

# HOUSE JOURNAL

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EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SIXTH DAY — TUESDAY, JANUARY 24, 2023

The house met at 2:10 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 22).

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

Absent, Excused — Garcia; Jones, J.; Manuel; Smithee.

Absent — Martinez Fischer.

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

Thank you, Lord, for this gift of rain. Through it you not only provide for the growth of the good things on this earth, you remind us that all the good in our own lives comes from you. May we who gather this day to attend to the work of governance remember that all in our lives, our talents, our very lives themselves, are your gift to us, and to keep the perspective of eternity before our eyes always. Look with benevolence as well upon those who have no shelter, who are cold and wet, and grant them comfort. We ask this through Christ our Lord. Amen.

The chair recognized Representative Slawson 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 in the district:

- Garcia on motion of Campos.
- J. Jones on motion of Plesa.
- Manuel on motion of J. González.
- Smithee on motion of Darby.

**CAPITOL PHYSICIAN**

The chair presented Dr. Terrance Hines of Austin as the "Doctor for the Day."

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

**MESSAGE FROM THE SENATE**

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

**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. 1).

**PERMANENT OFFICERS OF THE HOUSE APPOINTED**

Pursuant to the House Rules and Housekeeping Resolution, Speaker Phelan announced the appointment of the following permanent officers of the House of Representatives of the Eighty-Eighth Legislature of the State of Texas:

- Parliamentarians . . . . . Sharon Carter and Hugh L. Brady
- Assistant Parliamentarian . . . . . Thomas G. Samuels
- Chief Clerk . . . . . Stephen Brown
- Assistant Chief Clerk . . . . . Mark Cervantes
- Journal Clerk . . . . . Jennifer Teigen Doran
- Voting Clerk . . . . . Scottie Hagen
- Reading Clerks . . . . . Kate Atwood and Haley Hilderbran
- Sergeant-at-Arms . . . . . Kara Coffee
- Assistant Sergeant-at-Arms . . . . . Nicole Duke
- Doorkeeper . . . . . Anthony M. Hester
- Committee Coordinator . . . . . Stacey Nicchio
- Assistant Committee Coordinator . . . . . Damian Duarte
- Executive Director, House Business Office . . . . . Steven D. Adrian
- Assistant Director, House Business Office . . . . . Scott D. Siebert
- Chaplain . . . . . the Reverend Jakob N. Hurlimann
- Assistant Chaplain . . . . . the Reverend Fernando Ricaud

### OATH OF OFFICE ADMINISTERED

The following appointed officers assembled in front of the speaker's dais:

Sharon Carter and Hugh L. Brady, Parliamentarians; Thomas G. Samuels, Assistant Parliamentarian; Stephen Brown, Chief Clerk; Mark Cervantes, Assistant Chief Clerk; Jennifer Teigen Doran, Journal Clerk; Scottie Hagen, Voting Clerk; Kara Coffee, Sergeant-at-Arms; Nicole Duke, Assistant Sergeant-at-Arms; Anthony M. Hester, Doorkeeper; Haley Hilderbran, Reading Clerk; Stacey Nicchio, Committee Coordinator; Steven D. Adrian, Executive Director, House Business Office; Scott D. Siebert, Assistant Director, House Business Office; and the Reverend Jakob N. Hurlimann, Chaplain.

Pursuant to Section 301.006, Government Code, Speaker Phelan administered the constitutional oath of office to the appointed officers of the House of Representatives of the Eighty-Eighth Legislature of the State of Texas, all of those present rising together and repeating the following oath, prescribed by the Constitution, as it was read to them, as follows:

"I, \_\_\_\_\_, do solemnly swear, that I will faithfully execute the duties of the office of officer of the House of Representatives of the Eighty-Eighth Legislature of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this state, so help me God." (Hugh L. Brady requested to be shown as affirming the oath.)

### SCR 10 - ADOPTED (Goldman - House Sponsor)

The following resolution was laid before the house:

**SCR 10**, Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 25, 2023, and ending on Tuesday, January 31, 2023.

**SCR 10** was adopted by (Record 23): 141 Yeas, 1 Nays, 1 Present, not voting.

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

Schatzline; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Jones, J.; Manuel; Smithee.

Absent — Martinez Fischer; Tinderholt; Toth.

### STATEMENT OF VOTE

When Record No. 23 was taken, I was in the house but away from my desk. I would have voted yes.

Tinderholt

### LEAVE OF ABSENCE GRANTED

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

Herrero on motion of Walle.

(Martinez Fischer now present)

### HR 69 - ADOPTED

(by Landgraf)

Representative Landgraf moved to suspend all necessary rules to take up and consider at this time **HR 69**.

The motion prevailed.

The following resolution was laid before the house:

**HR 69**, Granting permission for the use of the chamber of the Texas House of Representatives by the YMCA Texas Youth and Government Program on January 28, March 3, and March 4, 2023.

**HR 69** was adopted by (Record 24): 143 Yeas, 0 Nays, 1 Present, not voting.

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

Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Garcia; Herrero; Jones, J.; Manuel; Smithee.

Absent — King, T.

**HR 30 - ADOPTED**  
**(by Reynolds)**

Representative Reynolds moved to suspend all necessary rules to take up and consider at this time **HR 30**.

The motion prevailed.

The following resolution was laid before the house:

**HR 30**, Recognizing January 24, 2023, as Alpha Phi Alpha Fraternity Day at the State Capitol.

**HR 30** was adopted.

On motion of Representative Davis, the names of all the members of the house were added to **HR 30** as signers thereof.

**ADJOURNMENT**

Representative Meyer moved that the house adjourn until 10 a.m. tomorrow in memory of Roger Q. Hanks of Beaumont, grandfather of Speaker Phelan's wife, Kim Phelan.

The motion prevailed.

The house accordingly, at 2:30 p.m., adjourned until 10 a.m. tomorrow.

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**ADDENDUM**

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**SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

**Senate List No. 1**

**SCR 5, SCR 6**

**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  
Tuesday, January 24, 2023

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HCR 24** Goldman SPONSOR: Whitmire  
Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 18, 2023, and ending on Tuesday, January 24, 2023.

**SCR 10** Whitmire SPONSOR: Goldman  
Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, January 25, 2023, and ending on Tuesday, January 31, 2023.

Respectfully,  
Patsy Spaw  
Secretary of the Senate