

# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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TENTH DAY — TUESDAY, MARCH 9, 2021

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

The roll of the house was called and a quorum was announced present (Record 36).

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

The invocation was offered by Representative Allen as follows:

Heavenly Father, we come humbly before your throne of grace, asking your blessings on this body of dedicated servants of your people. We are here to do your work, to make the quality of life for our constituents better so that they may be better servants for you, that when they go out in their vineyards to work, they will take your spirit with them in all that they do. Grant us peace, love, and your grace throughout this session so that we may be better servants for thee. Amen.

The speaker led the house in the pledges of allegiance to the United States and Texas flags.

### LEAVE OF ABSENCE GRANTED

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

Capriglione on motion of Goldman.

### OATH OF OFFICE ADMINISTERED

Speaker Phelan administered the constitutional oath of office to David Spiller, District 68, member-elect of the House of Representatives of the Eighty-Seventh Legislature of the State of Texas.

(Spiller now present)

### COMMITTEE ASSIGNMENTS

The Honorable David Spiller of Jack County was assigned to the following committees:

Committee on County Affairs

Committee on Land and Resource Management

### BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES

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

### RECESS

Representative P. King moved that the house recess until 10 a.m. tomorrow in memory of Larry L. Fowler of Weatherford.

The motion prevailed.

The house accordingly, at 2:21 p.m., recessed until 10 a.m. tomorrow.

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### ADDENDUM

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### REFERRED TO COMMITTEES

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

#### List No. 1

**HB 1601** (By Allison), Relating to a local option exemption from ad valorem taxation of all or part of the appraised value of the residence homesteads of certain peace officers.

To Ways and Means.

**HB 1602** (By M. González), Relating to information regarding career and employment skills development required to be included with a written statement of an individualized education program developed for certain public school students.

To Public Education.

**HB 1603** (By Huberty), Relating to the use of individual graduation committees and other alternative methods to satisfy certain public high school graduation requirements.

To Public Education.

**HB 1604** (By Murphy), Relating to requirements for beneficial tax treatment related to a leasehold or other possessory interest in a public facility used to provide affordable housing.

To Urban Affairs.

**HB 1605** (By Dutton), Relating to the establishment of the inmate legal services office and to the appointment and compensation of certain legal counsel for certain indigent inmates and other persons in secure correctional facilities.

To Criminal Jurisprudence.

**HB 1606** (By Talarico), Relating to the construction, maintenance, rehabilitation, and removal of dams by the Upper Brushy Creek Water Control and Improvement District.

To Natural Resources.

**HB 1607** (By Darby), Relating to certificates of public convenience and necessity for certain transmission projects.

To State Affairs.

**HB 1608** (By Rosenthal), Relating to the categorization, collection, and publication of certain demographic and other information pertaining to certain public benefits programs.

To Human Services.

**HB 1609** (By Crockett), Relating to the criminal penalties for possession of marihuana.

To Criminal Jurisprudence.

**HB 1610** (By Davis), Relating to the composition of districts for the election of members of the Texas House of Representatives.

To Redistricting.

**HB 1611** (By Davis), Relating to the composition of districts for the election of members of the United States House of Representatives.

To Redistricting.

**HB 1612** (By Davis), Relating to the composition of districts for the election of members of the State Board of Education.

To Redistricting.

**HB 1613** (By Lopez), Relating to the deadline for certain public school teachers and principals to attend a teacher literacy achievement academy.

To Public Education.

**HB 1614** (By Collier), Relating to the use of certain technologies to supervise a defendant placed on community supervision.

To Corrections.

**HB 1615** (By Cyrier), Relating to the continuation and functions of the Texas Parks and Wildlife Department.

To Culture, Recreation, and Tourism.

**HB 1616** (By Bonnen), Relating to the Interstate Medical Licensure Compact; authorizing fees.

To Public Health.

**HB 1617** (By Bonnen), Relating to recovery of medical or health care expenses in civil actions.

To Judiciary and Civil Jurisprudence.

**HB 1618** (By Lemán), Relating to the number of signatures required on a petition filed in connection with an election to create certain hospital districts.

To County Affairs.

**HB 1619** (By Ramos), Relating to a fee exemption for trafficking victims for certain personal identification documents.

To Homeland Security and Public Safety.

**HB 1620** (By Ramos), Relating to the repeal of statutes prohibiting transactions between a governmental entity and abortion provider or affiliate of the provider.

To State Affairs.

**HB 1621** (By Guillen), Relating to providing free full-day prekindergarten for certain children.

To Public Education.

**HB 1622** (By Guillen), Relating to reporting of early voting totals.

To Elections.

**HB 1623** (By Toth), Relating to personhood rights for born and preborn human beings.

To Public Health.

**HB 1624** (By Raymond), Relating to a study on best practices in STEM programs at minority-serving public institutions of higher education and to a grant program to implement those practices.

To Higher Education.

**HB 1625** (By Raymond), Relating to a single Internet portal or equivalent electronic system through which Medicaid providers may submit and receive information.

To Human Services.

**HB 1626** (By Lucio), Relating to the use of credit scoring information by an insurer during and after a disaster.

To Insurance.

**HB 1627** (By S. Thompson), Relating to the issuance of air quality permits for concrete plants located in certain areas.

To Environmental Regulation.

**HB 1628** (By Raymond), Relating to the correction of an ad valorem tax appraisal roll and related appraisal records.

To Ways and Means.

**HB 1629** (By Guerra), Relating to improvements to the Texas Medicaid Provider Procedures Manual designed to prevent fraud, waste, or abuse in the provision of Medicaid dental services.

To Human Services.

**HB 1630** (By Guerra), Relating to the methods of voter registration.

To Elections.

**HB 1631** (By Guerra), Relating to the requirements for an application for a permit to manage wildlife and exotic animals from aircraft; authorizing a fee.

To Culture, Recreation, and Tourism.

**HB 1632** (By Morrison), Relating to the creation of the Texas music incubator rebate program to provide for rebates of a portion of certain taxes collected from certain music venues and promoters of certain music festivals.

To Culture, Recreation, and Tourism.

**HB 1633** (By Guillen), Relating to the audiology and speech-language pathology interstate compact; authorizing fees.

To Public Health.

**HB 1634** (By Lucio), Relating to the regulation of call centers; providing a civil penalty.

To Business and Industry.

**HB 1635** (By Patterson), Relating to research duties and reports of the workers' compensation research and evaluation group.

To Business and Industry.

**HB 1636** (By Sherman), Relating to allowing therapy or facility dogs to accompany a child or a person with a disability during testimony in certain criminal cases.

To Criminal Jurisprudence.

**HB 1637** (By Sherman), Relating to implicit bias training for members of the legislature and legislative employees.

To House Administration.

**HB 1638** (By Sherman), Relating to requiring security cameras in common areas of facilities operated by the Texas Department of Criminal Justice.

To Corrections.

**HB 1639** (By Sherman), Relating to the use of body worn cameras by correctional officers.

To Corrections.

**HB 1640** (By Sherman), Relating to a medication-assisted treatment program established by the Texas Department of Criminal Justice for inmates with opioid use disorders.

To Corrections.

**HB 1641** (By Sherman), Relating to the rights of a foster parent.

To Human Services.

**HB 1642** (By Sherman), Relating to official oppression and to law enforcement policies requiring peace officers to report certain peace officer misconduct; creating a criminal offense.

To Homeland Security and Public Safety.

**HB 1643** (By Sherman), Relating to continuing education for and regular implicit bias testing of peace officers.

To Homeland Security and Public Safety.

**HB 1644** (By Sherman), Relating to determinations by the Texas Historical Commission regarding the relocation of historical markers.

To Culture, Recreation, and Tourism.

**HB 1645** (By Sherman), Relating to an affirmative finding of family violence entered in the trial of certain offenses and to certain family violence protective orders.

To Criminal Jurisprudence.

**HB 1646** (By Lambert), Relating to modification of certain prescription drug benefits and coverage offered by certain health benefit plans.

To Insurance.

**HB 1647** (By Walle), Relating to the dissemination of eviction case information.

To Business and Industry.

**HB 1648** (By Middleton), Relating to participation of certain nongovernmental entities in the Texas County and District Retirement System and the Texas Municipal Retirement System.

To Pensions, Investments, and Financial Services.

**HB 1649** (By Middleton), Relating to bids or proposals required for insurance and risk pool contracts entered into by a school district, municipality, or county.

To County Affairs.

**HB 1650** (By Schaefer), Relating to the regulation of plumbing, including the requirements to obtain a tradesman plumber-limited license.

To Licensing and Administrative Procedures.

**HB 1651** (By Wilson), Relating to a study by the Texas Department of Transportation on the feasibility of charging a pavement consumption fee for the operation of certain motor vehicles on public highways.

To Transportation.

**HB 1652** (By Wilson), Relating to the regulation of certain direct sales of food to consumers and a limitation on the fee amount for certain permits.

To Public Health.

**HB 1653** (By Craddick), Relating to disannexation of certain areas that do not receive full municipal services.

To Land and Resource Management.

**HB 1654** (By Wilson), Relating to certain evidence obtained in a criminal investigation, including the issuance and execution of certain search warrants, the required disclosure of certain information in emergency situations, and the admissibility of certain evidence obtained with or without warrants.

To Criminal Jurisprudence.

**HB 1655** (By Thierry), Relating to restrictions on the age of persons employed by or allowed on the premises of a sexually oriented business; creating a criminal offense.

To Licensing and Administrative Procedures.

**HB 1656** (By Murphy), Relating to certain orders, proclamations, and regulations issued in response to a disaster by the governor or the presiding officer of the governing body of a political subdivision.

To State Affairs.

**HB 1657** (By White), Relating to prohibiting the investment of assets of the Employees Retirement System of Texas and the Teacher Retirement System of Texas in certain foreign business entities.

To Pensions, Investments, and Financial Services.

**HB 1658** (By Murphy), Relating to the methods by which the comptroller may provide notice of a deficiency determination or jeopardy determination.

To Ways and Means.

**HB 1659** (By Murphy), Relating to the amendment of a residential subdivision's declaration to affect certain types of property located in the subdivision.

To Business and Industry.

**HB 1660** (By Pacheco), Relating to requiring state contractors and political subdivisions of this state to participate in the federal electronic verification of employment authorization program, or E-verify.

To State Affairs.

**HB 1661** (By Pacheco), Relating to state recognition of the Tap Pilam Coahuiltecan Nation.

To Culture, Recreation, and Tourism.

**HB 1662** (By Thierry), Relating to an acute psychiatric bed registry to list available beds for the psychiatric treatment of certain individuals.

To Public Health.

**HB 1663** (By Pacheco), Relating to state recognition of the Tap Pilam Coahuiltecan Nation.

To Culture, Recreation, and Tourism.

**HB 1664** (By White), Relating to the reinstatement of eligibility for medical assistance of certain children placed in juvenile facilities.

To Human Services.

**HB 1665** (By White), Relating to the development and maintenance by the Employees Retirement System of Texas and the Teacher Retirement System of Texas of an online investment tracking database.

To Pensions, Investments, and Financial Services.

**HB 1666** (By Thierry), Relating to providing access to local health departments and certain health service regional offices under Medicaid.

To Human Services.

**HB 1667** (By Thierry), Relating to a limit on cost-sharing requirements imposed by a health benefit plan for certain prescription insulin.

To Insurance.

**HB 1668** (By Thierry), Relating to reporting requirements for bank loans made to African American-owned businesses.

To Pensions, Investments, and Financial Services.

**HB 1669** (By Thierry), Relating to the return of certain ballots.

To Elections.

**HB 1670** (By Thierry), Relating to the contractual relationship between a pharmacist or pharmacy and a health benefit plan issuer or pharmacy benefit manager.

To Insurance.

**HB 1671** (By Holland), Relating to an exemption from the franchise tax and certain filing fees for certain businesses owned by veterans during an initial period of operation in the state.

To Ways and Means.

**HB 1672** (By Holland), Relating to use of electric energy storage facilities in the ERCOT power region.

To State Affairs.

**HB 1673** (By Bucy), Relating to the inclusion of information about the process of voting as part of the social studies curriculum requirements for public high school students.

To Public Education.

**HB 1674** (By Holland), Relating to the taking of a blood specimen on arrest following certain motor vehicle accidents.

To Homeland Security and Public Safety.

**HB 1675** (By Allison), Relating to guardianships of wards with profound intellectual disabilities who are minors or were minors when their guardianship proceedings commenced.

To Judiciary and Civil Jurisprudence.

**HB 1676** (By Goodwin), Relating to child water safety requirements for certain organizations.

To Public Health.

**HB 1677** (By Holland), Relating to the establishment of the Texas Police Service Animals Memorial Monument in the Capitol Complex.

To Culture, Recreation, and Tourism.

**HB 1678** (By Raymond), Relating to the confidentiality of certain autopsy records.

To Public Health.

**HB 1679** (By Romero), Relating to the survival of a mechanic's retainage lien after the foreclosure of a lien securing a construction loan.

To Business and Industry.

**HB 1680** (By Smith), Relating to the regulation of on-site sewage disposal systems on certain leased land that is owned by the federal government.

To Environmental Regulation.

**HB 1681** (By Harless), Relating to the construction of an assisted living facility within a 500-year floodplain.

To Human Services.

**HB 1682** (By Krause), Relating to disclosures by liability insurers and policyholders to third-party claimants; providing an administrative penalty.

To Insurance.

**HB 1683** (By Landgraf), Relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.

To Energy Resources.

**HB 1684** (By Harless), Relating to pretrial procedures, conditions for community supervision, and criminal punishment for conduct endangering the public safety; creating a criminal offense and increasing criminal penalties.

To Criminal Jurisprudence.

**HB 1685** (By Cortez), Relating to the use of an electronic recording device to report proceedings before a municipal court of record for the City of San Antonio.

To Judiciary and Civil Jurisprudence.

**HB 1686** (By Cortez), Relating to the regulation of food production on single-family residential lots by a municipality or property owners' association.

To Agriculture and Livestock.

**HB 1687** (By Noble), Relating to unlawful employment practices with respect to the COVID-19 vaccine.

To International Relations and Economic Development.

**HB 1688** (By E. Morales), Relating to an optional county fee on vehicle registration in certain counties to be used for transportation projects.

To Transportation.

**HB 1689** (By Oliverson), Relating to credit for reinsurance governed by certain covered agreements and ceded to certain assuming insurers.

To Insurance.

**HB 1690** (By Tinderholt), Relating to the governor's power to control the sale, dispensing, transportation, storage, and use of alcoholic beverages, ammunition, explosives, combustibles, and weapons during a declared state of disaster or state of emergency.

To State Affairs.

**HB 1691** (By Tinderholt), Relating to the protection of religious freedoms and religious institutions during a declared state of disaster.

To State Affairs.

**HB 1692** (By Tinderholt), Relating to the amounts budgeted by certain political subdivisions for fire protection, law enforcement, or emergency medical services.

To State Affairs.

**HB 1693** (By Shaheen), Relating to access to the financial responsibility verification program by justice and municipal courts.

To Insurance.

**HB 1694** (By Raney), Relating to a defense to prosecution for certain offenses involving possession of small amounts of controlled substances, marihuana, dangerous drugs, or abusable volatile chemicals, or possession of drug paraphernalia for defendants seeking assistance for a suspected overdose.

To Public Health.

**HB 1695** (By Raney), Relating to establishing reimbursement rates for certain child-care providers participating in the subsidized child-care program administered by the Texas Workforce Commission.

To International Relations and Economic Development.

**HB 1696** (By Raney), Relating to the comptroller's authority to exempt remote sellers and marketplace providers from sales and use tax requirements based on revenue, sales, or transactions.

To Ways and Means.

**HB 1697** (By Raney), Relating to the provision of sex offender treatment by certain physicians and psychologists.

To Public Health.

**HB 1698** (By Raney), Relating to authorizing an optional county fee on vehicle registration in certain counties to be used for transportation projects.

To Transportation.

**HB 1699** (By Raney), Relating to the taking of unbanded pen-reared quail and pheasants by certain landowners.

To Culture, Recreation, and Tourism.

**HB 1700** (By Gates), Relating to certain procedures in suits affecting the parent-child relationship filed by the Department of Family and Protective Services.

To Juvenile Justice and Family Issues.

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**APPENDIX**

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**ENROLLED**

**March 3 - HCR 49**

**SENT TO THE SECRETARY OF THE STATE**

**March 4 - HCR 49**

