

HOUSE JOURNAL

EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-FIRST DAY — WEDNESDAY, MAY 19, 2021

The house met at 10:21 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1245).

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

Absent, Excused — Cason; Lozano.

The invocation was offered by Representative Hernandez as follows:

Father, we thank you for giving us another day of life, and we thank you for bringing us together. We know that it's not a coincidence that we're here today. We know that you have a plan and a purpose for each one of us. We pray that you open our hearts, open our minds. We pray for guidance and discernment as we deliberate as a legislative body. We pray for wisdom from above to be able to overcome challenges and find solutions. We pray that you will renew our hearts with your strength and your purpose and keep our bodies healthy in these final days of session. In Jesus' name we pray. Amen.

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

LEAVE OF ABSENCE GRANTED

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

Lozano on motion of Stephenson.

MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 1 and 2).

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. 23).

RESOLUTIONS REFERRED TO COMMITTEES

Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

**ADDRESS BY REPRESENTATIVES CANALES,
RAYMOND, GUERRA, AND MUÑOZ**

The chair recognized Representative Canales who addressed the house, speaking as follows:

I'm going to try and make it through this without crying because it's that time of session. The father of our friend and colleague—Representative Muñoz's father, Sergio Muñoz Sr., went to be with our Lord on July 30, 2020. He was born on January 20, 1952, in Mission, Texas to the late Paulino Muñoz Sr. and Celia Cantú Muñoz. He is preceded in death by both his parents, his sister Maria Magdalena, brothers Domingo, Alejandro, and Jorge Luis Muñoz, and numerous aunts, uncles, and cousins. Left to cherish his memory are his wife of 44 years, Connie Bazán Muñoz; his children, Marla (Jaime) López and Sergio (María Elena) Muñoz Jr., our colleague; and his nephews and nieces he claimed as his own, J.J. (Melissa) Peña Jr. and Gerardo and Selina Alaniz. His grandchildren, who he adored, are Gael Garza, Carolina Peña, Sofía Peña, Aleksandro López, Arianna López, Sergio Muñoz III, and Caterina and María Elena Muñoz.

He was well known in his community and he lived life to the fullest. He loved his community, and he loved to spend time with his family and his friends, anyone who needed someone to lend an ear, including myself. I spoke to him, at times, for hours on the phone. You could usually find him on any given morning making his rounds to all the local restaurants with a cup of black coffee in his hand. He was usually surrounded by friends talking about his favorite topics which were politics, family, and Longhorn football. When he wasn't surrounded by friends, he was surrounded by his grandkids who were his pride and joy. He especially loved all his family traveling to Austin. You often saw him here. At the beginning of session, he would stand behind the rail and he would watch his son, who he was so proud of.

Sergio was raised in Los Ebanos, and he graduated valedictorian from La Joya High School in 1970. Growing up, he worked in the fields providing for his family, and as the oldest brother, he was entrusted with raising his younger brothers and sisters. For the last 20 years, Sergio Muñoz Sr. focused his time on being a strong advocate for the health care industry where he and his businesses worked to provide quality care for the elderly. On many occasions, he would provide those services to the less fortunate, without any financial gain. His chief priority was to assure that everyone had the appropriate care needed. Even if it meant some of his friends would quote him saying, "no tengo dinero"—I don't have any money—his eyes and his heart were always there to help someone. He would share whatever knowledge or connections he had to help them. He would make a phone call for you. It did not matter. It was very common to see him here, like I said, at the State Capitol, always with state or national leaders advocating for the needs of the Rio Grande Valley. He was a fierce, fierce advocate for our region. He served as the immediate past faithful navigator of the fourth degree for the Knights of Columbus-Bishop Garriga Assembly 1111. He also served as a grand knight of the St. John of the Fields Knights of Columbus Council. He was very involved with the Hidalgo County Democratic Party, proudly serving as first vice-chair and the precinct chair for Precinct 78.

I can't tell you enough about who he was. He was like a dad to me, and he's going to be greatly missed. I want to extend my sincerest condolences to the entire Muñoz family. I don't know if anyone else wants to join me.

The chair recognized Representative Raymond who addressed the house, speaking as follows:

I'm sorry Ms. Davis is not here. She and I are the last two members who were Class of 1992. Oh, she's back here, Ms. Davis? But Sergio and I got here together. I was looking last night, and I think we were 35 members in that class. We're down to two, but Sergio was one of my favorites. We had never met until we got elected. Like many of you all, you came in with your classmates, and they'll be some of the best friends you have for the rest of your life. I think you know that already. And Sergio was one of mine. We had some great times on this floor talking about everything from substance to the things that weren't as substantive and everything in between.

I never met someone who had more quiet confidence than Sergio did. And Sergio, you know what I'm talking about. Your dad was a very confident man, but he was not braggadocio. He wasn't full of himself like some of you guys are. I'm kidding, I'm kidding. Well, I'm not, really. But for example, I didn't know that he was at the top of his class, that he had graduated valedictorian of his class. That's a big deal, you know. I don't care where you're from. I never knew that he had a successful band. Some of you know that I put together a little band, and we weren't successful because we've never been paid to do anything. But he had a band back in the day, and I never knew about that until his son would tell me years later. So Sergio Sr. never bragged about that either, and that was a big deal. We all love music, and he was very successful at music. And then he decided to go into business and left that behind and then, of course, ended up here in the legislature.

I loved working with him, and more importantly, I loved him as a friend. We stayed in touch. We never stopped being in touch through the years after he left, and nothing gave me more joy than to see his son get elected and come and join us. And Sergio to me is like a little brother. I'm not quite old enough to be his dad—maybe I could be; I'm not sure. But he's like a little brother. And so when his dad got sick with COVID last year and he fought hard, it was a hard deal. And when we lost him, that was devastating for a lot of us, particularly for Sergio and his sister and his mom, because his dad was such a positive guy. He was so positive. I'd like to shed tears, but I focus on how Sergio was always so positive about life, about his family, about his community, about his friends, about everything that he touched and worked on. And he fought till the end to try to survive because he's someone that lived life. So I hate that we lost him, but I have no doubt that he's in heaven. I have no doubt that he continues to be very, very proud of his son, who we have the privilege of serving with. And I'm very, very proud that he's one of my classmates. I'm glad we're doing this. Terry, thank you for bringing it forth.

The chair recognized Representative Guerra who addressed the house, speaking as follows:

I'm from the Rio Grande Valley, Hidalgo County. In 2000, I was democratic party chairman for a few years, and I remember this guy when he was about that size. He used to be with his dad. His dad would bring him to the committee meetings and to party events. And I knew you were going to go someplace. And I knew you would be up here. He was always positive about everything, and all I can say is I have great, great memories of Sergio Sr. And I love sitting next to this guy here on the floor. God bless him, and thank you, Mr. Speaker, for letting me say these few words. And again, God bless you.

The chair recognized Representative Canales who addressed the house, speaking as follows:

He was just a good guy. If you'll all join us in a moment of silence. Thank you, members.

The chair recognized Representative Muñoz who addressed the house, speaking as follows:

Thank you to all of you for allowing of your time and for this recognition of my father who, as was mentioned before, was definitely just a great person and a great father. For all of you that would take the time to talk to him when he was outside the rail and just give of your time, I really appreciate that because as Representative Canales mentioned, he loved politics. There were times we even thought maybe he loved it just as much as his family. But he enjoyed it. He just lived for it. He was just a great person who lived life to the fullest, as was mentioned. He enjoyed every minute of it. He is, I know, watching down from heaven. And I know I never got the chance to say goodbye to him or thank you, but I do know that for all of us that believe, he is in a better place. And we trust in God's plan and the reason for why things happen like they do.

So I just want to say thank you and just ask you for your continued prayers, not only for my family but for all those that have lost a loved one. I know Representative Thierry was here not too long ago talking about her father. We all go through challenges and obstacles, and a lot of times maybe we're not showing it, but definitely the prayers are what allow us to keep going forward and to stand tall and stand proud and continue to do our best for the people that we represent and the people of this great State of Texas. And it really is a blessing to serve and to be here with each and every one of you. So not only pray for my family but pray for all of those, pray for each one of us that is here because we truly are trying to do our best. And at times we disagree, but I know that's just part of the process. One of the quotes that we used when my father passed away is by Abraham Lincoln, who said: "In the end, it's not the years in your life that count; It's the life in your years." And in his 68 years of life, he did the best that he could living those years and doing his best for his family. And for that, I'm just honored and proud. Thank you very much for giving me this opportunity for this recognition.

REMARKS ORDERED PRINTED

Representative Huberty moved to print remarks by Representative Canales, Representative Raymond, Representative Guerra, and Representative Muñoz.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

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

Bonnen on motion of Goldman.

MAJOR STATE CALENDAR SENATE BILLS THIRD READING

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

SB 702 ON THIRD READING (Paddie - House Sponsor)

SB 702, A bill to be entitled An Act relating to the continuation and functions of the Prepaid Higher Education Tuition Board.

SB 702 was passed by (Record 1246): 133 Yeas, 13 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.;

Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Cook; Gates; Hefner; Israel; Krause; Leach; Middleton; Slaton; Slawson; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cason; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

STATEMENT OF VOTE

When Record No. 1246 was taken, I was shown voting yes. I intended to vote no.

Toth

SB 707 ON THIRD READING

(Lambert, Canales, Paddie, Goldman, and Cyrier - House Sponsors)

SB 707, A bill to be entitled An Act relating to the continuation and functions of the Credit Union Department and the Credit Union Commission.

SB 707 was passed by (Record 1247): 136 Yeas, 9 Nays, 1 Present, not voting.

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

Nays — Biedermann; Cain; Krause; Leach; Patterson; Slaton; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cason; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Coleman.

SB 709 ON THIRD READING
(Canales and Cortez - House Sponsors)

SB 709, A bill to be entitled An Act relating to the continuation and functions of the Texas Commission on Fire Protection.

SB 709 was passed by (Record 1248): 145 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Slaton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cason; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING

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

SB 1821 ON THIRD READING
(Canales - House Sponsor)

SB 1821, A bill to be entitled An Act relating to procurement of a contingent fee contract for legal services by certain governmental entities.

SB 1821 was passed by (Record 1249): 145 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cason; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Shine.

SB 911 ON THIRD READING
(Burrows and Pacheco - House Sponsors)

SB 911, A bill to be entitled An Act relating to the regulation of restaurants and third-party food delivery services, including the issuance of certain alcoholic beverage certificates to restaurants.

SB 911 was passed by (Record 1250): 134 Yeas, 11 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.;

Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Cook; Middleton; Patterson; Schofield; Shaheen; Slaton; Toth; Vasut; Wilson.

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

Absent, Excused — Cason; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

STATEMENTS OF VOTE

When Record No. 1250 was taken, I was shown voting no. I intended to vote yes.

Cook

When Record No. 1250 was taken, I was shown voting yes. I intended to vote no.

Swanson

When Record No. 1250 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

SB 550 ON THIRD READING (Spiller - House Sponsor)

SB 550, A bill to be entitled An Act relating to the manner of carrying a handgun by a person who holds a license under Subchapter H, Chapter 411, Government Code.

SB 550 was passed by (Record 1251): 144 Yeas, 2 Nays, 1 Present, not voting.

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

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

Nays — Beckley; Ramos.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cason; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

SB 281 ON THIRD READING
(Lucio - House Sponsor)

SB 281, A bill to be entitled An Act relating to the use of hypnotically induced statements in a criminal trial.

Amendment No. 1

Representative Lucio offered the following amendment to **SB 281**:

Amend **SB 281** on third reading, immediately following the last sentence of added Article 38.24(c), Code of Criminal Procedure, by inserting the following: Notwithstanding Article 38.23, this article does not affect the admissibility of any physical evidence, or the testimony of any witness identified, that corroborates the crime.

LEAVE OF ABSENCE GRANTED

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

Coleman on motion of Herrero.

(Murr in the chair)

SB 281 - (consideration continued)

A record vote was requested by Representative Canales.

Amendment No. 1 failed of adoption by (Record 1252): 68 Yeas, 74 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bowers; Campos; Clardy; Cole; Cyrier; Deshotel; Frank; Frullo; Gates; Gervin-Hawkins; Goodwin; Harless; Hernandez; Herrero; Hinojosa; Huberty; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Larson; Longoria; Lopez; Lucio; Meza; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Morrison; Murphy; Noble; Oliverson; Ordaz

Perez; Ortega; Paddie; Perez; Price; Raney; Rogers; Rose; Rosenthal; Schofield; Shine; Smithee; Stephenson; Swanson; Thompson, E.; Tinderholt; Turner, C.; Vo; White; Wu; Zwiener.

Nays — Bernal; Biedermann; Buckley; Bucy; Burns; Button; Cain; Canales; Capriglione; Collier; Cook; Cortez; Craddick; Crockett; Darby; Davis; Dean; Dominguez; Dutton; Ellzey; Fierro; Geren; Goldman; González, J.; González, M.; Guerra; Guillen; Harris; Holland; Howard; Hull; Hunter; Israel; Jetton; Klick; Krause; Landgraf; Leach; Leman; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Moody; Muñoz; Neave; Pacheco; Parker; Patterson; Paul; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sanford; Schaefer; Shaheen; Sherman; Slaton; Slawson; Smith; Spiller; Stucky; Talarico; Thierry; Thompson, S.; Toth; Turner, J.; VanDeaver; Vasut; Walle; Wilson.

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

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Burrows; Hefner.

STATEMENTS OF VOTE

When Record No. 1252 was taken, I was shown voting no. I intended to vote yes.

Bernal

When Record No. 1252 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

SB 281 was passed by (Record 1253): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Larson.

SB 586 ON THIRD READING
(Spiller - House Sponsor)

SB 586, A bill to be entitled An Act relating to the filing of certain reports by distributors of certain off-highway vehicles purchased outside this state; providing civil penalties.

SB 586 was passed by (Record 1254): 125 Yeas, 18 Nays, 2 Present, not voting.

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

Nays — Beckley; Biedermann; Cain; Dean; Ellzey; Hefner; Krause; Leach; Patterson; Schaefer; Shaheen; Slaton; Slawson; Smith; Tinderholt; Toth; Vasut; Wilson.

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

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Klick.

STATEMENTS OF VOTE

When Record No. 1254 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 1254 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 1254 was taken, I was in the house but away from my desk. I would have voted yes.

Klick

When Record No. 1254 was taken, I was shown voting yes. I intended to vote no.

Lambert

**SB 997 ON THIRD READING
(Harris - House Sponsor)**

SB 997, A bill to be entitled An Act relating to procedural requirements for the review of a contractual rate charged for the furnishing of raw or treated water or water or sewer service.

SB 997 was passed by (Record 1255): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Rosenthal.

STATEMENT OF VOTE

When Record No. 1255 was taken, my vote failed to register. I would have voted yes.

Rosenthal

SB 760 ON THIRD READING (Shaheen - House Sponsor)

SB 760, A bill to be entitled An Act relating to the removal of solar power facilities.

SB 760 was passed by (Record 1256): 144 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

SB 197 ON THIRD READING (Noble, Meyer, Buckley, C. Turner, Rodriguez, et al. - House Sponsors)

SB 197, A bill to be entitled An Act relating to a sales and use tax exemption for animals adopted from or sold by nonprofit animal welfare organizations.

SB 197 was passed by (Record 1257): 143 Yeas, 0 Nays, 3 Present, not voting.

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

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

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

SB 312 ON THIRD READING (Smith - House Sponsor)

SB 312, A bill to be entitled An Act relating to the punishment for the criminal offense of improper sexual activity with a person in custody; increasing a criminal penalty.

Amendment No. 1

Representative Smith offered the following amendment to **SB 312**:

Amend **SB 312** on third reading by striking the SECTION of the bill amending Section 22.012, Penal Code.

Amendment No. 1 was adopted.

SB 312, as amended, was passed by (Record 1258): 144 Yeas, 0 Nays, 2 Present, not voting.

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

Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

COMMITTEE MEETING ANNOUNCEMENT

At 11:23 a.m., the following committee meeting was announced:

State Affairs, upon final adjournment or recess or during bill referral, if permission is granted, today, 1W.14, for a formal meeting, to consider pending and referred business.

SB 808 ON THIRD READING (Krause - House Sponsor)

SB 808, A bill to be entitled An Act relating to recovery of attorney's fees in certain civil cases.

Representative Krause moved to postpone consideration of **SB 808** until 11:45 a.m. today.

The motion prevailed.

GENERAL STATE CALENDAR SENATE BILLS SECOND READING

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

CSSB 22 ON SECOND READING (Patterson, Collier, Burrows, Hunter, and Canales - House Sponsors)

CSSB 22, A bill to be entitled An Act relating to certain claims for benefits, compensation, or assistance by certain public safety employees and survivors of certain public safety employees.

Amendment No. 1

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

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

(1) In SECTION 5 of the bill, in added Section 607.0545, Government Code (page 5, between lines 23 and 24), insert the following:

(e) This section expires September 1, 2023.

(2) In SECTION 7 of the bill, in added Section 607.058(d), Government Code (page 7, line 16), after the underlined period, insert "This subsection expires September 1, 2023."

(3) In SECTION 7 of the bill, in added Section 607.058(e), Government Code (page 7, line 22), after the underlined period, insert "This subsection expires September 1, 2023."

(4) In SECTION 8 of the bill, strike added Section 409.0092(a), Labor Code (page 7, line 26, through page 8, line 5), and substitute the following:

(a) An injured employee who is subject to Section 607.0545, Government Code, and whose claim for benefits is determined to be compensable by an insurance carrier or the division, may request reimbursement for health care paid by the employee, including copayments and partial payments, by submitting to the carrier a legible written request and documentation showing the amounts paid to the health care provider.

(5) In SECTION 8 of the bill, in added Section 409.0092, Labor Code (page 8, between lines 16 and 17), insert the following:

(d) This section expires September 1, 2023.

(6) In SECTION 10(a) of the bill (page 9, line 10), strike ", compensation, or assistance pending on or".

(7) In SECTION 10(a) of the bill (page 9, line 12), strike ", compensation, or assistance".

(8) In SECTION 10(a) of the bill (page 9, lines 12 and 13), strike ", other than a claim pending on that date,".

(9) In SECTION 10(b) of the bill (page 9, line 16), between "person" and "who", insert "subject to Section 607.0545, Government Code, as added by this Act,".

(10) In SECTION 10(b) of the bill (page 9, line 21), strike ", compensation, or assistance".

(11) In SECTION 10(c) of the bill (page 10, line 1), between "409.003," and "410.169," insert "409.007,".

(12) In SECTION 10(c) of the bill (page 10, line 1), between "person" and "who", insert "subject to Section 607.0545, Government Code, as added by this Act,".

(13) In SECTION 10(c) of the bill (page 10, line 5), strike ", compensation, or assistance".

Amendment No. 1 was adopted.

Amendment No. 2

Representative C. Turner offered the following amendment to **CSSB 22**:

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

(1) In SECTION 1 of the bill, in the heading to Subchapter B, Chapter 607, Government Code (page 1, line 9), strike "CORRECTIONS EMPLOYEES" and substitute "CUSTODIAL OFFICERS".

(2) In SECTION 2 of the bill, strike amended Section 607.051(1), Government Code (page 1, lines 14-16), and substitute the following:

(1) "Custodial officer" has the meaning assigned by Section 811.001.

(3) Strike "corrections employee" and substitute "custodial officer" in each of the following places in which it appears:

- (A) page 2, line 1;
- (B) page 2, line 4;
- (C) page 2, line 14;
- (D) page 2, line 25;
- (E) page 3, line 10;
- (F) page 3, line 14;
- (G) page 3, line 18;
- (H) page 4, line 13;
- (I) page 4, line 20;
- (J) page 4, line 22;
- (K) page 5, lines 6 and 7;
- (L) page 5, line 14;
- (M) page 6, lines 13 and 14;
- (N) page 6, line 22;
- (O) page 7, line 5;
- (P) page 7, line 14;
- (Q) page 7, line 19; and
- (R) page 8, line 19.

(4) Strike "corrections employee's" and substitute "custodial officer's" in each of the following places in which it appears:

- (A) page 6, line 2; and
- (B) page 8, line 25.

Amendment No. 2 was adopted.

CSSB 22 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE CANALES: Once again I want to thank you for all your hard work in trying to navigate this. This is not an easy subject and obviously there's many moving parts. For legislative intent, I'm going to ask you some questions, please, and bear with me. I want to make sure and so do the interested parties that this applies retroactively to first responders who have had claims denied or who've not already filed a claim in regard to COVID-19. Is that what this bill does currently?

REPRESENTATIVE PATTERSON: Yes. In fact, it actually gives folks, I believe, up to six months to go back and file a claim if they didn't file one initially. It gives them that time period to go back and file a claim so that they are protected under this bill.

CANALES: So after reviewing the bill, I've noted that the bill applies to first responders who tested positive for COVID-19 within 14 days of last working. Now, if a first responder gets sick and goes home to quarantine but doesn't take the test and is not diagnosed with having COVID-19, how would the presumption work for that person?

PATTERSON: For the presumption to go into effect, they would have to have an FDA-approved test, a positive test showing that they actually had COVID-19. We can't just take their word for it.

CANALES: So but those people would still, under this bill, be able to retroactively apply—they'd be covered—even though they went home to quarantine and later found out that that was an underlying cause by an FDA-approved test. Is that correct?

PATTERSON: If they have an FDA-approved test, yes, sir.

CANALES: Okay. So would it cover a person who gets sick and dies but never had the test before dying?

PATTERSON: It would require an FDA-approved test to qualify for the benefit.

CANALES: So is it your understanding that we're able to determine postmortem that somebody could be tested and they could determine that the virus existed in the body?

PATTERSON: If they had an FDA-approved test.

CANALES: Okay. Now, will the presumptions still apply to COVID variants in the future? Variants of COVID-19—we've seen different variants around the world. Would this bill apply to the different variants of COVID-19?

PATTERSON: I'm looking for the language specifically, and if it doesn't, you know, we might be able to work on a third reading amendment on that. But at the end of the day, the language states "severe acute respiratory syndrome coronavirus 2, (SARS-CoV-2) or coronavirus disease 2019 (COVID-19)" and so it's meant to cover those types of viruses.

CANALES: Is it your legislative intent—because we have seen, as you're well aware, we've seen different variants from different parts of the world make it to the United States to affect our first responders. Is it your legislative intent that this bill would cover those variants of COVID-19?

PATTERSON: Yes.

CANALES: Now that your amendment is on the bill, I noticed that the expiration date is in 2023. What is the intent and what effect will that have on the rest of the bill now that your amendment is on with the 2023 provision? Is it just that we sunset it and review it?

PATTERSON: Yes, sir. I mean, that amendment was a sunset amendment for September 1, 2023. It gives us time to get through next session to do anything that we need to do to clean this up. I think that one of the concerns is whether or not COVID is going to become an ordinary disease of life moving forward. But with the vaccine out there so much and with so many people that have gotten the vaccine, the virus has really fallen off a cliff. So we're hoping that this is not an issue moving forward. But if it is, we can come back next session and address that.

CANALES: So we're going to be able to review it and see if we're on the right track. Okay. Now that the amendment is on, additionally, your bill strikes—it struck the words "compensation" and "assistance" in that Section 10. So why are we striking "compensation" and—

PATTERSON: I'm sorry. Where are you at in the bill?

CANALES: With Section 10, because your amendment's been adopted.

PATTERSON: Are you talking about the amendment or the bill?

CANALES: The amendment. You can look at the amendment, but it's on the bill now. But on the amendment that you adopted to this bill, in Section 10, it strikes the words "compensation" and "assistance."

PATTERSON: That's just cleanup language.

CANALES: Okay. What's the practical effect of those being struck?

PATTERSON: It's a cleaner bill for all the parties to be able to get through, the Texas Workforce Commission to get through.

CANALES: Does the striking of those two words limit the benefits that a first responder can receive under workers' compensation?

PATTERSON: No.

CANALES: That's not your legislative intent?

PATTERSON: No.

CANALES: So your legislative intent by striking those two words does not limit the benefits that a first responder can receive under the workers' compensation?

PATTERSON: Right, Section 409—

CANALES: I'm having trouble hearing you, but you said that's correct?

PATTERSON: That's correct.

REMARKS ORDERED PRINTED

Representative Canales moved to print remarks between Representative Patterson and Representative Canales on **CSSB 22**.

The motion prevailed.

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

(Cain in the chair)

CSSB 1160 ON SECOND READING (Paul - House Sponsor)

CSSB 1160, A bill to be entitled An Act relating to the creation of the Gulf Coast Protection District; providing authority to issue bonds; providing authority to impose fees; providing authority to impose a tax; granting the power of eminent domain.

Amendment No. 1

Representative Paul offered the following amendment to **CSSB 1160**:

Amend **CSSB 1160** (house committee printing) on page 8, line 18, between "transmission" and "line" by inserting "or distribution".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Middleton offered the following amendment to **CSSB 1160**:

Amend **CSSB 1160** (house committee printing) on page 7 by striking lines 10 through 13 and substituting the following:

Sec. 9502.0302. TAXES AND BONDS. (a) The district may impose an ad valorem tax or issue bonds payable from ad valorem taxes only if:

(1) a written petition has been filed with the board requesting an election to approve the imposition of the tax signed by at least five percent of the registered voters in each county in the territory of the district; and

(2) the imposition of the tax is approved by the voters of the district voting at the requested election, which must be held in the manner provided by Chapter 49, Water Code.

Amendment No. 2 was adopted. (The vote was reconsidered later today, and Amendment No. 2 was withdrawn.)

Amendment No. 3

Representative Middleton offered the following amendment to **CSSB 1160**:

Amend **CSSB 1160** (house committee printing) on page 11, between lines 7 and 8, by inserting the following:

Sec. 9502.03081. EXPENDITURE ON LOBBYIST PROHIBITED. The board may not approve an expenditure to hire or contract with an individual required to register under Chapter 305, Government Code.

Amendment No. 3 was adopted. (The vote was reconsidered later today, and Amendment No. 3 was withdrawn.)

Representative Paul moved to postpone consideration of **CSSB 1160** until 12:30 p.m. today.

The motion prevailed.

(Speaker in the chair)

POSTPONED BUSINESS

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

**SB 808 ON THIRD READING
(Krause - House Sponsor)**

SB 808, A bill to be entitled An Act relating to recovery of attorney's fees in certain civil cases.

SB 808 was read third time earlier today and was postponed until this time.

SB 808 was passed by (Record 1259): 140 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Frullo; Kuempel; Pacheco; Raney; Slaton.

STATEMENT OF VOTE

When Record No. 1259 was taken, I was in the house but away from my desk. I would have voted yes.

Slaton

GENERAL STATE CALENDAR (consideration continued)

SB 1588 ON SECOND READING (C. Turner - House Sponsor)

SB 1588, A bill to be entitled An Act relating to the powers and duties of certain property owners' associations.

Amendment No. 1

Representative C. Turner offered the following amendment to **SB 1588**:

Amend **SB 1588** (house committee report) as follows:

(1) On page 2, strike lines 15 through 22 and substitute the following:

Sec. 207.006. ONLINE SUBDIVISION INFORMATION REQUIRED. (a)

This section applies only to:

(1) the property owners' association of a subdivision composed of at least 40 lots; or

(2) a property owners' association that has contracted with a management company.

(b) A property owners' association to which this section applies shall make the current version of the association's dedicatory instruments relating to the association or subdivision and filed in the county deed records available on an Internet [a] website:

(1) maintained by [if] the association [has,] or a management company on behalf of the association; and

(2) available to association members [~~maintains, a publicly accessible website~~].

(2) On page 3, line 18, immediately after the underlined semicolon, strike "and".

(3) On page 3, line 19, strike "(8)" and substitute the following:

(8) the amount and description of a fee or fees charged by or on behalf of the association relating to a property transfer in the subdivision; and

(9)

(4) Between page 6, line 27, and page 7, line 1, insert the following:

(i) The board may affirm, modify, or reverse, in whole or in part, any decision of the architectural review authority as consistent with the subdivision's declaration.

(5) On page 11, lines 6 and 7, strike "delinquent payment history" and substitute "the delinquent payment history of".

(6) On page 11, between lines 15 and 16, insert the following:

(c) A property owners' association may not charge a fee to an individual property owner for the reporting under Subsection (b) of the delinquent payment history of assessments, fines, and fees of property owners within the association's jurisdiction to a credit reporting service.

Amendment No. 2

Representative Huberty offered the following amendment to Amendment No. 1:

Amend the C. Turner Amendment to **SB 1588** by Hughes as follows:

On page 1, line 7, strike "40" and replace with "60"

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

Amendment No. 3

Representative Goodwin offered the following amendment to **SB 1588**:

Amend **SB 1588** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 209.0052, Property Code, is amended by adding Subsection (c) to read as follows:

(c) In addition to the other applicable requirements of this section, an association that proposes to contract for services that will cost more than \$50,000 shall solicit bids or proposals using a bid process established by the association.

SECTION _____. Section 209.0052(c), Property Code, as added by this Act, applies only to a contract for services proposed by a property owners' association on or after the effective date of this Act.

Amendment No. 3 was adopted.

Amendment No. 4

Representative J.D. Johnson offered the following amendment to **SB 1588**:

Amend **SB 1588** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 202.006, Property Code, is amended by adding Subsection (c) to read as follows:

(c) A property owners' association may not collect a regular assessment, as defined by Section 209.002, if the dedicatory instrument authorizing the collection of the regular assessment is not filed as required by Subsection (a).

Amendment No. 4 was adopted.

Amendment No. 5

On behalf of Representative Bonnen, Representative C. Turner offered the following amendment to **SB 1588**:

Amend **SB 1588** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 202, Property Code, is amended by adding Section 202.023 to read as follows:

Sec. 202.023. SECURITY MEASURES. (a) This section does not apply to a master mixed-use property owners' association subject to Chapter 215.

(b) Except as provided by Subsection (c), a property owners' association may not adopt or enforce a restrictive covenant that prevents a property owner from building or installing security measures, including but not limited to a security camera, motion detector, or perimeter fence.

(c) This section does not prohibit a property owners' association from regulating the type of fencing that a property owner may install.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Schofield offered the following amendment to **SB 1588**:

Amend **SB 1588** (house committee printing) as follows:

On page 1, line 5, insert the following and renumber subsequent sections accordingly:

SECTION 1. Sections 202.018(a) and (b), Property Code, are amended to read as follows:

(a) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a provision in a dedicatory instrument, including a restrictive covenant, that prohibits a property owner or resident from displaying or affixing on the [entry to the] owner's or resident's property or dwelling one or more religious items the display of which is motivated by the owner's or resident's sincere religious belief.

(b) This section does not prohibit the enforcement or adoption of a provision in a dedicatory instrument, including a restrictive covenant, that, to the extent allowed by the constitution of this state and the United States, prohibits the display or affixing of a religious item on the [entry to the] owner's or residents's property or dwelling that:

(1) threatens the public health or safety;
 (2) violates a law other than a law prohibiting the display of religious speech;

(3) contains language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content;

(4) is installed on property:
 (A) owned or maintained by the property owners' association; or
 (B) owned in common by members of the property owners' association;

(5) violates any applicable building line, right-of-way, setback, or easement; or

(6) is attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole, or fixture [in a location other than the entry door or door frame or extends past the outer edge of the door frame of the owner's or resident's dwelling; or

~~(5) individually or in combination with each other religious item displayed or affixed on the entry door or door frame has a total size of greater than 25 square inches].~~

SECTION 2. On page 13, line 19, between "(1)" and "Sections", insert the following and renumber the remaining subsections accordingly:

(1) Sections 202.018(c) and (d);

Amendment No. 6 was adopted.

Amendment No. 7

Representative Toth offered the following amendment to **SB 1588**:

Amend **SB 1588** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 202, Property Code, is amended by adding Section 202.022 to read as follows:

Sec. 202.022. SWIMMING POOL ENCLOSURES. (a) In this section, "swimming pool enclosure" means a fence that:

(1) surrounds a water feature, including a swimming pool or spa;

(2) consists of transparent mesh or clear panels set in metal frames;

(3) is not more than six feet in height; and

(4) is designed to not be climbable.

(b) A property owners' association:

(1) may not adopt or enforce a provision in a dedicatory instrument that prohibits or restricts a property owner from installing on the property owner's property a swimming pool enclosure that conforms to applicable state or local safety requirements; and

(2) may adopt and enforce a provision in a dedicatory instrument establishing limitations related to the appearance of a swimming pool enclosure, including limitations establishing permissible colors for a swimming pool enclosure, provided that the provision does not prohibit a swimming pool enclosure that is black in color and consists of transparent mesh set in metal frames.

Amendment No. 7 was adopted.

A record vote was requested by Representative Harris.

SB 1588, as amended, was passed to third reading by (Record 1260): 142 Yeas, 2 Nays, 1 Present, not voting.

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

Nays — Beckley; Stephenson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Morales Shaw.

STATEMENT OF VOTE

When Record No. 1260 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

**SB 1588 - RULES SUSPENDED
HOUSE SPONSOR AUTHORIZED**

Representative C. Turner moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 1588** all joint authors and co-authors for **HB 3367**.

The motion prevailed.

**SB 1525 ON SECOND READING
(Parker - House Sponsor)**

SB 1525, A bill to be entitled An Act relating to the administration of the governor's university research initiative.

SB 1525 was passed to third reading.

**SB 1449 ON SECOND READING
(Murphy - House Sponsor)**

SB 1449, A bill to be entitled An Act relating to the exemption from ad valorem taxation of income-producing tangible personal property having a value of less than a certain amount.

SB 1449 was passed to third reading.

**SB 742 ON SECOND READING
(Anderson - House Sponsor)**

SB 742, A bill to be entitled An Act relating to installment payments of ad valorem taxes on property in a disaster area or emergency area.

SB 742 was passed to third reading.

**SB 626 ON SECOND READING
(Moody - House Sponsor)**

SB 626, A bill to be entitled An Act relating to guardianships, management trusts, and certain other procedures and proceedings for persons who are incapacitated.

Amendment No. 1

Representatives Leach and Moody offered the following amendment to **SB 626**:

Amend **SB 626** (house committee printing) as follows:

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

SECTION _____. Section 30.014(a), Civil Practice and Remedies Code, is amended to read as follows:

(a) In a civil action, including a probate or guardianship proceeding, filed in a district court, county court, ~~or~~ statutory county court, or statutory probate court, each party or the party's attorney shall include in its initial pleading:

(1) the last three numbers of the party's driver's license number, if the party has been issued a driver's license; and

(2) the last three numbers of the party's social security number, if the party has been issued a social security number.

SECTION _____. Section 33.101, Estates Code, is amended to read as follows:

Sec. 33.101. TRANSFER TO OTHER COUNTY IN WHICH VENUE IS PROPER. If probate proceedings involving the same estate are commenced in more than one county and the court making a determination of venue as provided by Section 33.053 determines that venue is proper in another county, the court clerk shall make and retain a copy of the entire file in the case and transmit the original file in electronic or paper form to the court in the county in which venue is proper. The court to which the file is transmitted shall conduct the proceeding in the same manner as if the proceeding had originally been commenced in that county.

SECTION _____. Section 33.102(a), Estates Code, is amended to read as follows:

(a) If it appears to the court at any time before the final order in a probate proceeding is rendered that the court does not have priority of venue over the proceeding, the court shall, on the application of an interested person, transfer the proceeding to the proper county by transmitting to the proper court in that county in electronic or paper form:

(1) the original file in the case; and

(2) certified copies of all entries that have been made in the judge's probate docket in the proceeding.

SECTION _____. Section 33.103, Estates Code, is amended by adding Subsection (c) to read as follows:

(c) The transmittal under Subsection (b) of the original file and the certified copy of the index may be in electronic or paper form, except that an original will filed in the probate proceeding, if any, must be delivered to the court to which the proceeding is transferred.

SECTION _____. Section 51.003(b), Estates Code, is amended to read as follows:

(b) A citation or notice issued by the county clerk must be styled "The State of Texas" and be signed by the clerk under the court's ~~clerk's~~ seal.

SECTION _____. Section 202.054, Estates Code, is amended to read as follows:

Sec. 202.054. PERSONAL SERVICE OF CITATION MAY BE REQUIRED. (a) The court may require that service of citation in a proceeding to declare heirship be made by personal service on some or all of those named as distributees in the application filed under Section 202.005.

(b) If a distributee to be cited under Subsection (a) is absent from or is not a resident of this state, any disinterested person competent to make an oath that the citation was served may serve the citation.

SECTION _____. Section 351.351, Estates Code, is amended to read as follows:

Sec. 351.351. APPLICABILITY. This subchapter does not apply to:

(1) the appointment of an independent executor or administrator under Section 401.002 or 401.003(a); or

(2) the appointment of a successor independent administrator [~~executor~~] under Section 404.005.

SECTION _____. Section 404.0036(b), Estates Code, is amended to read as follows:

(b) If an independent executor is removed by the court under Section 404.003 or 404.0035, the court may, on application, appoint a successor independent administrator [~~executor~~] as provided by Section 404.005.

SECTION _____. The heading to Section 404.005, Estates Code, is amended to read as follows:

Sec. 404.005. COURT-APPOINTED SUCCESSOR INDEPENDENT ADMINISTRATOR [~~EXECUTOR~~].

SECTION _____. Sections 404.005(a), (b), (c), (h), and (i), Estates Code, are amended to read as follows:

(a) If the will of a person who dies testate names an independent executor who, having qualified, fails for any reason to continue to serve, or is removed for cause by the court, and the will does not name a successor independent executor or if each successor executor named in the will fails for any reason to qualify as executor or indicates by affidavit filed with the application for an order continuing independent administration the successor executor's inability or unwillingness to serve as successor independent executor, all of the distributees of the decedent as of the filing of the application for an order continuing independent administration may apply to the probate court for the appointment of a qualified person, firm, or corporation to serve as successor independent administrator [~~executor~~]. If the probate court finds that continued administration of the estate is necessary, the court shall enter an order continuing independent administration and appointing the person, firm, or corporation designated in the application as successor independent administrator [~~executor~~], unless the probate court finds that it would not be in the best interest of the estate to do so. The successor independent administrator [~~executor~~] shall serve with all of the powers and privileges granted to the successor's predecessor independent executor.

(b) Except as otherwise provided by this subsection, if a distributee described in this section is an incapacitated person, the guardian of the person of the distributee may sign the application on behalf of the distributee. If the probate court finds that either the continuing of independent administration or the appointment of the person, firm, or corporation designated in the application as successor independent administrator [~~executor~~] would not be in the best interest of the incapacitated person, then, notwithstanding Subsection (a), the court may not enter an order continuing independent administration of the estate. If the

distributee is an incapacitated person and has no guardian of the person, the court may appoint a guardian ad litem to make application on behalf of the incapacitated person if the probate court considers such an appointment necessary to protect the interest of that distributee. If a distributee described in this section is a minor and has no guardian of the person, a natural guardian of the minor may sign the application for the order continuing independent administration on the minor's behalf unless a conflict of interest exists between the minor and the natural guardian.

(c) Except as otherwise provided by this subsection, if a trust is created in the decedent's will or if the decedent's will devises property to a trustee as described by Section 254.001, the person or class of persons entitled to receive property outright from the trust on the decedent's death and those first eligible to receive the income from the trust, determined as if the trust were to be in existence on the date of the filing of the application for an order continuing independent administration, shall, for the purposes of this section, be considered to be the distributee or distributees on behalf of the trust, and any other trust or trusts coming into existence on the termination of the trust, and are authorized to apply for an order continuing independent administration on behalf of the trust without the consent or agreement of the trustee or any other beneficiary of the trust, or the trustee or any beneficiary of any other trust which may come into existence on the termination of the trust. If a person considered to be a distributee under this subsection is an incapacitated person, the trustee or cotrustee may apply for the order continuing independent administration or sign the application on the incapacitated person's behalf if the trustee or cotrustee is not the person proposed to serve as the independent administrator ~~[executor]~~.

(h) If a successor independent administrator ~~[executor]~~ is appointed under this section, then, unless the probate court shall waive bond on application for waiver, the successor independent administrator ~~[executor]~~ shall be required to enter into bond payable to and to be approved by the judge and the judge's successors in a sum that is found by the judge to be adequate under all circumstances, or a bond with one surety in an amount that is found by the judge to be adequate under all circumstances, if the surety is an authorized corporate surety.

(i) Absent proof of fraud or collusion on the part of a judge, the judge may not be held civilly liable for the commission of misdeeds or the omission of any required act of any person, firm, or corporation designated as a successor independent administrator ~~[executor]~~ under this section. Section 351.354 does not apply to an appointment of a successor independent administrator ~~[executor]~~ under this section.

SECTION _____. Section 452.006, Estates Code, is amended by adding Subsection (c) to read as follows:

(c) The appointee shall file with the court proof of service of the notice required under Subsection (a) in the manner provided by Section 51.103(b)(3).

SECTION _____. Section 503.002, Estates Code, is amended to read as follows:

Sec. 503.002. RECORDING OF CERTAIN FOREIGN TESTAMENTARY INSTRUMENTS IN LANGUAGE OTHER THAN ENGLISH [ORIGINAL SIGNATURES NOT REQUIRED]. (a) An authenticated copy of a will or other testamentary instrument described by Section 503.001(a), along with a copy of the judgment, order, or decree by which the instrument was admitted to probate that has the attestation and certificate required by Section 501.002(c), that is written in whole or in part in a language other than English may be filed for recording in the deed records in any county in this state in which the land conveyed or disposed of in the instrument is located if:

(1) a correct English translation is recorded with the authenticated copies of the will or other testamentary instrument and judgment, order, or decree by which the instrument was admitted to probate; and

(2) the accuracy of the translation is sworn to before an officer authorized to administer oaths [Notwithstanding Section 501.002(e), the original signatures required by that section may not be required for a recordation in the deed records in accordance with Section 503.001 or for a purpose described by Section 503.051 or 503.052].

(b) The recording of an authenticated copy of a will or other testamentary instrument and a copy of the judgment, order, or decree in the manner provided by Subsection (a) operates as constructive notice from the date of filing to all persons of the:

(1) existence of the instrument; and

(2) title or titles conferred by the instrument.

SECTION _____. Section 1023.006, Estates Code, is amended to read as follows:

Sec. 1023.006. TRANSFER OF RECORD. When an order of transfer is made under Section 1023.005, the clerk shall record any unrecorded papers of the guardianship required to be recorded. On payment of the clerk's fee, the clerk shall transmit in electronic or paper form to the county clerk of the county to which the guardianship was ordered transferred:

(1) the case file of the guardianship proceedings; and

(2) a certified copy of the index of the guardianship records.

SECTION _____. Section 1023.007, Estates Code, is amended to read as follows:

Sec. 1023.007. TRANSFER EFFECTIVE. The order transferring a guardianship does not take effect until:

(1) the case file and a certified copy of the index required by Section 1023.006 are filed in electronic or paper form in the office of the county clerk of the county to which the guardianship was ordered transferred; and

(2) a certificate under the clerk's official seal and reporting the filing of the case file and a certified copy of the index is filed in electronic or paper form in the court ordering the transfer by the county clerk of the county to which the guardianship was ordered transferred.

SECTION _____. Section 1051.003(b), Estates Code, is amended to read as follows:

(b) A citation or notice issued by the county clerk must be styled "The State of Texas" and be signed by the clerk under the court's ~~clerk's~~ seal.

SECTION _____. The heading to Chapter 1054, Estates Code, is amended to read as follows:

CHAPTER 1054. COURT OFFICERS, ~~AND~~ COURT-APPOINTED
PERSONS, AND ATTORNEYS

SECTION _____. The heading to Subchapter E, Chapter 1054, Estates Code, is amended to read as follows:

SUBCHAPTER E. QUALIFICATIONS TO SERVE AS ~~(COURT-APPOINTED)~~
ATTORNEY

SECTION _____. Section 1054.201, Estates Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsection (c), an ~~An~~ attorney representing any person's interests ~~[for an applicant for guardianship and a court appointed attorney]~~ in a guardianship proceeding, including an attorney ad litem, must be certified by the State Bar of Texas, or a person or other entity designated by the state bar, as having successfully completed a course of study in guardianship law and procedure sponsored by the state bar or the state bar's designee.

(c) An attorney may commence representation of a person's interests and file an appearance in a guardianship proceeding before completing the course required for certification under Subsection (a), but must complete the course not later than the 14th day after the date of filing the appearance and before filing any substantive motion in the guardianship proceeding.

SECTION _____. Section 1101.001(b), Estates Code, is amended to read as follows:

(b) The application must be sworn to by the applicant and state:

- (1) the proposed ward's name, sex, date of birth, and address;
- (2) the name, former name, if any, relationship, and address of the person the applicant seeks to have appointed as guardian;
- (3) whether guardianship of the person or estate, or both, is sought;
- (3-a) whether alternatives to guardianship and available supports and services to avoid guardianship were considered;
- (3-b) whether any alternatives to guardianship and supports and services available to the proposed ward considered are feasible and would avoid the need for a guardianship;
- (4) the nature and degree of the alleged incapacity, the specific areas of protection and assistance requested, and the limitation or termination of rights requested to be included in the court's order of appointment, including a termination of:

(A) the right of a proposed ward who is 18 years of age or older to vote in a public election;

(B) the proposed ward's eligibility to hold or obtain a license to operate a motor vehicle under Chapter 521, Transportation Code; and

(C) the right of a proposed ward to make personal decisions regarding residence;

(5) the facts requiring the appointment of a guardian;

- (6) the interest of the applicant in the appointment of a guardian;
- (7) the nature and description of any kind of guardianship existing for the proposed ward in any other state;
- (8) the name and address of any person or institution having the care and custody of the proposed ward;
- (9) the approximate value and a detailed description of the proposed ward's property, including:
 - (A) liquid assets, including any compensation, pension, insurance, or allowance to which the proposed ward may be entitled; and
 - (B) non-liquid assets, including real property;
- (10) the name and address of any person whom the applicant knows to hold a power of attorney signed by the proposed ward and a description of the type of power of attorney;
- (11) for a proposed ward who is a minor, the following information if known by the applicant:
 - (A) the name of each of the proposed ward's parents and either the parent's address or that the parent is deceased;
 - (B) the name and age of each of the proposed ward's siblings, if any, and either the sibling's address or that the sibling is deceased; and
 - (C) if each of the proposed ward's parents and adult siblings are deceased, the names and addresses of the proposed ward's other living relatives who are related to the proposed ward within the third degree by consanguinity and who are adults;
- (12) for a proposed ward who is a minor, whether the minor was the subject of a legal or conservatorship proceeding in the preceding two years and, if so:
 - (A) the court involved;
 - (B) the nature of the proceeding; and
 - (C) any final disposition of the proceeding;
- (13) for a proposed ward who is an adult, the following information if known by the applicant:
 - (A) the name of the proposed ward's spouse, if any, and either the spouse's address or that the spouse is deceased;
 - (B) the name of each of the proposed ward's parents and either the parent's address or that the parent is deceased;
 - (C) the name and age of each of the proposed ward's siblings, if any, and either the sibling's address or that the sibling is deceased;
 - (D) the name and age of each of the proposed ward's children, if any, and either the child's address or that the child is deceased; and
 - (E) if there is no living spouse, parent, adult sibling, or adult child of the proposed ward, the names and addresses of the proposed ward's other living relatives who are related to the proposed ward within the third degree by consanguinity and who are adults;
- (14) facts showing that the court has venue of the proceeding; and

(15) if applicable, that the person whom the applicant seeks to have appointed as a guardian is a private professional guardian who is certified under Subchapter C, Chapter 155, Government Code, and has complied with the requirements of Subchapter G, Chapter 1104.

SECTION _____. Section 1101.153(a), Estates Code, is amended to read as follows:

(a) A court order appointing a guardian must:

(1) specify:

(A) ~~[(1)]~~ the name of the person appointed;

(B) ~~[(2)]~~ the name of the ward;

(C) ~~[(3)]~~ whether the guardian is of the person or estate of the ward, or both;

(D) ~~[(4)]~~ the amount of any bond required;

(E) ~~[(5)]~~ if it is a guardianship of the estate of the ward and the court considers an appraisal to be necessary, one, two, or three disinterested persons to appraise the estate and to return the appraisal to the court; and

(F) ~~[(6)]~~ that the clerk will issue letters of guardianship to the person appointed when the person has qualified according to law; and

(2) if the court waives the guardian's training requirement, contain a finding that the waiver is in accordance with rules adopted by the supreme court under Section 155.203, Government Code.

SECTION _____. Subchapter A, Chapter 1151, Estates Code, is amended by adding Section 1151.005 to read as follows:

Sec. 1151.005. LEGAL PROCEEDINGS IN WHICH WARD IS PARTY OR WITNESS. The guardian of the person or of the estate of a ward may not be excluded from attending a legal proceeding in which the ward is:

(1) a party; or

(2) participating as a witness.

SECTION _____. Section 1251.005, Estates Code, is amended to read as follows:

Sec. 1251.005. CITATION AND NOTICE OF APPLICATION. (a) On the filing of an application for temporary guardianship, the court clerk shall issue:

(1) citation ~~[notice]~~ to be served on:

(A) ~~[(1)]~~ the proposed ward; and

(B) ~~[(2) the proposed ward's appointed attorney; and~~

~~[(3) the proposed temporary guardian named in the application, if that person is not the applicant; and~~

(2) notice to be served on the proposed ward's appointed attorney.

(b) The citation or notice issued as provided by Subsection (a) must describe:

(1) the rights of the parties; and

(2) the date, time, place, purpose, and possible consequences of a hearing on the application.

(b-1) The citation issued as provided by Subsection (a) must contain a statement regarding the authority of a person under Section 1051.252 who is interested in the estate or welfare of a proposed ward or, if a guardianship is

created, the ward to file with the county clerk a written request to be notified of all, or any specified, motions, applications, or pleadings filed with respect to the temporary guardianship proceeding by any person or by a person specifically designated in the request.

(c) A copy of the application must be attached to the citation or notice.

SECTION _____. The heading to Section 1251.153, Estates Code, is amended to read as follows:

Sec. 1251.153. DELIVERY OF ESTATE, FILING OF FINAL REPORT, AND[~~;~~] DISCHARGE OF TEMPORARY GUARDIAN.

SECTION _____. Section 1251.153, Estates Code, is amended by adding Subsection (a-1) and amending Subsection (b) to read as follows:

(a-1) At the expiration of a temporary guardianship of the person, the temporary guardian shall file with the court clerk a final report that:

(1) if the ward is living, describes each reason the temporary guardianship of the person expired, including a statement of facts regarding whether the temporary guardianship expired because:

(A) the ward was found by the court to have full capacity, or sufficient capacity with supports and services, to care for himself or herself;

(B) alternatives to guardianship have been established to meet the needs of the ward; or

(C) a permanent guardian appointed by the court has qualified to serve as the ward's guardian; or

(2) if the ward is deceased, includes the date and place of death, if known, in the form and manner of the report required to be filed by a guardian of the person under Section 1163.103.

(b) On proof of delivery under Subsection (a) and approval by the court of a final report filed with the court clerk under Subsection (a-1), as applicable:

(1) the temporary guardian shall be discharged; and

(2) the sureties on the temporary guardian's bond shall be released as to future liability.

SECTION _____. Section 1253.001, Estates Code, is amended to read as follows:

Sec. 1253.001. APPLICATION TO TRANSFER GUARDIANSHIP TO FOREIGN JURISDICTION. On application of the guardian or on the court's own motion, a [A guardian of the person or estate may apply to the] court that has jurisdiction over the guardianship may [to] transfer the guardianship to a court in a foreign jurisdiction to which the ward has permanently moved.

SECTION _____. Section 25.0006, Government Code, is amended by amending Subsection (a) and adding Subsection (a-5) to read as follows:

(a) Notwithstanding any other law except Subsection (a-4), Subsections (a-1), (a-2), ~~and~~ (a-3), and (a-5) control over a specific provision for a particular court or county that attempts to create a requirement for a bond or insurance that conflicts with those subsections.

(a-5) A bond executed under Subsection (a-1) by the judge elected or appointed to a statutory county court or an insurance policy obtained under Subsection (a-3) shall provide the same coverage to a visiting judge assigned to the court or associate judge appointed to serve the court as the bond or insurance policy provides to the judge elected or appointed to the court.

SECTION _____. Section 25.00231, Government Code, is amended by adding Subsection (f) to read as follows:

(f) Notwithstanding Subsection (e), a bond executed under Subsection (b) by the judge elected or appointed to a statutory probate court or an insurance policy obtained under Subsection (c) shall provide the same coverage to a visiting judge assigned to the court or to an associate judge appointed by the court as the bond or insurance policy provides to the judge elected or appointed to the court.

SECTION _____. Section 25.0027, Government Code, is amended to read as follows:

Sec. 25.0027. JURIES; PRACTICE AND PROCEDURE. The drawing of jury panels, selection of jurors, and practice in the statutory probate courts must conform to that prescribed by law for county courts, except that practice, procedure, rules of evidence, issuance of process and writs, juries, including the number of jurors provided the parties to a proceeding may agree to try a particular case with fewer than 12 jurors, and all other matters pertaining to the conduct of trials and hearings in the statutory probate courts involving those matters of concurrent jurisdiction with district courts are governed by the laws and rules pertaining to district courts.

SECTION _____. Section 74.141, Government Code, is amended to read as follows:

Sec. 74.141. DEFENSE OF JUDGES. The attorney general shall defend a state district judge, a presiding judge of an administrative region, the presiding judge of the statutory probate courts, a visiting judge assigned to hear a guardianship or probate matter by the presiding judge of the statutory probate courts, or an active, retired, or former judge assigned under this chapter in any action or suit in any court in which the judge is a defendant because of his office or capacity as judge if the judge requests the attorney general's assistance in the defense of the suit.

SECTION _____. Section 81.114, Government Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) The state bar shall provide a course of instruction for attorneys who represent any person's interests ~~[parties]~~ in guardianship cases or who serve as court-appointed guardians.

(e) The course of instruction described by this section must be low-cost and available to persons throughout this state, including on the Internet provided through the state bar.

SECTION _____. Section 155.205(b), Government Code, is amended to read as follows:

(b) The commission shall obtain:

(1) fingerprint-based criminal history record information of a proposed guardian ~~[an applicant]~~ if:

(A) the liquid assets of the estate of a ward exceed \$50,000; or

(B) the proposed guardian is not a resident of this state; or

(2) name-based criminal history record information of a proposed guardian, including any criminal history record information under the current name and all former names of the proposed guardian, [an applicant] if:

(A) the liquid assets of the estate of a ward are \$50,000 or less; and

(B) the proposed guardian is a resident of this state.

SECTION _____. (a) Section 202.054, Estates Code, as amended by this Act, applies only to a proceeding to declare heirship commenced on or after the effective date of this Act. A proceeding to declare heirship commenced before that date is governed by the law in effect on the date the proceeding was commenced, and the former law is continued in effect for that purpose.

(b) Section 452.006(c), Estates Code, as added by this Act, applies only to a temporary administrator appointed on or after the effective date of this Act. A temporary administrator appointed before the effective date of this Act is governed by the law in effect on the date the administrator was appointed, and the former law is continued in effect for that purpose.

(c) Section 503.002, Estates Code, as amended by this Act, applies only to a copy of a testamentary instrument or other document filed for recording on or after the effective date of this Act. A copy of a testamentary instrument or other document filed before the effective date of this Act is governed by the law in effect on the date the instrument or document was filed, and the former law is continued in effect for that purpose.

(d) Sections 1101.001 and 1251.005, Estates Code, as amended by this Act, apply only to an application for the appointment of a guardian or temporary guardian filed on or after the effective date of this Act. An application for the appointment of a guardian or temporary guardian filed before the effective date of this Act is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

(e) Sections 1054.201 and 1101.153, Estates Code, as amended by this Act, and Section 155.205, Government Code, as amended by this Act, apply only to a guardianship proceeding commenced on or after the effective date of this Act. A guardianship proceeding commenced before the effective date of this Act is governed by the law applicable to the proceeding immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(f) Sections 1251.153 and 1253.001, Estates Code, as amended by this Act, apply to a guardianship created before, on, or after the effective date of this Act.

(g) The changes in law made by this Act to Sections 25.0006 and 25.00231, Government Code, apply only to an insurance policy delivered, issued for delivery, or renewed on or after January 1, 2022. An insurance policy delivered, issued for delivery, or renewed before January 1, 2022, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(h) Section 74.141, Government Code, as amended by this Act, applies to a cause of action filed on or after the effective date of this Act. A cause of action filed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(2) On page 30, line 24, strike "section" and substitute "Act".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Allison offered the following amendment to **SB 626**:

Amend **SB 626** (house committee printing) as follows:

(1) On page 21, line 7, strike "1163.101(c)" and substitute "1163.101".

(2) On page 21, lines 7 and 8, between "amended" and "to" insert "by amending Subsections (a) and (c) and adding Subsection (a-1)".

(3) On page 21, between lines 8 and 9, insert the following:

(a) Except as provided by Subsection (a-1), once [~~Once~~] each year for the duration of the guardianship, a guardian of the person shall file with the court a report that contains the information required by this section.

(a-1) Unless the court finds that it is not in the best interest of the ward, a guardian of the person of a ward appointed under Section 1103A.001 is not required to file an annual report under this section.

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

SECTION _____. Section 1054.001, Estates Code, is amended to read as follows:

Sec. 1054.001. APPOINTMENT OF ATTORNEY AD LITEM IN PROCEEDING FOR APPOINTMENT OF GUARDIAN. In a proceeding under this title for the appointment of a guardian and except as provided by Section 1103A.001, the court shall appoint an attorney ad litem to represent the proposed ward's interests.

SECTION _____. Section 1054.151, Estates Code, is amended to read as follows:

Sec. 1054.151. INVESTIGATION OF GUARDIANSHIP APPLICATION. On the filing of an application for guardianship under Section 1101.001 and except as provided by Section 1103A.001, a court investigator shall investigate the circumstances alleged in the application to determine whether a less restrictive alternative to guardianship is appropriate.

SECTION _____. Subtitle D, Title 3, Estates Code, is amended by adding Chapter 1103A to read as follows:

CHAPTER 1103A. PROCEDURE TO APPOINT CAREGIVER PARENT AS INDEPENDENT GUARDIAN OF THE PERSON FOR CERTAIN MINORS REQUIRING GUARDIANSHIPS AS ADULTS

Sec. 1103A.001. PROCEDURE FOR APPOINTMENT OF CAREGIVER PARENT AS INDEPENDENT GUARDIAN OF THE PERSON OF CERTAIN MINORS WITH PROFOUND INTELLECTUAL DISABILITIES. (a) This section applies only to a proceeding for the appointment of a guardian of the person of a proposed ward under Section 1101.001 or 1103.001 in which the:

(1) proposed ward is a minor who:

(A) has a profound intellectual disability, as diagnosed by a physician licensed to practice in this state or as determined, following an examination, by a psychologist licensed in this state or certified by the Health and Human Services Commission to perform the examination, in accordance with rules adopted by the executive commissioner of the commission governing examinations of that kind; and

(B) because of the incapacity described by Paragraph (A) will require a guardianship of the person after the proposed ward is no longer a minor; and

(2) proposed guardian of the person is a parent and primary caregiver of the proposed ward.

(b) Notwithstanding any other law, if the applicant who files an application for appointment as guardian of the person of a proposed ward under Section 1101.001 or 1103.001 is the parent and primary caregiver of the proposed ward, the applicant may present to the court:

(1) an affidavit sworn to by the applicant that states that the applicant is a parent of a proposed ward described by Subsection (a)(1) and:

(A) is and has been the primary caregiver of the proposed ward throughout all or most of his or her childhood;

(B) has never been the subject of an allegation, complaint, or investigation concerning the abuse, neglect, or exploitation of the proposed ward;

(C) seeks to be appointed guardian of the person of the proposed ward; and

(D) is not disqualified from serving as guardian under Subchapter H, Chapter 1104;

(2) at least one written letter or certificate that meets the requirements of:

(A) Sections 1101.103(a) and (b); or

(B) Section 1101.104, except that the period prescribed by Section 1101.104(2) would apply to the date the application is filed; and

(3) a written request that:

(A) the court make the findings required by Section 1101.101 and appoint the parent as guardian of the person of the proposed ward in accordance with this section without the necessity of an investigation by a court investigator under Section 1054.151; and

(B) after appointment and qualification of the applicant as guardian of the person of the ward, no other action shall be had in the probate court in relation to the guardianship of the person of the ward other than the review required by Section 1201.052(b).

(c) If, following a written request under Subsection (b) and on receipt of an affidavit that complies with Subsection (b)(1) and a letter or certificate that complies with Subsection (b)(2), the court is able to make the findings required by Section 1101.101, the court, notwithstanding Subchapter C, Chapter 1104, shall appoint the parent as guardian of the proposed ward's person without appointing a court investigator or the continued appointment of an attorney ad litem unless:

(1) the parent is disqualified from serving as guardian under Subchapter H, Chapter 1104;

(2) the court has any reason to believe that one or more of the assertions set out in the affidavit are untrue; or

(3) the court finds that the appointment is not in the best interest of the proposed ward.

(d) A guardianship created under this section is considered an independent guardianship of the person of a ward, and a guardian appointed under this section is considered an independent guardian of the person of a ward.

Sec. 1103A.002. SEALING OF CERTAIN RECORDS. (a) The court shall seal a written letter or certificate submitted under Section 1103A.001(b) and any other medical record or document examined by the court for purposes of this section unless the court finds good cause not to seal the document.

(b) The court's records sealed under this section are not open for inspection by any person except:

(1) on further order of the court after notice to the guardian of the person of the ward whose information is sealed and a finding of good cause; or

(2) in connection with a criminal or civil proceeding as otherwise provided by law.

Sec. 1103A.003. PETITION FOR CONVERSION OF GUARDIANSHIP OF THE PERSON TO INDEPENDENT GUARDIANSHIP OF THE PERSON.

(a) This section applies only to a guardianship of the person of a ward created before September 1, 2021, if on the date the application for guardianship was filed under Section 1101.001 or 1103.001:

(1) the ward met the description of a proposed ward under Section 1103A.001(a)(1); and

(2) the guardian was the parent and primary caregiver of the ward.

(b) The guardian in a guardianship to which this section applies may petition the court with jurisdiction over the guardianship to authorize that the guardianship of the person be treated on a prospective basis as if the guardianship was created and, if applicable, the guardian of the person appointed, under Section 1103A.001.

SECTION _____. Section 1105.101(c), Estates Code, is amended to read as follows:

(c) The court shall issue letters of guardianship of the person to a person without the requirement of a bond if:

(1) the person is:

(A) a parent of the ward appointed under Section 1103A.001 who is not also appointed as guardian of the estate of the ward; or

(B) named to be appointed guardian in a will made by a surviving parent that is probated by a court in this state, or in a written declaration made by a surviving parent, and the will or declaration directs that the guardian serve without a bond; and

(2) the court finds that the guardian is qualified.

SECTION _____. Section 1106.002, Estates Code, is amended to read as follows:

Sec. 1106.002. EXPIRATION OF LETTERS OF GUARDIANSHIP. (a) Except as provided by Subsection (b), letters [~~Letters~~] of guardianship expire one year and four months after the date the letters are issued, unless renewed.

(b) Unless the court finds that it is not in the best interest of the ward, letters of guardianship issued to a guardian of the person of a ward appointed under Section 1103A.001 do not expire unless the guardian is removed or would otherwise be ineligible to serve as guardian.

SECTION _____. The heading to Subchapter B, Chapter 1201, Estates Code, is amended to read as follows:

SUBCHAPTER B. [~~ANNUAL~~] DETERMINATION TO CONTINUE, MODIFY, OR TERMINATE GUARDIANSHIP

SECTION _____. Section 1201.052, Estates Code, is amended to read as follows:

Sec. 1201.052. ANNUAL OR OTHER DETERMINATION. (a) To determine whether a guardianship should be continued, modified, or terminated, the court in which the guardianship proceeding is pending:

(1) shall, except as provided by Subsection (b), review annually each guardianship in which the application to create the guardianship was filed after September 1, 1993; and

(2) may review annually any other guardianship.

(b) To determine whether a guardianship of the person of a ward created under Section 1103A.001 should be continued, modified, or terminated, the court in which the guardianship proceeding is pending shall review the guardianship of the person at the discretion of the court but not more frequently than once every five years unless the guardian of the person of the ward is also the guardian of the estate of the ward.

(c) Notwithstanding Subsection (b), on receipt of a claim that the guardianship is no longer in the best interest of the ward, the court may review the matter and take any action the court determines necessary.

Amendment No. 2 was adopted.

SB 626, as amended, was passed to third reading.

SB 860 ON SECOND READING (Goldman - House Sponsor)

SB 860, A bill to be entitled An Act relating to the exclusion of certain car haulers from the definition of tow truck for purposes of certain laws regulating motor vehicle towing.

Amendment No. 1

Representative Goldman offered the following amendment to **SB 860**:

Amend **SB 860** (house committee report) on page 2 by striking lines 14 through 17 and substituting the following:

(i) in the course of:

(a) a prearranged shipping transaction; or

(b) a commercial transaction for transport of a damaged vehicle arranged or authorized by an insurance company and delivered to a salvage pool operator as defined by Section 2302.001; or

Amendment No. 1 was adopted.

SB 860, as amended, was passed to third reading.

SB 1129 ON SECOND READING
(Neave - House Sponsor)

SB 1129, A bill to be entitled An Act relating to guardianships, alternatives to guardianship, and supports and services for incapacitated persons.

SB 1129 was passed to third reading.

SB 1102 ON SECOND READING
(Parker - House Sponsor)

SB 1102, A bill to be entitled An Act relating to the establishment of the Texas Reskilling and Upskilling through Education (TRUE) Program to support workforce education.

Amendment No. 1

Representative Parker offered the following amendment to **SB 1102**:

Amend **SB 1102** (house committee report) as follows:

(1) On page 1, strike "public junior college or public technical institute" and substitute "lower-division institution of higher education" in each of the following places it appears:

- (A) on lines 12 and 13; and
- (B) on line 18.

(2) On page 1, strike "public junior colleges or public technical institutes" and substitute "lower-division institutions of higher education" in each of the following places it appears:

- (A) on lines 14 and 15; and
- (B) on lines 19 and 20.

(3) On page 1, between lines 20 and 21, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

() "Lower-division institution of higher education" means a public junior college, public state college, or public technical institute.

(4) On page 2, line 27, strike "within the region" and substitute "except as necessary to accommodate regional demand".

(5) Strike "public junior colleges and public technical institutes" and substitute "lower-division institutions of higher education" in each of the following places it appears:

- (A) page 3, lines 2 and 3; and
 - (B) page 5, lines 16 and 17.
- (6) On page 4, line 25, strike "develop".

Amendment No. 1 was adopted.

SB 1102, as amended, was passed to third reading.

CSSB 572 ON SECOND READING
(White, Cain, and Middleton - House Sponsors)

CSSB 572, A bill to be entitled An Act relating to in-person visitation of religious counselors with certain health care facility patients and residents during a public health emergency.

Amendment No. 1

Representative White offered the following amendment to **CSSB 572**:

Amend **CSSB 572** (house committee printing) as follows:

(1) On page 3, line 4, strike "and".

(2) On page 3, line 6, between "care" and the underlined period, insert the following:
; and

(4) allow health care facilities to condition in-person visitation with religious counselors on the counselor's compliance with guidelines, policies, and procedures established under this subsection

Amendment No. 1 was adopted.

Amendment No. 2

Representative Slaton offered the following amendment to **CSSB 572**:

Amend **CSSB 572** (house committee report) on page 2 by striking lines 17 and 18 and substituting:
religious counselor during a public health emergency on the request of:

(1) the patient or resident; or

(2) if the patient or resident is incapacitated, the patient's or resident's legally authorized representative, including a family member of the patient or resident.

Amendment No. 2 - Point of Order

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

(Murr in the chair)

The point of order was withdrawn.

Amendment No. 2 was adopted.

CSSB 572, as amended, was passed to third reading.

CSSB 49 ON SECOND READING
(Murr - House Sponsor)

CSSB 49, A bill to be entitled An Act relating to procedures regarding defendants who are or may be persons with a mental illness or intellectual disability.

Amendment No. 1

On behalf of Representative Murr, Representative Oliverson offered the following amendment to **CSSB 49**:

Amend **CSSB 49** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 574.037(a), Health and Safety Code, is amended to read as follows:

(a) The court, in an order that directs a patient to participate in outpatient mental health services, shall designate the person identified under Section 574.0125 as responsible for those services or may designate a different person if necessary. The person designated must be the facility administrator or an individual involved in providing court-ordered outpatient services. A person may not be designated as responsible for the ordered services without the person's consent unless the person is the facility administrator of a department facility or the facility administrator of a community center that provides mental health services[±

[~~(1)~~] in the region in which the committing court is located[; ~~or~~

[~~(2)~~ in a county where a patient has previously received mental health services].

Amendment No. 1 was adopted.

CSSB 49, as amended, was passed to third reading.

SB 874 ON SECOND READING
(Oliverson - House Sponsor)

SB 874, A bill to be entitled An Act relating to the reporting and expiration dates of a temporary health insurance risk pool administered by the commissioner of insurance.

SB 874 was passed to third reading.

SB 903 ON SECOND READING
(Sanford - House Sponsor)

SB 903, A bill to be entitled An Act relating to suits for tax refunds.

SB 903 was passed to third reading.

SB 516 ON SECOND READING
(Murr - House Sponsor)

SB 516, A bill to be entitled An Act relating to increasing the criminal penalty for the offense of criminal mischief involving impairment or interruption of access to an automated teller machine.

SB 516 was passed to third reading.

**SB 1202 ON SECOND READING
(Paddie - House Sponsor)**

SB 1202, A bill to be entitled An Act relating to the applicability of certain utility provisions to a vehicle charging service.

SB 1202 was passed to third reading.

**CSSB 1137 ON SECOND READING
(Oliverson - House Sponsor)**

CSSB 1137, A bill to be entitled An Act relating to the required disclosure of prices for certain items and services provided by certain medical facilities; providing administrative penalties.

CSSB 1137 was passed to third reading.

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

SB 1245, A bill to be entitled An Act relating to the farm and ranch survey conducted by the comptroller for purposes of estimating the productivity value of qualified open-space land as part of the study of school district taxable values.

SB 1245 was passed to third reading.

**SB 231 ON SECOND READING
(Cain, et al. - House Sponsors)**

SB 231, A bill to be entitled An Act relating to training for county election officers.

SB 231 was passed to third reading.

**SB 237 ON SECOND READING
(Gervin-Hawkins - House Sponsor)**

SB 237, A bill to be entitled An Act relating to the issuance of a citation for a criminal trespass offense punishable as a Class B misdemeanor.

SB 237 was passed to third reading.

**SB 237 - RULES SUSPENDED
HOUSE SPONSOR AUTHORIZED**

Representative Collier moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 237** all joint authors and co-authors for **HB 694**.

The motion prevailed.

**SB 851 ON SECOND READING
(Dominguez - House Sponsor)**

SB 851, A bill to be entitled An Act relating to the composition of the cybersecurity council.

SB 851 was passed to third reading.

(Speaker in the chair)

RESOLUTIONS CALENDAR

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

SCR 41

(Middleton - House Sponsor)

SCR 41, Urging Congress to propose and submit to the states for ratification the "Keep Nine" amendment to the U.S. Constitution.

SCR 41 was adopted by (Record 1261): 77 Yeas, 64 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Bernal; Darby; King, T.; Larson.

STATEMENT OF VOTE

When Record No. 1261 was taken, my vote failed to register. I would have voted yes.

Darby

REASON FOR VOTE

Representative J. Turner submitted the following reason for vote to be printed in the journal:

My vote of Nay on **SCR 41** is not an indication that I support adding to the number of justices on the United States Supreme Court. My vote reflects my view that the constitutional amendment referenced in the resolution is not necessary or desirable, especially in today's divided political climate.

POSTPONED BUSINESS

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

HCR 52
(by Harris, et al.)

HCR 52, Claiming sovereignty under the Tenth Amendment to the U.S. Constitution over all powers not otherwise enumerated and granted to the federal government by the U.S. Constitution, serving notice to the federal government to halt and reverse certain mandates, and providing that certain federal legislation be prohibited or repealed.

HCR 52 was laid before the house on May 14 and was postponed until 10 a.m. today.

Representative Harris moved to postpone consideration of **HCR 52** until 10 a.m. Thursday, April 21, 2022.

The motion prevailed.

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

CSSB 1160 ON SECOND READING
(Paul - House Sponsor)

CSSB 1160, A bill to be entitled An Act relating to the creation of the Gulf Coast Protection District; providing authority to issue bonds; providing authority to impose fees; providing authority to impose a tax; granting the power of eminent domain.

CSSB 1160 was read second time earlier today, amendments were offered and disposed of, and **CSSB 1160** was postponed until this time.

Amendment No. 2 - Vote Reconsidered

Representative Paul moved to reconsider the vote by which Amendment No. 2 was adopted.

A record vote was requested by Representative Slaton.

The motion to reconsider prevailed by (Record 1262): 106 Yeas, 30 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burrows; Button; Campos; Capriglione; Clardy; Cole; Collier; Cortez; Crockett; Cyrier; Darby; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Kuempel; Lambert; Larson; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Reynolds;

Rodriguez; Rogers; Rose; Rosenthal; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Beckley; Bell, C.; Biedermann; Burns; Cain; Canales; Ellzey; Gates; Harris; Hefner; Holland; Krause; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Romero; Sanford; Schaefer; Schofield; Shaheen; Slaton; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Cook; Craddick; Davis; Hull; King, T.; Morales Shaw; Noble; Raymond; Thierry.

STATEMENTS OF VOTE

When Record No. 1262 was taken, I was shown voting yes. I intended to vote no.

Ashby

When Record No. 1262 was taken, I was shown voting yes. I intended to vote no.

Buckley

When Record No. 1262 was taken, my vote failed to register. I would have voted no.

Craddick

When Record No. 1262 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 1262 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1262 was taken, I was in the house but away from my desk. I would have voted no.

Hull

When Record No. 1262 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 1262 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 1262 was taken, I was shown voting yes. I intended to vote no.

Smith

Amendment No. 2 was withdrawn.

Amendment No. 4

Representative Middleton offered the following amendment to **CSSB 1160**:

Amend **CSSB 1160** (house committee printing) on page 7 by striking lines 10 through 13 and substituting the following:

Sec. 9502.0302. TAXES AND BONDS. (a) The district may impose an ad valorem tax or issue bonds payable from ad valorem taxes only if:

(1) a written petition has been filed with the board requesting an election to approve the imposition of the tax signed by at least five percent of the registered voters in each county in the territory of the district; and

(2) the imposition of the tax is approved by the voters of the district voting at the requested election, which must be held in the manner provided by Chapter 49, Water Code.

Amendment No. 4 was adopted.

Amendment No. 3 - Vote Reconsidered

Representative Paul moved to reconsider the vote by which Amendment No. 3 was adopted.

A record vote was requested by Representative Slaton.

The motion to reconsider prevailed by (Record 1263): 94 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Bernal; Bowers; Bucy; Burrows; Button; Campos; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Larson; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Paul; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Spiller; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Beckley; Bell, C.; Bell, K.; Biedermann; Buckley; Burns; Cain; Canales; Capriglione; Craddick; Cyrier; Dean; Ellzey; Gates; Guillen; Harris; Hefner; Holland; Hunter; Jetton; Klick; Krause; Landgraf; Leach; Leman; Metcalf; Meyer; Middleton; Murr; Patterson; Price; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Smithee; Stephenson; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cason; Coleman; Lozano.

Absent, Excused, Committee Meeting — Bonnen.

Absent — Cook; Moody; Parker.

STATEMENTS OF VOTE

When Record No. 1263 was taken, I was in the house but away from my desk. I would have voted no.

Cook

When Record No. 1263 was taken, I was shown voting yes. I intended to vote no.

Hull

When Record No. 1263 was taken, I was shown voting yes. I intended to vote no.

Noble

When Record No. 1263 was taken, I was temporarily out of the house chamber. I would have voted no.

Parker

When Record No. 1263 was taken, I was shown voting yes. I intended to vote no.

Shine

When Record No. 1263 was taken, I was shown voting yes. I intended to vote no.

Spiller

Amendment No. 3 was withdrawn.

CSSB 1160, as amended, was passed to third reading.

SB 1160 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative T. King moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 1160** all joint authors and co-authors for **HB 3029**.

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. 13).

**SB 7 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Cain, the house granted the request of the senate for the appointment of a Conference Committee on **SB 7**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 7**: Cain, chair; Canales, Clardy, Collier, and Jetton.

ADJOURNMENT

Representative Raymond moved that the house adjourn until 10 a.m. tomorrow in memory of the Honorable Sergio Muñoz Sr. of Mission.

The motion prevailed.

The house accordingly, at 1:19 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HR 1292 (By Ramos), Congratulating Natalie and Dorian Lamb on the adoption of their five children, Dre, Nev, Sadie, Daisy, and Jackson.

To Resolutions Calendars.

HR 1293 (By Hunter), In memory of Drusilla Knight-Villarreal of Corpus Christi.

To Resolutions Calendars.

HR 1294 (By M. González), Congratulating Chief Warrant Officer Gregg Swanson on his retirement from the U.S. Army.

To Resolutions Calendars.

HR 1295 (By Ellzey), Commemorating Memorial Day 2021 in Ellis and Henderson Counties.

To Resolutions Calendars.

HR 1296 (By Ellzey), Congratulating Ennis High School assistant football coach Paul Willingham on receiving a 2021 High School Broyles Award.

To Resolutions Calendars.

HR 1297 (By Ellzey), In memory of Andrew Lopez Jr. of Red Oak.

To Resolutions Calendars.

HR 1298 (By Ellzey), In memory of Aaron Jacob Woodall of Waxahachie.
To Resolutions Calendars.

HR 1299 (By Ellzey), In memory of Danny Lee Knight Sr. of Waxahachie.
To Resolutions Calendars.

HR 1300 (By Leach), Congratulating Aiden Savetman of Allen High School on placing second in the 2021-2022 Kids Teaching Kids recipe book design competition.

To Resolutions Calendars.

HR 1301 (By C. Turner), Commending the members of the Texas Military Department who have performed COVID-19 testing, vaccination, and verification services at the State Capitol during the 87th Legislative Session.

To Resolutions Calendars.

HR 1302 (By Spiller), In memory of Ronald Keith Umphress of Irving.
To Resolutions Calendars.

HR 1303 (By Dean), Commending Daniel Carmical for helping to rescue a Longview resident from his burning home.

To Resolutions Calendars.

HR 1304 (By Dean), Congratulating the members of the Sabine High School UIL academics team on their exemplary performances at the 2021 state meet.

To Resolutions Calendars.

HR 1305 (By Neave), In memory of K-9 officer Kozmo of the Mesquite Police Department.

To Resolutions Calendars.

HR 1306 (By Bailes), Congratulating the Sam Houston State University football team on winning the 2020-2021 NCAA Division I Football Championship Subdivision title.

To Resolutions Calendars.

HR 1307 (By Ordaz Perez), Congratulating El Taquito in El Paso on its selection as one of Yelp's Top 100 restaurants in Texas for 2021.

To Resolutions Calendars.

HR 1308 (By Wu), Honoring Faye Geremia for her service as a legislative aide in the office of State Representative Gene Wu.

To Resolutions Calendars.

HR 1309 (By Wu), Commending Sarah Campbell for her service as a policy analyst in the office of State Representative Gene Wu during the 87th Legislative Session.

To Resolutions Calendars.

HR 1310 (By Wu), Commending Paolo Martinez for his service as a legislative aide in the office of State Representative Gene Wu.

To Resolutions Calendars.

HR 1311 (By Anderson), Commemorating the 75th anniversary of the Texas Independent Producers and Royalty Owners Association.

To Resolutions Calendars.

HR 1312 (By Price), Congratulating Frances Hibbs on her retirement as city secretary for the City of Amarillo.

To Resolutions Calendars.

HR 1313 (By Reynolds), Congratulating Martha Castex-Tatum of Houston on her election as president of the Texas Municipal League.

To Resolutions Calendars.

HR 1314 (By Reynolds), Congratulating Joel Clouser on his retirement as the Fort Bend County Precinct 2 justice of the peace.

To Resolutions Calendars.

HR 1315 (By Reynolds), Honoring Fort Bend County Judge KP George for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

HR 1316 (By Price), Congratulating Jan Sanders on her retirement as assistant city secretary for the City of Amarillo.

To Resolutions Calendars.

HR 1317 (By Reynolds), Honoring Houston mayor Sylvester Turner for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

HR 1318 (By Reynolds), Honoring Fort Bend County Judge KP George for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

HR 1319 (By Reynolds), Honoring Missouri City police chief Mike Berezin for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

HR 1320 (By Reynolds), Honoring Missouri City Mayor Robin J. Elackatt for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

HR 1321 (By Reynolds), Honoring Houston mayor Sylvester Turner for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

HR 1322 (By Reynolds), Honoring Gary Bledsoe of Austin for his contributions as president of the Texas NAACP.

To Resolutions Calendars.

HR 1323 (By Reynolds), In memory of George Perry Floyd Jr.

To Resolutions Calendars.

HR 1324 (By Reynolds), In memory of Reginald Wayne Moore of Houston.

To Resolutions Calendars.

HR 1325 (By Reynolds), Congratulating Odis Jones on his appointment as city manager of Missouri City.

To Resolutions Calendars.

HR 1326 (By Reynolds), Commending ReShonda Tate Billingsley for her success as a writer.

To Resolutions Calendars.

HR 1327 (By Reynolds), Congratulating Troy Finner on his appointment as chief of the Houston Police Department.

To Resolutions Calendars.

HR 1328 (By Reynolds), Commending Carl David Evans for his service as president of Fort Bend Houston Super Neighborhood Council-41.

To Resolutions Calendars.

HR 1329 (By Reynolds), Condemning the genocide perpetrated against the Rohingya people by the military government of Myanmar.

To State Affairs.

HR 1330 (By Reynolds), Condemning rising ethno-nationalism and the suppression of democratic principles in India.

To State Affairs.

HR 1331 (By Reynolds), Condemning the Uyghur genocide committed by China's government.

To State Affairs.

HR 1332 (By Reynolds), Commemorating the 2021 Missouri City Juneteenth Celebration.

To Resolutions Calendars.

HR 1333 (By Reynolds), Recognizing March 2021 as National Women's History Month.

To Resolutions Calendars.

HR 1334 (By Reynolds), Recognizing February 2022 as Black History Month.

To Resolutions Calendars.

HR 1335 (By Reynolds), Recognizing April 2021 as Autism Awareness Month.

To Resolutions Calendars.

HR 1336 (By Reynolds), Congratulating Xavier Herrera on his election to the Stafford City Council.

To Resolutions Calendars.

HR 1337 (By Bucy), Congratulating Molly Bucy and State Representative John Bucy on the birth of their daughter, Bradley Harper Bucy.

To Resolutions Calendars.

HR 1338 (By Bucy), In memory of Mary Virginia Smith Pendergrass.

To Resolutions Calendars.

HR 1339 (By Bucy), In memory of Richard Marvin Lannen of Dallas.
To Resolutions Calendars.

HR 1340 (By Israel), In memory of Anita Walker Brewer Howard of Austin.
To Resolutions Calendars.

HR 1341 (By Israel), In memory of Roland H. Johnson Jr. of Austin.
To Resolutions Calendars.

HR 1342 (By Israel), In memory of Gary Vance Porfirio of Austin.
To Resolutions Calendars.

HR 1343 (By Jetton), Congratulating Bella Xu of Clements High School in Sugar Land on finishing in the top 100 contestants in the 2021 CyberStart America National Cyber Scholarship Competition.
To Resolutions Calendars.

HR 1344 (By Jetton), Commending the teachers, administrators, and staff members of St. Laurence Catholic School in Sugar Land for their service during the COVID-19 pandemic.
To Resolutions Calendars.

HR 1345 (By Jetton), Commending Carol Paret on her 40 years of service to the Memorial Hermann Health System.
To Resolutions Calendars.

HR 1346 (By Jetton), Congratulating Australian-born sports journalist and author Rod Humphries on becoming a U.S. citizen.
To Resolutions Calendars.

HR 1347 (By Price), Congratulating Sheriff J. E. "Bo" DeArmond on his retirement from the Moore County Sheriff's Office.
To Resolutions Calendars.

HR 1348 (By Price and Smithee), Congratulating the Honorable John Board on his retirement as judge of the 181st Judicial District.
To Resolutions Calendars.

HR 1349 (By A. Johnson), Congratulating Houston Methodist Hospital on its designation as a Level II Special Care Nursery Neonatal Facility by the Texas Department of State Health Services.
To Resolutions Calendars.

HR 1350 (By Price), Congratulating the Honorable Delwin T. McGee on his retirement as judge of the Moore County Court at Law.
To Resolutions Calendars.

HR 1351 (By Price), Honoring Carol Lovelady for her service as director of Panhandle-Plains Historical Museum.
To Resolutions Calendars.

HR 1352 (By Cook), Congratulating Brian Johnson on his reelection as mayor of Kennedale.
To Resolutions Calendars.

HR 1353 (By Price), In memory of Sergeant Lyle Gene Denny of the Panhandle Police Department.

To Resolutions Calendars.

HR 1354 (By Ordaz Perez), Commending Alaina Turnquist for her service as a policy aide in the office of State Representative Claudia Ordaz Perez during the 87th Legislative Session.

To Resolutions Calendars.

HR 1355 (By Ordaz Perez), Commending Yuri Barragan for her service as a policy aide in the office of State Representative Claudia Ordaz Perez during the 87th Legislative Session.

To Resolutions Calendars.

HR 1356 (By Ordaz Perez), Commending Haley Entrop for her service as legislative director in the office of State Representative Claudia Ordaz Perez.

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. 23

HB 569, HB 574, HB 654, HB 918, HB 1071, HB 1147, HB 1197, HB 1322, HB 2152, HB 2404, HB 2533, HB 2723

Senate List No. 13

SB 45, SB 162, SB 211, SB 232, SB 285, SB 337, SB 460, SB 530, SB 581, SB 634, SB 675, SB 692, SB 700, SB 833, SB 858, SB 884, SB 886, SB 922, SB 941, SB 952, SB 1093, SB 1105, SB 1122, SB 1130, SB 1225, SB 1226, SB 1251, SB 1277, SB 1295, SB 1354, SB 1467, SB 1615, SB 1783, SB 1818, SB 1860, SB 2162, SB 2164, SB 2173, SB 2207, SB 2216, SB 2219, SCR 7, SCR 23, SCR 26, SJR 27

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 19, 2021

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 1382 Bucy SPONSOR: Hughes
Relating to the availability of certain information regarding early voting.
(Amended)

HB 1603 Huberty SPONSOR: Seliger
Relating to the use of individual graduation committees and other alternative methods to satisfy certain public high school graduation requirements.
(Amended)

HB 2106 Perez SPONSOR: Zaffirini
Relating to the prevention, identification, investigation, and enforcement of payment card fraud; providing a civil penalty.

HB 2698 Kuempel SPONSOR: Zaffirini
Relating to covers or barriers on the windows and doors of and other obstructions of the view of certain alcoholic beverage retailers.

HB 3442 Anderson SPONSOR: Powell
Relating to complaints filed with the State Board of Veterinary Medical Examiners.
(Amended)

HB 3615 King, Phil SPONSOR: Buckingham
Relating to certain rates charged by and programs offered by municipally owned utilities.

HB 3799 Metcalf SPONSOR: Nichols
Relating to the exemption from sales and use taxes for items sold by a nonprofit organization at a county fair.

SB 183 Perry
Relating to emergency medical services subscription programs and reciprocity agreements between certain air ambulance companies operating a subscription program.

SB 1003 Springer
Relating to location requirements for the construction of certain wind-powered energy devices.

SB 1311 Hall
Relating to the provision of and professional liability insurance coverage for gender transitioning or gender reassignment medical procedures and treatments for certain children.

SB 1412 Paxton
Relating to the adoption and repeal of an additional ad valorem road tax for the maintenance of county roads.

SB 1630 Miles
Relating to criminal history record information checks for applicants for employment and employees of group homes; creating a criminal offense.

SB 1745 Zaffirini

Relating to the creation of a joint interim committee to study colonias and colonia initiatives in this state.

SB 2037 Menéndez

Relating to the definition of exploitation for purposes of investigating reports of exploitation against certain elderly persons and persons with disabilities.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 675 (31 Yeas, 0 Nays)

SCR 23 (31 Yeas, 0 Nays)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 19, 2021 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

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

HB 180 González, Mary SPONSOR: Blanco
Relating to the transfer of vacation leave time to a sick leave pool in certain counties.

HB 189 Canales SPONSOR: Lucio
Relating to a severance payment to a superintendent or administrator serving as educational leader and chief executive officer of an open-enrollment charter school.

HB 365 Murr SPONSOR: Springer
Relating to liability arising from farm animals.

HB 374 Smith SPONSOR: Springer
Relating to the continuation of the Red River Boundary Commission.

HB 375 Smith SPONSOR: Zaffirini
Relating to the prosecution of the offense of continuous sexual abuse of young child or disabled individual; creating a criminal offense.

HB 402 Hernandez SPONSOR: Alvarado

Relating to the use of certain funds derived from criminal asset forfeiture to provide services to domestic victims of trafficking.

HB 531 Walle SPONSOR: Huffman
Relating to notice requirements for a leased dwelling located in a floodplain.
(Committee Substitute)

HB 690 Metcalf SPONSOR: Zaffirini
Relating to training requirements for a member of the board of trustees of an independent school district.

HB 725 Patterson SPONSOR: Zaffirini
Relating to the eligibility of certain children who are or were in foster care for free prekindergarten programs in public schools.

HB 738 Paul SPONSOR: Nichols
Relating to residential and commercial building requirements of municipalities, counties, and emergency services districts.
(Committee Substitute)

HB 763 Toth SPONSOR: Zaffirini
Relating to the handling of illicit alcoholic beverages seized by a peace officer.

HB 766 Harless SPONSOR: Kolkhorst
Relating to the entry into the Texas Crime Information Center of certain information regarding orders imposing a condition of bond in a criminal case involving a violent offense.

HB 785 Allen SPONSOR: Zaffirini
Relating to behavior improvement plans and behavioral intervention plans for certain public school students and notification and documentation requirements regarding certain behavior management techniques.

HB 837 Lucio III SPONSOR: Zaffirini
Relating to the procedure for amending or revoking certificates of public convenience and necessity issued to certain retail public utilities.

HB 851 Cook SPONSOR: Hughes
Relating to the admission by a party of a material and substantial change of circumstances in a motion to modify an order in certain family law cases.

HB 868 Thompson, Senfronia SPONSOR: Zaffirini
Relating to the jury charge and jury findings in a suit affecting the parent-child relationship.

HB 871 Morrison SPONSOR: Kolkhorst
Relating to the municipal fees charged to certain air conditioning and refrigeration contractors.

HB 876 Craddick SPONSOR: Perry
Relating to fees charged by certain persons for the method used for payments made under an agreement.

HB 914 Hernandez SPONSOR: Huffman
Relating to the authority of certain municipal employees to request the removal and storage of certain abandoned or illegally parked vehicles.

HB 1005 Leman SPONSOR: Huffman

Relating to the requisites of a bail bond given by certain defendants and to conditions of release on bond for certain defendants.

HB 1011 Turner, John SPONSOR: Zaffirini
Relating to expedited death certificates for religious purposes in certain counties.

HB 1049 Harless SPONSOR: Huffman
Relating to the requirement for a deputy sheriff, reserve deputy sheriff, deputy constable, or reserve deputy constable to take an official oath.

HB 1069 Harris SPONSOR: Birdwell
Relating to the carrying of a handgun by certain first responders.

HB 1080 Patterson SPONSOR: Nelson
Relating to the eligibility for participation in University Interscholastic League activities of certain public school students who receive outpatient mental health services.

HB 1133 Clardy SPONSOR: Hughes
Relating to an election to revoke a county equalization tax imposed in certain counties.

HB 1213 Darby SPONSOR: Seliger
Relating to court reporter costs incurred in a hearing or proceeding for the involuntary detention of a person with mental illness.

HB 1227 Leman SPONSOR: Zaffirini
Relating to certain procedures regarding court-ordered financial support for a child in the conservatorship of the Department of Family and Protective Services.

HB 1228 Leman SPONSOR: Kolkhorst
Relating to the membership of the board of managers for certain emergency communication districts.

HB 1257 Ashby SPONSOR: Nichols
Relating to the definition of personal property for purposes of removing personal property from a roadway or right-of-way.

HB 1264 Bell, Keith SPONSOR: Springer
Relating to the time for making required reports of deceased residents of this state to a voter registrar and to the secretary of state.

HB 1276 Parker SPONSOR: Springer
Relating to the sale of certain food by food service establishments.

HB 1296 Metcalf SPONSOR: Creighton
Relating to the provision of certain notices in guardianship proceedings.

HB 1297 Metcalf SPONSOR: Creighton
Relating to service of process on institutions and organizations in certain probate proceedings.

HB 1338 Coleman SPONSOR: Miles
Relating to the continuation and operations of a health care provider participation program by the Harris County Hospital District.
(Committee Substitute)

HB 1372 Guerra SPONSOR: Zaffirini

Relating to authorizing a petitioner for a protective order to separate the petitioner's wireless telephone number from the respondent's wireless telephone service account.

HB 1397 White SPONSOR: Hughes
Relating to the required disclosure of entities with an ownership interest in a vendor of voting system equipment.

HB 1401 Johnson, Ann SPONSOR: Huffman
Relating to methods to send applications and orders for sealing juvenile records.

HB 1403 Johnson, Ann SPONSOR: Huffman
Relating to the imposition of consecutive sentences for certain offenses arising out of the same criminal episode.

HB 1419 Hull SPONSOR: Alvarado
Relating to the duties of a law enforcement agency regarding missing children and missing persons and to the duties of a justice of the peace or other investigator regarding unidentified bodies.

HB 1434 Oliverson SPONSOR: Zaffirini
Relating to limitations on pelvic examinations; authorizing disciplinary action, including an administrative penalty.

HB 1484 Metcalf SPONSOR: Springer
Relating to rates applied to certain water or sewer systems after a sale or purchase of the system.

HB 1510 Metcalf SPONSOR: Creighton
Relating to the response and resilience of certain electricity service providers to major weather-related events or other natural disasters; granting authority to issue bonds.

HB 1543 Parker SPONSOR: Creighton
Relating to certain procedural requirements for public improvement districts and transfers of property located in public improvement districts.

HB 1545 Cyrier SPONSOR: Hall
Relating to the continuation and functions of the Commission on Jail Standards.

HB 1572 Craddick SPONSOR: Springer
Relating to the rental and operation of electric generation equipment.

HB 1576 Parker SPONSOR: Paxton
Relating to the creation of a work group on blockchain matters concerning this state.

(Committee Substitute)

HB 1606 Talarico SPONSOR: Schwertner
Relating to the construction, maintenance, rehabilitation, and removal of dams by the Upper Brushy Creek Water Control and Improvement District.

HB 1618 Leman SPONSOR: Kolkhorst
Relating to the number of signatures required on a petition filed in connection with an election to create certain hospital districts.

HB 1677 Holland SPONSOR: Springer

Relating to the establishment of a Texas Police Service Animals Memorial Monument in the Capitol Complex.
(Committee Substitute)

HB 1680 Smith SPONSOR: Springer
Relating to the regulation of on-site sewage disposal systems on certain leased land that is owned by the federal government.

HB 1728 Smithee SPONSOR: Perry
Relating to partnerships between the Texas Parks and Wildlife Department and nonprofit entities to promote hunting and fishing by certain veterans.

HB 1729 Harris SPONSOR: Nichols
Relating to the sale of alcoholic beverages in areas annexed by certain municipalities.
(Committee Substitute)

HB 1752 Oliverson SPONSOR: Schwertner
Relating to benefit review conferences under the Texas workers' compensation system.

HB 1777 Oliverson SPONSOR: Hancock
Relating to disclosures and standards required for certain annuity transactions and benefits under certain annuity contracts.

HB 1792 Button SPONSOR: Zaffirini
Relating to the evaluation of child-care providers participating in the Texas Rising Star Program.

HB 1799 Button SPONSOR: Zaffirini
Relating to the administration of apprenticeship training programs.

HB 1904 Harris SPONSOR: Kolkhorst
Relating to the use of the water infrastructure fund.

HB 1936 Bucy SPONSOR: Schwertner
Relating to the issuance of specialty license plates to honor members of the United States Army Special Forces.

HB 1939 Smith SPONSOR: Creighton
Relating to the limitations periods for certain suits against real estate appraisers and appraisal firms.

HB 1958 González, Mary SPONSOR: Springer
Relating to the regulation of livestock export-import processing facilities; creating a criminal offense.

HB 2004 Ashby SPONSOR: Nichols
Relating to a limitation on liability and sanctions in connection with certain prescribed burns.

HB 2083 Darby SPONSOR: Perry
Relating to the general manager of the Upper Colorado River Authority.

HB 2090 Burrows SPONSOR: Hancock
Relating to the establishment of a statewide all payor claims database and health care cost disclosures by health benefit plan issuers and third-party administrators.

(Committee Substitute)

HB 2093 Cortez SPONSOR: Blanco
Relating to including certain licensed physician assistants in the definition of non-physician mental health professional for purposes of certain provisions applicable to non-physician mental health professionals.

HB 2094 Martinez SPONSOR: Hinojosa
Relating to the right to remove property encroaching on areas owned or controlled by the Hidalgo County Drainage District Number 1.

HB 2167 Morrison SPONSOR: Kolkhorst
Relating to the designation of the portion of U.S. Highway 77 in Refugio County as the Second Lieutenant Lloyd "Pete" Hughes Medal of Honor Memorial Highway.

HB 2171 Metcalf SPONSOR: Creighton
Relating to the eligibility of certain retired firefighters and emergency medical services providers to purchase continued health benefits coverage.
(Committee Substitute)

HB 2213 Frullo SPONSOR: Kolkhorst
Relating to the slaughter and processing of exotic animals for donation to a nonprofit food bank.
(Committee Substitute)

HB 2223 Canales SPONSOR: Nichols
Relating to a study by the Texas Department of Transportation on the impact of certain classifications of motor vehicle on the roads and bridges of this state.

HB 2301 Parker SPONSOR: Paxton
Relating to a change of name for participants in the address confidentiality program administered by the office of the attorney general.

HB 2326 Frullo SPONSOR: Springer
Relating to the possession and transportation of certain nonindigenous snakes; increasing a criminal penalty.
(Committee Substitute)

HB 2343 Geren SPONSOR: Whitmire
Relating to the purchase of food and beverages by the Department of Public Safety for certain persons.

HB 2374 Sanford SPONSOR: Kolkhorst
Relating to efficiency audits of the Department of Family and Protective Services.

HB 2530 Ashby SPONSOR: Nelson
Relating to the rate of interest on certain tax refunds.

HB 2669 Guillen SPONSOR: Zaffirini
Relating to the confidentiality of a child's criminal records related to certain misdemeanor offenses.

HB 2819 Smithee SPONSOR: Nichols
Relating to temporary licenses for insurance professionals.

HB 2840 Longoria SPONSOR: Hinojosa

Relating to the inapplicability of state citrus fruit maturity standards to grapefruit and oranges processed for juice.

HB 2841 Longoria SPONSOR: Hinojosa
Relating to suits to collect assessments owed by certain citrus producers.

HB 2847 Geren SPONSOR: Powell
Relating to the authority of the Tarrant County Hospital District or a nonprofit corporation formed by the district regarding certain technology or intellectual property owned by or licensed to the district or corporation.

HB 2920 Lozano SPONSOR: Hancock
Relating to a grace period for payment of premiums on insurance policies renewed by the Texas Windstorm Insurance Association.

HB 2941 Burns SPONSOR: Springer
Relating to the appointment of appraisal review board members.

HB 3130 Capriglione SPONSOR: Paxton
Relating to state agency contracts for Internet application development.

HB 3132 Smithee SPONSOR: Seliger
Relating to the performance of equine dentistry by students of equine dental provider certification programs.

HB 3165 Meyer SPONSOR: Whitmire
Relating to an affirmative defense to an allegation of truant conduct.

HB 3282 Canales SPONSOR: Nichols
Relating to the authority of a district engineer for the Texas Department of Transportation to temporarily lower the speed limit at a highway maintenance activity site.

(Committee Substitute)

HB 3394 Metcalf SPONSOR: Creighton
Relating to determining the incapacity of a guardian.

HB 3395 Ashby SPONSOR: Hinojosa
Relating to the knowledge test required for a commercial driver's license.

HB 3644 Ashby SPONSOR: Schwertner
Relating to the establishment of a memorial monument dedicated to emergency medical services personnel on the Capitol grounds.

HB 3648 Geren SPONSOR: Hancock
Relating to the provision of natural gas and electric services in this state.
(Committee Substitute)

HB 3689 Cortez SPONSOR: Gutierrez
Relating to the appeal of rates charged for water or sewer service by certain retail public utilities.

HB 3721 Ellzey SPONSOR: Kolkhorst
Relating to the inclusion of information for reporting suspicious activity to the Department of Public Safety on certain human trafficking signs or notices.

HB 3769 Smithee SPONSOR: Zaffirini
Relating to required disclosures for certain occupational insurance policies.

- HB 3786** Holland SPONSOR: Nelson
Relating to the authority of the comptroller to send, or to require the submission to the comptroller of, certain ad valorem tax-related items electronically.
- HB 3788** Holland SPONSOR: Nelson
Relating to the training and education of appraisal review board members.
- HB 3794** Geren SPONSOR: Hinojosa
Relating to oil and gas liens.
- HB 3856** Rogers SPONSOR: Springer
Relating to administrative penalties imposed by the Texas Animal Health Commission.
- HB 4030** Smithee SPONSOR: Hancock
Relating to the licensing and regulation of insurance professionals.
(Committee Substitute)
- HB 4436** Cyrier SPONSOR: Perry
Relating to the operation of aircraft in or on protected freshwater areas.
- HB 4577** Deshotel SPONSOR: Creighton
Relating to the authority of the Chambers County Improvement District No. 1 to issue bonds and impose certain taxes or assessments.
- HB 4579** Burrows SPONSOR: Perry
Relating to the powers, duties, and bond authority of the Lubbock Reese Redevelopment Authority; providing authority to impose a fee.
- HB 4585** Goodwin SPONSOR: Buckingham
Relating to the election of members of the board of directors of the Travis County Water Control and Improvement District No. 17.
- HB 4610** Wilson SPONSOR: Schwertner
Relating to the division of the CLL Municipal Utility District No. 1 and districts created by the division of the CLL Municipal Utility District No. 1.
- SB 608** Alvarado
Relating to the allocation of low income housing tax credits.
- SB 1083** Campbell
Relating to parental approval for a student's participation in human sexuality instruction in public schools.
- SB 1386** Creighton
Relating to a body worn camera program for emergency medical personnel.
- SB 1451** Alvarado
Relating to the definition of "closing" for purposes of certain private activity bonds.
- SB 1486** Hughes
Relating to the repeal of the authority of political subdivisions to adopt or enforce juvenile curfews.
- SB 2214** Eckhardt

Relating to the creation of the Moore's Crossing Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2237 Creighton

Relating to the boundaries of the Harris County Water Control and Improvement District No. 70.

SB 2242 Gutierrez

Relating to the creation of the Medina County Water Control and Improvement District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2244 Birdwell

Relating to the creation of the Lorena Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SCR 31 Kolkhorst

Conferring legislative approval of the Coleman Settlement Agreement.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 18

Agriculture and Livestock - **SB 1997**

Appropriations - **SB 321, SB 957**

Defense and Veterans' Affairs - **SB 1704**

Energy Resources - **SB 367, SB 1258, SB 1668**

Higher Education - **SB 1094, SB 1227**

Homeland Security and Public Safety - **SB 112**

Human Services - **SB 73, SB 224, SB 1341, SB 1575**

Insurance - **SB 2016**

Judiciary and Civil Jurisprudence - **SB 456, SB 615, SB 1923**

Land and Resource Management - **SB 1090, SB 1167, SB 2166**

Pensions, Investments, and Financial Services - **SB 1444**

Public Education - **SB 369, SB 776, SB 1697, SB 1955, SB 2066, SB 2158**

Public Health - **SB 1353, SB 1439, SB 1941, SB 2038**

State Affairs - **SB 2, SB 475, SB 1281, SB 1282**

Transportation - **SB 15, SB 1728, SB 1990, SB 2243**

Ways and Means - **SB 1919**

ENGROSSED

May 18 - HB 4666, HB 4668, HB 4669, HCR 29, HCR 86, HCR 89

ENROLLED

**May 18 - HB 569, HB 574, HB 654, HB 918, HB 1071, HB 1147,
HB 1197, HB 1322, HB 2152, HB 2404, HB 2533, HB 2723**

SENT TO THE GOVERNOR

May 18 - HB 773, HB 1957, HB 2390, HB 2431, HB 3399

SENT TO THE SECRETARY OF THE STATE

May 18 - HJR 125

SIGNED BY THE GOVERNOR

**May 18 - HB 17, HB 119, HB 139, HB 390, HB 626, HB 797, HB 1033,
HB 1118, HB 1514, HCR 92, HCR 94**

