was taken, I was shown voting yes. I intended to vote no.

Canales

When Record No. 1794 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1794 was taken, I was shown voting no. I intended to vote yes.

Hefner

When Record No. 1794 was taken, I was in the house but away from my desk. I would have voted yes.

V. Jones

**SB 1361 ON SECOND READING  
(Burrows - House Sponsor)**

**SB 1361**, A bill to be entitled An Act relating to the unlawful production or distribution of sexually explicit videos using deep fake technology; creating a criminal offense.

**SB 1361** was passed to third reading.

**SB 538 ON SECOND READING  
(Raymond, E. Morales, and J. Lopez - House Sponsors)**

**SB 538**, A bill to be entitled An Act relating to the use of appropriated money by the Texas State Guard for recruiting and retention purposes.

**SB 538** was passed to third reading.

**SB 246 ON SECOND READING  
(Goldman - House Sponsor)**

**SB 246**, A bill to be entitled An Act relating to the regulation of motor fuel metering devices and motor fuel quality.

A record vote was requested.

**SB 246** was passed to third reading by (Record 1795): 137 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; 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; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.;

González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; 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; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Shine; Slawson; Smith; Smithe; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Ramos.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Anderson; Bhojani; Bonnen; Gámez; Johnson, A.; Oliverson; Schofield.

### STATEMENT OF VOTE

When Record No. 1795 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

### SB 614 ON SECOND READING (Frank - House Sponsor)

**SB 614**, A bill to be entitled An Act relating to certain procedures relating to children placed under a parental child safety placement.

#### Amendment No. 1

Representatives Shaheen, Campos, Ramos, and Rose offered the following amendment to **SB 614**:

Amend **SB 614** (house committee printing) on page 1, between lines 4 and 5, by inserting the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Section 264.017, Family Code, is amended by adding Subsection (f) to read as follows:

(f) In addition to the other reports required by this section, the department shall publish a monthly report containing the following information for the preceding month with respect to parental child safety placement agreements:

(1) the number of children placed under a parental child safety placement agreement;

(2) the average duration of a placement under a parental child safety placement agreement;

(3) the average duration of a placement under a parental child safety placement agreement during an investigation; and

(4) the percentage of children removed from a placement under a parental child safety placement agreement and placed in the managing conservatorship of the department.

Amendment No. 1 was adopted.

**SB 614**, as amended, was passed to third reading.

**SB 48 ON SECOND READING**  
**(Leach - House Sponsor)**

**SB 48**, A bill to be entitled An Act relating to standardized forms and materials for the issuance of protective orders, magistrate's orders for emergency protection, and temporary ex parte orders.

**Amendment No. 1**

Representative Landgraf offered the following amendment to **SB 48**:

Amend **SB 48** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) In this section:

(1) "Office" means the Office of Court Administration of the Texas Judicial System.

(2) "Protective order" means any order that is issued or rendered by a court and that prohibits a person from engaging in certain specified conduct directed toward another person or property, including:

(A) a protective order under Title 4, Family Code;

(B) a temporary restraining order under Section 6.501, Family Code, or a protective order under Section 6.504, Family Code;

(C) a magistrate's order for emergency protection under Article 17.292, Code of Criminal Procedure; and

(D) a protective order under Subchapter A, Chapter 7B, Code of Criminal Procedure.

(b) The office shall conduct a study on the effectiveness of protective orders in protecting victims of violence in this state.

(c) Notwithstanding any other law, the Department of Public Safety shall assist the office in conducting the study required by this section by providing the office criminal history records at the time and in the form requested by the office.

(d) The office shall create a report based on the study conducted under this section. The report must include:

(1) an evaluation of the effectiveness of protective orders in protecting victims of violence in this state by deterring the person who is the subject of the order from engaging in the conduct prohibited under those orders; and

(2) legislative recommendations on methods to improve the enforcement of protective orders in this state.

(e) Not later than September 1, 2024, the office shall submit the report required under Subsection (c) of this section to the governor, lieutenant governor, speaker of the house of representatives, and appropriate committees of the legislature.



(f) This section expires January 1, 2025.

Amendment No. 1 was adopted.

A record vote was requested.

**SB 48**, as amended, was passed to third reading by (Record 1796): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; 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; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; 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; Shaheen; Shine; Slawson; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bhojani; González, M.; Johnson, J.D.; Morales Shaw; Smith; Thompson, S.

### STATEMENTS OF VOTE

When Record No. 1796 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1796 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

### SB 1340 ON SECOND READING (Meyer - House Sponsor)

**SB 1340**, A bill to be entitled An Act relating to the local development agreement database maintained by the comptroller of public accounts.

**SB 1340** was passed to third reading.

**SB 1089 ON SECOND READING**  
**(Capriglione - House Sponsor)**

**SB 1089**, A bill to be entitled An Act relating to repealing the ability to declare certain unopposed candidates for office as elected.

**SB 1089** was passed to third reading.

**SB 1932 ON SECOND READING**  
**(K. King - House Sponsor)**

**SB 1932**, A bill to be entitled An Act relating to authorizing secondary wine sales; authorizing an administrative penalty.

A record vote was requested.

**SB 1932** was passed to third reading by (Record 1797): 129 Yeas, 15 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; 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; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; 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; Oliverson; Ordaz; Ortega; Patterson; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Schofield; Shine; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Bonnen; Bumgarner; Cain; Goldman; Hefner; Noble; Orr; Paul; Plesa; Schaefer; Shaheen; Slawson; Thompson, E.; Tinderholt; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Jones, J.

**STATEMENTS OF VOTE**

When Record No. 1797 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1797 was taken, I was in the house but away from my desk. I would have voted yes.

J. Jones

When Record No. 1797 was taken, I was shown voting yes. I intended to vote no.

Patterson

When Record No. 1797 was taken, I was shown voting no. I intended to vote yes.

Schaefer

**SB 2010 ON SECOND READING**  
**(Slawson, et al. - House Sponsors)**

**SB 2010**, A bill to be entitled An Act relating to required reporting by the wholesale electric market monitor for the ERCOT power region.

**SB 2010 - REMARKS**

REPRESENTATIVE MORALES SHAW: Thank you, Representative Slawson. I think this is a good bill. I know, or at least I surmise, that it was prompted by the price gouging that we saw following Winter Storm Uri. Is that correct?

REPRESENTATIVE SLAWSON: It's prompted by a need to ensure that there is adequate transparency in reporting so that we know when the IMM is sending out RFIs, just to investigate potential market manipulation.

MORALES SHAW: I know that last session we had a lot of conversation and legislation after we realized that there was a lack of communication between different agencies—the PUC and the Railroad Commission being two of the main ones. Some of the legislation was aimed at remedying that. And I hope that in the scope of this bill there will be that communication in the rulemaking so that we make sure that a big part of this price gouging, which includes natural gas—and it's not in the purview of this proposed legislation—can be included in that rulemaking process. Is it your understanding that this includes monitoring price changes for electricity supply but not for natural gas?

SLAWSON: This bill specifically deals with PURA under the Utilities Code and the IMM's relationship with the PUC. The Railroad Commission is a separate entity, so that's not contemplated under this bill.

MORALES SHAW: Right. And I have an amendment that I'll talk to you about after this and we may be able to add that on in third reading. Hopefully, we can somehow make sure that for consumer protection, for supply protection, and for energy reliability that, when we look at the market manipulation, we look at the full supply chain at all levels. Because I think when we look at the price—the crazy price raising that went from at one point 225 MMBtu to 500 within a matter of three days—that wasn't the electricity providers. So I'm hoping that you'll look at that amendment. But thank you for the clarifications.

**SB 2010** was passed to third reading.

**CSSB 1599 ON SECOND READING**  
**(Bucy - House Sponsor)**

**CSSB 1599**, A bill to be entitled An Act relating to ballots voted by mail.

A record vote was requested.

**CSSB 1599** was passed to third reading by (Record 1798): 142 Yeas, 0 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; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; 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; 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; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Wiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bhojani; Lujan; Reynolds.

### STATEMENT OF VOTE

When Record No. 1798 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

### SB 1364 ON SECOND READING (Lujan and J. Lopez - House Sponsors)

**SB 1364**, A bill to be entitled An Act relating to weight limitations for certain natural gas or electric vehicles.

A record vote was requested.

**SB 1364** was passed to third reading by (Record 1799): 121 Yeas, 22 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hernandez; Hinojosa; Holland; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson,

J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shine; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bumgarner; Cain; Dean; Gates; Harrison; Hefner; Hull; Isaac; Leo-Wilson; Metcalf; Oliverson; Ramos; Schaefer; Schatzline; Shaheen; Slawson; Swanson; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bhojani; Smith.

### STATEMENT OF VOTE

When Record No. 1799 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

### REMARKS ORDERED PRINTED

Representative Smith moved to print remarks between Representative Slawson and Representative Morales Shaw on **SB 2010**.

The motion prevailed.

### SB 252 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Guillen moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Neave Criado as a house sponsor to **SB 252**.

The motion prevailed.

### HB 3647 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

**HB 3647**, A bill to be entitled An Act relating to the imposition by the Department of Public Safety of administrative and civil consequences for certain criminal convictions.

Representative Guillen moved to concur in the senate amendments to **HB 3647**.

The motion to concur in the senate amendments to **HB 3647** prevailed by (Record 1800): 134 Yeas, 2 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; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Flores; Frank; Frazier; Gámez; García; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.E.; Jones, V.; Kacal; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Ramos; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Bhojani; Davis; Dorazio; Dutton; Gates; Johnson, J.D.; Jones, J.; King, K.; Reynolds.

### STATEMENTS OF VOTE

When Record No. 1800 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 1800 was taken, I was temporarily out of the house chamber. I would have voted yes.

J. Jones

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

Amend **HB 3647** (senate committee report) in SECTION 1 of the bill, in added Section 521.042(f), Transportation Code (page 1, line 27), between "Subsection (g)" and the underlined comma, by inserting "and Chapter 706".

### HB 3273 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

**HB 3273**, A bill to be entitled An Act relating to public notice of the availability on the Internet of property-tax-related information.

Representative Thierry moved to concur in the senate amendments to **HB 3273**.

The motion to concur in the senate amendments to **HB 3273** prevailed by (Record 1801): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; 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; Manuel; Martínez; Martínez 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; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Herrero; Sherman.

Absent — Davis; Jones, V.; Reynolds.

### STATEMENTS OF VOTE

When Record No. 1801 was taken, I was in the house but away from my desk. I would have voted yes.

Davis

When Record No. 1801 was taken, I was in the house but away from my desk. I would have voted yes.

V. Jones

When Record No. 1801 was taken, I was shown voting yes. I intended to vote no.

Ramos

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

Amend **HB 3273** (senate committee report) as follows:

(1) Strike SECTION 2 of the bill (page 1, line 37, through page 2, line 13) and renumber the SECTIONS of the bill accordingly.

(2) In the recital to SECTION 3 of the bill (page 2, line 14), strike "Effective January 1, 2024,".

(3) In SECTION 4 of the bill, amending Section 26.05(d-1), Tax Code (page 3, line 9), between "26.04(e-2)" and the semicolon, insert "or published or posted the notice required by Section 26.04(e-6)".

(4) In SECTION 7 of the bill (page 3, line 39), strike "Except as otherwise provided by this Act, the" and substitute "The".

(5) In SECTION 8 of the bill (page 3, line 43), strike "Except as otherwise provided by this Act, this" and substitute "This".

(Geren now present)

**HB 2354 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

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

**HB 2354**, A bill to be entitled An Act relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land following a transfer to a surviving spouse or surviving child.

Representative Hefner moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 2354**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 2354**: Hefner, chair; C.J. Harris, T. King, Meyer, and Thierry.

**HB 1605 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

**HB 1605**, A bill to be entitled An Act relating to instructional material and technology, the adoption of essential knowledge and skills for certain public school foundation curriculum subjects, and the extension of additional state aid to school districts for the provision of certain instructional materials; authorizing a fee.

**HB 1605 - REMARKS**

REPRESENTATIVE HINOJOSA: Representative Buckley, you and I have had extensive conversations about this bill. I know this is a bill that you sincerely support. I have some concerns. This body lined up a bunch of members back there, where you were to accept a bunch of amendments that the house decided were important before we let this bill go over to the senate. I'm concerned that several of those amendments were stripped. This is a bill—so that everybody understands—that could have very large implications for our classrooms. It's transformative in the way we do curriculum in the classroom across the State of Texas. It has over a \$700 million fiscal note, and it creates another 70-plus FTEs at TEA. There were three amendments that were stripped that I would like to specifically ask you about. One of those was an amendment by Representative Bucy that the teachers were really adamant about. This is an amendment that took



out from the bill the requirement that teachers use the instructional materials approved under this bill "with fidelity." They believed they'd be too scripted to avoid liability. I see that was removed by the senate. Can you speak to that, please?

REPRESENTATIVE BUCKLEY: The final language in the bill provides teachers with protections from discipline actions if they're teaching from SBOE-approved materials.

HINOJOSA: And do you understand the teachers' concerns that they would be scripted or that they would be subject to liability if they weren't—because the term "with fidelity" is not defined in the bill, is it?

BUCKLEY: Well, the word "fidelity" is a term of art in education. Administrators and supervisors use that term. They even have a term called "fidelity walks," where they go through classrooms to make certain that teachers are teaching the standards and that teachers are teaching the curriculum for the kids. So "fidelity" is a term of art in education.

HINOJOSA: But when it becomes a legal defense, it makes the teachers nervous that it could be interpreted to mean that they have to be scripted. That is indeed one of their major concerns that we have heard about this bill—that they would be scripted in the classroom.

BUCKLEY: I've seen the curriculum in action, and there is no script. There is great leeway for teachers to bring their own individual talents to the classroom. There is no script in these materials. These materials are simply materials that bring our instruction to grade level. They're high quality. They lean in on the important factors of teaching which is high standards, rigor, and knowledge base. So those kids—especially those kids that are behind—have the knowledge to connect knowledge to their reading so that they can comprehend better.

HINOJOSA: Do you understand why the senate removed the amendment that would have stripped the "with fidelity" requirement for teachers to avoid liability?

BUCKLEY: Well, I think what it does—we want to make sure that the language is there to make certain that language we have from **SB 3**, from one of the last special sessions—to make sure there are no CRT violations in our classrooms. It's a protection for teachers. It extends that protection that if they are teaching on materials that are SBOE approved, then they have full protection of what they do in the classroom.

HINOJOSA: You and I have both heard teachers feeling that their hands are significantly tied already in the classroom, and they are nervous about being further constrained in the classroom.

BUCKLEY: The teachers that I have seen that are using the curriculum showed me the individuality of the lessons they were presenting within the curriculum, and it was anything but scripted.

HINOJOSA: Another amendment that was stripped was an amendment by Mr. Talarico that would have required teachers and parents to be part of the advisory committee for this transformational bill that would potentially change the way we do curriculum in the classroom. That was also stripped. Can you speak to that?

BUCKLEY: Exactly. And the reason is that amendment actually would limit the number of individuals that could be on the advisory committee. So removing that language allows more teachers and parents—and really, community members—to be a part of this process. The goal here is to make sure that we hear from our teachers and our parents to make sure that they have input into the development of instructional materials in the future.

HINOJOSA: So then why not require that they be part of the advisory committee?

BUCKLEY: Well, this does. This allows them to be there. The language that was currently there was so restrictive. It was built around advisory committees that have to do with licensing and very procedural things. This is totally different—this is instructional materials. We wanted to make sure there was a seat at the table for parents and teachers. We want more parents and teachers to be involved in the process versus fewer.

HINOJOSA: So is it your assertion to the body that parents and teachers will absolutely be part of the advisory committee for the implementation of this bill if this passes?

BUCKLEY: That is correct.

HINOJOSA: I appreciate that. Thank you. And then finally, my amendment was removed. My amendment concerned competitive bidding. You and I have had multiple conversations about this. There was originally a section in the bill that allowed for TEA to "extend a contract" without having to go through any kind of procurement process, without having to get SBOE approval because Section 18 is the one section of the bill that did not require SBOE approval. We know that during COVID, lots of contracts were granted under emergency procurement guidelines, including to AMPLIFY—which we know is one of the vendors that has been involved in this legislation. This body decided to strip that exception to competitive bidding—to not allow TEA to just extend a contract. We know that contracts to AMPLIFY are already in the tens of millions of dollars, and we wanted to make sure—I wanted to make sure and this body decided—that we didn't put our finger on the scale to allow TEA to just extend a contract without competitive bidding. That was stripped by the senate as well.

BUCKLEY: The State Auditor's Office has audited the agency's instructional materials contract, and the TEA has not engaged in any no-bid contracts for instructional materials. The language in the bill requires TEA to follow state contracting law. Texas Government Code 2155 applies for all purchases under this section, and 2155.075 explicitly requires best value in contracting. That is not exempted from this process. What this does is it makes certain that when we evaluate instructional materials that we're not hung up in the DIR, which is

specifically for technology. This is not a technology bill. This is an instructional materials bill that may have a small portion that involves technology. It makes sure that contracting processes always require best value in contracting, but also allow us a more modern—if you will, a more appropriate means—of evaluating these materials and contracting.

HINOJOSA: So then is it your assertion to this body that TEA will not extend a contract that it procured without competitive bidding for implementation of this bill?

BUCKLEY: That is correct.

Representative Buckley moved to concur in the senate amendments to **HB 1605**.

The motion to concur in the senate amendments to **HB 1605** prevailed by (Record 1802): 105 Yeas, 39 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Morales, E.; Morrison; Murr; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Perez; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Vo; Walle; Wilson.

Nays — Bryant; Bucy; Campos; Canales; Cole; Collier; Davis; Flores; Gámez; García; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Martinez Fischer; Meza; Moody; Morales, C.; Morales Shaw; Muñoz; Neave Criado; Ortega; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Talarico; Turner; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Sherman.

Absent — Bhojani; Thimesch.

### STATEMENTS OF VOTE

When Record No. 1802 was taken, I was shown voting yes. I intended to vote no.

Allen

When Record No. 1802 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 1802 was taken, I was in the house but away from my desk. I would have voted no.

Bhojani

When Record No. 1802 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 1802 was taken, I was in the house but away from my desk. I would have voted yes.

Thimesch

### **Senate Committee Substitute**

**CSHB 1605**, A bill to be entitled An Act relating to instructional material and technology, the adoption of essential knowledge and skills for certain public school foundation curriculum subjects, and the extension of additional state aid to school districts for the provision of certain instructional materials; authorizing a fee.

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

SECTION 1. Section 11.164, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The board of trustees of each school district shall limit redundant requests for information and the number and length of written reports that a classroom teacher is required to prepare. A classroom teacher may not be required to prepare any written information other than:

- (1) any report concerning the health, safety, or welfare of a student;
- (2) a report of a student's grade on an assignment or examination;
- (3) a report of a student's academic progress in a class or course;
- (4) a report of a student's grades at the end of each grade reporting period;
- (5) a report on instructional materials;
- (6) subject to Subsection (a-1), a unit or weekly lesson plan that outlines, in a brief and general manner, the information to be presented during each period at the secondary level or in each subject or topic at the elementary level;
- (7) an attendance report;
- (8) any report required for accreditation review;
- (9) any information required by a school district that relates to a complaint, grievance, or actual or potential litigation and that requires the classroom teacher's involvement; or
- (10) any information specifically required by law, rule, or regulation.

(a-1) A unit or weekly lesson plan that is included in instructional material, as defined by Section 31.002, and adopted by the board of trustees of the school district at which a teacher is employed is sufficient to satisfy a requirement to prepare written information described by Subsection (a)(6).

SECTION 2. Section 21.044, Education Code, is amended by amending Subsection (a-1) and adding Subsection (h) to read as follows:

(a-1) Any training requirements for a certificate specified under Subsection (a) must require that the person demonstrate:

(1) basic knowledge of:

(A) each disability category under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) and how each category can affect student learning and development; and

(B) conditions that may be considered a disability under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), and how a condition covered by that section can affect student learning and development;

(2) competence in the use of proactive instructional planning techniques that:

(A) provide flexibility in the ways:

(i) information is presented;

(ii) students respond or demonstrate knowledge and skills; and

(iii) students are engaged;

(B) reduce barriers in instruction;

(C) provide appropriate accommodations, supports, and challenges; and

(D) maintain high achievement expectations for all students, including students with disabilities and students of limited English proficiency; ~~and~~

(3) competence in the use of evidence-based inclusive instructional practices, including:

(A) general and special education collaborative and co-teaching models and approaches;

(B) multitiered systems of support, including response to intervention strategies, classroom and school level data-based collaborative structures, and evidence-based strategies for intervention and progress monitoring systems in academic areas;

(C) classroom management techniques using evidence-based behavioral intervention strategies and supports; and

(D) appropriate adaptation strategies, including accommodations, modifications, and instruction in the use of assistive technology for instruction; and

(4) thorough understanding of and competence in the use of open education resource instructional materials included on the list of approved instructional materials maintained by the State Board of Education under Section 31.022 in each subject area and grade level covered by the person's certificate.

(h) An educator preparation program may not include instruction on the use of instructional materials that incorporate the method of three-cueing, as defined by Section 28.0062(a-1), into foundational skills reading instruction.

SECTION 3. Subchapter I, Chapter 21, Education Code, is amended by adding Section 21.4045 to read as follows:

Sec. 21.4045. PLANNING AND NONINSTRUCTIONAL DUTIES OF TEACHERS. (a) A school district may enter into a supplemental agreement with a classroom teacher under which the teacher agrees to perform a duty relating to initial lesson plan design or instructional material selection that is not a duty generally:

(1) anticipated to be performed during the instructional day; and

(2) assigned to all classroom teachers of the same subject and grade level under those teachers' employment contracts.

(b) A school district may not require a classroom teacher for a foundation curriculum course to spend planning and preparation time to which the teacher is entitled under Section 21.404 creating or selecting instructional materials to initially cover the applicable essential knowledge and skills for the course unless the teacher has entered into a supplemental agreement described by Subsection (a). This subsection may not be construed to prohibit a classroom teacher from choosing to spend the teacher's planning and preparation time creating or selecting instructional materials.

(c) A supplemental agreement between a school district and a classroom teacher described by Subsection (a) under which a teacher is assigned responsibility for a greater number of duties unrelated to providing instruction than other full-time teachers of the same grade level in the district must explicitly state each of the teacher's duties unrelated to providing instruction.

SECTION 4. Subchapter B, Chapter 22, Education Code, is amended by adding Section 22.05125 to read as follows:

Sec. 22.05125. IMMUNITY FROM DISCIPLINARY PROCEEDINGS FOR CLASSROOM TEACHERS. (a) In this section, "disciplinary proceeding" has the meaning assigned by Section 22.0512.

(b) A classroom teacher employed by a school district may not be subject to disciplinary proceedings for an allegation that the teacher violated Section 28.0022, the Establishment Clause of the First Amendment of the United States Constitution, or a related state or federal law if:

(1) the teacher used only instructional material included on the list of approved instructional material maintained by the State Board of Education under Section 31.022 and adopted by the district; and

(2) the allegation does not dispute that the teacher delivered instruction from instructional material described by Subdivision (1) with fidelity.

(c) The immunity provided by Subsection (b) is in addition to any other immunity provided by law. This section may not be construed to interfere with any other immunity provided by law.

SECTION 5. Section 26.006, Education Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (f) to read as follows:

(b) A school district shall make tests readily available for review by parents in person and teaching materials ~~(and tests)~~ readily available for review by parents both in person and, if applicable, through an instructional materials parent portal established under Section 31.154. In providing access to instructional materials to a student's parent under this section, the district shall:

(1) allow access beginning not later than 30 days before the school year begins and concluding not earlier than 30 days after the school year ends; and

(2) include, for the entire period specified in Subdivision (1), access to all instructional materials that pertain to each subject area in the grade level in which the student is enrolled, except for:

(A) tests or exams that have not yet been administered to the student; and

(B) the student's graded assignments.

(b-1) The district may specify reasonable hours for in-person review.

(f) A school district may not deny a parent access to an instructional materials parent portal hosted under Section 31.154.

SECTION 6. Chapter 26, Education Code, is amended by adding Section 26.0061 to read as follows:

Sec. 26.0061. RIGHT TO REQUEST INSTRUCTIONAL MATERIAL REVIEW. (a) The board of trustees of each school district shall establish a process by which a parent of a student, as indicated on the student registration form at the student's campus, may request an instructional material review under Section 31.0252 for a subject area in the grade level in which the student is enrolled.

(b) A process established under Subsection (a):

(1) may not require more than one parent of a student to make the request;

(2) must provide for the board of trustees of the school district to determine if the request will be granted, either originally or through an appeal process; and

(3) may permit the requesting parent to review the instructional material directly before the district conducts an instructional material review under Section 31.0252.

(c) If the parents of at least 25 percent of the students enrolled at a campus present to the board of trustees of the school district in which the campus is located a petition for the board to conduct an instructional material review under Section 31.0252, the board shall, subject to Subsection (d), conduct the review, unless the petition is presented by the parents of less than 50 percent of the students enrolled at the campus and, by a majority vote, the board denies the request. A review conducted under this subsection shall include a review of instructional materials for each subject area or grade level specified in the petition.

(d) The board of trustees of a school district is not required to conduct a review under this section for a specific subject area or grade level at a specific district campus more than once per school year.

(e) Parental access to instructional material provided by an instructional material review conducted under this section is in addition to any other right to access instructional material granted by this title or school district policy.

(f) The State Board of Education may adopt rules to implement this section.

SECTION 7. Section 28.002, Education Code, is amended by adding Subsections (c-4) and (c-5) to read as follows:

(c-4) In adopting essential knowledge and skills for English language arts under Subsection (a)(1)(A), the State Board of Education shall specify a list of required vocabulary and at least one literary work to be taught in each grade level. The vocabulary specified by the board must support the essential knowledge and skills adopted for other courses offered under the foundation curriculum under Subsection (a)(1).

(c-5) The State Board of Education shall initiate the process of specifying an initial list of vocabulary and literary works as required by Subsection (c-4) not later than February 1, 2024. The State Board of Education shall request from the agency recommendations regarding the list, and that request for recommendations may be considered an initiation of the process. This subsection expires September 1, 2025.

SECTION 8. The heading to Section 28.0027, Education Code, is amended to read as follows:

Sec. 28.0027. DISTRICT CURRICULUM SCOPE, ~~[AND]~~ SEQUENCE, AND INSTRUCTIONAL MATERIAL.

SECTION 9. Sections 28.0027(a) and (b), Education Code, are amended to read as follows:

(a) In adopting a recommended or designated scope and sequence or instructional materials for a subject in the required curriculum under Section 28.002(a) in a particular grade level, a school district shall ensure sufficient time is provided for teachers to teach and students to learn the essential knowledge and skills for that subject and grade level.

(b) Except as provided by Subsection (c), a school district may not penalize a teacher who does not follow the pacing of ~~[a]~~ recommended or designated instructional materials or the pacing of the recommended or designated scope and sequence for a subject in the required curriculum under Section 28.002(a) in a particular grade level based on the teacher's determination that the teacher's students need more or less time in a specific area to demonstrate proficiency in the essential knowledge and skills for that subject and grade level.

SECTION 10. Section 28.0062, Education Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) In this subsection, "three-cueing" means a method of reading instruction for identification of words by which a student is encouraged to draw on context and sentence structure to read words without sounding the words out or using a phonics-based approach. A school district or open-enrollment charter school may not include any instruction that incorporates three-cueing in the phonics curriculum required under Subsection (a)(1).

SECTION 11. The heading to Chapter 31, Education Code, is amended to read as follows:



## CHAPTER 31. INSTRUCTIONAL MATERIALS AND TECHNOLOGY

SECTION 12. Section 31.002, Education Code, is amended by amending Subdivisions (1) and (1-a) and adding Subdivisions (1-b), (1-c), and (3) to read as follows:

(1) "Full subject tier one instructional material" means instructional material designed to, if implemented as designed, provide a student with mastery of the essential knowledge and skills adopted by the board for a certain subject and grade level in the required curriculum under Section 28.002 or for prekindergarten without the need for supplementation.

(1-a) "Instructional material" means content that conveys the essential knowledge and skills of a subject in the public school curriculum through a medium or a combination of media for conveying information to a student. The term includes:

(A) material used by a teacher, including a lesson plan, answer key, grading rubric, or unit plan;

(B) material used by a principal or campus instructional leader to support instruction; and

(C) material used by a student, including a book, supplementary materials, a combination of a book, workbook, and supplementary materials, computer software, magnetic media, DVD, CD-ROM, computer courseware, on-line services, or an electronic medium, or other means of conveying information to the student or otherwise contributing to the learning process through electronic means, including open education resource instructional material.

(1-b) ~~(1-a)~~ "Open education resource instructional material" means teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that allows for free use, reuse, modification, and sharing with others, including full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge. ~~[The term includes state developed open education resource instructional material purchased under Subchapter B 1.]~~

(1-c) "Partial subject tier one instructional material" means instructional material designed to, if implemented as designed, provide a student with mastery in a portion of the essential knowledge and skills adopted by the State Board of Education for a certain subject and grade level in the required curriculum under Section 28.002 or for prekindergarten without the need for supplementation in the essential knowledge and skills covered.

(3) "Supplemental instructional material" means instructional material designed to assist in the instruction of one or more of the essential knowledge and skills adopted by the State Board of Education for a subject in the required curriculum under Section 28.002 or for prekindergarten.

SECTION 13. Section 31.003, Education Code, is amended to read as follows:

Sec. 31.003. RULES. (a) The State Board of Education may adopt rules, consistent with this chapter, for the adoption, requisition, distribution, care, use, and disposal of instructional materials.

(b) The commissioner may adopt rules, consistent with this chapter, as necessary to implement any provision of this chapter.

SECTION 14. Subchapter A, Chapter 31, Education Code, is amended by adding Section 31.006 to read as follows:

Sec. 31.006. ADVISORY COMMITTEE. The State Board of Education or the agency may form an advisory committee to comply with the provisions of this chapter. Chapter 2110, Government Code, does not apply to an advisory committee formed under this section.

SECTION 15. Chapter 31, Education Code, is amended by adding Subchapter A-1, and a heading is added to that subchapter to read as follows:

SUBCHAPTER A-1. STATE FUNDING FOR INSTRUCTIONAL  
MATERIALS AND TECHNOLOGY

SECTION 16. Section 31.005, Education Code, is transferred to Subchapter A-1, Chapter 31, Education Code, as added by this Act, and redesignated as Section 31.0205 to read as follows:

Sec. 31.0205 [31.005]. FUNDING FOR OPEN-ENROLLMENT CHARTER SCHOOLS. An open-enrollment charter school is entitled to the instructional materials and technology allotment under this chapter and is subject to this chapter as if the school were a school district.

SECTION 17. Sections 31.021, 31.0212, 31.0214, and 31.0215, Education Code, are transferred to Subchapter A-1, Chapter 31, Education Code, as added by this Act, and amended to read as follows:

Sec. 31.021. STATE INSTRUCTIONAL MATERIALS AND TECHNOLOGY FUND. (a) The state instructional materials and technology fund consists of:

(1) an amount set aside by the State Board of Education from the available school fund, in accordance with Section 43.001(d); and

(2) all amounts lawfully paid into the fund from any other source.

(c) Money in the state instructional materials and technology fund shall be used to:

(1) fund the instructional materials and technology allotment, as provided by Section 31.0211;

(2) purchase special instructional materials for the education of blind and visually impaired students in public schools;

(3) pay the expenses associated with the instructional materials adoption and review process and Internet website maintained under this chapter;

(4) pay the expenses associated with the purchase, ~~or~~ licensing, printing, or other reproduction of open education resource instructional material;

(5) pay the expenses associated with the purchase of instructional material, including freight and shipping and the insurance expenses associated with freight and shipping;

(6) fund the technology lending grant program established under Section 32.301; and

(7) provide funding to the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, and the Texas Juvenile Justice Department~~[- and~~

~~[(8) pay the expenses associated with the instructional materials web portal developed under Section 31.08+].~~

(d) Money transferred to the state instructional materials and technology fund remains in the fund until spent and does not lapse to the state at the end of the fiscal year.

Sec. 31.0212. INSTRUCTIONAL MATERIALS AND TECHNOLOGY ACCOUNT. (a) The commissioner shall maintain an instructional materials and technology account for each school district. In the first year of each biennium, the commissioner shall deposit in the account for each district the amount of the district's instructional materials and technology allotment under Section 31.0211.

(b) The commissioner shall pay the cost of instructional materials requisitioned by a school district under Section 31.103 using funds from the district's instructional materials and technology account.

~~(c) [A school district may also use funds in the district's account to purchase electronic instructional materials or technological equipment. The district shall submit to the commissioner a request for funds for this purpose from the district's account. The commissioner shall adopt rules regarding the documentation a school district must submit to receive funds under this subsection.]~~

~~[(d)]~~ Money deposited in a school district's instructional materials and technology account during each state fiscal biennium remains in the account and available for use by the district for the entire biennium. At the end of each biennium, a district with unused money in the district's account may carry forward any remaining balance to the next biennium.

~~(d) A [(e) The commissioner shall adopt rules as necessary to implement this section. The rules must include a requirement that a]~~ school district shall provide to the agency the title and publication information for any instructional materials requisitioned or purchased by the district with the district's instructional materials and technology allotment.

(e) The agency shall provide for the development and maintenance of an online requisition and disbursement system for each school district's instructional materials and technology account.

Sec. 31.0214. ADJUSTMENT FOR HIGH ENROLLMENT GROWTH DISTRICTS. ~~[(a)]~~ Each year the commissioner shall adjust the instructional materials and technology allotment of school districts experiencing high enrollment growth. The commissioner shall establish a procedure for determining high enrollment growth districts eligible to receive an adjustment under this section and the amount of the instructional materials and technology allotment those districts will receive.

~~[(b) The commissioner may adopt rules as necessary to implement this section.]~~

Sec. 31.0215. INSTRUCTIONAL MATERIALS AND TECHNOLOGY ALLOTMENT PURCHASES. (a) The commissioner shall, as early as practicable during each biennium, notify each school district and open-enrollment charter school of the estimated amount to which the district or charter school will be entitled under Section 31.0211 during the next fiscal biennium.

(b) The commissioner shall ~~may~~ allow a school district or open-enrollment charter school to place an order for instructional materials before the beginning of a fiscal biennium and to receive instructional materials before payment. The commissioner shall limit the cost of an order placed under this section to 80 percent of the estimated amount to which a school district or open-enrollment charter school is estimated to be entitled as provided by Subsection (a) and shall first credit any balance in a district or charter school instructional materials and technology account to pay for an order placed under this section.

(c) The commissioner shall make payments for orders placed under this section as funds become available to the instructional materials and technology fund and shall prioritize payment of orders placed under this section over reimbursement of purchases made directly by a school district or open-enrollment charter school.

(d) The commissioner shall ensure that publishers of instructional materials are informed of any potential delay in payment and that payment is subject to the availability of appropriated funds. A publisher may decline to accept an order placed under this section.

(e) Chapter 2251, Government Code, does not apply to purchases of instructional materials under this section.

~~[(f) The commissioner may adopt rules to implement this section.]~~

SECTION 18. Section 31.0211, Education Code, as amended by Chapters 806 (**HB 1525**) and 1003 (**HB 3261**), Acts of the 87th Legislature, Regular Session, 2021, is transferred to Subchapter A-1, Chapter 31, Education Code, as added by this Act, reenacted, and amended to read as follows:

Sec. 31.0211. INSTRUCTIONAL MATERIALS AND TECHNOLOGY ALLOTMENT. (a) A school district is entitled to an allotment each biennium from the state instructional materials and technology fund for each student enrolled in the district on a date during the last year of the preceding biennium specified by the commissioner. The commissioner shall determine the amount of the allotment per student each biennium on the basis of the amount of money available in the state instructional materials and technology fund to fund the allotment. An allotment under this section shall be transferred from the state instructional materials and technology fund to the credit of the district's instructional materials and technology account as provided by Section 31.0212.

(b) A juvenile justice alternative education program under Section 37.011 is entitled to an allotment from the state instructional materials and technology fund in an amount determined by the commissioner. The program shall use the allotment to purchase items listed in Subsection (c) for students enrolled in the program. The commissioner's determination under this subsection is final and may not be appealed.

(c) Funds allotted under this section may be used to:

(1) purchase:

(A) ~~[materials on the list adopted by the commissioner, as provided by Section 31.0231;~~

~~(B)~~ instructional materials, regardless of whether the instructional materials are on the list of approved instructional materials maintained by the State Board of Education under Section 31.022 ~~[adopted under Section 31.024];~~

~~(B)~~ ~~(C)~~ consumable instructional materials, including workbooks;

~~(C)~~ ~~(D)~~ instructional materials for use in bilingual education classes, as provided by Section 31.029;

~~(D)~~ ~~(E)~~ instructional materials for use in college preparatory courses under Section 28.014, as provided by Section 31.031;

~~(E)~~ ~~(F)~~ supplemental instructional materials ~~[, as provided by Section 31.035];~~

~~(F)~~ ~~(G)~~ ~~state developed~~ open education resource instructional materials, as provided by Subchapter B-1;

~~(G)~~ ~~(H)~~ instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011;

~~(H)~~ ~~(I)~~ technological equipment necessary to support the use of ~~[materials included on the list adopted by the commissioner under Section 31.0231 or]~~ any instructional materials purchased with an allotment under this section;

~~(I)~~ ~~(J)~~ inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of the instructional materials; and

~~(J)~~ ~~(K)~~ services, equipment, and technology infrastructure necessary to ensure Internet connectivity and adequate bandwidth; and

(2) pay:

(A) for training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use;

(B) for training personnel in the electronic administration of assessment instruments; ~~[and]~~

(C) the salary and other expenses of an employee who provides technical support for the use of technological equipment directly involved in student learning; and

~~(D)~~ ~~(E)~~ for costs associated with distance learning, including Wi-Fi, Internet access hotspots, wireless network service, broadband service, and other services and technological equipment necessary to facilitate Internet access.

~~(d) [Each biennium the commissioner shall assess the technology needs for all school districts and provide an estimate of the cost for these resources to the State Board of Education.]~~

~~(d-1)~~ In purchasing technological equipment, a school district shall:

(1) secure technological solutions that meet the varying and unique needs of students and teachers in the district; and

(2) consider:

(A) the long-term cost of ownership; and

(B) flexibility for innovation.

(e) Not later than May 31 of each school year, a school district may request that the commissioner adjust the number of students for which the district is entitled to receive an allotment under Subsection (a) on the grounds that the number of students attending school in the district will increase or decrease during the school year for which the allotment is provided. The commissioner may also adjust the number of students for which a district is entitled to receive an allotment, without a request by the district, if the commissioner determines a different number of students is a more accurate reflection of students who will be attending school in the district. The commissioner's determination under this subsection is final.

(f) Funds allotted under this section may not be used to purchase instructional material that contains obscene or harmful content or would otherwise cause the school district to which the funds were allotted to be unable to submit the certification required under Section 31.1011(a)(1)(B) [The commissioner may adopt rules as necessary to implement this section].

SECTION 19. Subchapter A-1, Chapter 31, Education Code, as added by this Act, is amended by adding Section 31.0216 to read as follows:

Sec. 31.0216. AGENCY PURCHASE OF INSTRUCTIONAL MATERIALS AND TECHNOLOGY. (a) From funds appropriated for the purpose, the agency may contract directly, including by extending a contract, for the purchase of instructional materials and technology for use by school districts.

(b) The provisions of Chapter 2157, Government Code, requiring a state agency to use a contract or contract terms developed or preapproved by the Department of Information Resources do not apply to a contract entered into under this section, but the agency may participate in a program authorized by that chapter.

SECTION 20. The heading to Subchapter B, Chapter 31, Education Code, is amended to read as follows:

SUBCHAPTER B. STATE REVIEW AND [FUNDING,] ADOPTION [AND PURCHASE]

SECTION 21. The heading to Section 31.022, Education Code, is amended to read as follows:

Sec. 31.022. STATE BOARD OF EDUCATION INSTRUCTIONAL MATERIALS REVIEW AND APPROVAL [ADOPTION].

SECTION 22. Section 31.022, Education Code, is amended by amending Subsections (a), (b), (c), and (d) and adding Subsection (c-1) to read as follows:

(a) The State Board of Education shall [adopt a] review [and adoption cycle for] instructional materials provided to the board by the agency under Section 31.023. Before approving instructional material, the board must determine that the material is free from factual error and suitable for the subject and grade level for which the material is designed, and, if the material is intended to cover the foundational skills reading curriculum in kindergarten through third grade, does not include three-cueing, as defined by Section 28.0062(a-1). The board shall

add each material approved under this section to a list of approved instructional materials and may add a material not approved under this section to a list of rejected instructional materials [for elementary grade levels, including prekindergarten, and secondary grade levels, for each subject in the required curriculum under Section 28.002. In adopting the cycle, the board:

[ (1) is not required to review and adopt instructional materials for all grade levels in a single year; and

[ (2) shall give priority to instructional materials in the following subjects:

[ (A) foundation curriculum subjects for which the essential knowledge and skills have been substantially revised and for which assessment instruments are required under Subchapter B, Chapter 39, including career and technology courses that satisfy foundation curriculum requirements as provided by Section 28.002(n);

[ (B) foundation curriculum subjects for which the essential knowledge and skills have been substantially revised, including career and technology courses that satisfy foundation curriculum requirements as provided by Section 28.002(n);

[ (C) foundation curriculum subjects not described by Paragraph (A) or (B), including career and technology courses that satisfy foundation curriculum requirements as provided by Section 28.002(n); and

[ (D) enrichment curriculum subjects].

(b) [The board shall organize the cycle for subjects in the foundation curriculum so that not more than one fourth of the instructional materials for subjects in the foundation curriculum are reviewed each biennium.] The State Board of Education may adopt criteria necessary for approval of instructional material under Subsection (a) and may require:

(1) all instructional material submitted as full subject tier one instructional material to cover a minimum percentage, as determined by the board, of the essential knowledge and skills adopted for the subject and grade level for which the material is designed;

(2) electronic samples of the material;

(3) certain physical specifications; and

(4) the instructional material to not contain obscene or harmful content and otherwise be compatible with certification requirements under Section 31.1011(a)(1)(B) [board shall adopt rules to provide for a full and complete investigation of instructional materials for each subject in the foundation curriculum every eight years. The adoption of instructional materials for a subject in the foundation curriculum may be extended beyond the eight-year period only if the content of instructional materials for a subject is sufficiently current].

(c) The State Board of Education may remove instructional material from the list of approved instructional materials under this section if the essential knowledge and skills intended to be covered by the material are revised or the

material is revised without the approval of the board [board shall adopt rules to provide for a full and complete investigation of instructional materials for each subject in the enrichment curriculum on a cycle the board considers appropriate].

(c-1) If the State Board of Education intends to remove an instructional material from the list of approved instructional materials under Subsection (c) because the board plans to revise the essential knowledge and skills intended to be covered by the material, the board shall issue a proclamation requesting the revision of the applicable instructional materials and shall, not later than December 1 of the year preceding the school year for which the revision will take effect, provide to each school district the updated list of approved instructional materials for the relevant subject or grade level.

(d) The State Board of Education shall indicate whether each instructional material reviewed under Subsection (a) is capable of being made available through an instructional materials parent portal established under Section 31.154 [At least 12 months before the beginning of the school year for which instructional materials for a particular subject and grade level will be adopted under the review and adoption cycle, the board shall publish notice of the review and adoption cycle for those instructional materials. A request for production must allow submission of open education resource instructional materials that are available for use by the state without charge on the same basis as instructional materials offered for sale].

SECTION 23. Section 31.023, Education Code, is amended to read as follows:

Sec. 31.023. INSTRUCTIONAL MATERIAL REVIEW [LIST]. (a) The commissioner shall establish, in consultation with and with the approval of the State Board of Education, a process for the annual review of instructional materials by the agency. The process established under this subsection must:

(1) establish a process for the agency to select instructional materials for review that includes:

(A) evaluating requests for review of instructional materials submitted to the agency by:

(i) a school district;

(ii) a majority of the members of the State Board of Education;

or

(iii) a publisher of instructional material, which may only be submitted for material published by the requesting publisher;

(B) reviewing instructional materials requisitioned or purchased under Section 31.0212; and

(C) reviewing instructional materials using a time frame appropriate for the proclamation requesting the revision of the instructional materials under Section 31.022(c-1) to address revisions made by the State Board of Education to the essential knowledge and skills for a particular subject or grade level;

(2) describe the types of instructional materials the agency may review, including:



(A) partial subject tier one instructional material, including those designed for use in the phonics curriculum required under Section 28.0062(a)(1);

(B) open education resource instructional material;

(C) instructional materials developed by a school district and submitted to the agency by the district for review; and

(D) commercially available full subject tier one instructional material;

(3) establish procedures for the agency to conduct reviews of instructional materials, including:

(A) the use of a rubric approved under Subsection (b); and

(B) consultation with classroom teachers and other curriculum experts for the appropriate subject and grade level; and

(4) ensure the procedures for review allow the agency to review at least 200 individual instructional materials each year [For each subject and grade level, the State Board of Education shall adopt a list of instructional materials. The list includes each instructional material submitted for the subject and grade level that meets applicable physical specifications adopted by the State Board of Education and contains material covering at least half of the elements of the essential knowledge and skills of the subject and grade level in the student version of the instructional material, as well as in the teacher version of the instructional material, as determined by the State Board of Education under Section 28.002 and adopted under Section 31.024].

[(a 1) The State Board of Education shall determine the percentage of the elements of the essential knowledge and skills of the subject and grade level covered by each instructional material submitted. The board's determination under this subsection is final.]

(b) In conducting a review under this section, the agency must use a rubric developed by the agency in consultation with and approved by the State Board of Education that includes, with respect to the instructional material being reviewed, a determination of:

(1) whether the material is free from factual error and satisfies the criteria adopted by the board under Section 31.022;

(2) the quality of the material;

(3) the essential knowledge and skills for the subject and grade level for which the material was developed that are covered by the material, including identification of:

(A) each essential knowledge and skill covered by the material;

(B) for a full subject tier one instructional material, the percentage of the essential knowledge and skills adopted for the subject and grade level covered by the material; and

(C) for a partial subject tier one instructional material, the percentage of the essential knowledge and skills for the relevant portion of the subject and grade level covered by the material; and

(4) whether the material contains obscene or harmful content or is otherwise incompatible with certification requirements under Section 31.1011(a)(1)(B) [Each instructional material on the list must be:

- ~~[(1) free from factual errors;~~
- ~~[(2) suitable for the subject and grade level for which the instructional material was submitted; and~~
- ~~[(3) reviewed by academic experts in the subject and grade level for which the instructional material was submitted].~~

(c) After completing a review under this section, the agency shall provide the results of the review and any related recommendations to the State Board of Education for approval or rejection of the instructional material and the inclusion of the instructional material on a list maintained by the State Board of Education under Section 31.022.

(d) The agency shall use funds appropriated to the agency for the purposes of reviewing instructional material or available in the state instructional materials and technology fund for purposes of implementing this section.

(e) A process established under Subsection (a) or a rubric developed under Subsection (b) is automatically approved by the State Board of Education if not rejected by the board before the 91st day after the date the agency submits the item to the board.

SECTION 24. Subchapter B, Chapter 31, Education Code, is amended by adding Sections 31.025, 31.0251, and 31.0252 to read as follows:

Sec. 31.025. INSTRUCTIONAL MATERIAL INTERNET WEBSITE. (a) The agency shall develop and maintain an instructional material Internet website to assist school districts in locating and selecting instructional material.

(b) For each instructional material included, the Internet website developed and maintained under this section shall provide:

- (1) the price of the material;
- (2) the technological requirements needed to use the material;
- (3) the results of an agency review of the material conducted under Section 31.023;
- (4) a statement of whether the material is included on the list of approved instructional materials maintained by the State Board of Education under Section 31.022 or has been rejected by the board; and
- (5) any other information the agency determines relevant to a school district's selection of instructional material.

(c) The Internet website developed and maintained under this section must include the repository of open education resource instructional material required by Section 31.0722.

(d) The agency shall use funds appropriated to the agency for the purposes of reviewing instructional material or available in the state instructional materials and technology fund for purposes of implementing this section.

Sec. 31.0251. INSTRUCTIONAL MATERIAL SUPPORT. (a) On request of a school district, the agency shall provide the district assistance in evaluating, adopting, or using instructional materials.

(b) Except as otherwise provided, the agency may not require a school district to adopt or otherwise use instructional material reviewed by the agency under Section 31.023 or included on the list of approved instructional materials maintained by the State Board of Education under Section 31.022.

Sec. 31.0252. LOCAL REVIEW OF CLASSROOM INSTRUCTIONAL MATERIAL. (a) The agency shall develop standards in consultation with stakeholders, including educators, by which a school district may conduct a review of instructional materials used by a classroom teacher in a foundation curriculum course under Section 28.002(a)(1) to determine the degree to which the material:

(1) corresponds with the instructional materials adopted by the school district or district campus; and

(2) meets the level of rigor of the essential knowledge and skills adopted under Section 28.002 for the grade level in which it is being used.

(b) The agency shall develop a rubric, approved by the State Board of Education, to determine if reviewed instructional material complies with the rigor requirements described by Subsection (a)(2).

(c) The agency, in developing standards under Subsection (a):

(1) shall minimize, to the extent possible, the time a classroom teacher is required to spend complying with a review conducted under this section;

(2) may not, unless unavoidable, require a teacher to spend more than 30 minutes on a single review conducted under this section; and

(3) may not authorize the review of instructional materials used by a classroom teacher for a specific subject or grade level at a specific school district campus more than once per school year.

(d) The agency shall permit a regional education service center or a curriculum review service provider approved by the agency to conduct the review for a school district under this section and provide to approved centers and providers training relating to appropriately conducting the review.

(e) The agency shall award grants to assist school districts in conducting reviews under this section.

SECTION 25. Sections 31.026(a) and (b), Education Code, are amended to read as follows:

(a) The State Board of Education may ~~shall~~ execute a contract for the purchase or licensing of each adopted instructional material.

(b) A contract must require the publisher to provide the number of instructional materials required by school districts in this state for the term of the contract~~[, which must coincide with the board's adoption cycle]~~.

SECTION 26. The heading to Subchapter B-1, Chapter 31, Education Code, is amended to read as follows:

SUBCHAPTER B-1. ~~[STATE DEVELOPED]~~ OPEN EDUCATION  
RESOURCE INSTRUCTIONAL MATERIALS

SECTION 27. Subchapter B-1, Chapter 31, Education Code, is amended by adding Section 31.0701 to read as follows:

Sec. 31.0701. REFERENCES TO STATE-DEVELOPED OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIAL. In this chapter, a reference to a state-developed open education resource instructional material means an open education resource instructional material, as defined by Section 31.002.

SECTION 28. Section 31.071, Education Code, is amended to read as follows:

Sec. 31.071. AVAILABILITY OF OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIAL ~~[PURCHASE AUTHORITY]~~. (a) The commissioner shall ensure that ~~[may purchase state developed]~~ open education resource instructional materials are available for use by school districts in accordance with this subchapter.

(b) To ensure the availability of open education resource instructional materials under Subsection (a), the ~~[The]~~ commissioner may:

(1) purchase a license authorizing the use of ~~[shall purchase any state developed]~~ open education resource instructional materials in a manner that complies with all applicable state laws and rules relating to procurement by a state agency ~~[through a competitive process];~~

(2) purchase or otherwise acquire ownership of open education resource instructional materials;

(3) develop open education resource instructional materials;

(4) adopt open education resource instructional materials; or

(5) use any combination of the methods described by Subdivisions (1), (2), (3), and (4) to acquire open education resource instructional materials.

(b-1) The commissioner ~~[and~~ (2)] may make available ~~[purchase]~~ more than one ~~[state developed]~~ open education resource instructional material for a subject or grade level.

(b-2) The commissioner shall:

(1) to the extent practicable, ensure full subject tier one instructional materials are available as open education resource instructional material for:

(A) English language arts and mathematics courses in kindergarten through grade eight;

(B) prekindergarten, in subject areas related to English language arts and mathematics; and

(C) all foundation curriculum courses in kindergarten through grade five in a manner that permits the instruction of the content to be provided:

(i) in an integrated manner; and

(ii) for approximately 240 minutes of instructional time per day, including time needed each day for accelerated instruction under Section 28.0211; and

(2) ensure open education resource instructional materials are available to all students, parents, classroom teachers, and school districts in this state free of charge, except for a fee for the printing or shipping of the material.

(c) Except as provided by Section 31.0711, an ~~[a state developed]~~ open education resource instructional material must be licensed to this state under an intellectual property license that allows for free use, reuse, modification, or sharing with others as described by Section 31.07101 ~~[irrevocably owned by the state. The state must have unlimited authority to modify, delete, combine, or add content to the instructional material after purchase].~~

(d) ~~[The commissioner may issue a request for proposals for state developed open education resource instructional material.]~~

~~[(1) in accordance with the instructional material review and adoption cycle under Section 31.022; or~~

~~[(2) at any other time the commissioner determines that a need exists for additional instructional material options.~~

~~[(e)]~~ The costs of administering this subchapter and ensuring the availability of [purchasing state developed] open education resource instructional materials shall be paid from funds appropriated for the purpose and the state instructional materials and technology fund, as determined by the commissioner.

SECTION 29. Subchapter B-1, Chapter 31, Education Code, is amended by adding Section 31.07101 to read as follows:

Sec. 31.07101. FREE USE, REUSE, MODIFICATION, OR SHARING LICENSE. (a) Instructional material is licensed to this state under an intellectual property license that allows for free use, reuse, modification, or sharing with others if the license:

- (1) is irrevocable and perpetual;
- (2) permits the state to sublicense the material;
- (3) authorizes the use of the material by any person in any location permitted by the terms of the original license, if applicable;
- (4) authorizes access, use, transmission, adaptation, public display, public performance, public distribution, and copying of the material; and
- (5) authorizes the creation of derivative works as permitted by the terms of the original license, if applicable.

(b) Instructional material licensed to this state under an intellectual property license that is restricted to noncommercial or educational use qualifies under this subchapter as instructional material licensed to this state under a license that allows for free use, reuse, modification, or sharing with others.

SECTION 30. Section 31.0711, Education Code, is amended to read as follows:

Sec. 31.0711. CONTENT NOT OWNED BY STATE. Open education resource instructional [Instructional] material made available [purchased] under this subchapter may include content not owned by the state and for which preexisting rights may exist if the content:

- (1) is in the public domain;
- (2) may be used under a limitation or exception to copyright law, including a limitation under Section 107, Copyright Act of 1976 (17 U.S.C. Section 107); ~~or~~
- (3) has been made available by the copyright owner under a Creative Commons license or another intellectual property license that allows for free use, reuse, modification, or sharing as described by Section 31.07101; or

(4) is licensed to the state under another [a] license that:

(A) grants access to and allows for use of the material by students, teachers, educators, and other education professionals [the state unlimited authority to modify, delete, combine, or add content];

(B) permits access, use, public display, public performance, public distribution, and copying of the material for noncommercial or educational purposes ~~[the free use and repurposing of the material by any person or entity];~~ and

(C) is for a term of use acceptable to the commissioner to ensure a useful life of the material.

SECTION 31. Subchapter B-1, Chapter 31, Education Code, is amended by adding Section 31.0712 to read as follows:

Sec. 31.0712. OPEN EDUCATION RESOURCE ADVISORY BOARD.  
The agency shall establish an open education resource advisory board to ensure that open education resource instructional materials made available under this subchapter are:

- (1) of the highest quality;
- (2) aligned with the essential knowledge and skills adopted by the State Board of Education under Section 28.002 for the applicable subject and grade level;
- (3) suitable for the age of students at the grade level for which the materials are developed;
- (4) free from bias and factual error; and
- (5) in compliance with Section 28.0022.

SECTION 32. Section 31.072, Education Code, is amended to read as follows:

Sec. 31.072. CONTENT REQUIREMENTS. (a) Before being made available under this subchapter, ~~[State developed]~~ open education resource instructional material must~~[-~~

~~[(1)]~~ be evaluated by:

- ~~(1) teachers or other experts, as determined by the commissioner[; before purchase]; and~~
- ~~(2) parents of students in this state [meet the requirements for inclusion on the instructional material list adopted under Section 31.023].~~

(b) Based on feedback received by the agency from teachers, parents, and other experts regarding open education resource instructional materials made available under this subchapter, the ~~[Following a curriculum revision by the State Board of Education, the commissioner shall require the revision of state developed open education resource instructional material relating to that curriculum. The]~~ commissioner may, at any time, require an additional revision of the ~~[state developed open education resource instructional]~~ material ~~[or contract for ongoing revisions of state developed open education resource instructional material for a period not to exceed the period under Section 31.022 for which instructional material for that subject and grade level may be adopted. The commissioner shall use a competitive process to request proposals to revise state developed open education resource instructional material under this subsection].~~

SECTION 33. Subchapter B-1, Chapter 31, Education Code, is amended by adding Section 31.0721 to read as follows:

Sec. 31.0721. REVIEW AND RELEASE OF OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIAL. (a) Except as provided by Subsection (b), open education resource instructional material may not be made available under this subchapter to students, teachers, educators, or other education professionals before being reviewed by the agency under Section 31.023 and included on the list of approved instructional materials maintained by the State Board of Education under Section 31.022.

(b) The agency may make open education resource instructional material available to a limited number of classroom teachers for a limited time before the material is reviewed by the agency under Section 31.023 and included on the list of approved instructional materials maintained by the State Board of Education under Section 31.022 to assist in developing or testing the quality of the material. A school district may only use unreviewed material made available under this subsection in a grade level in which the material has not been used previously if:

(1) the board of trustees of the district approves the use of the unreviewed material; and

(2) the district provides evidence to the agency showing that classroom teachers support the use of the material.

SECTION 34. Section 31.083, Education Code, is transferred to Subchapter B-1, Chapter 31, Education Code, redesignated as Section 31.0722, Education Code, and amended to read as follows:

Sec. 31.0722 [31.083]. OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIALS REPOSITORY. (a) The commissioner shall include in the Internet website [web portal] developed under Section 31.025 [31.081] a repository of open education resource instructional materials, including open education resource instructional materials made available under Section 31.0721(b), and other electronic instructional materials that school districts and open-enrollment charter schools may access at no cost.

(b) The repository under Subsection (a) must:

(1) comply with the requirements of Section 31.154; and

(2) allow a person to provide comments on open education resource instructional material contained in the repository to assist the agency in improving and updating the material.

(c) The agency shall ensure that a person may order a print copy of any open education resource instructional material included in the repository that is reducible to print [A publisher may submit instructional materials for inclusion in the repository].

SECTION 35. Sections 31.073 and 31.074, Education Code, are amended to read as follows:

Sec. 31.073. SELECTION BY SCHOOL DISTRICT. (a) Except as otherwise provided by this code, the commissioner may not require a school district or open-enrollment charter school to adopt or use an open education resource instructional material.

(c) A ~~[Notwithstanding Section 31.022, a]~~ school district or open-enrollment charter school may adopt ~~[state developed]~~ open education resource instructional material at any time ~~[; regardless of the instructional material review and adoption cycle under that section].~~

(d) A school district or open-enrollment charter school may not be charged for a cost associated with the selection of an ~~[state developed]~~ open education resource instructional material, except for the cost of printing copies of the material [in addition to instructional material adopted under Subchapter B].

Sec. 31.074. DISTRIBUTION. (a) The commissioner shall provide for the distribution of ~~[state developed]~~ open education resource instructional materials in a manner consistent with distribution of instructional materials approved [adopted] under Subchapter B.

(b) The commissioner may use a competitive process to contract for printing, ~~[or]~~ other reproduction, or storage of [state developed] open education resource instructional material on behalf of a school district or open-enrollment charter school. The commissioner may not require a school district or open-enrollment charter school to contract with a state-approved provider for the printing, ~~[or]~~ reproduction, or storage of [state developed] open education resource instructional material.

(c) The agency is not required to comply with Subchapters C and D, Chapter 2052, Government Code, with regard to the printing or reproduction of an open education resource instructional material made available under this subchapter.

SECTION 36. The heading to Section 31.075, Education Code, is amended to read as follows:

Sec. 31.075. STATE OWNERSHIP; LICENSING.

SECTION 37. Sections 31.075(a), (b), (c), (d), and (e), Education Code, are amended to read as follows:

(a) Except as otherwise provided by this subchapter, [State developed] open education resource instructional material is the property of the state.

(b) To encourage the use of instructional material purchased by the state under this subchapter by school districts and open-enrollment charter schools, the commissioner may [shall] provide a license for the instructional material that ~~[allows for the free use, reuse, modification, or sharing of the material by any person or entity].~~

~~[(c) The terms of a license provided by the commissioner under this section]:~~

(1) requires [shall require] that a user who reproduces the instructional material in any manner:

(A) except as provided by Subdivision (2)(A), must keep all copyright notices for the material intact;

(B) except as provided by Subdivision (2)(A), must attribute the authorship of the material to the agency or another person specified by the commissioner;

(C) must indicate if the user has modified the material;



(D) may not assert or imply any connection with or sponsorship or endorsement by the agency or this state, unless authorized by the commissioner; and

(E) to the extent reasonably practicable, must provide in any product or derivative material a uniform resource identifier or hyperlink through which a person may obtain the material free of charge;

(2) provides ~~[must provide]~~ that:

(A) the commissioner may request that a user remove a copyright notice or attribution from the material and that a user must comply with the request to the extent reasonably practicable; and

(B) the rights granted under the license to a user are automatically terminated if the user fails to comply with the terms of the license; and

(3) includes ~~[may include]~~ any additional terms determined by the commissioner.

(d) The commissioner may exempt a license under this section from including one or more of the requirements under Subsection (b)(1) ~~[(e)(1)]~~.

(e) The commissioner shall determine what is considered reasonably practicable for purposes of Subsections (b)(1)(E) ~~[(e)(1)(E)]~~ and (b)(2)(A) ~~[(e)(2)(A)]~~.

SECTION 38. Subchapter B-1, Chapter 31, Education Code, is amended by adding Sections 31.0751, 31.0752, and 31.0753 to read as follows:

Sec. 31.0751. OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIAL TRANSITION PLAN. (a) Except as provided by Subsection (c), to qualify for additional state aid under Section 48.308 the board of trustees of a school district must adopt an open education resource instructional material transition plan to assist classroom teachers in the district who will be using an open education resource instructional material in a specific subject or grade level for which the teacher has not previously used an open education resource instructional material.

(b) A plan adopted under this section must ensure that open education resource instructional materials are used in a manner that maintains the instructional flexibility of a classroom teacher to address the needs of each student.

(c) A school district that participates in the program developed and maintained by the agency under Section 31.0752 is not required to adopt a transition plan under this section.

Sec. 31.0752. OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIAL SUPPORT PROGRAM. The agency shall develop and maintain a program to assist school districts and open-enrollment charter schools in adopting and using open education resource instructional material made available under this subchapter, including by assisting districts and schools to:

(1) maintain the instructional flexibility of classroom teachers to address the needs of each student; and

(2) schedule instructional periods in a manner that allows classroom teachers sufficient time to effectively prepare and present instructional material within the teacher's normal work day.

Sec. 31.0753. TEACHER CANDIDATE ACCESS AND SUPPORT PROGRAM. The agency shall develop and maintain a program to assist educator preparation programs in implementing Section 21.044(a-1)(4).

SECTION 39. Section 31.076(b), Education Code, is amended to read as follows:

(b) A decision made by the commissioner under this subchapter ~~[regarding the purchase, revision, cost, licensing, or distribution of state developed open education resource instructional material]~~ is final and may not be appealed.

SECTION 40. Section 31.004, Education Code, is transferred to Subchapter C, Chapter 31, Education Code, redesignated as Section 31.1011, Education Code, and amended to read as follows:

Sec. 31.1011 [31.004]. CERTIFICATION OF PROVISION OF INSTRUCTIONAL MATERIALS. (a) Each school district and open-enrollment charter school shall annually certify to the State Board of Education and the commissioner that:

(1) [7] for each subject in the required curriculum under Section 28.002, other than physical education, and each grade level, the district or school:

(A) provides each student with instructional materials that cover all elements of the essential knowledge and skills adopted by the State Board of Education for that subject and grade level; and

(B) in the provision of instructional materials, protects students from obscene or harmful content as necessary for compliance with:

(i) the Children's Internet Protection Act (Pub. L. No. 106-554);

(ii) Section 28.0022;

(iii) Section 43.22, Penal Code; and

(iv) any other law or regulation that protects students from obscene or harmful content; and

(2) the district or school used money allocated to the district or school under the instructional materials and technology allotment only for purposes allowed under Section 31.0211.

(b) To determine whether each student has instructional materials that cover all elements of the essential knowledge and skills as required by Subsection (a), a school district or open-enrollment charter school may consider:

(1) instructional materials adopted by the State Board of Education;

(2) ~~[materials adopted or purchased by the commissioner under Section 31.0231 or Subchapter B 1;~~

~~[(3) open education resource instructional materials submitted by eligible institutions and adopted by the State Board of Education under Section 31.0241;~~

~~[(4) open education resource instructional materials made available by other public schools;~~

[(5)] instructional materials developed, [or] purchased, or otherwise acquired by the school district or open-enrollment charter school; and

(3) ~~[(6)]~~ open education resource instructional materials and other electronic instructional materials included in the repository under Section 31.0722 ~~[31.083]~~.

SECTION 41. Subchapter C, Chapter 31, Education Code, is amended by adding Section 31.1012 to read as follows:

Sec. 31.1012. REPORT TO AGENCY. Each school district shall annually report to the agency information regarding the instructional materials used by the district during the previous school year, including the cost of each material, to assist the agency in ensuring compliance with Section 31.151(a).

SECTION 42. The heading to Section 31.102, Education Code, is amended to read as follows:

Sec. 31.102. TITLE AND CUSTODY; SCHOOL DISTRICT PURCHASES.

SECTION 43. Section 31.102, Education Code, is amended by adding Subsection (d) to read as follows:

(d) A school district is not required to use a method provided by Section 44.031(a) to purchase instructional materials that have been reviewed by the agency under Section 31.023 and included on the list of approved instructional materials maintained by the State Board of Education under Section 31.022.

SECTION 44. Section 31.103(c), Education Code, is amended to read as follows:

(c) In making a requisition under this section, a school district or open-enrollment charter school may requisition instructional materials ~~[on the list adopted under Section 31.023]~~ for grades above the grade level in which a student is enrolled.

SECTION 45. Section 31.151, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) A publisher or manufacturer of instructional materials:

(1) shall furnish any instructional material the publisher or manufacturer offers in this state at a price that does not exceed the lowest price at which the publisher offers that instructional material for adoption or sale to any state, public school, or school district in the United States;

(2) shall automatically reduce the price of instructional material sold for use in a school district or open-enrollment charter school to the extent that the price is reduced elsewhere in the United States;

(3) shall provide any instructional material or ancillary item free of charge in this state to the same extent that the publisher or manufacturer provides the instructional material or ancillary item free of charge to any state, public school, or school district in the United States;

(4) shall guarantee that each copy of instructional material sold in this state is at least equal in quality to copies of that instructional material sold elsewhere in the United States and is free from factual error;

(5) may not become associated or connected with, directly or indirectly, any combination in restraint of trade in instructional materials or enter into any understanding or combination to control prices or restrict competition in the sale of instructional materials for use in this state;

(6) shall deliver instructional materials to a school district or open-enrollment charter school;

(7) shall, at the time an order for instructional materials is acknowledged, provide to school districts or open-enrollment charter schools an accurate shipping date for instructional materials that are back-ordered;

(8) shall guarantee delivery of instructional materials at least 10 business days before the opening day of school of the year for which the instructional materials are ordered if the instructional materials are ordered by a date specified in the sales contract; ~~and~~

(9) shall submit to the State Board of Education an affidavit certifying any instructional material the publisher or manufacturer offers in this state to be free of factual errors at the time the publisher executes the contract required by Section 31.026; and

(10) shall comply with all other standard terms and conditions adopted by the State Board of Education for use in contracts for the procurement of instructional materials under Subsection (a-1).

(a-1) The State Board of Education shall adopt standard terms and conditions for use in contracts for the procurement of instructional materials from publishers and manufacturers under this section.

SECTION 46. Subchapter D, Chapter 31, Education Code, is amended by adding Section 31.154 to read as follows:

Sec. 31.154. INSTRUCTIONAL MATERIALS PARENT PORTAL. (a) The State Board of Education shall adopt standards for entities that supply instructional materials reviewed by the agency under Section 31.023 to make instructional materials supplied by the entity available on a parent portal hosted by the entity.

(b) An instructional materials parent portal must:

(1) provide to each parent of a student enrolled in a school district or open-enrollment charter school access to instructional materials, other than tests or exams, that are included in the portal and used by the district or school;

(2) organize instructional material by unit and in the order in which the material is designed to be used;

(3) be capable of being searched by key word; and

(4) for instructional material not available in a digital format, contain sufficient information to allow a parent to locate a physical copy of the material.

(c) Standards adopted under Subsection (a) may not require:

(1) a classroom teacher to submit instructional materials developed by the teacher for inclusion in an instructional materials parent portal; or

(2) an entity hosting an instructional materials parent portal to include tests or exams in the portal.

(d) To comply with an intellectual property license or other restrictions placed on an instructional material and to maintain security of the information contained in an instructional materials parent portal under this section, a parent may be required, before accessing the portal, to:

(1) enter a password;

(2) comply with other user access verification procedures; and

(3) accept user terms and conditions, which may not limit or exclude access to instructional material based on the uses of the material that would otherwise be permitted under fair use provisions of copyright law.

(e) An entity that hosts an instructional materials parent portal must comply with requests regarding parental access to the portal made by a school district in compliance with this section or Section 26.006.

SECTION 47. Section 33.004(b), Education Code, is amended to read as follows:

(b) Each school, before implementing a comprehensive school counseling program under Section 33.005, shall annually conduct a preview of the program for parents and guardians. All materials, including curriculum to be used during the year that is not available digitally through an instructional materials parent portal under Section 31.154, must be available for a parent or guardian to preview during school hours. Materials or curriculum not included in the materials on an instructional materials parent portal or available on the campus for preview may not be used.

SECTION 48. Section 48.277(b), Education Code, is amended to read as follows:

(b) For purposes of calculating maintenance and operations revenue under Subsection (a), the commissioner shall:

(1) for purposes of Subsections (a)(1) and (2), use the following applicable school year:

(A) in a school year ending in an even-numbered year, the 2019-2020 school year; and

(B) in a school year ending in an odd-numbered year, the 2019-2020 or 2020-2021 school year, whichever is greater;

(2) include all state and local funding, except for any funding resulting from:

(A) reimbursement for disaster remediation costs under former Sections 41.0931 and 42.2524;

(B) an adjustment for rapid decline in taxable value of property under former Section 42.2521; ~~and~~

(C) an adjustment for property value affected by a state of disaster under former Section 42.2523; and

(D) additional state aid under Section 48.307 or 48.308;

(3) adjust the calculation to reflect a reduction in tax effort by a school district; and

(4) if a school district or open-enrollment charter school receives a waiver relating to eligibility requirements for the national free or reduced-price lunch program under 42 U.S.C. Section 1751 et seq., use the numbers of educationally disadvantaged students on which the district's or school's entitlement to compensatory education funds was based for the school year before the school year in which the district or school received the waiver, adjusted for estimated enrollment growth.

SECTION 49. Subchapter G, Chapter 48, Education Code, is amended by adding Sections 48.307 and 48.308 to read as follows:

Sec. 48.307. ADDITIONAL STATE AID FOR STATE-APPROVED INSTRUCTIONAL MATERIALS. (a) For each student enrolled in the district, a school district is entitled to additional state aid for each school year in an amount equal to \$40, or a greater amount provided by appropriation, to procure instructional material that has been:

- (1) reviewed by the agency under Section 31.023;
- (2) placed on the list of approved instructional materials maintained by the State Board of Education under Section 31.022;
- (3) designated by the State Board of Education under Section 31.022 as being included or capable of being included in an instructional materials parent portal under Section 31.154; and
- (4) acquired from a publisher, manufacturer, or other entity that has not been found to violate Section 31.151.

(b) A school district is entitled to the amount of state aid provided by Subsection (a) each school year, regardless of whether the district uses the amount during the school year for which the amount was provided.

(c) Additional state aid provided under this section shall be deposited to the credit of the district's instructional materials and technology account maintained by the commissioner under Section 31.0212 and may be accessed only for the procurement of instructional materials in accordance with this section.

(d) Funds provided to a school district under this section must be spent in compliance with the requirements for the use of funds provided under this section and Section 31.0211.

Sec. 48.308. ADDITIONAL STATE AID FOR OPEN EDUCATION RESOURCE INSTRUCTIONAL MATERIAL. (a) Subject to Section 31.0751, a school district is entitled to additional state aid for each school year in an amount not to exceed \$20 for each student for the costs incurred or for which the district is obligated to pay during the school year in which the aid is provided for the printing and shipping of open education resource instructional material made available under Subchapter B-1, Chapter 31.

(b) The amount to which a school district is entitled under this section may not exceed actual costs incurred by the district or for which the district is obligated to pay during the school year for which the funds were provided.

(c) Additional state aid provided under this section shall be deposited to the credit of the district's instructional materials and technology account maintained by the commissioner under Section 31.0212 and may be accessed only for the procurement of instructional materials in accordance with this section.

(d) Funds provided to a school district under this section must be spent in compliance with the requirements for the use of funds provided under this section and Section 31.0211.

SECTION 50. Chapter 322, Government Code, is amended by adding Section 322.0082 to read as follows:

Sec. 322.0082. INCLUSION OF CERTAIN EDUCATION FUNDS REQUIRED. (a) The director shall include in the budget of estimated appropriations prepared under Section 322.008(c):

(1) the amount set aside under Section 43.001(d), Education Code, by the State Board of Education from the available school fund for the state instructional materials and technology fund established under Section 31.021, Education Code; and

(2) the amount that is remaining in the state instructional materials and technology fund from the previous fiscal biennium that is available for use by school districts and open-enrollment charter schools.

(b) If the amount estimated to be appropriated for purposes of the state instructional materials and technology fund for a fiscal biennium is less than the amount set aside by the State Board of Education under Section 43.001(d), Education Code, the director shall provide with the budget an explanation of the difference, including the amount of the difference and to what the additional funds have been appropriated.

(c) An explanation provided under Subsection (b) shall be included with the documents provided on the board's Internet website under Section 322.0081.

SECTION 51. The following provisions of the Education Code are repealed:

- (1) Section 31.0213;
- (2) Sections 31.022(d-1), (e), (f), (g), (h), and (i);
- (3) Section 31.0221;
- (4) Section 31.0231;
- (5) Section 31.024;
- (6) Section 31.0241;
- (7) Section 31.0242;
- (8) Section 31.0261;
- (9) Section 31.035;
- (10) the heading to Subchapter B-2, Chapter 31;
- (11) Section 31.081;
- (12) Section 31.082;
- (13) Section 31.084;
- (14) Section 31.101; and
- (15) Section 31.151(e).

SECTION 52. To the extent of any conflict, this Act prevails over another Act of the 88th Legislature, Regular Session, 2023, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 53. (a) A contract entered into under Section 31.026 or 31.151, Education Code, as amended by this Act, before the effective date of this Act is governed by the law in effect on the date the contract was entered into, and the former law is continued in effect for that purpose.

(b) A contract entered into under Section 31.026 or 31.151, Education Code, as amended by this Act, after the effective date of this Act for a program called for by the State Board of Education under Proclamation 2024 is governed by the law in effect on the date the proclamation was issued, and the former law is continued in effect for that purpose.

(c) Section 31.026, Education Code, as amended by this Act, does not apply to the review of or a contract for the purchase or licensing of instructional materials required by the State Board of Education pursuant to Proclamation 2024. The review of and contracts for the purchase or licensing of instructional materials required by the State Board of Education pursuant to Proclamation 2024 are governed by the law as it existed immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(d) Section 21.4045(b), Education Code, as added by this Act, applies only to a contract entered into on or after the effective date of this Act. A contract entered into before the effective date of this Act is governed by the law in effect on the date the contract was entered into, and the former law is continued in effect for that purpose.

SECTION 54. (a) Except as provided by Subsection (b) of this section, this Act applies beginning with the 2023-2024 school year.

(b) Section 21.4045, Education Code, as added by this Act, applies beginning with the 2024-2025 school year.

SECTION 55. (a) Except as provided by Subsections (b) and (c) of this section, this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

(b) Sections 48.307 and 48.308, Education Code, as added by this Act, and Section 48.277(b), Education Code, as amended by this Act, take effect September 1, 2023.

(c) Section 322.0082, Government Code, as added by this Act, takes effect September 1, 2025.

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

Amend **CSHB 1605** (senate committee printing) in SECTION 55 of the bill, providing effective dates, as follows:

(1) In Subsection (a) of the SECTION (page 22, line 69, and page 23, line 1), strike "Subsections (b) and (c)" and substitute "Subsection (b)".

(2) In Subsection (b) of the SECTION (page 23, line 7), strike "and".

(3) In Subsection (b) of the SECTION (page 23, line 8), between "Act," and "take", insert "and Section 322.0082, Government Code, as added by this Act,".

(4) Strike Subsection (c) of the SECTION (page 23, lines 9 and 10).

#### **Senate Amendment No. 2 (Senate Floor Amendment No. 3)**

Amend **CSHB 1605** (senate committee report) in SECTION 13 of the bill, amending Section 31.003, Education Code (page 5, line 59), by striking "any provision of this chapter" and substituting "a provision of this chapter that the commissioner or agency is responsible for implementing".

#### **Senate Amendment No. 3 (Senate Floor Amendment No. 4)**

Amend **CSHB 1605** (senate committee report) as follows:



(1) In SECTION 22 of the bill, in amended Section 31.022(a), Education Code (page 9, line 45), between "board" and "must", insert "may review the material and".

(2) In SECTION 23 of the bill, in amended Section 31.023(a)(1), Education Code (page 11, between lines 6 and 7), insert the following appropriately lettered paragraph and reletter subsequent paragraphs of the subdivision accordingly:

( ) requiring the agency to review materials if the State Board of Education requests by a majority vote that the material be reviewed by the agency;

(3) In SECTION 23 of the bill, in amended Section 31.023(b)(3), Education Code (page 10, line 19), strike "and".

(4) In SECTION 23 of the bill, in amended Section 31.023(b)(4), Education Code (page 10, line 22), between "31.1011(a)(1)(B)" and the open bracket, insert the following:  
; and

(5) the instructional material to be made publicly available for review

#### **Senate Amendment No. 4 (Senate Floor Amendment No. 5)**

Amend **CSHB 1605** (senate committee report), immediately following added Section 31.0271(b)(2), Education Code (page 16, between lines 15 and 16), by inserting the following subsection:

(c) Except as provided by Subsection (b), open education resource instructional materials made available under this section may not remain available once amended or modified unless the material as amended or modified is reviewed under Section 31.023 and included on the list of approved instructional materials maintained by the State Board of Education under Section 31.022.

#### **HB 2230 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 2230**, A bill to be entitled An Act relating to the determination of the sufficient balance of the economic stabilization fund for the purpose of allocating certain constitutional transfers of money to that fund and the state highway fund.

Representative Canales moved to concur in the senate amendments to **HB 2230**.

The motion to concur in the senate amendments to **HB 2230** prevailed by (Record 1803): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; 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; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Sherman.

Absent — Cunningham; Hinojosa; Lozano; Reynolds.

### STATEMENTS OF VOTE

When Record No. 1803 was taken, I was in the house but away from my desk. I would have voted yes.

Cunningham

When Record No. 1803 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

When Record No. 1803 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

### Senate Committee Substitute

**CSHB 2230**, A bill to be entitled An Act relating to the determination of the sufficient balance of the economic stabilization fund for the purpose of allocating general revenue to that fund and the state highway fund.

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

SECTION 1. Section 316.092(b), Government Code, is amended to read as follows:

(b) This section expires December 31, 2042 [2034].

SECTION 2. Sections 316.093(c) and (d), Government Code, are amended to read as follows:

(c) For the purposes of Section 49-g(c-2), Article III, Texas Constitution, the comptroller shall adjust the allocation provided by Section 49-g(c-1) of that article of amounts to be transferred to the fund and to the state highway fund under Section 49-g(c) of that article in a state fiscal year beginning on or after September 1, 2043 [2035], so that the total of those amounts is transferred to the economic stabilization fund, except that the comptroller shall reduce a transfer

made under this subsection as necessary to prevent the amount in the fund from exceeding the limit in effect for that biennium under Section 49-g(g) of that article.

(d) Subsections (a) and (b) and this subsection expire December 31, 2042 [2034].

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

### **HB 5174 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 5174**, A bill to be entitled An Act relating to the establishment and administration of the Texas Semiconductor Innovation Consortium.

Representative Bonnen moved to concur in the senate amendments to **HB 5174**.

The motion to concur in the senate amendments to **HB 5174** prevailed by (Record 1804): 136 Yeas, 9 Nays, 1 Present, not voting.

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

Nays — Harrison; Leo-Wilson; Schaefer; Schatzline; Spiller; Swanson; Tinderholt; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Sherman.

Absent — Troxclair.

### **STATEMENT OF VOTE**

When Record No. 1804 was taken, I was shown voting yes. I intended to vote no.

Isaac

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

Amend **HB 5174** (senate committee report) in SECTION 1 of the bill, in added Section 481.653(a), Government Code (page 2, between lines 16 and 17), by adding the following appropriately numbered subdivision to the subsection and renumbering subsequent subdivisions of the subsection and cross-references to those subdivisions accordingly:

( ) Texas State Technical College System;

**HB 1666 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

**HB 1666**, A bill to be entitled An Act relating to the commingling of funds by digital asset service providers; providing for an administrative penalty; creating a criminal offense.

Representative Capriglione moved to concur in the senate amendments to **HB 1666**.

The motion to concur in the senate amendments to **HB 1666** prevailed by (Record 1805): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; 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; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Sherman.

Absent — Hinojosa.

## STATEMENT OF VOTE

When Record No. 1805 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

### Senate Committee Substitute

**CSHB 1666**, A bill to be entitled An Act relating to the commingling of funds by digital asset service providers; providing an administrative penalty.

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

SECTION 1. Subtitle E, Title 3, Finance Code, is amended by adding Chapter 160 to read as follows:

#### CHAPTER 160. DIGITAL ASSET SERVICE PROVIDERS

Sec. 160.001. DEFINITIONS. In this chapter:

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

(2) "Customer funds" means the digital assets, fiat currency, or other property deposited by a digital asset customer.

(3) "Department" means the Texas Department of Banking.

(4) "Digital asset" means a natively electronic asset that confers economic, proprietary, or access rights and is recorded or stored in a blockchain, cryptographically secured distributed ledger, or similar technology, and includes:

(A) a digital asset that the laws of any country consider to be legal tender; or

(B) virtual currency as defined by Section 12.001, Business & Commerce Code.

(5) "Digital asset customer" means a person who deposits fiat currency or a digital asset with a digital asset service provider.

(6) "Digital asset service provider" means an electronic platform that facilitates the trading of digital assets on behalf of a digital asset customer and maintains custody of the customer's digital assets.

Sec. 160.002. ADMINISTRATION. The department shall administer this chapter.

Sec. 160.003. APPLICABILITY. (a) This chapter applies to a digital asset service provider doing business in this state that:

(1) holds a money transmission license under Subchapter D, Chapter 151; and

(2) either:

(A) serves more than 500 digital asset customers in this state; or

(B) has at least \$10 million in customer funds.

(b) This chapter does not apply to:

(1) a bank, as defined by Section 31.002; or

(2) an entity excluded by commission rule or by order of the banking commissioner based on a finding that the entity is:

(A) not required to hold a money transmission license under Subchapter D, Chapter 151; or

(B) not subject to the requirements of this chapter.

Sec. 160.004. DUTIES OF DIGITAL ASSET SERVICE PROVIDERS. (a) Except as provided by this chapter, a digital asset service provider may not:

(1) commingle customer funds with funds belonging to the digital asset service provider, including the digital asset service provider's:

(A) operating capital;

(B) proprietary accounts;

(C) digital assets;

(D) fiat currency; or

(E) other property that is not customer funds;

(2) use customer funds to secure or guarantee a transaction other than a transaction for the customer contributing the funds; or

(3) maintain customer funds in such a manner that a digital asset customer may be unable to fully withdraw the customer's funds.

(b) In addition to any other requirements under state law, a digital asset service provider shall maintain customer funds not subject to the requirements of Chapter 151:

(1) in separate accounts for obligations to each digital asset customer;

or

(2) in an omnibus account that only contains digital assets of digital asset customers and in which digital assets of digital asset customers are not strictly segregated from each other.

(c) A digital asset service provider shall create a plan to allow:

(1) each digital asset customer to view at least quarterly an accounting

of:

(A) any outstanding liabilities owed to the digital asset customer;

and

(B) the digital asset customer's digital assets held in custody by the digital asset service provider; and

(2) an auditor to access and view at any time a pseudonymized version of the information made available to each digital asset customer under Subdivision (1).

(d) Not later than the 90th day after the end of each fiscal year, a digital asset service provider shall file a report with the department. The report must include the following information, as of the end of the digital asset service provider's fiscal year:

(1) an attestation by the digital asset service provider of outstanding liability to digital asset customers;

(2) evidence of customer assets held by the provider;

(3) a copy of the provider's plan under Subsection (c); and

(4) an attestation by an auditor that the information in the report is true and accurate.

(e) An auditor fulfilling the requirements of this section must:

(1) be an independent certified public accountant licensed in the United States; and

(2) apply attestation standards adopted by the American Institute of Certified Public Accountants.

(f) A digital asset service provider may meet the requirements of Subsections (c)(2), (d)(1), (d)(2), and (d)(4) by filing with the department a copy of:

(1) an audit of the digital asset service provider performed in accordance with the Sarbanes-Oxley Act of 2002 (15 U.S.C. Section 7201 et seq.) or regulations adopted under that Act; or

(2) an audit of the digital asset service provider's parent company that includes an audit of the digital service provider performed in accordance with the Sarbanes-Oxley Act of 2002 (15 U.S.C. Section 7201 et seq.) or regulations adopted under that Act.

(g) A digital asset service provider may include an amount of funds, assets, or property belonging to the digital asset service provider with customer funds for the purpose of facilitating trade and operational needs to provide digital asset services. That amount of funds, assets, or other property belonging to the digital asset service provider is considered and shall be treated as customer funds. A digital asset service provider may only withdraw or assert a claim on that amount to the extent that amount exceeds the amount deposited with the digital asset service provider by or for digital asset customers.

(h) The commissioner may waive a requirement of this section or allow a digital asset service provider to submit alternative information to satisfy a requirement of this section if the commissioner determines that the waiver or alternative information is consistent with the purposes of this chapter and in the best interest of this state.

Sec. 160.005. REQUIREMENTS FOR MONEY TRANSMISSION LICENSE. (a) In addition to any other requirements under Subchapter D, Chapter 151, a digital asset service provider must comply with the requirements of this chapter to obtain and maintain any money transmission license under Subchapter D, Chapter 151. A digital asset service provider applying for a new money transmission license under Subchapter D, Chapter 151, must submit to the department the report required by Section 160.004(d).

(b) The department may suspend and revoke a money transmission license issued under Subchapter D, Chapter 151, to a digital asset service provider if the provider violates the requirements of this chapter.

(c) The department may impose any penalty under Subchapter H, Chapter 151, that the department may impose on a person who violates that chapter on a digital asset service provider who violates this chapter.

(d) The commissioner may examine a digital asset service provider in the same manner as allowed under Subchapter G, Chapter 151. Information disclosed to the commissioner in connection with an examination under this section is confidential information and subject to the provisions regarding confidentiality under Subchapter G, Chapter 151.

Sec. 160.006. RULES. The commission may adopt rules to administer and enforce this chapter, including rules necessary and appropriate to implement and clarify this chapter.

SECTION 2. This Act takes effect September 1, 2023.

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

Amend **CSHB 1666** (senate committee report) in SECTION 1 of the bill (page 3, line 21) by striking "this state" and substituting "the public".

**HB 1393 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

**HB 1393**, A bill to be entitled An Act relating to an optional service retirement annuity that provides an increasing annuity under the Employees Retirement System of Texas.

Representative Frank moved to concur in the senate amendments to **HB 1393**.

The motion to concur in the senate amendments to **HB 1393** prevailed by (Record 1806): 143 Yeas, 0 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; 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; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Sherman.

Absent — Bhojani; Harless; Hull.

**STATEMENTS OF VOTE**

When Record No. 1806 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani



When Record No. 1806 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

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

Amend **HB 1393** (senate committee printing) in SECTION 2 of the bill, in the transition language (page 2, line 13), by striking "January" and substituting "September".

### **HB 2545 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 2545**, A bill to be entitled An Act relating to the use of an individual's genetic data by certain genetic testing companies for commercial purposes; authorizing a civil penalty.

Representative Capriglione moved to concur in the senate amendments to **HB 2545**.

The motion to concur in the senate amendments to **HB 2545** prevailed by (Record 1807): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; 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; 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; Luján; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Sherman.

**Senate Committee Substitute**

**CSHB 2545**, A bill to be entitled An Act relating to an individual's genetic data, including the use of that data by certain genetic testing companies for commercial purposes and the individual's property right in DNA; authorizing a civil penalty.

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

SECTION 1. Subtitle A, Title 11, Business & Commerce Code, is amended by adding Chapter 503A to read as follows:

**CHAPTER 503A. DIRECT-TO-CONSUMER GENETIC TESTING  
COMPANIES; RIGHTS REGARDING DNA**

**Sec. 503A.001. DEFINITIONS.** In this chapter:

(1) "Biological sample" means a material part of the human body, or a discharge or derivative part of the body, including tissue, blood, urine, or saliva that is known to contain DNA.

(2) "Deidentified data" means data not reasonably linked to and that cannot reasonably be used to infer information about an identifiable individual.

(3) "Direct-to-consumer genetic testing company" means an entity that:

(A) offers genetic testing products or services directly to individuals as consumers of those products or services; or

(B) collects, uses, or analyzes genetic data that:

(i) results from a direct-to-consumer genetic testing product or service; and

(ii) an individual rather than a health care provider provides to the entity.

(4) "DNA" means deoxyribonucleic acid.

(5) "Express consent" means an individual's affirmative response to a clear and meaningful notice regarding the collection, use, or disclosure of genetic data for a specific purpose.

(6) "Genetic data" means any data, regardless of format, concerning an individual's genetic characteristics. The term:

(A) includes:

(i) raw sequence data derived from sequencing all or a portion of an individual's extracted DNA;

(ii) genotypic and phenotypic information obtained from analyzing an individual's raw sequence data; and

(iii) health information regarding the health conditions that an individual self-reports to a company and that the company:

(a) uses for scientific research or product development; and

(b) analyzes in connection with the individual's raw sequence data; and

(B) does not include deidentified data.

(7) "Genetic testing" means a laboratory test of an individual's complete DNA, regions of DNA, chromosomes, genes, or gene products to determine the presence of the individual's genetic characteristics.

(8) "Person" means an individual, partnership, corporation, association, business, or business trust or the legal representative of an organization.

Sec. 503A.002. APPLICABILITY. (a) This chapter applies to a direct-to-consumer genetic testing company that:

(1) offers its products or services to individuals who are residents of this state; or

(2) collects, uses, or analyzes genetic data that:

(A) results from the company's products or services; and

(B) was provided to the company by an individual who is a resident of this state rather than by or at the direction of a health care provider.

(b) This chapter does not apply to:

(1) an entity only when they are engaged in collecting, using, or analyzing genetic data or biological samples in the context of research, as defined by 45 C.F.R. Section 164.501, that is conducted in accordance with:

(A) the federal policy for the protection of human subjects (45 C.F.R. Part 46);

(B) the good clinical practice guidelines issued by the International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use (ICH); or

(C) the United States Food and Drug Administration policy for the protection of human subjects (21 C.F.R. Parts 50 and 56);

(2) genetic data that is protected health information collected by a covered entity or business associate, as defined by 45 C.F.R. Part 160, subject to the privacy, security, and breach notification rules under the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.);

(3) an institution of higher education or a private or independent institution of higher education, as those terms are defined by Section 61.003, Education Code;

(4) an entity when the entity is offering genetic testing products or services through a health care provider; or

(5) the collection, use, or analysis of genetic data by a health care provider.

Sec. 503A.003. EXCLUSIVE PROPERTY RIGHT IN DNA; CONFIDENTIALITY. An individual has a property right in, and retains the right to exercise exclusive control over, the individual's biological sample and the results of genetic testing or analysis conducted on the individual's DNA, including to the collection, use, retention, maintenance, disclosure, or destruction of the sample or results. The results of the genetic testing of an individual's DNA, without regard to whether those results are held by a public or private entity, are confidential and may not be disclosed to another person without the individual's express consent.

Sec. 503A.004. REQUIREMENTS FOR CERTAIN USES OF DEIDENTIFIED DATA. (a) Except as otherwise provided by this chapter or other law, a direct-to-consumer genetic testing company that possesses an individual's deidentified data shall:

(1) implement administrative and technical measures to ensure the data is not associated with a particular individual; and

(2) publicly commit to maintaining and using data in deidentified form and refraining from making any attempt to identify an individual using the individual's deidentified data.

(b) If a direct-to-consumer genetic testing company shares an individual's deidentified data with another person, the company shall enter into a legally enforceable contractual obligation prohibiting the person from attempting to identify an individual using the individual's deidentified data.

Sec. 503A.005. REQUIREMENTS FOR CERTAIN USES OR DISCLOSURE OF GENETIC DATA AND BIOLOGICAL SAMPLE. (a) A direct-to-consumer genetic testing company shall:

(1) develop, implement, and maintain a comprehensive security program to protect an individual's genetic data against unauthorized access, use, or disclosure; and

(2) make publicly available:

(A) a high-level privacy policy overview that includes basic, essential information about the company's collection, use, or disclosure of genetic data; and

(B) a prominent privacy notice that includes information about the company's data collection, consent, use, access, disclosure, transfer, security, retention, and deletion practices.

(b) Before collecting, using, or disclosing an individual's genetic data, a direct-to-consumer genetic testing company shall provide to the individual information about the company's collection, use, and disclosure of genetic data the company collects through a genetic testing product or service, including information that:

(1) clearly describes the company's use of the genetic data;

(2) specifies the persons who have access to test results; and

(3) specifies the manner in which the company may share the genetic data.

(c) A direct-to-consumer genetic testing company shall provide a process for an individual to:

(1) access the individual's genetic data;

(2) delete the individual's account and genetic data; and

(3) destroy or require the destruction of the individual's biological sample.

Sec. 503A.006. REQUIRED CONSENT. (a) A direct-to-consumer genetic testing company engaging in any of the following activities must obtain:

(1) an individual's separate express consent for:

(A) the transfer or disclosure of the individual's genetic data to any person other than the company's vendors and service providers;

(B) the use of genetic data for a purpose other than the primary purpose of the company's genetic testing product or service; or

(C) the retention of any biological sample provided by the individual following the company's completion of the initial testing service requested by the individual;

(2) an individual's informed consent in accordance with guidelines for the protection of human subjects issued under 45 C.F.R. Part 46, for transfer or disclosure of the individual's genetic data to a third party for:

(A) research purposes; or

(B) research conducted under the control of the company for the purpose of publication or generalizable knowledge; and

(3) an individual's express consent for:

(A) marketing by the company to the individual based on the individual's genetic data; or

(B) marketing by a third party to the individual based on the individual's ordering or purchasing of a genetic testing product or service.

(b) For purposes of Subsection (a), "marketing" does not include providing customized content or offers to an individual with whom a direct-to-consumer genetic testing company has a first-party relationship on the company's Internet website or through an application or service provided by the company to the individual.

Sec. 503A.007. PROHIBITED DISCLOSURES. (a) A direct-to-consumer genetic testing company may not disclose an individual's genetic data to a law enforcement entity or other governmental body unless:

(1) the company first obtains the individual's express written consent;  
or

(2) the entity or body obtains a warrant or complies with another valid legal process required by the company.

(b) A direct-to-consumer genetic testing company may not disclose, without first obtaining an individual's written consent, the individual's genetic data to:

(1) an entity that offers health insurance, life insurance, or long-term care insurance; or

(2) an employer of the individual.

Sec. 503A.008. CIVIL PENALTY. (a) A direct-to-consumer genetic testing company that violates this chapter is liable to this state for a civil penalty in an amount not to exceed \$2,500 for each violation.

(b) The attorney general may bring an action to recover a civil penalty imposed under Subsection (a) and to restrain and enjoin a violation of this chapter. The attorney general may recover reasonable attorney's fees and court costs incurred in bringing the action.

SECTION 2. The changes in law made by this Act apply only to genetic information obtained on or after the effective date of this Act.

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

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

Amend CSHB 2545 (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 503A.003, Business & Commerce Code (page 2, line 56), between "sample" and "and", insert "that is provided to or used by a direct-to-consumer genetic testing company".

(2) In SECTION 1 of the bill, in added Section 503A.003, Business & Commerce Code (page 2, line 57), between "DNA" and ", including", insert "by a direct-to-consumer genetic testing company".

(3) In SECTION 1 of the bill, in added Section 503A.003, Business & Commerce Code (page 2, lines 60-61), strike ", without regard to whether those results are held by a public or private entity,".

### **HB 2484 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED**

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

**HB 2484**, A bill to be entitled An Act relating to the safety of a referee, judge, or other official at certain public school extracurricular activities and prohibiting certain conduct by a spectator related to those officials' safety.

Representative Guillen moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 2484**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 2484**: Guillen, chair; Gerdes, J. Lopez, Raymond, and E. Thompson.

### **HB 2217 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 2217**, A bill to be entitled An Act relating to the regulation of the practice of public accountancy.

Representative Button moved to concur in the senate amendments to **HB 2217**.

The motion to concur in the senate amendments to **HB 2217** prevailed by (Record 1808): 136 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; 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; 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; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Wiener.

Nays — Cain; Harrison; Schaefer; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Sherman.

Absent — Bell, C.; Hull; Hunter; Manuel; Morales Shaw.

### STATEMENTS OF VOTE

When Record No. 1808 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1808 was taken, I was in the house but away from my desk. I would have voted yes.

Manuel

When Record No. 1808 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 1808 was taken, I was shown voting no. I intended to vote yes.

Schaefer

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

Amend **HB 2217** (senate committee report) as follows:

(1) In the recital to SECTION 10 of the bill (page 2, line 35), strike "Section 901.656(b), Occupations Code, is" and substitute "Sections 901.656(a) and (b), Occupations Code, are".

(2) In SECTION 10 of the bill, in amended Section 901.656, Occupations Code (page 2, between lines 36 and 37), insert the following:

(a) The board shall determine the maximum amount of any scholarship awarded under this subchapter. The scholarship may be spent by the recipient on the expenses for tuition, fees, books, supplies, and living expenses incurred by the accounting student in connection with the student's study in ~~[fifth year of]~~ an accounting program. Scholarships shall be made available to eligible students attending:

(1) any institution of higher education; or

(2) any nonprofit independent institution approved by the Texas Higher Education Coordinating Board under Section 61.222, Education Code.

(3) In SECTION 12 of the bill, in the repealer provision, strike Subdivisions (3) and (4) (page 2, lines 61 and 62), and substitute the following:

(3) Sections 901.310(a) and (b);

(4) Sections 901.355(b) and (c); and

(5) Section 901.651.

(4) Add the following appropriately numbered SECTIONS to the bill and renumber the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 901.155, Occupations Code, is amended to read as follows:

Sec. 901.155. SCHOLARSHIP TRUST FUND FOR [~~FIFTH YEAR~~] ACCOUNTING STUDENTS. (a) The fee for the issuance or renewal of a license under this chapter consists of:

(1) the amount of the fee set by the board under Section 901.154; and

(2) an additional \$10 annual fee to be deposited to the credit of the scholarship trust fund for [~~fifth year~~] accounting students.

(b) The scholarship trust fund for [~~fifth year~~] accounting students is held by the board outside the state treasury and may be used only to:

(1) provide scholarships under Subchapter N to accounting students in [~~the fifth year of~~] a program designed to qualify each student to apply for certification as a certified public accountant; and

(2) pay administrative costs under Subsection (c).

(c) The administrative costs incurred to collect the fee imposed under Subsection (a)(2) and to disburse the money may not exceed 10 percent of the total money collected.

(d) Notwithstanding Section 404.071, Government Code, interest earned on amounts in the scholarship trust fund for [~~fifth year~~] accounting students shall be credited to that fund.

SECTION \_\_\_\_\_. The heading to Subchapter N, Chapter 901, Occupations Code, is amended to read as follows:

SUBCHAPTER N. SCHOLARSHIPS FOR [~~FIFTH YEAR~~] ACCOUNTING STUDENTS

SECTION \_\_\_\_\_. Section 901.653, Occupations Code, is amended to read as follows:

Sec. 901.653. SCHOLARSHIPS. The board shall establish and administer, using funds collected and appropriated for that purpose and in accordance with this subchapter and board rules, scholarships for [~~fifth year~~] accounting students.

SECTION \_\_\_\_\_. Section 901.654(b), Occupations Code, is amended to read as follows:

(b) In determining what best promotes the public purpose, the board shall consider at a minimum the following factors relating to each person applying for a scholarship under this section:

(1) financial need;

(2) ethnic or racial minority status; and



(3) scholastic ability and performance in at least 15 hours of upper-level accounting coursework.

SECTION \_\_\_\_\_. Section 901.660(a), Occupations Code, is amended to read as follows:

(a) Before January 15 of each odd-numbered year, the board shall report to the legislature concerning the scholarship program for [~~fifth-year~~] accounting students administered by the board under this subchapter.

SECTION \_\_\_\_\_. The Texas State Board of Public Accountancy shall adopt rules necessary to implement the changes in law made by this Act not later than October 1, 2023.

### **HB 587 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 587**, A bill to be entitled An Act relating to the cremation of deceased veterans with a United States flag or Texas state flag and the incineration of those flags through the cremation process.

Representative Patterson moved to concur in the senate amendments to **HB 587**.

The motion to concur in the senate amendments to **HB 587** prevailed by (Record 1809): 140 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; 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; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; 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; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Cain; Swanson; Tinderholt; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Sherman.

Absent — Jones, V.

**STATEMENTS OF VOTE**

When Record No. 1809 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1809 was taken, I was in the house but away from my desk. I would have voted yes.

V. Jones

When Record No. 1809 was taken, I was shown voting no. I intended to vote yes.

Toth

When Record No. 1809 was taken, I was shown voting no. I intended to vote yes.

Wilson

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

Amend **HB 587** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 22), strike "amending Subdivision (4) and adding Subdivision (16)" and substitute "adding Subdivisions (10-a) and (16)".

(2) In SECTION 1 of the bill, strike amended Section 716.001(4), Health and Safety Code (page 1, lines 24 through 29), and substitute the following:

(10-a) "First responder" has the meaning assigned by Section 421.095, Government Code.

(3) Strike SECTIONS 2 and 3 of the bill, amending Sections 716.002 and 716.052(a), Health and Safety Code (page 1, line 40, through page 2, line 37), and renumber the SECTIONS of the bill accordingly.

(4) In SECTION 4 of the bill, in added Section 716.157(a), Health and Safety Code (page 2, line 44), between "person" and the underlined period, insert the following:

, including a family member of a deceased veteran, deceased first responder, or deceased spouse or child of a veteran or first responder for the purpose of spreading the ashes on the grave or memorial site of the veteran, first responder, spouse, or child

**HB 4797 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

**HB 4797**, A bill to be entitled An Act relating to training on the treatment of toll project roadways during inclement weather.

Representative Romero moved to concur in the senate amendments to **HB 4797**.

The motion to concur in the senate amendments to **HB 4797** prevailed by (Record 1810): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; 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; Hinojosa; Holland; Howard; Hunter; Isaac; Jetton; Johnson, A.; 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; 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; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Sherman.

Absent — Buckley; Hull; Jones, V.

### STATEMENT OF VOTE

When Record No. 1810 was taken, I was in the house but away from my desk. I would have voted yes.

V. Jones

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

Amend **HB 4797** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 372.059(a), Transportation Code (page 1, line 25), strike "Subsection (e)" and substitute "Subsections (e) and (f)".

(2) In SECTION 1 of the bill, immediately following added Section 372.059(e), Transportation Code (page 1, between lines 56 and 57), insert the following:

(f) For a roadway that is subject to a comprehensive development agreement entered into by the department or a public toll project entity under which a private participant is responsible for maintaining the roadway, the private participant is responsible for requiring each employee or contractor of the private participant who develops and supervises a plan for roadway treatment to complete the training required by Subsection (a).

**REMARKS ORDERED PRINTED**

Representative Wu moved to print all remarks on **HB 1605**.

The motion prevailed.

**SB 1188 - REQUEST OF SENATE GRANTED  
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Muñoz, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1188**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1188**: Muñoz, chair; Gámez, Guillen, Lozano, and Raymond.

**SB 1893 - REQUEST OF SENATE GRANTED  
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Anderson, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1893**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1893**: Anderson, chair; Capriglione, Hernandez, Schofield, and S. Thompson.

**SB 3 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 3** all the members included on the signature list submitted by the committee chair to the chief clerk.

The motion prevailed.

**SJR 3 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SJR 3** all the members included on the signature list submitted by the committee chair to the chief clerk.

The motion prevailed.

**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.)

**ADJOURNMENT**

Representative Raymond moved that the house adjourn until 10 a.m. tomorrow in memory of Isabel Raymond Martinez of Laredo.

The motion prevailed.

The house accordingly, at 4:04 p.m., adjourned until 10 a.m. tomorrow.

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**ADDENDUM**

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**REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

**List No. 1**

**SB 379** to Ways and Means.

**SB 1148** to Public Education.

**SB 1930** to Juvenile Justice and Family Issues.

**SB 2029** to Higher Education.

**SB 2086** to Business and Industry.

**SB 2273** to Public Education.

**SB 2422** to Higher Education.

**SB 2572** to Land and Resource Management.

**SB 2574** to Land and Resource Management.

**SB 2584** to Land and Resource Management.

**SB 2585** to Land and Resource Management.

**SB 2595** to Land and Resource Management.

**SB 2597** to Land and Resource Management.

**SB 2604** to Land and Resource Management.

**SB 2609** to Land and Resource Management.

**SB 2619** to Land and Resource Management.

**SCR 48** to State Affairs.

**SCR 52** to Resolutions Calendars.

**List No. 2**

**HR 1779** (By Lujan), Congratulating the Randolph High School girls' track team on winning the 3A championship at the 2023 UIL Track & Field State Meet.  
To Resolutions Calendars.

**HR 1780** (By Geren), In memory of Robert Cole Grable of Fort Worth.  
To Resolutions Calendars.

**HR 1781** (By Geren), Commemorating the 50th anniversary of the Texas Association of Regional Councils.

To Resolutions Calendars.

**HR 1782** (By Geren), In memory of Victor Tinsley of Fort Worth.

To Resolutions Calendars.

**HR 1783** (By Guerra), Congratulating South Texas ISD Science Academy on ranking 15th on Stacker's 2023 list of the Top 30 Best Public High Schools in Texas.

To Resolutions Calendars.

**HR 1784** (By M. González), Congratulating Sara Long on her installation as president of the Woman's Club of El Paso.

To Resolutions Calendars.

**HR 1785** (By Buckley), Recognizing May 20-26, 2023, as National Safe Boating Week.

To Resolutions Calendars.

**HR 1786** (By Clardy), Commemorating the 175th anniversary of the City of Carthage.

To Resolutions Calendars.

**HR 1787** (By Orr), Congratulating Wesley Holt on his retirement as superintendent of Connally ISD.

To Resolutions Calendars.

**HR 1788** (By Harless), Honoring Mark and Becky Lanier on the occasion of the opening of the Lanier Learning Center.

To Resolutions Calendars.

**HR 1789** (By Harless), Commending Dr. Shah Ardalan for his service as founding president of Lone Star College-University Park in Houston.

To Resolutions Calendars.

**HR 1790** (By Harless), Commending DeLora Wilkinson of Houston for her achievements in the field of real estate.

To Resolutions Calendars.

**HR 1791** (By A. Johnson), Congratulating Memorial Hermann Health System on its receipt of the 2023 Foster G. McGaw Prize for Excellence in Community Service from the American Hospital Association.

To Resolutions Calendars.

**HR 1792** (By Ortega), Congratulating Christian Campos on his receipt of a 2023 Top Ten Seniors Award from the UTEP Alumni Association.

To Resolutions Calendars.

**HR 1793** (By Ortega), Congratulating Carlos Castanon on receiving a 2023 Top Ten Seniors Award from the UTEP Alumni Association.

To Resolutions Calendars.

**HR 1794** (By Ortega), Congratulating Jasmine Crain on receiving a 2023 Top Ten Seniors Award from the UTEP Alumni Association.

To Resolutions Calendars.

**HR 1795** (By Ortega), Congratulating Ashley Delgado on receiving a 2023 Top Ten Seniors Award from the UTEP Alumni Association.

To Resolutions Calendars.

**HR 1796** (By Ortega), Congratulating Laiza Hernandez-Legaspi on receiving a 2023 Top Ten Seniors Award from the UTEP Alumni Association.

To Resolutions Calendars.

**HR 1797** (By Ortega), Congratulating Sarah Mickelson on her receipt of a 2023 Top Ten Seniors Award from the UTEP Alumni Association.

To Resolutions Calendars.

**HR 1798** (By Ortega), Congratulating Alejandra Prieto Moreno on receiving a 2023 Top Ten Seniors Award from the UTEP Alumni Association.

To Resolutions Calendars.

**HR 1799** (By Ortega), Congratulating Sofia Ronquillo-Silva on receiving a 2023 Top Ten Seniors Award from the UTEP Alumni Association.

To Resolutions Calendars.

**HR 1800** (By Ortega), Congratulating Brianna "Iberty" Trevino on receiving a 2023 Top Ten Seniors Award from the UTEP Alumni Association.

To Resolutions Calendars.

**HR 1801** (By Ortega), Congratulating Ian Valdez on receiving a 2023 Top Ten Seniors Award from the UTEP Alumni Association.

To Resolutions Calendars.

**HR 1802** (By Guerra), Congratulating Reynaldo Alegria on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1803** (By Guerra), Congratulating Antonio Alvarez on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1804** (By Guerra), Congratulating Donato Amaya Jr. on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1805** (By Guerra), Congratulating Shukan Bhakta on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1806** (By Guerra), Congratulating Jamie-Lynne Brown Rosas on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1807** (By Guerra), Congratulating Arielle Caraveo on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1808** (By Guerra), Congratulating Noah Davis on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1809** (By Guerra), Congratulating Maricela De Leon on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1810** (By Guerra), Congratulating Priscilla N. Frias on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1811** (By Guerra), Congratulating Aldo Garcia on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1812** (By Guerra), Congratulating Laura Eugenia Garcia Aviles on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1813** (By Guerra), Congratulating Christie Gonzalez on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1814** (By Guerra), Congratulating A. Raquel Limas on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1815** (By Guerra), Congratulating Vanessa N. Hernandez on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1816** (By Guerra), Congratulating Eric Luebanos on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.



**HR 1817** (By Guerra), Congratulating Cindy Mata-Vasquez on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1818** (By Guerra), Congratulating Orlando Quintanilla on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1819** (By Guerra), Congratulating Daniel Montano on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1820** (By Guerra), Congratulating Daniel Rivera on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1821** (By Guerra), Congratulating Julian Ramirez on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1822** (By Guerra), Congratulating Pablo Rosas on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1823** (By Guerra), Congratulating Marla Sandoval on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1824** (By Guerra), Congratulating Miriam Suarez on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1825** (By Guerra), Congratulating Charly Vallez on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1826** (By Guerra), Congratulating Michael Vargas on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1827** (By Guerra), Congratulating Josue "Josh" Vasquez on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1828** (By Guerra), Congratulating Rocio Villalobos on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1829** (By Guerra), Congratulating Sabrina Walker Hernandez on graduating as a member of Class VIII of RGV Leadership.

To Resolutions Calendars.

**HR 1830** (By Moody), Congratulating Chris Canales on his election as the District 8 representative on the El Paso City Council.

To Resolutions Calendars.

**HR 1831** (By Moody), Congratulating Brian Kennedy on his election to the El Paso City Council.

To Resolutions Calendars.

**HR 1832** (By Moody), Congratulating Sergio Coronado on his election as the El Paso County commissioner for Precinct 4.

To Resolutions Calendars.

**HR 1833** (By Moody), Congratulating Humberto Enriquez on his election as El Paso County justice of the peace for Precinct 7.

To Resolutions Calendars.

**HR 1834** (By Herrero), Congratulating Irene Ramos on receiving a 2023 Women in Education Award from the Education Service Center Region 2.

To Resolutions Calendars.

**HR 1835** (By J. Lopez), Commemorating the 50th anniversary of the incorporation of South Padre Island.

To Resolutions Calendars.

**HR 1837** (By Perez), Commemorating the 50th annual Strawberry Festival in Pasadena.

To Resolutions Calendars.

**HR 1838** (By Ordaz), Commending the Rancho del Sol Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1839** (By Ordaz), Commending the Las Palmas Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1840** (By Ordaz), Commending the Travis White Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1841** (By Ordaz), Commending the Palm Grove Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1842** (By Ordaz), Commending the Cielo Vista Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1843** (By Ordaz), Commending the Valley View Heights/Crest Hill Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1844** (By Ordaz), Commending the Normandy Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1845** (By Ordaz), Commending the United Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1846** (By Ordaz), Commending the Austin Terrace Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1847** (By Ordaz), Commending the Radford Hills Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1848** (By Ordaz), Commending the Summerlin Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1849** (By Ordaz), Commending the Mesquite Hills North Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1850** (By Turner), Congratulating Pastor Kennedy Jones on his installation as president of the Arlington Branch of the NAACP.

To Resolutions Calendars.

**HR 1851** (By Orr), Commending Nicholas Cooper for his service as a legislative aide in the office of State Representative Angelia Orr.

To Resolutions Calendars.

**HR 1852** (By Harrison), Commemorating the 2023 Patriot Day BBQ Bash in Ennis.

To Resolutions Calendars.

**HR 1853** (By Holland), Commemorating the 2023 Smoke Sessions BBQ Competition in Royse City.

To Resolutions Calendars.

**HR 1854** (By Jetton), Congratulating Alex Hai Shi on graduating as salutatorian of the Tompkins High School Class of 2023.

To Resolutions Calendars.

**HR 1855** (By Jetton), Congratulating Sanjana Perungulam on graduating as valedictorian of the Tompkins High School Class of 2023.

To Resolutions Calendars.

**HR 1856** (By Jetton), Congratulating Minkyu Lim on graduating as salutatorian of the Taylor High School Class of 2023.

To Resolutions Calendars.

**HR 1857** (By Jetton), Congratulating Melissa Deng Huang on graduating as valedictorian of the Taylor High School Class of 2023.

To Resolutions Calendars.

**HR 1858** (By Jetton), Congratulating Aayushi Ajay Gandhi on graduating as salutatorian of the Seven Lakes High School Class of 2023.

To Resolutions Calendars.

**HR 1859** (By Jetton), Congratulating Akash Joseph on graduating as valedictorian of the Seven Lakes High School Class of 2023.

To Resolutions Calendars.

**HR 1860** (By Jetton), Congratulating Fatima Noor Shaikh on graduating as salutatorian of the Paetow High School Class of 2023.

To Resolutions Calendars.

**HR 1861** (By Jetton), Congratulating Mohammad Mutaz Yaghi on graduating as valedictorian of the Paetow High School Class of 2023.

To Resolutions Calendars.

**HR 1862** (By Jetton), Congratulating Alex Faith Heiliger on graduating as salutatorian of the Morton Ranch High School Class of 2023.

To Resolutions Calendars.

**HR 1863** (By Slawson), In memory of Robert Leroy Looney of Evant.

To Resolutions Calendars.

**HR 1864** (By Jetton), Congratulating Logan John Pedersen on graduating as valedictorian of the Morton Ranch High School Class of 2023.

To Resolutions Calendars.

**HR 1865** (By Jetton), Congratulating Jasmine Vishun Benau on graduating as salutatorian of the Mayde Creek High School Class of 2023.

To Resolutions Calendars.

**HR 1866** (By Jetton), Congratulating Sodais Kader Ghulam on graduating as valedictorian of the Mayde Creek High School Class of 2023.

To Resolutions Calendars.

**HR 1867** (By Jetton), Congratulating Rohan Bala Srinivas on graduating as salutatorian of the Katy High School Class of 2023.

To Resolutions Calendars.

**HR 1868** (By Jetton), Congratulating Hudson Andrew Rhodes on graduating as valedictorian of the Katy High School Class of 2023.

To Resolutions Calendars.

**HR 1869** (By Jetton), Congratulating Evan Jin on graduating as salutatorian of the Jordan High School Class of 2023.

To Resolutions Calendars.

**HR 1870** (By Price), Commemorating Memorial Day 2023.

To Resolutions Calendars.

**HR 1871** (By M. González), Congratulating Marissa Núñez on being named the 2022-2023 Teacher of the Year at Paso Del Norte Fine Arts Academy in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1872** (By M. González), Congratulating Tyronne J. Burns on being named the 2022-2023 Teacher of the Year at El Dorado High School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1873** (By M. González), Congratulating Leticia Navarrette on being named the 2022-2023 Teacher of the Year at Sgt. Roberto Ituarte Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1874** (By M. González), Congratulating Jennifer L. Peterson on being named the 2022-2023 Teacher of the Year at Spc. Rafael Hernando III Middle School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1875** (By M. González), Congratulating Caitlyn Bowen on being named the 2022-2023 Teacher of the Year at Chester E. Jordan Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1876** (By M. González), Congratulating Ashley Corona on being named the 2022-2023 Teacher of the Year at Hurshel Antwine Middle School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1877** (By M. González), Congratulating Claudia Sustaita on being named the 2022-2023 Teacher of the Year at Purple Heart Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1878** (By M. González), Congratulating Perla Zamora on being named the 2022-2023 Teacher of the Year at Ben Narbuth Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1879** (By M. González), Congratulating Marisela Lopez on being named the 2022-2023 Teacher of the Year at Cactus Trails Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1880** (By M. González), Congratulating Lori Ann Marie Tejeda on being named the 2022-2023 Teacher of the Year at Sgt. Jose F. Carrasco Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1881** (By M. González), Congratulating Enrique Alberto Rey III on being named the 2022-2023 Teacher of the Year at Mission Ridge Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1882** (By Jetton), Congratulating Piyush Ankush Hole on graduating as valedictorian of the Jordan High School Class of 2023.

To Resolutions Calendars.

**HR 1883** (By Jetton), Congratulating Juliana Yili Zhou on graduating as salutatorian of the Cinco Ranch High School Class of 2023.

To Resolutions Calendars.

**HR 1884** (By M. González), Congratulating Elsa M. Griego on being named the 2022-2023 Teacher of the Year at James P. Butler Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1885** (By M. González), Congratulating Rosario Quiroga on being named the 2022-2023 Teacher of the Year at Dr. Sue A. Shook Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1886** (By M. González), Congratulating JoAnne M. Rubio on being named the 2022-2023 Teacher of the Year at Desert Wind Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1887** (By M. González), Congratulating Adriana Rodriguez on being named the 2022-2023 Teacher of the Year at John Drugan School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1888** (By M. González), Congratulating Arleen Parada on being named the 2022-2023 Teacher of the Year at Lujan-Chavez Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1889** (By M. González), Congratulating Mayté Marquez on being named the 2022-2023 Teacher of the Year at Escontrias STEAM Academy in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1890** (By M. González), Congratulating Brenda Ornelas on being named the 2022-2023 Teacher of the Year at Ernesto Serna School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1891** (By Jetton), Congratulating Haley Lucy Saxman on graduating as valedictorian of the Cinco Ranch High School Class of 2023.

To Resolutions Calendars.

**HR 1892** (By M. González), Congratulating Maria G. Fonseca on being named the 2022-2023 Teacher of the Year at Hueco Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1893** (By M. González), Congratulating Vivian Sanchez on being named the 2022-2023 Teacher of the Year at Horizon Heights Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1894** (By M. González), Congratulating Lizet Vasquez on being named the 2022-2023 Teacher of the Year at Campestre Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1895** (By M. González), Congratulating Sara Nelly Arvizu on being named the 2022-2023 Teacher of the Year at Robert R. Rojas Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1896** (By M. González), Congratulating Jazmin Gabriela Montanez on being named the 2022-2023 Teacher of the Year at H. D. Hilley Elementary School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1897** (By Lujan), Congratulating Taylor Nunez of Randolph High School in Universal City on winning four gold medals at the 2023 UIL Track & Field State Meet.

To Resolutions Calendars.

**HR 1898** (By M. González), Congratulating Phillip Chase on being named the 2022-2023 Teacher of the Year at SSG Manuel R. Puentes Middle School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1899** (By Lujan), Congratulating Sophia Bendet of Randolph High School in Universal City on winning two gold medals and a bronze medal at the 2023 UIL Track & Field State Meet.

To Resolutions Calendars.

**HR 1900** (By Lujan), In memory of Glenda Marie Lehnhoff of Universal City.

To Resolutions Calendars.

**HR 1901** (By M. González), Congratulating Ulisses Montes on being named the 2022-2023 Teacher of the Year at Clint High School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1902** (By Price), In memory of Sam F. Cartwright Jr. of Dumas.

To Resolutions Calendars.

**HR 1903** (By M. González), Congratulating J. M. Nohe on being named the 2022-2023 Teacher of the Year at Sun Ridge Middle School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1904** (By Price), Congratulating Gruver Elementary School and Gruver Junior High School on being named 2022 National Blue Ribbon Schools.

To Resolutions Calendars.

**HR 1905** (By M. González), Congratulating Veronica Parada on being named the 2022-2023 Teacher of the Year at Mountain View High School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1906** (By Price), Congratulating the Gruver High School girls' basketball team on winning the 2022 UIL 2A state championship.

To Resolutions Calendars.

**HR 1907** (By M. González), Congratulating Melissa Contreras on being named the 2022-2023 Teacher of the Year at Horizon High School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1908** (By M. González), Congratulating Natasha Hernandez on being named the 2022-2023 Teacher of the Year at Early College Academy in the Clint Independent School District.

To Resolutions Calendars.



**HR 1909** (By M. González), Congratulating Michael Franco on being named the 2022-2023 Teacher of the Year at Clint Junior High School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1910** (By M. González), Congratulating Melanie Tobias on being named the 2022-2023 Teacher of the Year at Salvador Sanchez Middle School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1911** (By M. González), Congratulating David Lopez on being named the 2022-2023 Teacher of the Year at East Montana Middle School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1912** (By M. González), Congratulating Danielle Nichole Garcia on being named the 2022-2023 Teacher of the Year at Socorro Middle School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1913** (By M. González), Congratulating Jerimiah Nelson on being named the 2022-2023 Teacher of the Year at Horizon Middle School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1914** (By M. González), Congratulating Bianca Gutierrez on being named the 2022-2023 Teacher of the Year at Col. John O. Ensor Middle School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1915** (By M. González), Congratulating Jessica Gonzalez on being named the 2022-2023 Teacher of the Year at Desert Hills Elementary School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1916** (By M. González), Congratulating Bianca Sanchez on being named the 2022-2023 Teacher of the Year at Montana Vista Elementary School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1917** (By M. González), Congratulating Brandon Gamboa on being named the 2022-2023 Teacher of the Year at Carroll T. Welch Elementary School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1918** (By M. González), Congratulating Venessa Gutierrez on being named the 2022-2023 Teacher of the Year at W. M. David Surratt Elementary School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1919** (By M. González), Congratulating Eric J. William Jr. on being named the 2022-2023 Teacher of the Year at Pebble Hills High School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1920** (By M. González), Congratulating Ernesto Lujan on being named the 2022-2023 Teacher of the Year at Ricardo Estrada Middle School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1921** (By M. González), Congratulating Cynthia Alvarado on being named the 2022-2023 Teacher of the Year at Frank Macias Elementary School in the Clint Independent School District.

To Resolutions Calendars.

**HR 1922** (By M. González), Congratulating Diana Gomez Arredondo on being named the 2022-2023 Teacher of the Year at Eastlake High School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1923** (By M. González), Congratulating Alfonso Vasquez Jr. on being named the 2022-2023 Teacher of the Year at Options High School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1924** (By M. González), Congratulating Rosa Rodriguez on being named the 2022-2023 Teacher of the Year at Johanna O'Donnell Intermediate School in the Fabens Independent School District.

To Resolutions Calendars.

**HR 1925** (By M. González), Congratulating Julieta Bañuelas on being named the 2022-2023 Teacher of the Year at Fabens High School in the Fabens Independent School District.

To Resolutions Calendars.

**HR 1926** (By M. González), Congratulating Christina Dominguez on being named the 2022-2023 Teacher of the Year at Fabens Elementary School in the Fabens Independent School District.

To Resolutions Calendars.

**HR 1927** (By M. González), Congratulating Antonio Castruita on being named the 2022-2023 Teacher of the Year at Mission Early College High School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1928** (By M. González), Congratulating Laura Roa on being named the 2022-2023 Teacher of the Year at Tornillo Intermediate School in the Tornillo Independent School District.

To Resolutions Calendars.

**HR 1929** (By M. González), Congratulating Jorge Silva on being named the 2022-2023 Teacher of the Year at Keys Academy in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1930** (By M. González), Congratulating Mabel N. Perales on being named the 2022-2023 Teacher of the Year at Socorro High School in the Socorro Independent School District.

To Resolutions Calendars.

**HR 1931** (By M. González), Congratulating Cynthia Franco on being named the 2022-2023 Teacher of the Year at Fabens Middle School in the Fabens Independent School District.

To Resolutions Calendars.

**HR 1932** (By M. González), Congratulating Maria Salcido on being named the 2022-2023 Teacher of the Year at Tornillo Elementary School in the Tornillo Independent School District.

To Resolutions Calendars.

**HR 1933** (By M. González), Congratulating Adriana Gonzalez on being named the 2022-2023 Teacher of the Year at Tornillo High School in the Tornillo Independent School District.

To Resolutions Calendars.

**HR 1934** (By M. González), Congratulating Aimee Granados on being named the 2022-2023 Teacher of the Year at Tornillo Junior High School in the Tornillo Independent School District.

To Resolutions Calendars.

**HR 1935** (By M. González), Congratulating Jessica Gonzalez on being named the 2022-2023 Teacher of the Year at San Elizario High School in the San Elizario Independent School District.

To Resolutions Calendars.

**HR 1936** (By M. González), Congratulating Myriam Sanchez on being named the 2022-2023 Teacher of the Year at Ann M. Garcia-Enriquez Middle School in the San Elizario Independent School District.

To Resolutions Calendars.

**HR 1937** (By M. González), Congratulating Zoe Covernalli on being named the 2022-2023 Rookie Teacher of the Year at San Elizario High School in the San Elizario Independent School District.

To Resolutions Calendars.

**HR 1938** (By M. González), Congratulating Nataly Ruiz on being named the 2022-2023 Rookie Teacher of the Year at Alfonso Borrego Sr. Elementary School in the San Elizario Independent School District.

To Resolutions Calendars.

**HR 1939** (By M. González), Congratulating Jessica Maldonado on being named the 2022-2023 Teacher of the Year at L. G. Alarcon Elementary School in the San Elizario Independent School District.

To Resolutions Calendars.

**HR 1940** (By M. González), Congratulating Krystal Mijarez on being named the 2022-2023 Teacher of the Year at Alfonso Borrego Sr. Elementary School in the San Elizario Independent School District.

To Resolutions Calendars.

**HR 1941** (By M. González), Congratulating Isabel Rodriguez on being named the 2022-2023 Teacher of the Year at Lorenzo Loya Primary School in the San Elizario Independent School District.

To Resolutions Calendars.

**HR 1942** (By M. González), Congratulating Diana Loya on being named the 2022-2023 Teacher of the Year at Josefa L. Sambrano Elementary School in the San Elizario Independent School District.

To Resolutions Calendars.

**HR 1943** (By Price), Congratulating the Gruver High School girls' basketball team on advancing to the 2023 UIL 2A state championship game.

To Resolutions Calendars.

**HR 1945** (By Price), Congratulating the Gruver High School girls' cross country team on winning the silver medal in the 2A competition at the 2022 UIL Cross Country State Championships.

To Resolutions Calendars.

**HR 1946** (By J. Lopez), Honoring Victoria R. Garcia of Harlingen High School for her accomplishments in masonry.

To Resolutions Calendars.

**HR 1947** (By Price), Congratulating the Bushland High School volleyball team on advancing to the 2022 UIL 3A state championship game.

To Resolutions Calendars.

**HR 1948** (By Price), Congratulating Dalton Leven of Dumas High School on winning a state championship at the 2023 Texas High School Powerlifting Association Division 2 State Meet.

To Resolutions Calendars.

**HR 1949** (By Price), Congratulating Sabien Perry of Dumas High School on winning a bronze medal at the 2023 Texas High School Powerlifting Association Division 2 State Meet.

To Resolutions Calendars.

**HR 1950** (By Price), Congratulating the Panhandle High School girls' track team on winning the silver medal in the 2A team competition at the 2022 UIL Track & Field State Meet.

To Resolutions Calendars.

**HR 1951** (By Price), Congratulating the Panhandle High School debate team for its performance in the 2022 UIL Cross-Examination Debate State Meet.

To Resolutions Calendars.

**HR 1952** (By Price), Commending Panhandle High School students on their performance in the 2023 UIL 2A Cross-Examination Debate State Meet.

To Resolutions Calendars.

**HR 1953** (By Meza), In memory of Herlinda Rangel Chacon of Uvalde.

To Resolutions Calendars.

**HR 1954** (By Price), Congratulating Victoria Vasquez of Palo Duro High School in Amarillo on winning a silver medal at the 2023 UIL Wrestling State Tournament.

To Resolutions Calendars.

**HR 1955** (By Price), Congratulating Zurri Zamora of Tascosa High School in Amarillo on winning a silver medal at the 2023 UIL Wrestling State Tournament.

To Resolutions Calendars.

**HR 1956** (By Price), Congratulating the boys' wrestling team from Tascosa High School in Amarillo on winning the 5A championship at the 2023 UIL Wrestling State Tournament.

To Resolutions Calendars.

**HR 1957** (By Cunningham), Congratulating Collin Porter of Kingwood on achieving the rank of Eagle Scout.

To Resolutions Calendars.

**HR 1958** (By Ortega), Commending the Mesa Hills Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1959** (By Ortega), Commending the Buena Vista Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1960** (By Ortega), Commending the Sierra Crest Homeowners Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1961** (By Ortega), Commending the Kern Place Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1962** (By Ortega), Commending the Rim Area Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1963** (By Ortega), Commending the Lost Padre Mine Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1964** (By Ortega), Commending the Golden Hills Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1965** (By Ortega), Commending the Central El Paso Community Organization for its service to the El Paso community.

To Resolutions Calendars.

**HR 1966** (By Ortega), Commending the El Paso High Neighborhood Improvement Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1967** (By Ortega), Commending the Houston Park Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1968** (By Ortega), Commending the Sunset Heights Neighborhood Improvement Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1969** (By Ortega), Commending the Southside Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1970** (By Ortega), Commending the Chihuahuita Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1971** (By Ortega), Commending the Central Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1972** (By Ortega), Commending the Chivas Town Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1973** (By Ortega), Commending the Manhattan Heights Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1974** (By Ortega), Commending the Five Points Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1975** (By Ortega), Commending the Five Points Development Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1976** (By Ortega), Commending the Texas Myrtle Business District Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1977** (By Ortega), Commending the Familias Unidas del Chamizal neighborhood association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1978** (By Ortega), Commending the St. Francis Community Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1979** (By Ortega), Commending the Lincoln Park Conservation Committee for its service to the El Paso community.

To Resolutions Calendars.

**HR 1980** (By Ortega), Commending the Val Verde Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1981** (By Ortega), Commending the Washington-Delta Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1982** (By Ortega), Commending the San Juan Neighborhood Improvement Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1983** (By Ortega), Commending the Corbin's/Sambrano Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1984** (By Ortega), Commending the Stiles Garden Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1985** (By Ortega), Commending the El Paso Lower Valley Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1986** (By Ortega), Commending the Rosedale Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1987** (By Ortega), Commending the Corridor 20 Civic Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1988** (By Ortega), Commending the Mission Valley Civic Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1989** (By Ortega), Commending the Sunnyfields Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1990** (By Ortega), Commending the Thomas Manor Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1991** (By Ortega), Commending the Playa Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1992** (By Ortega), Commending the YTP Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1993** (By Ortega), Commending the Save the Valley 21 neighborhood association for its service to the El Paso community.

To Resolutions Calendars.



**HR 1994** (By Ortega), Commending the Santa Lucia Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1995** (By Ortega), Commending the Yucca Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1996** (By Ortega), Commending the Holmsley Trail Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1997** (By Ortega), Commending the Lomaland Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1998** (By Ortega), Commending the Pueblo Viejo Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 1999** (By Ortega), Commending the Penrose Neighborhood Association for its service to the El Paso community.

To Resolutions Calendars.

**HR 2000** (By Spiller), In memory of Albina Ann Mages Schmitz of Gainesville.

To Resolutions Calendars.

**HR 2001** (By Herrero), Congratulating Jayden McCoy of Tuloso-Midway High School in Corpus Christi on winning a silver medal in the 4A long jump at the 2023 UIL Track & Field State Meet.

To Resolutions Calendars.

**HR 2002** (By Ordaz), Honoring the El Paso Veterans & Riders Association for its service to the community.

To Resolutions Calendars.

### **SIGNED BY THE SPEAKER**

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

#### **House List No. 22**

**HB 28, HB 59, HB 393, HB 541, HB 568, HB 591, HB 1212, HB 1297, HB 1382, HB 1455, HB 1575, HB 1706, HB 1745, HB 1750, HB 1989, HB 2059, HB 2063, HB 2209, HB 2306, HB 2353, HB 2373, HB 2708, HB 2777, HB 2899, HB 3301, HB 3390, HB 3526, HB 3643, HB 4018, HB 5348**

**Senate List No. 25**

**SB 62, SB 224, SB 478, SB 490, SB 622, SB 745, SB 820, SB 855, SB 876, SB 895, SB 922, SB 989, SB 1054, SB 1145, SB 1213, SB 1237, SB 1300, SB 1403, SB 1429, SB 1444, SB 1499, SB 1602, SB 1648, SB 1725, SB 1768, SB 2032, SB 2173**

**MESSAGES FROM THE SENATE**

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

**Message No. 1**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Wednesday, May 17, 2023

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

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

**THE SENATE HAS PASSED THE FOLLOWING MEASURES:**

**HB 6** Goldman SPONSOR: Huffman  
Relating to the designation of fentanyl poisoning or fentanyl toxicity for purposes of the death certificate and to the criminal penalties for certain controlled substance offenses; increasing a criminal penalty.  
(Committee Substitute/Amended)

**HB 162** Murr SPONSOR: Zaffirini  
Relating to minimum standards for prescribed burns.

**HB 207** Murr SPONSOR: Middleton  
Relating to the exclusion of certain conveyances from classification as sham or pretended sales.  
(Committee Substitute)

**HB 219** Noble SPONSOR: Johnson  
Relating to the release of a deed of trust or other contract lien securing a home loan after payoff by mortgagor.

**HB 260** Murr SPONSOR: Perry  
Relating to the calculation of net to land in the appraisal of open-space land for ad valorem tax purposes.

**HB 621** Shaheen SPONSOR: Hughes

Relating to creating a temporary certification to teach career and technology education for certain military service members and first responders.

(Committee Substitute)

**HB 1040**

Paul

SPONSOR: Zaffirini

Relating to the authority of entities regulated by the Texas Department of Insurance to conduct business electronically.

**HB 1225**

Metcalf

SPONSOR: Zaffirini

Relating to the administration of certain required assessment instruments in paper format.

**HB 1263**

Thompson, Senfronia

SPONSOR: Miles

Relating to the ability of a local authority to designate school crossing zones and school crosswalks at high school campuses located in certain municipalities.

(Amended)

**HB 1277**

Cain

SPONSOR: West

Relating to pedestrian use of a sidewalk.

(Amended)

**HB 1285**

Shine

SPONSOR: Springer

Relating to the training and duties of a taxpayer liaison officer for an appraisal district.

**HB 1416**

Bell, Keith

SPONSOR: Paxton

Relating to accelerated instruction provided to public school students who fail to achieve satisfactory performance on certain assessment instruments.

(Committee Substitute/Amended)

**HB 1712**

Canales

SPONSOR: Alvarado

Relating to the inclusion of a magistrate's name on certain signed orders.

(Committee Substitute)

**HB 1789**

Buckley

SPONSOR: Flores

Relating to the application of nepotism prohibitions to a person appointed or employed by a school district as a bus driver.

**HB 1859**

Schaefer

SPONSOR: Perry

Relating to the regulation of air conditioning and refrigeration contracting, including eligibility for an air conditioning and refrigeration technician registration or certification.

**HB 1957**

Geren

SPONSOR: King

Relating to the availability of financial information of nonprofit corporations for public inspection.

**HB 1959**

Noble

SPONSOR: King

Relating to the transfer of certain public school students who are children of peace officers.

**HB 1971**

Ashby

SPONSOR: Springer

Relating to the procedures for acting on a permit or permit amendment application by a groundwater conservation district and the disqualification of board members of groundwater conservation districts.

**HB 2012** Oliverson SPONSOR: Hughes  
Relating to the display of the national motto in public school and institution of higher education classrooms.

**HB 2024** Leach SPONSOR: King  
Relating to statutes of limitation and repose for certain claims arising out of residential construction.

**HB 2121** Paul SPONSOR: Springer  
Relating to the form of a rendition statement or property report used to render property for ad valorem tax purposes.  
(Committee Substitute)

**HB 2271** Kacal SPONSOR: Kolkhorst  
Relating to the protection of aquaculture operations.

**HB 2453** Guillen SPONSOR: Parker  
Relating to the issuance of a digital occupational license by a state agency, county, or municipality.

**HB 2518** Bell, Keith SPONSOR: Nichols  
Relating to required lease terms for public property leased to a nongovernmental entity; creating a criminal offense.

**HB 2568** Hayes SPONSOR: LaMantia  
Relating to a study of carrizo cane on the international border of this state.

**HB 2732** King, Tracy O. SPONSOR: Zaffirini  
Relating to cemeteries in certain municipalities.

**HB 2746** Thompson, Ed SPONSOR: Menéndez  
Relating to requirements related to refunds and credit provided under terminated debt cancellation agreements.

**HB 2901** Harris, Cody SPONSOR: Nichols  
Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.

**HB 3013** Slawson SPONSOR: Flores  
Relating to exempting certain contracts from procurement notice requirements.

**HB 3075** Kacal SPONSOR: Flores  
Relating to the operation of an unmanned aircraft over a correctional facility or detention facility; creating a criminal offense.

**HB 3222** Guillen SPONSOR: Kolkhorst  
Relating to eligibility for a loan under the disaster recovery loan program.

**HB 3447** Bonnen SPONSOR: Huffman

Relating to the establishment and administration of the Texas Space Commission and the Texas Aerospace Research and Space Economy Consortium.

(Amended)

**HB 3497** Morrison SPONSOR: Hinojosa

Relating to the requirement that certain persons taking oysters on a licensed commercial oyster boat obtain a commercial fisherman's license.

**HB 3514** Burns SPONSOR: Birdwell

Relating to the authority of a municipality to annex property in certain water districts.

**HB 3673** Perez SPONSOR: Zaffirini

Relating to an exemption for certain life insurance companies regarding the valuation of reserves.

**HB 3803** Cunningham SPONSOR: Paxton

Relating to allowing parents and guardians to elect for a student to repeat or retake a course or grade.

**HB 3993** Paul SPONSOR: Middleton

Relating to the automatic admission of students with a nontraditional secondary education to certain public institutions of higher education.

**HB 4005** Raney SPONSOR: Parker

Relating to the establishment of the Texas Competency-Based Education Grant Program for certain students enrolled in competency-based baccalaureate degree programs and to formula funding and dropped and repeated course restrictions for students enrolled in those degree programs at public institutions of higher education.

**HB 4101** Shine SPONSOR: Springer

Relating to the matters that may be the subject of limited binding arbitration to compel compliance with procedural requirements related to protests before appraisal review boards.

**HB 4443** Cunningham SPONSOR: Kolkhorst

Relating to the allocation of certain federal money provided under the Cranston-Gonzalez National Affordable Housing Act.

(Amended)

**HB 4700** Clardy SPONSOR: Nichols

Relating to the creation and operations of a health care provider participation program by the Nacogdoches County Hospital District.

**HB 5214** Spiller SPONSOR: Hughes

Relating to actions brought by the attorney general on behalf of certain persons under the Texas Free Enterprise and Antitrust Act of 1983.

(Amended)

**HB 5260** Bumgarner SPONSOR: Hancock

Relating to the office of vehicle fleet management's plan for the state's vehicle fleet.

**HB 5355**

Price

SPONSOR: Sparks

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.

**HB 5399**

Allison

SPONSOR: Menéndez

Relating to the creation of the Jones Avenue Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HJR 134**

Bonnen

SPONSOR: Middleton

Proposing a constitutional amendment to abolish the office of county treasurer of Galveston County.

**SB 379**

Huffman

SPONSOR: Howard

Relating to an exemption from sales and use taxes for certain family care items.

**SCR 52**

Gutierrez

SPONSOR: Kuempel

In memory of U.S. Air Force Lieutenant Colonel (Ret.) James D. Kniker.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

**SB 622**

(30 Yeas, 1 Nay)

**SB 1403**

(26 Yeas, 5 Nays)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

**SB 773**

Senate Conferees: Parker - Chair/Campbell/Creighton/Hughes/LaMantia

THE SENATE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

**SB 500**

(31 Yeas, 0 Nays)

**SB 1238**

(31 Yeas, 0 Nays)

Respectfully,

Patsy Spaw

Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Wednesday, May 17, 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

**HB 87** Murr SPONSOR: Hughes  
Relating to the presidential electors of this state.

**HB 165** Johnson, Ann SPONSOR: Whitmire  
Relating to the prosecution of and punishment for an aggravated assault occurring as part of a mass shooting; increasing a criminal penalty.

**HB 255** Swanson SPONSOR: Zaffirini  
Relating to notaries public; increasing the amount of certain fees.

**HB 282** Swanson SPONSOR: Hancock  
Relating to the issuance of specialty license plates for Gold Star family members and recipients of certain Texas military awards.  
(Committee Substitute)

**HB 473** Hull SPONSOR: Sparks  
Relating to parental rights regarding a threat assessment of a student conducted by a public school's threat assessment and safe and supportive school team.  
(Committee Substitute)

**HB 517** Johnson, Julie SPONSOR: Parker  
Relating to the persons who may provide information to a parole panel considering the release of an inmate on parole or to mandatory supervision.

**HB 562** Raymond SPONSOR: Flores  
Relating to the confidentiality of certain information received or maintained by the Veterans' Land Board.

**HB 584** Capriglione SPONSOR: Zaffirini  
Relating to the development of a state information technology credential offered by public junior colleges or public technical institutes to address shortages in the state information resources workforce.

**HB 608** Shaheen SPONSOR: Huffman

Relating to the sale of fireworks before and during the Diwali holiday.

**HB 616** Vasut SPONSOR: Zaffirini

Relating to continuing education instruction for district clerks on impaneling petit and grand juries.

**HB 659** Cook SPONSOR: Parker

Relating to specialty license plates issued for recipients of the Commendation Medal.

**HB 679** Bell, Keith SPONSOR: Schwertner

Relating to limitations on the use of workers' compensation insurance experience modifier values in soliciting and awarding public construction contracts.

(Committee Substitute)

**HB 697** Holland SPONSOR: Hughes

Relating to seller's disclosures regarding fuel gas piping in residential real property.

(Committee Substitute)

**HB 728** Rose SPONSOR: Zaffirini

Relating to the statewide interagency aging services coordinating council.

**HB 767** Harless SPONSOR: Kolkhorst

Relating to the entry into the Texas Crime Information Center of certain information regarding conditions of bond for stalking offenses.

**HB 841** Ordaz SPONSOR: Middleton

Relating to certain judicial statistics and related information gathered by the Texas Judicial Council.

**HB 852** Thierry SPONSOR: Kolkhorst

Relating to the composition of the Texas Maternal Mortality and Morbidity Review Committee.

(Committee Substitute)

**HB 898** Stucky SPONSOR: Parker

Relating to the offense of passing certain vehicles on a highway; increasing a criminal penalty.

**HB 907** Moody SPONSOR: Hinojosa

Relating to persons authorized to conduct a marriage ceremony.

**HB 1074** Hull SPONSOR: Zaffirini

Relating to construction of certain laws prohibiting discrimination, distinctions, inducements, rebates, and certain other conduct related to property and casualty insurance.

**HB 1106** Goodwin SPONSOR: Hall

Relating to the training of and the provision of acupuncture services by an acudetox specialist.

**HB 1114** Kacal SPONSOR: Kolkhorst



Relating to the service area of the Blinn Junior College District.

**HB 1195**

Holland

SPONSOR: Hall

Relating to the authority of certain county and district clerks to obtain and retain information that identifies a person filing a document or requesting services.

(Committee Substitute)

**HB 1221**

Metcalf

SPONSOR: Zaffirini

Relating to authorizing the comptroller to release a reported owner's unclaimed property to the owner's crime victim in certain circumstances and payment by the Texas Department of Criminal Justice of certain amounts owed by an inmate.

**HB 1381**

Hernandez

SPONSOR: Alvarado

Relating to the public hearing requirement for a preliminary zoning report made by a zoning commission.

**HB 1488**

Rose

SPONSOR: Miles

Relating to sickle cell disease health care improvement and the sickle cell task force.

**HB 1547**

Cook

SPONSOR: Hughes

Relating to claims for reimbursement between marital estates.

**HB 1587**

Oliverson

SPONSOR: Johnson

Relating to the use by insurance companies of separate accounts in connection with life insurance and annuities and certain other benefits.

**HB 1615**

Button

SPONSOR: Birdwell

Relating to strategies to increase the availability of child-care and prekindergarten programs.

**HB 1633**

Ortega

SPONSOR: Blanco

Relating to certain offenses regarding parking privileges of veterans with disabilities.

**HB 1689**

Murr

SPONSOR: Flores

Relating to the use of county hotel occupancy tax revenue for an electronic tax administration system and the reimbursement of tax collection expenses.

**HB 1819**

Cook

SPONSOR: Hughes

Relating to the repeal of the authority of political subdivisions to adopt or enforce juvenile curfews.

**HB 1826**

Turner

SPONSOR: Whitmire

Relating to the establishment of an organized retail theft task force.

**HB 1900**

Smithee

SPONSOR: Kolkhorst

Relating to notice of cancellation or nonrenewal of a property and casualty insurance policy.

(Committee Substitute)

**HB 1901**

Smithee

SPONSOR: Kolkhorst

Relating to the filing of an annual audit report by a title insurance company, title insurance agent, or direct operation.

**HB 1912** Button SPONSOR: West  
Relating to student buildings fees at The University of Texas at Dallas.

**HB 1925** Harless SPONSOR: Miles  
Relating to the continuation of a health care provider participation program by the Harris County Hospital District.

**HB 1964** Hernandez SPONSOR: Hall  
Relating to the release of a motor vehicle accident report to an employee or authorized representative of a vehicle storage facility.

**HB 2007** Martinez SPONSOR: Parker  
Relating to a certificate of merit in certain actions against certain licensed or registered professionals.

**HB 2016** Hernandez SPONSOR: Zaffirini  
Relating to the eligibility requirements for a license as a massage establishment, massage school, massage therapist, or massage therapy instructor.

**HB 2070** Cook SPONSOR: Hughes  
Relating to the continuation of spousal maintenance ordered under certain circumstances.

**HB 2083** Landgraf SPONSOR: Sparks  
Relating to the designation of a portion of Business Interstate Highway 20-E in Ector County as the Mac Wilson and Rex Young Medal of Honor Highway.

**HB 2195** Noble SPONSOR: Parker  
Relating to wrong, fictitious, altered, or obscured license plates; increasing a criminal penalty.

**HB 2196** Smithee SPONSOR: Parker  
Relating to trusts.

**HB 2248** Garcia SPONSOR: Alvarado  
Relating to designating September 30 as Vanessa Guillén Day.

**HB 2251** Raymond SPONSOR: Zaffirini  
Relating to computerized fee records in criminal cases.

**HB 2384** Leach SPONSOR: Hughes  
Relating to court administration, including the knowledge, efficiency, training, and transparency requirements for candidates for or holders of judicial offices.

**HB 2388** Harris, Cody SPONSOR: Springer  
Relating to memoranda of understanding between the Texas Water Development Board and other state agencies.

**HB 2459** Vo SPONSOR: Alvarado  
Relating to the administration of violations and administrative penalties of the employment of children.

- HB 2468** Burrows SPONSOR: Perry  
Relating to the entitlement of an injured employee to lifetime income benefits under the workers' compensation system.
- HB 2489** Kacal SPONSOR: Kolkhorst  
Relating to renaming the Texas Natural Resources Information System as the Texas Geographic Information Office and the duties of certain officers of that entity.
- HB 2497** Morrison SPONSOR: Huffman  
Relating to the use of municipal hotel occupancy tax revenue by certain municipalities.
- HB 2629** Rogers SPONSOR: Middleton  
Relating to the reporting of direct campaign expenditures by certain persons and political committees.
- HB 2674** Kitzman SPONSOR: Kolkhorst  
Relating to the application submitted to the comptroller for designation as a state depository.
- HB 2774** Thompson, Ed SPONSOR: Nichols  
Relating to the treatment of income tax expenses in rate proceedings for water and sewer utilities.
- HB 2802** Rose SPONSOR: Blanco  
Relating to the Medicaid application form and communication with Medicaid recipients.
- HB 2892** Buckley SPONSOR: Middleton  
Relating to the transfer of certain public school students who are children of certain military servicemembers.
- HB 2921** Paul SPONSOR: Alvarado  
Relating to the issuance of Antarctica Service Medal specialty license plates.
- HB 3099** Stucky SPONSOR: Parker  
Relating to the designation of a portion of U.S. Highway 380 in Wise and Jack Counties as the Lost Battalion Memorial Highway.  
(Committee Substitute)
- HB 3125** Gamez SPONSOR: Zaffirini  
Relating to the use of certain lighting equipment on authorized emergency vehicles.
- HB 3574** Lambert SPONSOR: Parker  
Relating to the regulation of state banks.
- HB 3582** Harris, Cody SPONSOR: Perry  
Relating to the composition and use of money in the flood infrastructure fund.
- HB 3698** Landgraf SPONSOR: Zaffirini

Relating to expanding access to the protective order registry and the inclusion of certain information regarding a person who is the subject of a protective order in that registry.

**HB 3813**

DeAyala

SPONSOR: Perry

Relating to eligibility to participate as an annuitant in the state employees group benefits program.

**HB 3989**

Raney

SPONSOR: Alvarado

Relating to the adoption of a policy on the preclusion of private design professionals from contracting with the Texas Department of Transportation.

**HB 4073**

Lozano

SPONSOR: Alvarado

Relating to the renewal of certain expired certificates issued by the Texas Commission on Fire Protection; authorizing a fee.

**HB 4166**

Klick

SPONSOR: Sparks

Relating to the packaging requirements for certain donated prescription drugs.

**HB 4210**

Lujan

SPONSOR: Campbell

Relating to the qualifications to serve as a member of a board of trustees of a military reservation school district and rules adopted by the State Board of Education for the governance of a special-purpose district.

**HB 4331**

Klick

SPONSOR: Sparks

Relating to the donors of certain unused prescription drugs.

**HB 4332**

Klick

SPONSOR: Sparks

Relating to the redistribution of donated prepackaged prescription drugs.

**HB 4381**

DeAyala

SPONSOR: Huffman

Relating to the suspension of a money judgment pending appeal in a civil action.

**HB 4559**

Darby

SPONSOR: Huffman

Relating to the application of statutes that classify political subdivisions according to population.

**HB 4615**

Bumgarner

SPONSOR: Hancock

Relating to the confidentiality of certain information concerning service members of the state military forces.

**HB 5232**

Spiller

SPONSOR: Hughes

Relating to civil penalties imposed for violations of the Texas Free Enterprise and Antitrust Act of 1983.

**HB 5325**

Gates

SPONSOR: Kolkhorst

Relating to the boundaries of the Fort Bend County Municipal Utility District No. 144.

**HB 5326**

Gates

SPONSOR: Kolkhorst

Relating to the creation of the Orchard Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5329** Gates SPONSOR: Kolkhorst  
Relating to the creation of the Fort Bend County Municipal Utility District No. 262; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5347** Oliverson SPONSOR: Kolkhorst  
Relating to the creation of the Harris County Municipal Utility District No. 597; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5350** Kitzman SPONSOR: Kolkhorst  
Relating to the creation of the Waller County Municipal Utility District No. 48; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 5362** Kitzman SPONSOR: Huffman  
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.

**HB 5366** Kacal SPONSOR: Kolkhorst  
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.

**HCR 4** Rogers SPONSOR: King  
Designating Mineral Wells as the official Wellness Capital of Texas for a 10-year period beginning in 2023.

**HCR 12** Lopez, Ray SPONSOR: Hall  
Designating September 22 as Texas Veterans Suicide Prevention Day for a 10-year period ending in 2033.

**HCR 36** Guillen SPONSOR: Zaffirini  
Urging Congress to ensure that the survivors and surviving families of the Sutherland Springs mass shooting receive compensation equivalent to the relief provided to those impacted by similar incidents.

**HCR 42** Leo-Wilson SPONSOR: Creighton  
Designating Winnie as the official Rice Capital of Texas for a 10-year period ending in 2033.

**HCR 45** Cook SPONSOR: Birdwell  
Redesignating the City of Mansfield as the official Pickle Capital of Texas for a 10-year period ending in 2033.

**HCR 61** Manuel SPONSOR: Creighton  
Designating Port Arthur as the official Cajun Capital of Texas for a 10-year period ending in 2033.

**HCR 75** Guillen SPONSOR: Hinojosa

Designating the first week of November as Municipal Courts Week for a 10-year period beginning in 2023.

**HCR 77**

Kuempel

SPONSOR: Zaffirini

Designating November as Texas Wildlife and Conservation Month for a 10-year period beginning in 2023.

**HCR 82**

Murr

SPONSOR: Flores

Designating Llano as the official Deer Capital of the Texas Hill Country for a 10-year period ending in 2033.

**HCR 83**

Guillen

SPONSOR: Zaffirini

Designating Floresville as the official Peanut Capital of Texas.

**HCR 86**

Jetton

SPONSOR: Kolkhorst

Expressing support for the strengthening of our partnership with Taiwan and for the expansion of Taiwan's role on the global stage.

**SB 1148**

West

Relating to terms for members of the state executive committee of the University Interscholastic League.

**SB 1930**

Kolkhorst

Relating to policies and procedures regarding children placed by the Department of Family and Protective Services in a residential treatment center or qualified residential treatment program.

**SB 2029**

Creighton

Relating to the administration of the Texas Innovative Adult Career Education (ACE) Grant Program by the Texas Higher Education Coordinating Board.

**SB 2086**

Kolkhorst

Relating to a property right in DNA; providing injunctive relief and a civil penalty; creating a criminal offense.

**SB 2273**

Kolkhorst

Relating to requiring semiannual school safety meetings in certain counties.

**SB 2422**

Creighton

Relating to the confidentiality of certain records containing applicant or student information that are held by the Texas Higher Education Coordinating Board.

**SB 2572**

Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 229; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose fees and taxes.

**SB 2574**

Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 228; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2584** Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 219; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2585** Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 235; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2595** Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 204; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2597** Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 237; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2604** Miles

Relating to the creation of the Harris County Municipal Utility District No. 589; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2609** Hughes

Relating to the creation of the Fannin Farms Municipal Utility District of Fannin County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2619** Creighton

Relating to the powers and duties of the Stanley Lake Municipal Utility District; providing authority to issue bonds; providing authority to impose fees and taxes.

**SCR 48** Hall

Directing the Texas Facilities Commission to name the new transit amenity center at 207 W. 14th Street in the Capitol Complex the "Lead On! Transit Amenity" in honor of Justin Dart.

Respectfully,

Patsy Spaw

Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**May 16**

County Affairs - **HB 2633**

Criminal Jurisprudence - **SB 129, SB 338, SB 467, SB 1346, SB 1518**

Culture, Recreation, and Tourism - **SB 1236, SCR 13**

Defense and Veterans' Affairs - **SB 493**

Elections - **SB 1933**

Environmental Regulation - **SB 471, SB 813, SB 1289, SB 1290, SB 1399**

Higher Education - **SB 18, SB 459**

Insurance - **SB 1140**

Licensing and Administrative Procedures - **SB 998, SB 1802, SB 1979, SB 2016, SB 2304**

Natural Resources - **SB 1745**

Public Education - **HCR 34, HCR 110**

Public Health - **SB 52, SB 867, SB 2017, SB 2133**

State Affairs - **SB 1094, SB 1308, SB 1367, SB 1525, SB 1710, SB 1900, SB 1929, SB 2119**

Ways and Means - **SB 3, SJR 3**

**ENROLLED**

**May 16 - HB 28, HB 59, HB 393, HB 541, HB 568, HB 591, HB 1212, HB 1297, HB 1382, HB 1455, HB 1575, HB 1706, HB 1745, HB 1750, HB 1989, HB 2059, HB 2063, HB 2209, HB 2306, HB 2353, HB 2373, HB 2708, HB 2777, HB 2899, HB 3301, HB 3390, HB 3526, HB 3643, HB 4018, HB 5348**

**SENT TO THE GOVERNOR**

**May 16 - HB 367, HB 567, HB 796, HB 1550, HB 1602, HB 1740, HB 1755, HB 1772, HB 1809, HB 1846, HB 1890, HB 2073, HB 2464, HB 2755, HB 3007, HB 3060, HB 3437, HB 3507, HB 3731, HB 4422, HB 4553, HB 4964**

**SENT TO THE SECRETARY OF THE STATE**

**May 16 - HJR 107**