

HOUSE JOURNAL

EIGHTY-SEVENTH LEGISLATURE, FIRST CALLED SESSION

PROCEEDINGS

FIRST DAY — THURSDAY, JULY 8, 2021

In obedience of the proclamation of His Excellency, Greg Abbott, Governor of the State of Texas, convening the 87th Legislature, First Called Session, to meet in special session at Austin, Texas, the seat of government, on this the 8th day of July 2021, the members of the House of Representatives assembled in the hall of the House of Representatives, and at 10:12 a.m. the house was called to order by the Honorable Dade Phelan, speaker.

The roll of the house was called and a quorum was announced present (Record 1).

Present — Mr. Speaker(C); Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, 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; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; 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 — Anchia; Kuempel.

Absent — González, J.; Neave.

The invocation was offered by Representative Longoria as follows:

Dear Lord, thank you for allowing us to safely arrive here today so we can work for the betterment of this state. These 30 days will be difficult and none of us want to be away from our homes, but grant us the strength to stand for our convictions for our constituents back home. Please bless our families with the grace and peace we have to leave them once again. Remind us that though we may differ in opinions, we're all your children, and regardless of party, we are

working in ways to improve the lives of all Texans. Please bless us. Lord, keep us at the forefront of our minds for this special session. In your name we pray. Amen.

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

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business:

Anchia on motion of Lopez.

Kuempel on motion of Kacal.

PROCLAMATION BY THE GOVERNOR OF THE STATE OF TEXAS

The chair laid before the house and had read the following proclamation by the governor:

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, GREG ABBOTT, GOVERNOR OF THE STATE OF TEXAS, by the authority vested in me by Article III, Sections 5 and 40, and Article IV, Section 8, of the Texas Constitution, do hereby call an extraordinary session of the 87th Legislature, to convene in the City of Austin, commencing at 10 a.m. on Thursday, July 8, 2021, for the following purposes:

To consider and act upon the following:

Legislation reforming the bail system in Texas to protect the public from accused criminals who may be released on bail.

Legislation strengthening the integrity of elections in Texas.

Legislation providing funding to support law-enforcement agencies, counties, and other strategies as part of Texas' comprehensive border security plan.

Legislation safeguarding the freedom of speech by protecting social-media users from being censored by social-media companies based on the user's expressed viewpoints, including by providing a legal remedy for those wrongfully excluded from a platform.

Legislation providing appropriations to the Legislature and legislative agencies in Article X of the General Appropriations Act.

Legislation similar to Senate Bill 1109 from the 87th Legislature, Regular Session, requiring schools to provide appropriate education to middle- and high-school students about dating violence, domestic violence, and child abuse, but that recognizes the right of parents to opt their children out of the instruction.

Legislation identical to Senate Bill 29 as passed by the Texas Senate in the 87th Legislature, Regular Session, disallowing a student from competing in University Interscholastic League athletic competitions designated for the sex opposite to the student's sex at birth.

Legislation similar to Senate Bill 394 from the 87th Legislature, Regular Session, which prohibits people from providing abortion-inducing drugs by mail or delivery service, strengthens the laws applicable to the reporting of abortions and abortion complications, and ensures that no abortion-inducing drugs are provided unless there is voluntary and informed consent.

Legislation similar to House Bill 3507 from the 87th Legislature, Regular Session, relating to a "thirteenth check" or one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

Legislation similar to House Bill 3979 concerning critical race theory as originally passed by the Texas Senate in the 87th Legislature, Regular Session.

Legislation providing appropriations from additional available general revenue for the following purposes:

- property-tax relief;
- enhanced protection for the safety of children in Texas' foster-care system by attracting and retaining private providers for the system; and
- to better safeguard the state from potential cybersecurity threats.

To consider and act upon such other subjects as may be submitted by the Governor from time to time after the session convenes.

The Secretary of State will take notice of this action and will notify the members of the legislature of my action.

IN TESTIMONY WHEREOF, I have hereto signed my name and have officially caused the Seal of State to be affixed at my Office in the City of Austin, Texas, this the 7th day of July 2021.

/s/Greg Abbott
Governor of Texas

(SEAL)

Attested by:

/s/Joe A. Esparza

Deputy Secretary of State

(Neave now present)

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

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

ADJOURNMENT

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

The motion prevailed.

The house accordingly, at 10:30 a.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

PROCLAMATION BY THE SPEAKER CREATION OF HOUSE SELECT COMMITTEE ON CONSTITUTIONAL RIGHTS AND REMEDIES

The speaker submitted the following proclamation:

Pursuant to Rule 1, Section 16(b), Rules of the House of Representatives, I, Dade Phelan, Speaker of the House of Representatives, hereby create the House Select Committee on Constitutional Rights and Remedies.

SECTION 1. COMPOSITION, JURISDICTION, AND DURATION. (a) The committee shall have 15 members, with jurisdiction over all matters pertaining to:

(1) rights guaranteed under the United States and Texas constitutions and remedies for a violation of those rights, including matters related to federalism, separation of powers, and public accountability;

(2) the implementation, administration, and enforcement of statutory guarantees of those rights;

(3) the design, stability, and integrity of democratic institutions responsible for the enforcement and protection of constitutional rights and their statutory guarantees;

(4) the conduct of state officers and employees in the enforcement and infringement of constitutional rights and their statutory guarantees;

(5) federal, state, and local funding of entities and activities that enforce and protect constitutional rights and their statutory guarantees; and

(6) the following state agencies: the Criminal Appeals, Criminal Prosecutions, General Counsel, Opinion Committee, and Solicitor General Divisions of the Office of the Attorney General; Office of Court Administration; Office of the Governor; Office of the Secretary of State; Civil Rights Division of the Texas Workforce Commission; and any other state officer, agency, board, commission, department, or institution as it relates to the subject matter jurisdiction of this committee.

(b) The committee expires on the date the 88th Legislature convenes.

SECTION 2. MEMBERSHIP. The following members are appointed to the House Select Committee on Constitutional Rights and Remedies:

Trent Ashby, Chair
Senfronia Thompson, Vice-Chair
John Bucy
Travis Clardy
Charlie Geren
Jacey Jetton
Ann Johnson
Stephanie Klick
Brooks Landgraf
Oscar Longoria
J.M. Lozano
Joe Moody
Victoria Neave
Matt Shaheen
James White

/s/Dade Phelan

Speaker of the House of Representatives

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 1 (By Bonnen), Relating to making appropriations for the legislature and legislative agencies.

To Appropriations.

HB 2 (By Smith), Relating to rules for setting the amount of bail, to the release of certain defendants on a monetary bond or personal bond, to related duties of certain officers taking bail bonds and of a magistrate in a criminal case, to charitable bail organizations, and to the reporting of information pertaining to bail bonds.

To Select Constitutional Rights and Remedies.

HB 3 (By Murr), Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.

To Select Constitutional Rights and Remedies.

HB 21 (By Gervin-Hawkins), Relating to the disposition by a peace officer of certain Class B misdemeanors.

To Select Constitutional Rights and Remedies.

HB 39 (By Reynolds), Relating to the registration of voters at a polling place and related procedures.

To Select Constitutional Rights and Remedies.

HB 40 (By Reynolds), Relating to electronic voter registration.

To Select Constitutional Rights and Remedies.

HB 41 (By Reynolds), Relating to requirements to vote, including presenting proof of identification.

To Select Constitutional Rights and Remedies.

HB 46 (By Reynolds), Relating to automatic voter registration on issuance or change of a driver's license or identification card by the Department of Public Safety.

To Select Constitutional Rights and Remedies.

HB 49 (By Bucy), Relating to the registration of voters at a polling place and related procedures.

To Select Constitutional Rights and Remedies.

HB 54 (By Bucy), Relating to acceptable forms of identification for voting.

To Select Constitutional Rights and Remedies.

HB 55 (By Israel), Relating to electronic voter registration.

To Select Constitutional Rights and Remedies.

HB 56 (By Beckley), Relating to voting system equipment used by counties participating in the countywide polling place program.

To Select Constitutional Rights and Remedies.

HB 57 (By Bucy), Relating to early voting by mail by any qualified voter.

To Select Constitutional Rights and Remedies.

HB 59 (By Bucy), Relating to the days and hours during which the polls are open for early voting by personal appearance.

To Select Constitutional Rights and Remedies.

HB 61 (By Bucy), Relating to the procedures for voting after changing residence to another county.

To Select Constitutional Rights and Remedies.

HB 62 (By Bucy), Relating to the method of returning a ballot to be voted by mail.

To Select Constitutional Rights and Remedies.

HB 64 (By Bucy), Relating to notifications given to a person convicted of a felony concerning the person's eligibility to vote.

To Select Constitutional Rights and Remedies.

HB 66 (By Bucy), Relating to an application for an early voting ballot by mail.

To Select Constitutional Rights and Remedies.

HB 68 (By Gervin-Hawkins), Relating to correcting defects in an early voting ballot voted by mail.

To Select Constitutional Rights and Remedies.

HB 76 (By Israel), Relating to the election of certain unopposed candidates.

To Select Constitutional Rights and Remedies.

HB 85 (By Rogers), Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

To Pensions, Investments, and Financial Services.

HB 88 (By Paul), Relating to hours of service by an election watcher.

To Select Constitutional Rights and Remedies.

HB 92 (By Collier), Relating to hours during which the polls are open for early voting by personal appearance on Sunday.

To Select Constitutional Rights and Remedies.

HB 93 (By Collier), Relating to acceptable forms of identification for voting.

To Select Constitutional Rights and Remedies.

HB 94 (By Shaheen), Relating to ineligibility to serve as a poll watcher.

To Select Constitutional Rights and Remedies.

HB 95 (By Shaheen), Relating to civil liability for censorship by social media companies.

To Select Constitutional Rights and Remedies.

HB 96 (By M. González), Relating to correcting defects in an early voting ballot voted by mail.

To Select Constitutional Rights and Remedies.

HB 98 (By J. González), Relating to accommodating a voter unable to enter a polling place.

To Select Constitutional Rights and Remedies.

HB 100 (By Paul), Relating to practices and procedures for an early voting ballot voted by mail.

To Select Constitutional Rights and Remedies.

HJR 1 (By Kacal), Proposing a constitutional amendment requiring a judge or magistrate to impose the least restrictive conditions of bail that may be necessary and authorizing the denial of bail under some circumstances to a person accused of a violent or sexual offense or of continuous trafficking of persons.

To Select Constitutional Rights and Remedies.

HCR 1 (By Reynolds), Urging Congress to restore and strengthen the Voting Rights Act of 1965.

To Select Constitutional Rights and Remedies.

HCR 2 (By Reynolds), Urging Congress to pass the For the People Act.

To Select Constitutional Rights and Remedies.

HCR 3 (By Reynolds), Urging Congress to pass the John Lewis Voting Rights Advancement Act.

To Select Constitutional Rights and Remedies.

HCR 4 (By Reynolds), Urging Congress to pass the George Floyd Justice in Policing Act.

To Homeland Security and Public Safety.

HCR 5 (By Reynolds), Urging Congress to pass a federal law requiring universal background checks for all firearm sales.

To Homeland Security and Public Safety.

HCR 6 (By Reynolds), Urging Congress to raise the federal minimum wage to \$15 per hour.

To International Relations and Economic Development.

HCR 7 (By Reynolds), Urging Congress to pass H.R. 40 to establish the Commission to Study and Develop Reparation Proposals for African Americans.

To State Affairs.

HCR 8 (By Bucy), Urging Congress to pass the For the People Act and the John Lewis Voting Rights Advancement Act.

To Select Constitutional Rights and Remedies.

HCR 9 (By Murr), Designating Llano as the official Barrel Racing Capital of Texas for a 10-year period beginning in 2021.

To Culture, Recreation, and Tourism.

HR 1 (By Gervin-Hawkins), Commending Sammie "Sam" Ward of Sam's Barber Shop in San Antonio for his contributions to the community.

To Resolutions Calendars.

HR 2 (By Murr), In memory of Stephen C. Helbing Sr.

To Resolutions Calendars.

HR 3 (By Murr), In memory of Carl James "Jimmy" Cahill Jr. of Sonora.

To Resolutions Calendars.

HR 4 (By Murr), Congratulating Shanon Biggerstaff on her retirement as president of the Ozona Chamber of Commerce.

To Resolutions Calendars.