

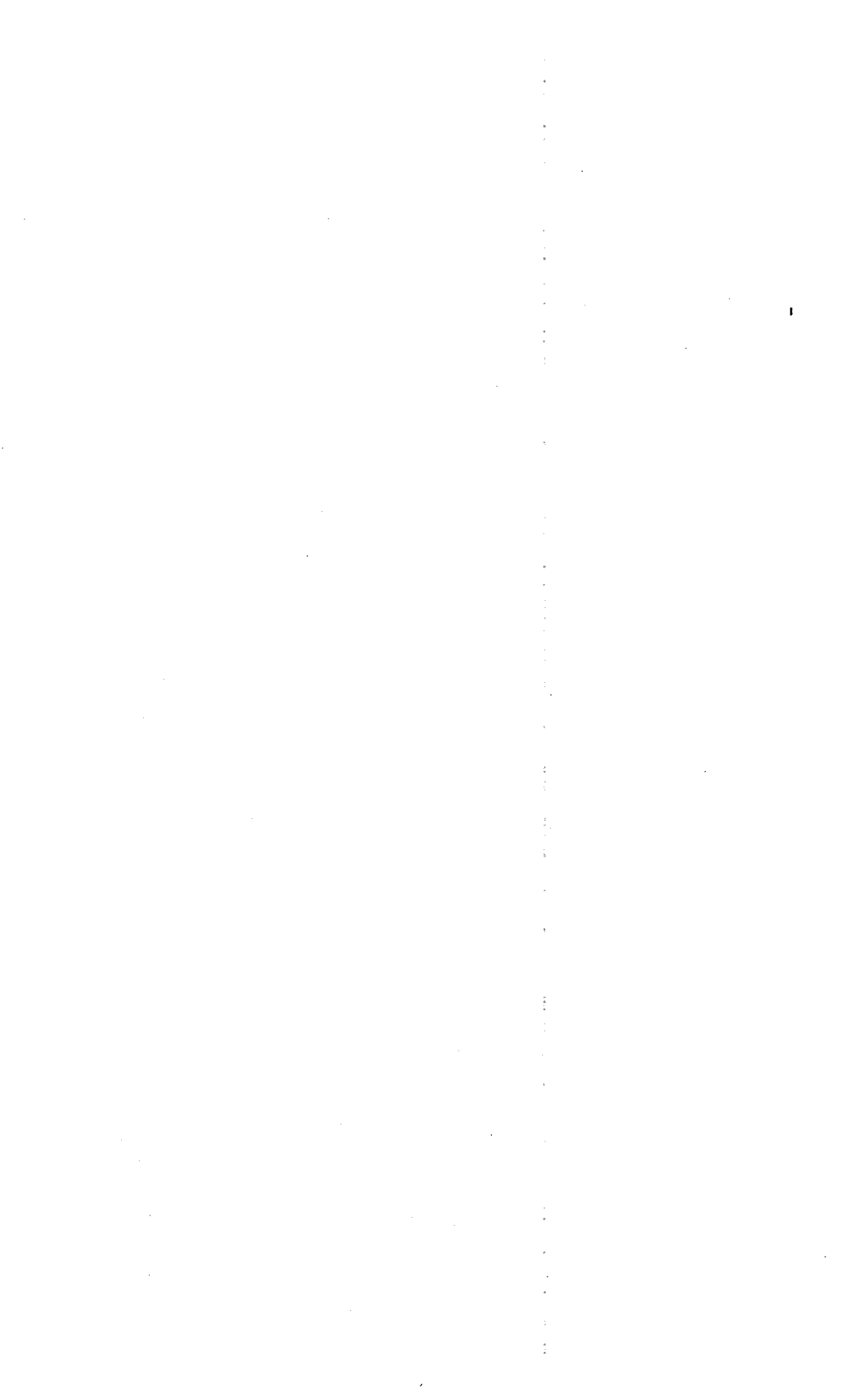
**JOURNAL**  
OF THE  
**House of Representatives**  
OF THE  
FIRST CALLED SESSION  
OF THE  
**Eighty-Seventh Legislature**  
OF THE  
STATE OF TEXAS

BEGUN AND HELD AT  
THE CITY OF AUSTIN

July 8, 2021



VOLUME VIII



**VOLUME VIII**

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LEGISLATURE, 2021



# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, FIRST CALLED SESSION

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## 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.

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### ADDENDUM

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#### 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.

# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, FIRST CALLED SESSION

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## PROCEEDINGS

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SECOND DAY — FRIDAY, JULY 9, 2021

The house met at 10:08 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 2).

Present — Mr. Speaker(C); Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; 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, 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; Lozano; 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, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Absent, Excused — Campos; Kuempel.

Absent — Anchia; Lucio; Turner, C.

The invocation was offered by Representative White as follows:

Be thou present, O God of wisdom, and direct the councils of this honorable assembly. Enable them to settle things on the best and surest foundation, that order and harmony and peace may be effectually restored and truth and justice, religion and piety, prevail and flourish amongst the people. All this we ask in the name and through the merits of Jesus Christ, thy son and our savior. Amen.

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

### LEAVES OF ABSENCE GRANTED

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

Kuempel on motion of Kacal.

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

Campos on motion of Morales Shaw.

### 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.)

### RECESS

Representative Harris moved that the house recess until 10 a.m. Tuesday, July 13.

The motion prevailed.

The house accordingly, at 10:17 a.m., recessed until 10 a.m. Tuesday, July 13.

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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 6** (By Klick), Relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense.

To Public Health.

**HB 101** (By Schofield), Relating to the creation, alteration or suspension of any voting standard, practice, or procedure authorized or required by the Election Code.

To Select Constitutional Rights and Remedies.

**HB 102** (By Schofield), Relating to the creation, suspension, or alteration of voting standards, practices, or procedures.

To Select Constitutional Rights and Remedies.

**HB 106** (By Bernal), Relating to requiring a voter to present proof of identification.

To Select Constitutional Rights and Remedies.

**HB 118** (By Zwiener), Relating to acceptable forms of identification for voting.

To Select Constitutional Rights and Remedies.

**HB 120** (By Darby), Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas.

To Pensions, Investments, and Financial Services.

**HB 122** (By Oliverson), Relating to the allocation and deposit of certain surplus state revenue to the property tax relief fund for use in reducing school district maintenance and operations ad valorem taxes.

To Appropriations.

**HB 123** (By Parker), Relating to the security of voted ballots.

To Select Constitutional Rights and Remedies.

**HB 125** (By Parker), Relating to the security of electronic voting system media.

To Select Constitutional Rights and Remedies.

**HB 126** (By Howard and Jetton), Relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate.

To Ways and Means.

**HB 129** (By Hinojosa), Relating to an early voting ballot voted by mail.

To Select Constitutional Rights and Remedies.

**HB 137** (By Howard), Relating to voter registration application forms in high schools.

To Select Constitutional Rights and Remedies.

**HB 138** (By Dominguez), Relating to requiring a voter to present proof of identification.

To Select Constitutional Rights and Remedies.

**HB 139** (By Dominguez), Relating to electronic voter registration.

To Select Constitutional Rights and Remedies.

**HB 140** (By Dominguez), Relating to requirements to vote, including presenting proof of identification.

To Select Constitutional Rights and Remedies.

**HB 147** (By Dominguez), Relating to the designation of polling place locations on the campuses of certain general academic teaching institutions.

To Select Constitutional Rights and Remedies.

**HB 149** (By Dominguez), Relating to the eligibility of certain persons younger than 18 years of age to preregister to vote.

To Select Constitutional Rights and Remedies.

**HB 150** (By Dominguez), 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 151** (By Dominguez), Relating to electronic voter registration.

To Select Constitutional Rights and Remedies.

**HB 152** (By Dominguez), Relating to the registration of voters at a polling place and related procedures.

To Select Constitutional Rights and Remedies.

**HB 153** (By Dominguez), Relating to qualifications and registration of certain voters convicted of a felony.

To Select Constitutional Rights and Remedies.

**HB 154** (By Dominguez), Relating to days and hours for voting during the early voting period.

To Select Constitutional Rights and Remedies.

**HB 155** (By Dominguez), Relating to the deadline for returning a ballot voted by mail.

To Select Constitutional Rights and Remedies.

**HB 159** (By Capriglione), Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas.

To Pensions, Investments, and Financial Services.

**HB 160** (By Lozano), Relating to a supplemental payment for retirees of the Teacher Retirement System of Texas and the unfunded actuarial liabilities allowed under that system.

To Pensions, Investments, and Financial Services.

**HB 164** (By Dominguez), Relating to the secretary of state providing voter registration application forms to high schools.

To Select Constitutional Rights and Remedies.

**HB 167** (By Bucy), Relating to the elements of the offense of illegal voting.

To Select Constitutional Rights and Remedies.

**HB 168** (By Bucy), Relating to election practices and procedures.

To Select Constitutional Rights and Remedies.

**HB 170** (By Reynolds), Relating to bail proceedings and related duties of a magistrate in a criminal case.

To Select Constitutional Rights and Remedies.



**HJR 12** (By Howard and Jetton), Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.

To Ways and Means.

**HJR 14** (By Reynolds), Proposing a constitutional amendment authorizing the denial of bail to an accused person if a judge or magistrate determines by clear and convincing evidence that requiring bail and conditions of release is insufficient to reasonably ensure the person's appearance in court or the safety of the community or of any person, including the victim of the alleged offense.

To Select Constitutional Rights and Remedies.

**HCR 10** (By Raymond), Urging Congress to propose and submit to the states for ratification a federal balanced budget amendment to the U.S. Constitution.

To State Affairs.

**HR 5** (By Tinderholt), Amending the permanent rules of the House of Representatives to provide for the imposition of penalties on absent members.

To House Administration.

**HR 6** (By Buckley), In memory of retired U.S. Army Colonel Ralph C. Gauer Sr.

To Resolutions Calendars.

**HR 7** (By Buckley), In memory of retired U.S. Army Lieutenant Colonel Kenneth Keith "Scooter" Barclay of Killeen.

To Resolutions Calendars.

**HR 8** (By Hinojosa), Commemorating CommUNITY Day in honor of the grand reopening of Waterloo Park on August 14, 2021.

To Resolutions Calendars.

**HR 9** (By Guillen), In memory of Dr. Joe David Townsend of South Padre Island.

To Resolutions Calendars.

**HR 10** (By Huberty), In memory of David Edward Feille of Atascocita.

To Resolutions Calendars.

**HR 11** (By Huberty), In memory of Parker Mason Coogan of Kingwood.

To Resolutions Calendars.

**HR 12** (By Huberty), In memory of Howard Pitman of Kingwood.

To Resolutions Calendars.

**HR 13** (By White), In memory of Vandie Lindsey Smith Jr. of Magnolia Springs.

To Resolutions Calendars.



# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, FIRST CALLED SESSION

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## PROCEEDINGS

SECOND DAY (CONTINUED) — TUESDAY, JULY 13, 2021

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

The invocation was offered by Representative Sanford as follows:

Father, on a day like today, we wonder how we should pray. And we're reminded by your scripture that this is the day that the Lord has made. Let us rejoice and be glad in it. So today, Father, we can rejoice. And we can also, the scripture tells us, to pray without ceasing, we can be in continual prayer for those we serve and those we love. And Father, we're also reminded, as I'm inspired by those in the chamber today and their faithfulness to serve their constituents in this great state, of your relentless pursuit of us and your faithfulness to each and every one of us even when we're not faithful to you, as you relentlessly pursue us, ultimately by sending your son, Jesus Christ, for the forgiveness of sins and eternal life, in whose name we pray. Amen.

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

### **LEAVES OF ABSENCE**

The following leaves of absence were requested for today because of important business in the district:

Allison on motion of K. Bell.

Biedermann on motion of Slaton.

Dean on motion of Oliverson.

Herrero on motion of Hunter.

The following leave of absence was requested for today because of family business:

Canales on motion of Metcalf.

The following leave of absence was requested for today because of illness:

Murr on motion of Landgraf.

The following leave of absence was requested for today and tomorrow because of important business:

K. King on motion of Geren.

The following leave of absence was requested for today and the remainder of the week because of important business:

Kuempel on motion of Metcalf.

A record vote was requested by Representative Metcalf.

The requests to grant leave of absence were not granted, a quorum not being present by (Record 3): 80 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, P.; King, T.; Klick; Krause; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morales, E.; Morrison; Murphy; 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; Turner, J.; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

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

### POINT OF ORDER

Representative Metcalf raised a point of order against further proceedings under Rule 5, Section 6, of the House Rules on the grounds that a quorum was not present on the last roll call. The point of order was sustained.

### CALL OF THE HOUSE ORDERED

Representative Metcalf moved a call of the house to consider the following class of measures:

Items submitted for consideration by the governor in his July 7 proclamation.

The motion was seconded.

The motion for the call of the house prevailed by (Record 4): 76 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris;

Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, P.; Klick; Krause; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; 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 — Guillen; King, T.; Morales, E.; Turner, J.

Present, not voting — Mr. Speaker(C).

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

#### STATEMENTS OF VOTE

When Record No. 4 was taken, I was absent because of a preplanned business strategy meeting. I would have voted yes.

Dean

When Record No. 4 was taken, I was absent because of illness. I would have voted yes.

Murr

Representative Metcalf moved to instruct the sergeant-at-arms or officers appointed by the sergeant-at-arms to send for all absentees whose absence is not excused, for the purpose of securing and maintaining their attendance, under warrant of arrest if necessary.

A record vote was requested by Representative J. Turner.

The motion prevailed by (Record 5): 76 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, P.; Klick; Krause; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; 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 — Guillen; King, T.; Morales, E.; Turner, J.

Present, not voting — Mr. Speaker(C).

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

### STATEMENTS OF VOTE

When Record No. 5 was taken, I was absent because of a preplanned business strategy meeting. I would have voted yes.

Dean

When Record No. 5 was taken, I was absent because of illness. I would have voted yes.

Murr

At 10:48 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 2:36 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

### HOUSE AT EASE

At 2:37 p.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

### Wednesday, July 14

The chair called the house to order at 11:15 a.m.

The invocation was offered by Representative Leman as follows:

Lord, we come to you this morning as members of the Texas House of Representatives during a difficult time in Texas. We come seeking the gift of wisdom. We all need the wisdom to understand the long-term impacts of the choices we make on the tens of millions of Texans we were elected to represent. Lord, we all understand how confusing these choices can be, and we understand our citizens must live with the results of these choices, good or bad. Without the gift of wisdom to clearly see and understand the impacts of our choices, we are destined to fail in our endeavor to protect the citizens we are elected to represent. Lord, we have been called to this special session right here to this room right now because there is more work to be done to protect our citizens. We ask you to bless us with the wisdom to see the benefit of the agenda and, should your will agree, the courage to take it up. In Jesus' name we pray. Amen.

(Allison, Biedermann, Dean, K. King, and Murr now present)

At 11:17 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 1:54 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### **HOUSE AT EASE**

At 1:55 p.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

#### **Thursday, July 15**

The chair called the house to order at 11:12 a.m.

The invocation was offered by Representative Noble as follows:

Dear Lord Father, today we pray that we would be filled with the wisdom that comes only from you, that we would walk in your path, that our very thoughts would be in line with what you want, that our mouths would be productive and pleasing and show that we are your children. I lift up the work that we do here today, that we would be productive because we are following your leading. I pray that those of us that serve on this mission field of government would be yielded completely to you so that those that we serve today would be better for it and that our posterity will be able to look back and see clearly that your hand was at work in this time and in this place and know that Texas was indeed one state under God. In Jesus' name I pray. Amen.

At 11:15 a.m., the chair announced that the house would stand at ease.

(Herrero now present)

The chair called the house to order at 12:46 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### **HOUSE AT EASE**

At 12:47 p.m., the chair announced that the house would stand at ease until 10 a.m. tomorrow.

(Canales and Longoria now present)

#### **Friday, July 16**

The chair called the house to order at 10:17 a.m.

The invocation was offered by Representative Middleton as follows:

This is the day that the Lord has made. We will rejoice and be glad in it. Heavenly Father, we pray for our state and nation today and that for every decision we make in this chamber, we do your will. Help us remember: For it is by grace we have been saved through faith, and this is not from ourselves—it is a gift from God—and not by works, so that no one may boast. Lord, all of our

freedoms come from you, our creator. You have given us life and liberty and property. Please give us the strength to lead with boldness and conviction in our faith to protect and defend those freedoms. We are one nation under God, and every decision we make in this government must be on your foundation, which is inscribed above this house chamber dais, of "In God We Trust." In Jesus' name we pray. Amen.

At 10:20 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 11:46 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### **HOUSE AT EASE**

At 11:46 a.m., the chair announced that the house would stand at ease until 2 p.m. tomorrow.

#### **Saturday, July 17**

The chair called the house to order at 2:03 p.m.

The invocation was offered by Representative K. King as follows:

Heavenly Father, thank you for this day. Thank you for our many blessings. Today, I ask you to be with the members of this body, those present as well as those absent, whether by choice or not. For those that chose to be absent, please grant them travel mercies and healing for those that are in need of it right now. While I'm certain that no fatted calves will be slaughtered when our colleagues come home, I do pray for your guiding hand to be with us as we resume our work. May our actions be worthy of the office we hold. May our actions be worthy of being Texans. Mostly, may our actions be pleasing in your sight and always bring glory to your name. In Jesus' name. Amen.

At 2:05 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 2:36 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### **HOUSE AT EASE**

At 2:36 p.m., the chair announced that the house would stand at ease until 2 p.m. tomorrow.

#### **Sunday, July 18**

The chair called the house to order at 2:08 p.m.

The invocation was offered by Representative Buckley as follows:



Heavenly Father, it is with great humility I stand here today to first praise you but also to ask you for guidance. Several times, I've stood at this podium with the weight of the responsibility given me by citizens of this great state. I've prayed for strength, for wisdom, and for discernment. But Lord, I have failed by assigning the definition of man to the things I have prayed for and fallen short by not understanding the definition you have proclaimed in your word. So today, I pray for strength but not the strength to bring honor to myself but the strength to honor you in all I do. I pray for wisdom, not the wisdom to know the path to victory but the wisdom to know the path forward that honors you. And Lord, I pray for discernment, not man's definition of sorting out facts and figures to make a decision but the definition from your word that tells us to examine everything carefully, hold fast to that which is good, and abstain from every form of evil. Decide truth in error and not be tossed around here and there by waves and carried about by every wind of doctrine. Lord, let us seek and profess the truth always. This I pray in Jesus' name. Amen.

At 2:11 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 2:56 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### **HOUSE AT EASE**

At 2:56 p.m., the chair announced that the house would stand at ease until 2 p.m. tomorrow.

#### **Monday, July 19**

The chair called the house to order at 2:07 p.m.

The invocation was offered by Representative Dean as follows:

Our Father, who is in heaven, hallowed be thy name. Thy kingdom come. Thy will be done, on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation but deliver us from evil. Amen.

At 2:11 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 2:43 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### **HOUSE AT EASE**

At 2:43 p.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

**Tuesday, July 20**

The chair called the house to order at 11:07 a.m.

The invocation was offered by Representative Frank as follows:

Heavenly Father, we love you and we praise you. And Father, I just want to pray for every single member of this house. Father, thank you for the speaker, and I just pray for every single member that's here. For every member that's not here, I pray for their health, and I pray for their families in this tense time. Father, I pray that you would help us to love one another when we're not lovable, that we would show the love that you showed to us first. I pray that you would give us wisdom beyond ourselves as we consider issues that are beyond our understanding often. And I pray that you give us humility to consider others better than ourselves. Father, thank you again for each person in here. Thank you for the love that you first showed to us. It's in your son's name we pray. Amen.

At 11:09 a.m., the chair announced that the house would stand at ease.

(Dutton now present)

The chair called the house to order at 11:58 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

**HOUSE AT EASE**

At 11:58 a.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

**Wednesday, July 21**

The chair called the house to order at 11:11 a.m.

The invocation was offered by Representative Bailes as follows:

Dear heavenly Father, as we gather here today, let us not forget the reasons for which we are here. We've been called into a work that we cannot yet understand the magnitude of. Still, we trust your guidance, the one who has called us. Abundantly bless the work before us, Father. May our efforts here not be in vain but be invested toward hopeful eternal ends. You alone by your mercy have the power to unite this imperfect body, our weaknesses and our strengths and our differences to one another. Unify this chamber and multiply our humbling offerings that we might use the power and influence for the good of our communities and for your glory. For it's in your name we pray. Amen.

At 11:13 a.m., the chair announced that the house would stand at ease.

(Cortez now present)

The chair called the house to order at 1:48 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

**HOUSE AT EASE**

At 1:49 p.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

(Pacheco now present)

**Thursday, July 22**

The chair called the house to order at 11:08 a.m.

The invocation was offered by Representative Stucky as follows:

Lord, I thank you for another day that you have made. Let us rejoice and be glad in it. You are in control of all things, and we thank you for watching over us. I pray, Lord, that we all work together to glorify you in the position that we have been elected to do. Watch over those that are not here today and heal those who are not well. Lord, you know our heart is to serve in the best way we can for our districts and for this great state. Help us all to come together and work to better this world to glorify you. In Jesus' name we pray. Amen.

At 11:12 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 12:06 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

**HOUSE AT EASE**

At 12:06 p.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

**Friday, July 23**

The chair called the house to order at 11:18 a.m.

The invocation was offered by Representative Cook as follows:

Lord, let us as a community lift up Representative Toby Goodman and his family as we all remember and celebrate his life as he goes to dwell in the house you, our Lord, have prepared for him in heaven. Lord, we thank you for this time we have with you, and we pray that we glorify you with our service to the citizens of this great State of Texas. Thank you for your wisdom and for the courage to do what is right. Thank you for the blessing, all of those who serve, and for all of those that have gone before us.

Lord, we lift up the family of Representative Toby Goodman. We pray for comfort and peace in their hearts, knowing that he is with you and knowing the impact Representative Goodman had on this State of Texas and every person who had the pleasure of knowing him. Lord, we pray that we honor those we serve and those who have served before us. In Jesus' name. Amen.

At 11:25 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 11:46 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

### HOUSE AT EASE

At 11:46 a.m., the chair announced that the house would stand at ease until 10 a.m. tomorrow.

#### **Saturday, July 24**

The chair called the house to order at 10:06 a.m.

The invocation was offered by Representative Klick as follows:

Heavenly Father, as we pray together for our nation, we realize the need to pray for our own hearts. We ask you to open our eyes to areas that need your touch and change. We desire to grow more like your son, Jesus, so that we will represent him well into our world. God, in a world full of noise and rhetoric, may we move beyond lofty words to quiet ourselves and hear your will. Give us boldness to act on your call to justice, especially when no one is watching or applauding. Show us ways we can serve in our churches, our local communities, and wherever you would send us. Give us eyes to see the needs of others. Father, give us your light, truth, and love. Give us the courage to shine for you. Show us where our hearts need to change to better reflect who you are in the world around us for your kingdom. We pray, for Christ has taught us, your kingdom come, your will be done on earth as it is heaven. In the name of Jesus I pray. Amen.

At 10:09 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 10:14 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

### HOUSE AT EASE

At 10:15 a.m., the chair announced that the house would stand at ease until 2 p.m. tomorrow.

#### **Sunday, July 25**

The chair called the house to order at 2:03 p.m.

The invocation was offered by Representative Murphy as follows:

Colleagues, I just ask we join in a very brief prayer to ask that the Lord continue to bless our mission and our work here. We recognize, with respect to all faiths and traditions, there is but one God. And we pray in the most holy name of Jesus. Amen.

At 2:11 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 2:26 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 2:26 p.m., the chair announced that the house would stand at ease until 3 p.m. tomorrow.

#### Monday, July 26

The chair called the house to order at 3:07 p.m.

The invocation was offered by Representative Toth as follows:

Father God, thank you for your goodness and your kindness, that you call us into freedom, that you give us the opportunity to live in this place, this state called Texas, that you've endowed freedom and liberty to us like no other place in the world. And God, we don't take that for granted. We thank you for what you've given us here today. We pray that you bring us back together to get the work of the people of Texas done. In Jesus' name. Amen.

At 3:09 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 3:23 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 3:23 p.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

#### Tuesday, July 27

The chair called the house to order at 11:09 a.m.

The invocation was offered by Representative Huberty as follows:

May the road rise up to meet you. May the wind be always at your back. May the sun shine warm upon your face, the rains fall soft upon your fields. And until we meet again, may God hold you in the palm of his hand. And members, as we welcome some of our colleagues back and as we pray for our colleagues that are not with us today, I would also like to pray for those that are sick and suffering of not only COVID but of addiction throughout the country and the State of Texas. Some of you may know this prayer as we end today. It's called the Serenity Prayer, and it goes like this: God, grant me the serenity to accept the things I cannot change. The courage to change the things I can. And the wisdom to know the difference. Amen.

(Kuempel now present)

At 11:11 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 11:32 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 11:33 a.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

#### Wednesday, July 28

The chair called the house to order at 11:18 a.m.

The invocation was offered by Representative Ashby as follows:

Father God, we humbly bow before you today with a grateful heart. We're thankful for your mercy, your unconditional love, but mostly for your son who you sent to die for the sins of man so that any person who confesses their sins and calls upon the name of our Lord Jesus Christ can and will be saved. Father, I pray for our speaker and each member of this body as we seek to do your will. Bless our beloved state, Lord, and continue to show your favor upon us. Bless us with your blessings and we'll give you all the honor and glory. We ask all this in your name. And all of God's people said, amen.

At 11:20 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 11:48 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 11:48 a.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

#### Thursday, July 29

The chair called the house to order at 11:12 a.m.

The invocation was offered by Representative Allison as follows:

Heavenly Father, we come to you again today, asking your blessing and guidance through these difficult times. You have blessed each of us with the privilege to serve in this body. Keep us ever mindful of the favor from you and to always remember that to you goes all the glory. Please stand beside us, walk with us, hold us together, and provide us each the grace to listen, to set aside egos and agendas, and to work together with mutual forbearance and respect to address the well-being of all we represent, ever reminding each of us of the sacred importance of truth, righteousness, and understanding. And keep us ever mindful of our sole calling to serve and please you. All this in Christ's name we pray. Amen.

At 11:17 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 11:50 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 11:50 a.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

#### Friday, July 30

The chair called the house to order at 11:12 a.m.

The invocation was offered by Representative Patterson as follows:

Heavenly Father, thank you. Thank you for this day. Thank you for the countless blessings that you've given us. Thank you for the opportunity to serve in this body to serve the people that we represent in a government that you ordained here. God, thank you for those that serve on our staffs. Thank you for the DPS officers and the National Guardsmen that protect our Capitol every day. God, thank you for the first responders that are protecting our communities. God, we lift them up and just ask that you continue to protect them. God, please give us the wisdom and the discernment and the thoughtfulness to eventually be able to represent our constituents. God, I pray for healing for this body. I pray that those that are gone are healthy and make it back safely as quickly as possible. God, thank you for all these things, and in Jesus' name we pray. Amen.

At 11:22 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 11:31 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 11:32 a.m., the chair announced that the house would stand at ease until 4 p.m. Monday, August 2.

#### Monday, August 2

The chair called the house to order at 4:04 p.m.

The invocation was offered by Representative Burns as follows:

Our most gracious heavenly Father Lord, we praise your name. We come to you thankful, thankful for our circumstances, thankful for our loved ones. Lord, I'm thankful for my wife and my kids. We're thankful for all of the loved ones we have back home and the undergirding of support that we have. Lord, when we see our circumstances, those we come in contact with, in the light of Jesus, it ain't hard for us to count our blessings. And Lord, we are blessed, and we thank you. Lord, I humbly pray for your wisdom. I humbly pray for divine discernment. And Lord, I would pray that you would light our path in a way that we can't help but follow it. Help us to be the children and servants that you wish us to be. It's in Christ's name that I pray. Amen.

At 4:22 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 4:37 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 4:37 p.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

#### **Tuesday, August 3**

The chair called the house to order at 11:12 a.m.

The invocation was offered by Representative Darby as follows:

Gracious and patient Lord, God of promise and God of fulfillment, we come to you asking that your spirit of wisdom and revelation show us the way. Lord, every day we are troubled by disastrous news and dangerous tidings. We feel that the world is collapsing around us and arrayed against us. We try to be strong, but we are weak. We let our fears get the better of us. In our minds, we divide people into us versus them. In our hearts, we blame others for our ills. Instead of engaging, we withdraw. Instead of sharing, we hoard. Instead of forgiving, we begrudge. Instead of loving, we hate. Your promises are not on our lips. Our tongues do not confess your praise.

We simply and humbly ask for your forgiveness, Lord. In the midst of our darkness, remind us that your light has come. In the midst of our doubt, convince us that your truth is here. In the midst of our confusion when we can't find our way, show us your way, that we might follow. In the name of Emmanuel, God who is with us, Jesus Christ, our Lord, I pray. And the people said, amen.

At 11:16 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 11:28 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 11:28 a.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

#### **Wednesday, August 4**

The chair called the house to order at 11:06 a.m.

The invocation was offered by Representative Paul as follows:

Dear Lord, please bless us today. Bless our governor to help lead him in his decisions. Bless our speaker as he leads us all through these difficult times. Bless us all to make sure we get through the trials that we have today, the trials of the COVID increases, the trials of COVID strain on our state. I also want to say a



special blessing for Scott Apley, who was our state republican executive committee member for Senate District 11 and a city council member in our district that just died of COVID. I ask you to please bless this body and the work that we do. Bless us, that we will be able to get through these strains and the work that we are asked by the people of Texas to get done. That we will get our work done—in spite of obstacles presented to us—that we will get the work done that we need to get done.

I continue to thank you for the blessings that we have all received—the blessings of our health, the blessings of us to be able to serve in this body, the blessings of the joys of our families and our businesses and faith in you, Lord. Thank you, again. I appreciate everything you've done. Thanks for your blessing. And above all, thanks for the sacrifice of our Lord Jesus Christ to allow us to return to be with you. In the name of our Lord Jesus Christ, amen.

At 11:19 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 11:43 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### **HOUSE AT EASE**

At 11:43 a.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

#### **Thursday, August 5**

The chair called the house to order at 11:10 a.m.

The invocation was offered by Representative Cook as follows:

Lord, we come to you this morning humbly and ask for your guidance, direction, words, knowledge, wisdom—all the above, Lord. As this special session comes to an end, we ask that you guide all the members of the legislature in the steps to move forward, the lamppost in front of us so that we know the way that you would have us go. Lord, I ask that you give us all the strength, knowledge, guidance, and wisdom to make the decisions that are honoring to you. We ask all these things in your son's name. Amen.

At 11:12 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 11:30 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### **HOUSE AT EASE**

At 11:30 a.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

**Friday, August 6**

The chair called the house to order at 11:06 a.m.

The invocation was offered by Representative Landgraf as follows:

Our heavenly Father, as your daughters and sons, we come to you on this day with hearts filled with gratitude. We pray in thanksgiving for the opportunity to serve our fellow Texans through this house. We are grateful, Lord, for your blessings, especially the blessing of family—the blessing of our families, our families who steadfastly support us and who quietly sacrifice because of us as we endeavor to do your will and to serve all of your children in this state. We pray that you continue to watch over our speaker, our staff, and all who toil in this Capitol with very little recognition for their efforts.

Lord, you have shown us that you are compassionate, you are just, and you are abounding in love. In the coming days, we expect strife, but we pray that you guard us from our anger and guide us with your grace as we continue determined in our mission to serve others. In the name of Christ our holy redeemer we pray. Amen.

**ADJOURNMENT SINE DIE**

Representative Landgraf moved that the house stand adjourned sine die.

The motion prevailed.

Speaker Phelan, at 11:08 a.m. Friday, August 6, pronounced the House of Representatives of the First Called Session of the Eighty-Seventh Legislature adjourned sine die.

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**ADDENDUM**


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**ORDERS BY THE SPEAKER**

The speaker submitted the following order on Thursday, July 15, for inclusion in the journal:

To the Chief Clerk of the House:

Pursuant to my authority under House Rule 1, Section 10, I have relieved Representative Joe Moody from his position as Speaker Pro Tempore for the 87th Legislature, effective immediately.

/s/Dade Phelan

Speaker of the House

The speaker submitted the following warrant for inclusion in the journal:

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES  
**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Philip Cortez**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 25th day of July, 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

**LETTER REGARDING  
HOUSE DISTRICT 10**

The following letter of resignation was submitted for inclusion in the journal:

July 29, 2021

The Honorable Greg Abbott  
Governor of Texas  
P.O. Box 12428  
Austin, TX 78711-2428

Dear Governor Abbott:

As a result of being elected to represent Texas Congressional District 6 in the United States House of Representatives, I am informing you that I am resigning my seat representing District 10 in the Texas House of Representatives, effective 7:00 A.M. Central Daylight Time, Friday, July 30, 2021.

Sincerely,  
/s/Jake Ellzey  
State Representative, District 10

cc: The Honorable Dade Phelan, Speaker of the Texas House

**SWEARING IN OF THE HONORABLE JAKE ELLZEY  
TO THE UNITED STATES HOUSE OF REPRESENTATIVES  
6th CONGRESSIONAL DISTRICT OF TEXAS**

On July 30, 2021, The Honorable Jake Ellzey appeared at the bar of the United States House of Representatives and took the oath of office as a member of the 117th Congress of the United States of America. See 167 Cong. Rec. 4299 (2021).

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**July 9**

Appropriations - **HB 1**

Pensions, Investments, and Financial Services - **HB 85**

**July 12**

Constitutional Rights and Remedies, Select - **HB 2, HB 3, HJR 1**

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**HOUSE BILLS, HISTORY OF  
IN THE HOUSE**

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- HB 1.** Relating to making appropriations for the legislature and legislative agencies.  
Author(s): Bonnen  
Coauthor(s): Tinderholt, Vasut  
Companion document(s): **SB 10**  
Read first time 5. Referred to Appropriations 5. Committee report filed with committee coordinator 32.
- HB 2.** 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.  
Author(s): Smith; Kacal; Cook  
Coauthor(s): Allison, Anderson, C. Bell, K. Bell, Bonnen, Buckley, Burrows, Button, Cain, Capriglione, Cason, Dean, Ellzey, Frank, Frullo, Gates, Harris, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Kuempel, Landgraf, Leman, Metcalf, Meyer, Murphy, Noble, Oliverson, Paddie, Parker, Patterson, Paul, Price, Rogers, Sanford, Shaheen, Shine, Slaton, Slawson, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson  
Companion document(s): **SB 6**  
Read first time 5. Referred to Constitutional Rights & Remedies 5. Committee report filed with committee coordinator 32.
- HB 3.** Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.  
Author(s): Murr  
Coauthor(s): Allison, K. Bell, Biedermann, Bonnen, Buckley, Cain, Capriglione, Clardy, Cook, Darby, Dean, Ellzey, Geren, Harris, Hefner, Holland, Hull, Kacal, P. King, Krause, Kuempel, Lambert, Landgraf, Leman, Metcalf, Meyer, Middleton, Murphy, Noble, Oliverson, Paddie, Parker, Patterson, Paul, Price, Rogers, Sanford, Shaheen, Shine, Slaton, Slawson, Smithee, Spiller, Stucky, Swanson, E. Thompson, Tinderholt, Toth, Vasut, Wilson  
Read first time 5. Referred to Constitutional Rights & Remedies 5. Committee report filed with committee coordinator 32.
- HB 6.** Relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense.  
Author(s): Klick; Oliverson; Frank; Noble; Cook  
Coauthor(s): Allison, Anderson, C. Bell, K. Bell, Bonnen, Buckley, Burrows, Cain, Capriglione, Cason, Cyrier, Dean, Ellzey, Gates, Goldman, Harris, Hefner, Holland, Huberty, Hull, Hunter, Jetton, Kacal, P. King, Krause, Kuempel, Landgraf, Leach, Leman, Metcalf, Meyer, Middleton, Murphy, Murr, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Schaefer, Shine, Slaton, Slawson, Smithee, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson  
Companion document(s): **SB 4**  
Read first time 10. Referred to Public Health 10.
- HB 11.** Relating to the appeal to a civil service commission of a disciplinary suspension of a fire fighter or police officer in certain municipalities.  
Author(s): Gervin-Hawkins
- HB 12.** Relating to acts for which a firefighter or police officer in certain municipalities may be subject to disciplinary procedures.  
Author(s): Gervin-Hawkins
- HB 13.** Relating to a study on mold contamination in housing developments supported by financial assistance administered by the Texas Department of Housing and Community Affairs.

Author(s): Gervin-Hawkins

**HB 14.** Relating to the regulation of licensed dog and cat breeders.

Author(s): Gervin-Hawkins

**HB 15.** Relating to dates of certain elections to be held in 2022.

Author(s): Hunter

**HB 16.** Relating to health benefit plan coverage for hair prostheses for breast cancer patients.

Author(s): Gervin-Hawkins

**HB 17.** Relating to health benefit plan coverage for hair prostheses for cancer patients.

Author(s): Gervin-Hawkins

**HB 18.** Relating to a study conducted by the Railroad Commission of Texas regarding reported gas flaring.

Author(s): Gervin-Hawkins

**HB 19.** Relating to publication by the Railroad Commission of Texas of certain information regarding natural gas flaring.

Author(s): Gervin-Hawkins

**HB 20.** Relating to complaint procedures and disclosure requirements for and censorship of users' expressions by social media platforms.

Author(s): Cain; Burrows; Harris; Krause; White

Coauthor(s): Allison, Anderson, C. Bell, K. Bell, Bonnen, Buckley, Cason, Cook, Cyrier, Dean, Ellzey, Frank, Frullo, Gates, Geren, Goldman, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Kuempel, Leman, Lozano, Metcalf, Middleton, Morrison, Murphy, Noble, Parker, Patterson, Paul, Price, Sanford, Schaefer, Shine, Slawson, Smithee, Spiller, Stephenson, Swanson, E. Thompson, Tinderholt, Vasut, Wilson

**HB 21.** Relating to the disposition by a peace officer of certain Class B misdemeanors.

Author(s): Gervin-Hawkins

Read first time 5. Referred to Constitutional Rights & Remedies 5.

**HB 22.** Relating to designating June as Firearm Safety Awareness Month.

Author(s): Gervin-Hawkins

**HB 23.** Relating to the imposition of consecutive sentences for more than one criminal offense of injury to a child, elderly individual, or disabled individual arising out of the same criminal episode.

Author(s): Gervin-Hawkins

**HB 24.** Relating to increasing the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system.

Author(s): Gervin-Hawkins

**HB 26.** Relating to the requirement for payment bonds from certain public work contractors.

Author(s): Gervin-Hawkins

**HB 27.** Relating to the corroboration of certain testimony in the prosecution of a trafficking of persons offense.

Author(s): Gervin-Hawkins

**HB 28.** Relating to recognizing persons who separated from military service solely on the basis of sexual orientation as honorably discharged veterans under state law.

Author(s): Gervin-Hawkins

**HB 29.** Relating to policies and standards for providing legal representation to indigent defendants in certain capital felony cases.

Author(s): Gervin-Hawkins

**HB 35.** Relating to a single common course numbering system for and the transfer of course credit among public institutions of higher education in this state.

Author(s): Gervin-Hawkins

- HB 36.** Relating to the enforcement of the prohibition on passing a school bus using images from a school bus monitoring system.  
Author(s): Gervin-Hawkins
- HB 37.** Relating to requiring cultural inclusion curriculum as part of the enrichment curriculum for public schools.  
Author(s): Gervin-Hawkins
- HB 38.** Relating to the creation of certain criminal offenses concerning firearm sales at gun shows; authorizing a fee.  
Author(s): Reynolds
- HB 39.** Relating to the registration of voters at a polling place and related procedures.  
Author(s): Reynolds  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 40.** Relating to electronic voter registration.  
Author(s): Reynolds  
Companion document(s): **HB 139**  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 41.** Relating to requirements to vote, including presenting proof of identification.  
Author(s): Reynolds  
Companion document(s): **HB 140**  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 42.** Relating to the minimum wage.  
Author(s): Reynolds
- HB 43.** Relating to peace officers and law enforcement agencies.  
Author(s): Reynolds
- HB 44.** Relating to municipal civilian complaint review boards in certain municipalities.  
Author(s): Reynolds
- HB 45.** Relating to the reentry and reintegration programs provided by the Texas Department of Criminal Justice.  
Author(s): Reynolds
- HB 46.** Relating to automatic voter registration on issuance or change of a driver's license or identification card by the Department of Public Safety.  
Author(s): Reynolds  
Companion document(s): **HB 150; SB 43**  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 47.** Relating to the creation of the office of law enforcement oversight.  
Author(s): Reynolds
- HB 48.** Relating to information on projected changes in weather, water availability, and climate variability in strategic plans of certain state agencies.  
Author(s): Reynolds
- HB 49.** Relating to the registration of voters at a polling place and related procedures.  
Author(s): Bucy  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 50.** Relating to energy efficiency goals for electric utilities.  
Author(s): Reynolds
- HB 51.** Relating to the establishment of the Texas Environmental Justice Advisory Council.  
Author(s): Reynolds
- HB 52.** Relating to air quality permits issued by the Texas Commission on Environmental Quality for certain oil and gas facilities.  
Author(s): Reynolds

- HB 53.** Relating to the analysis of inspection and maintenance requirements for air quality permits issued by the Texas Commission on Environmental Quality for certain oil and gas facilities.  
Author(s): Reynolds
- HB 54.** Relating to acceptable forms of identification for voting.  
Author(s): Bucy  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 55.** Relating to electronic voter registration.  
Author(s): Israel  
Companion document(s): **HB 230**  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 56.** Relating to voting system equipment used by counties participating in the countywide polling place program.  
Author(s): Beckley  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 57.** Relating to early voting by mail by any qualified voter.  
Author(s): Bucy  
Companion document(s): **SB 40**  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 58.** Relating to the designation of certain election days as state holidays.  
Author(s): Bucy  
Companion document(s): **HB 86; SB 52**
- HB 59.** Relating to the days and hours during which the polls are open for early voting by personal appearance.  
Author(s): Bucy  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 60.** Relating to the secretary of state posting on the secretary of state's Internet website databases containing certain information about elections.  
Author(s): Bucy
- HB 61.** Relating to the procedures for voting after changing residence to another county.  
Author(s): Bucy  
Companion document(s): **SB 36**  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 62.** Relating to the method of returning a ballot to be voted by mail.  
Author(s): Bucy  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 63.** Relating to reports regarding inadequate power supply in the ERCOT power region.  
Author(s): Beckley
- HB 64.** Relating to notifications given to a person convicted of a felony concerning the person's eligibility to vote.  
Author(s): Bucy  
Read first time 6. Referred to Constitutional Rights & Remedies 6.
- HB 65.** Relating to the date of runoff elections.  
Author(s): Bucy
- HB 66.** Relating to an application for an early voting ballot by mail.  
Author(s): Bucy  
Companion document(s): **SB 53**  
Read first time 6. Referred to Constitutional Rights & Remedies 6.



- HB 67.** Relating to the authority of certain entities and individuals to prevent individuals from accessing private property for the purpose of registering voters or communicating political messages.  
Author(s): Bucy
- HB 68.** Relating to correcting defects in an early voting ballot voted by mail.  
Author(s): Gervin-Hawkins  
Companion document(s): **HB 96**  
Read first time 7. Referred to Constitutional Rights & Remedies 7.
- HB 69.** Relating to a "Texas Way" to reforming and addressing issues related to the Medicaid program, including the creation of an alternative program designed to ensure health benefit plan coverage to certain low-income individuals through the private marketplace.  
Author(s): Reynolds
- HB 70.** Relating to the establishment of a limitation on the total amount of ad valorem taxes that taxing units may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.  
Author(s): Schofield
- HB 71.** Relating to compensation for damages caused by governmental actions that close or effectively close businesses.  
Author(s): Schofield
- HB 72.** Relating to an exemption from ad valorem taxation by a school district of a dollar amount or a percentage, whichever is greater, of the appraised value of a residence homestead, a reduction of the limitation on the total amount of ad valorem taxes that may be imposed by a school district on the homestead of a person who is elderly or disabled to reflect any increase in the exemption amount, and the protection of school districts against the resulting loss in local revenue.  
Author(s): Schofield
- HB 73.** Relating to daylight saving time.  
Author(s): Schofield
- HB 74.** Relating to the expansion of eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act.  
Author(s): Bucy
- HB 75.** Relating to the exemption of certain property from municipal drainage service charges.  
Author(s): Bucy
- HB 76.** Relating to the election of certain unopposed candidates.  
Author(s): Israel  
Read first time 7. Referred to Constitutional Rights & Remedies 7.
- HB 77.** Relating to establishing a joint select committee to study the feasibility and sustainability of providing a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas.  
Author(s): Bucy
- HB 78.** Relating to the authority of a taxing unit other than a school district to establish a limitation on the amount of ad valorem taxes that the taxing unit may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.  
Author(s): Bucy
- HB 79.** Relating to the determination of resident status of students by public institutions of higher education.  
Author(s): Cason  
Coauthor(s): Cain, Capriglione, Gates, Middleton, Sanford, Slawson, Stephenson, Swanson, Tinderholt, Toth, Vasut

- HB 80.** Relating to the elimination of school district maintenance and operations ad valorem taxes and the creation of a joint interim committee on the elimination of those taxes.  
Author(s): Murr  
Coauthor(s): Holland, P. King, Metcalf, Noble, Sanford, Shaheen, Slawson, Spiller, Tinderholt, Vasut
- HB 81.** Relating to the expansion of eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act.  
Author(s): Israel
- HB 82.** Relating to the presidential electors of this state.  
Author(s): Murr
- HB 83.** Relating to the implementation of certain rules regarding public school accountability adopted by the commissioner of education or the Texas Education Agency.  
Author(s): Gervin-Hawkins
- HB 84.** Relating to the calculation of net to land in the appraisal of open-space land for ad valorem tax purposes.  
Author(s): Murr
- HB 85.** Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.  
Author(s): Rogers; Ashby; Darby; Perez  
Coauthor(s): Allen, Allison, K. Bell, Biedermann, Bonnen, Bowers, Buckley, Button, Cain, Capriglione, Cason, Cole, Cook, Craddick, Cyrier, Dean, Ellzey, Frullo, Geren, Harless, Hefner, Holland, Huberty, Hull, Jetton, Kacal, T. King, P. King, Krause, Kuempel, Landgraf, Leman, Lozano, Metcalf, Meyer, Meza, Middleton, E. Morales, Murphy, Noble, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Sanford, Schofield, Shaheen, Shine, Slaton, Slawson, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, J. Turner, Vasut, White, Wilson  
Companion document(s): **HB 207**; **SB 7**  
Read first time 7. Referred to Pensions, Investments, & Financial Services 7. Committee report filed with committee coordinator 32.
- HB 86.** Relating to the designation of certain election days as state holidays.  
Author(s): Reynolds  
Companion document(s): **HB 58**; **SB 52**
- HB 87.** Relating to the adoption of a healthy and safe school water plan by public schools.  
Author(s): Gervin-Hawkins
- HB 88.** Relating to hours of service by an election watcher.  
Author(s): Paul  
Read first time 7. Referred to Constitutional Rights & Remedies 7.
- HB 89.** Relating to the definition of abuse of a child.  
Author(s): Slaton
- HB 90.** Relating to requiring public school and public institution of higher education students to participate in interscholastic athletic activities based on biological sex.  
Author(s): Slaton
- HB 91.** Relating to border security enhancement projects, a fund to pay for those projects, and a study on certain projects; allocating the earnings on the fund balance and reimbursement of related expenditures; granting the power of eminent domain.  
Author(s): Slaton
- HB 92.** Relating to hours during which the polls are open for early voting by personal appearance on Sunday.  
Author(s): Collier  
Read first time 7. Referred to Constitutional Rights & Remedies 7.
- HB 93.** Relating to acceptable forms of identification for voting.

- Author(s): Collier  
Read first time 7. Referred to Constitutional Rights & Remedies 7.
- HB 94.** Relating to ineligibility to serve as a poll watcher.  
Author(s): Shaheen  
Read first time 7. Referred to Constitutional Rights & Remedies 7.
- HB 95.** Relating to civil liability for censorship by social media companies.  
Author(s): Shaheen  
Coauthor(s): Anderson, K. Bell, Bonnen, Buckley, Burns, Cain, Cason, Cook, Cyrier, Frank, Harless, Harris, Hefner, Holland, Hull, Hunter, Jetton, Klick, Krause, Leach, Leman, Metcalf, Middleton, Morrison, Murphy, Murr, Noble, Oliverson, Parker, Paul, Rogers, Sanford, Schaefer, Slaton, Spiller, Stephenson, Stucky, Swanson, Tinderholt, VanDeaver, Vasut, White, Wilson  
Read first time 7. Referred to Constitutional Rights & Remedies 7.
- HB 96.** Relating to correcting defects in an early voting ballot voted by mail.  
Author(s): González, Mary  
Companion document(s): **HB 68**  
Read first time 7. Referred to Constitutional Rights & Remedies 7.
- HB 97.** Relating to the provision of certain co-navigation services to persons who are deaf-blind.  
Author(s): González, Mary
- HB 98.** Relating to accommodating a voter unable to enter a polling place.  
Author(s): González, Jessica  
Read first time 7. Referred to Constitutional Rights & Remedies 7.
- HB 99.** Relating to the creation of the disaster response loan fund and the permissible uses of that fund; making an appropriation.  
Author(s): Murphy
- HB 100.** Relating to practices and procedures for an early voting ballot voted by mail.  
Author(s): Paul; Anderson; Vasut; Cain; Holland  
Coauthor(s): Allison, Bonnen, Buckley, Burns, Burrows, Cason, Cook, Cyrier, Ellzey, Frullo, Harris, Hefner, Hull, Jetton, P. King, Klick, Krause, Leman, Metcalf, Morrison, Noble, Oliverson, Parker, Patterson, Price, Rogers, Shaheen, Slaton, Spiller, Stephenson, Stucky, E. Thompson, Tinderholt, Toth, VanDeaver, White, Wilson  
Read first time 7. Referred to Constitutional Rights & Remedies 7.
- HB 101.** Relating to the creation, alteration or suspension of any voting standard, practice, or procedure authorized or required by the Election Code.  
Author(s): Schofield  
Read first time 10. Referred to Constitutional Rights & Remedies 10.
- HB 102.** Relating to the creation, suspension, or alteration of voting standards, practices, or procedures.  
Author(s): Schofield  
Read first time 11. Referred to Constitutional Rights & Remedies 11.
- HB 103.** Relating to prohibiting abortion and protecting the rights of an unborn child and to criminal liability for, justification for, and defenses to prohibited conduct.  
Author(s): Slaton
- HB 104.** Relating to installment payments of ad valorem taxes imposed on residence homesteads in certain counties.  
Author(s): Bernal  
Companion document(s): **SB 59**
- HB 105.** Relating to a study of the impact, feasibility, and advisability of adopting a property tax system in which the disclosure of the sales price of real property is required by law.  
Author(s): Bernal

- HB 106.** Relating to requiring a voter to present proof of identification.  
Author(s): Bernal  
Companion document(s): **SB 45**  
Read first time 11. Referred to Constitutional Rights & Remedies 11.
- HB 107.** Relating to the use by a political subdivision of public funds for lobbying activities.  
Author(s): Middleton  
Coauthor(s): Capriglione, Metcalf, Tinderholt, Vasut  
Companion document(s): **SB 69**
- HB 108.** Relating to the creation of a Medicaid buy-in program for certain low-income individuals through the expansion of Medicaid under the federal Patient Protection and Affordable Care Act.  
Author(s): Bernal
- HB 109.** Relating to the expansion of eligibility for Medicaid in certain counties under the federal Patient Protection and Affordable Care Act.  
Author(s): Bernal
- HB 110.** Relating to the removal, relocation, alteration, or construction of certain monuments or memorials located on public property.  
Author(s): Slaton
- HB 111.** Relating to the expansion of eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act.  
Author(s): Bernal
- HB 112.** Relating to the authority of the Public Utility Commission of Texas to ensure the independent organization certified for the ERCOT power region has adequate reserve power to prevent blackout conditions.  
Author(s): Reynolds
- HB 113.** Relating to requiring certain employers to provide paid sick leave to employees; providing administrative penalties.  
Author(s): Bernal
- HB 114.** Relating to the expiration date of driver's licenses and renewal driver's licenses issued to noncitizens.  
Author(s): Middleton  
Coauthor(s): Bonnen, Metcalf, Tinderholt, Vasut
- HB 115.** Relating to the identification of and prohibited cooperation by state and local entities with certain federal acts that violate the United States Constitution.  
Author(s): Middleton  
Coauthor(s): Bonnen, Metcalf, Tinderholt, Vasut
- HB 116.** Relating to vaccination requirements for health benefit plans or insurance policies provided to business entities.  
Author(s): Middleton  
Coauthor(s): Bonnen, Metcalf, Tinderholt, Vasut
- HB 117.** Relating to the school district property value study conducted by the comptroller of public accounts.  
Author(s): Middleton; Bonnen; Buckley; Bell, Keith  
Coauthor(s): Hefner, Huberty, Slawson, Swanson, Tinderholt, Vasut, Wilson
- HB 118.** Relating to acceptable forms of identification for voting.  
Author(s): Zwiener  
Read first time 11. Referred to Constitutional Rights & Remedies 11.
- HB 119.** Relating to an exemption from ad valorem taxation of the total appraised value of the residence homestead of an unpaid caregiver of an individual who is eligible to receive long-term services and supports under the Medicaid program while the individual is on a waiting list for the services and supports.

Author(s): Bernal

**HB 120.** Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas.

Author(s): Darby; Rogers; Kacal; Cook; Shine

Coauthor(s): Allison, Bailes, P. King, Krause, Kuempel, Metcalf, Noble, Sanford, Shaheen, Tinderholt, Vasut

Companion document(s): **HB 159**

Read first time 11. Referred to Pensions, Investments, & Financial Services 11.

**HB 121.** Relating to campaign contribution limits for certain offices.

Author(s): Zwiener

**HB 122.** Relating to the allocation and deposit of certain surplus state revenue to the property tax relief fund for use in reducing school district maintenance and operations ad valorem taxes.

Author(s): Oliverson; Wilson; Toth

Coauthor(s): Allison, K. Bell, Buckley, Capriglione, Cook, Dean, Ellzey, Hefner, Huberty, Hull, Hunter, P. King, Metcalf, Noble, Patterson, Rogers, Sanford, Shaheen, Slawson, Spiller, Swanson, Tinderholt, Vasut

Read first time 11. Referred to Appropriations 11.

**HB 123.** Relating to the security of voted ballots.

Author(s): Parker; Metcalf; Capriglione

Coauthor(s): Tinderholt, Vasut

Read first time 11. Referred to Constitutional Rights & Remedies 11.

**HB 124.** Relating to the Texas Free Enterprise and Antitrust Act of 1983.

Author(s): Oliverson

Coauthor(s): Cook, Ellzey, Hefner, Noble, Wilson

**HB 125.** Relating to the security of electronic voting system media.

Author(s): Parker

Read first time 11. Referred to Constitutional Rights & Remedies 11.

**HB 126.** Relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate.

Author(s): Howard; Jetton

Companion document(s): **HB 223; SB 12; SB 20**

Read first time 11. Referred to Ways & Means 11.

**HB 127.** Relating to procedures in certain suits affecting the parent-child relationship filed by the Department of Family and Protective Services.

Author(s): Gates

**HB 128.** Relating to the operation by a school district of a vocational education program to provide eligible high school students with vocational and educational training under a plan for the issuance of a high school diploma and the application of certain student-based allotments under the public school finance system.

Author(s): Gates

**HB 129.** Relating to an early voting ballot voted by mail.

Author(s): Hinojosa

Companion document(s): **SB 38**

Read first time 11. Referred to Constitutional Rights & Remedies 11.

**HB 130.** Relating to allowing health care providers to enter certain claims and other information into the Medicaid electronic visit verification system.

Author(s): Raymond

- HB 131.** Relating to the authority of the Public Utility Commission of Texas to set wholesale electricity prices in the ERCOT power region during a state of disaster.  
Author(s): Raymond
- HB 132.** Relating to the target planning reserve margin for ERCOT.  
Author(s): Raymond
- HB 133.** Relating to the confidentiality of certain information received or maintained by the Veterans' Land Board.  
Author(s): Raymond
- HB 134.** Relating to a study on state land use to facilitate health and wellness for veterans.  
Author(s): Raymond
- HB 135.** Relating to the creation of a work group to study uniform quality measures under a value-based program for long-term services and supports.  
Author(s): Raymond
- HB 136.** Relating to a study by the Texas Division of Emergency Management of the potential effects of droughts and wildfires in this state.  
Author(s): Raymond
- HB 137.** Relating to voter registration application forms in high schools.  
Author(s): Howard  
Companion document(s): **SB 48**  
Read first time 11. Referred to Constitutional Rights & Remedies 11.
- HB 138.** Relating to requiring a voter to present proof of identification.  
Author(s): Dominguez  
Companion document(s): **SB 45**  
Read first time 11. Referred to Constitutional Rights & Remedies 11.
- HB 139.** Relating to electronic voter registration.  
Author(s): Dominguez  
Companion document(s): **HB 40**  
Read first time 11. Referred to Constitutional Rights & Remedies 11.
- HB 140.** Relating to requirements to vote, including presenting proof of identification.  
Author(s): Dominguez  
Companion document(s): **HB 41**  
Read first time 11. Referred to Constitutional Rights & Remedies 11.
- HB 141.** Relating to the methods by which students may be admitted to public schools or transfer within a school district and the disclosure of information regarding public school admission methods.  
Author(s): Dominguez
- HB 142.** Relating to the members of the governing body of an independent organization certified for the ERCOT power region.  
Author(s): Dominguez
- HB 143.** Relating to the establishment by the Texas Workforce Commission of a workplace soft skills training pilot program.  
Author(s): Dominguez
- HB 144.** Relating to the display of emergency and other notices by a governmental entity on the entity's Internet website.  
Author(s): Dominguez
- HB 145.** Relating to emergency management for cybersecurity events threatening this state.  
Author(s): Dominguez
- HB 146.** Relating to requiring the disclosure of fees charged for the sale of concert and other event tickets.  
Author(s): Dominguez

- HB 147.** Relating to the designation of polling place locations on the campuses of certain general academic teaching institutions.  
Author(s): Dominguez  
Companion document(s): **SB 37**  
Read first time 12. Referred to Constitutional Rights & Remedies 12.
- HB 148.** Relating to the enforcement of parking privileges for people with disabilities; increasing criminal fines; authorizing a fee.  
Author(s): Dominguez
- HB 149.** Relating to the eligibility of certain persons younger than 18 years of age to preregister to vote.  
Author(s): Dominguez  
Companion document(s): **HB 245**  
Read first time 12. Referred to Constitutional Rights & Remedies 12.
- HB 150.** Relating to automatic voter registration on issuance or change of a driver's license or identification card by the Department of Public Safety.  
Author(s): Dominguez  
Companion document(s): **HB 46; SB 43**  
Read first time 12. Referred to Constitutional Rights & Remedies 12.
- HB 151.** Relating to electronic voter registration.  
Author(s): Dominguez  
Read first time 12. Referred to Constitutional Rights & Remedies 12.
- HB 152.** Relating to the registration of voters at a polling place and related procedures.  
Author(s): Dominguez  
Read first time 12. Referred to Constitutional Rights & Remedies 12.
- HB 153.** Relating to qualifications and registration of certain voters convicted of a felony.  
Author(s): Dominguez  
Companion document(s): **HB 240; SB 51**  
Read first time 12. Referred to Constitutional Rights & Remedies 12.
- HB 154.** Relating to days and hours for voting during the early voting period.  
Author(s): Dominguez  
Read first time 12. Referred to Constitutional Rights & Remedies 12.
- HB 155.** Relating to the deadline for returning a ballot voted by mail.  
Author(s): Dominguez  
Read first time 12. Referred to Constitutional Rights & Remedies 12.
- HB 156.** Relating to the administration of the Texas Windstorm Insurance Association.  
Author(s): Middleton; Hunter; Vasut; Lozano; Dominguez
- HB 157.** Relating to creating abbreviated educator preparation programs for certification in marketing education and certification in health science technology education.  
Author(s): Gervin-Hawkins
- HB 158.** Relating to the establishment of the Family Educational Relief Program and an insurance premium tax credit for contributions made for purposes of that program.  
Author(s): Middleton
- HB 159.** Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas.  
Author(s): Capriglione  
Coauthor(s): Allison, Metcalf, Parker, Tinderholt, Vasut  
Companion document(s): **HB 120**  
Read first time 12. Referred to Pensions, Investments, & Financial Services 12.
- HB 160.** Relating to a supplemental payment for retirees of the Teacher Retirement System of Texas and the unfunded actuarial liabilities allowed under that system.  
Author(s): Lozano

Read first time 12. Referred to Pensions, Investments, & Financial Services 12.

**HB 161.** Relating to interconnection of transmission facilities in ERCOT with transmission facilities outside of ERCOT.

Author(s): Reynolds

**HB 162.** Relating to the use of information from the lists of noncitizens and nonresidents excused or disqualified from jury service.

Author(s): Klick

Coauthor(s): Bonnen, P. King, Metcalf, Tinderholt, Vasut

**HB 163.** Relating to the unlawful restraint of a dog; creating a criminal offense.

Author(s): Collier

**HB 164.** Relating to the secretary of state providing voter registration application forms to high schools.

Author(s): Dominguez

Read first time 12. Referred to Constitutional Rights & Remedies 12.

**HB 165.** Relating to procedures for public involvement in redistricting of judicial districts, state legislative districts, State Board of Education districts, and congressional districts.

Author(s): González, Jessica

**HB 166.** Relating to the provision of and professional liability insurance coverage for gender transitioning or gender reassignment medical procedures and treatments for certain children.

Author(s): Krause; Schaefer; Oliverson; Bonnen

Coauthor(s): Allison, Anderson, Ashby, Bailes, C. Bell, K. Bell, Biedermann, Buckley, Burns, Burrows, Cain, Capriglione, Cason, Clardy, Cook, Craddick, Cyrier, Darby, Dean, Frank, Frullo, Goldman, Harless, Harris, Hefner, Holland, Huberty, Hull, Jetton, Kacal, K. King, P. King, Klick, Kuempel, Lambert, Landgraf, Leach, Leman, Lozano, Metcalf, Middleton, Morrison, Murphy, Murr, Noble, Padd.e, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Schofield, Shaheen, Shine, Slaton, Slawson, Smithee, Smith, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson

Companion document(s): **SB 18**

**HB 167.** Relating to the elements of the offense of illegal voting.

Author(s): Bucy

Read first time 12. Referred to Constitutional Rights & Remedies 12.

**HB 168.** Relating to election practices and procedures.

Author(s): Bucy

Read first time 12. Referred to Constitutional Rights & Remedies 12.

**HB 169.** Relating to a financial assistance program for open-enrollment charter school facilities.

Author(s): Gervin-Hawkins

**HB 170.** Relating to bail proceedings and related duties of a magistrate in a criminal case.

Author(s): Reynolds

Read first time 12. Referred to Constitutional Rights & Remedies 12.

**HB 171.** Relating to an exception to the application of the offense of illegal voting.

Author(s): Turner, John

Companion document(s): **SB 50**

**HB 172.** Relating to a limitation on increases in the appraised value of real property for ad valorem tax purposes.

Author(s): Vasut

**HB 173.** Relating to state and local government responses to disasters.

Author(s): Vasut



- HB 174.** Relating to a notarized affidavit requesting a municipal animal control authority to manage dangerous dogs and aggressive dogs in the municipality's extraterritorial jurisdiction.  
Author(s): Gervin-Hawkins
- HB 175.** Relating to charges imposed by a governmental body for providing copies of campaign finance reports under the public information law.  
Author(s): Vasut
- HB 176.** Relating to filing of campaign treasurer appointments and campaign finance reports with the Texas Ethics Commission.  
Author(s): Vasut
- HB 177.** Relating to the acceptance and counting of early voting ballots voted by mail.  
Author(s): Vasut
- HB 178.** Relating to curriculum, materials, and activities in public schools.  
Author(s): Toth  
Coauthor(s): Bonnen, Cain, Capriglione, Cook, Hull, P. King, Metcalf, Middleton, Parker, Slawson, Spiller, Tinderholt, Vasut, Wilson
- HB 179.** Relating to the separation based on biological sex of athletics teams sponsored by a public school or institution of higher education.  
Author(s): Swanson  
Coauthor(s): Metcalf, Tinderholt, Vasut
- HB 180.** Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas, including a related study.  
Author(s): Muñoz, Jr.
- HB 181.** Relating to the definition of abuse of a child.  
Author(s): Toth  
Coauthor(s): Ellzey, Metcalf, Tinderholt, Vasut  
Companion document(s): **SB 70**
- HB 182.** Relating to a restriction on the authority of an appraisal district to increase the appraised value of a residence homestead for ad valorem tax purposes for the tax year following a tax year in which the appraised value of the property is lowered as a result of an agreement, protest, or appeal.  
Author(s): Cook
- HB 183.** Relating to the establishment of the task force on asylum-seeking migrants.  
Author(s): Howard
- HB 184.** Relating to provider discrimination against a Medicaid recipient or child health plan program enrollee based on immunization status.  
Author(s): Swanson
- HB 185.** Relating to requiring public school and public institution of higher education students to compete in interscholastic athletic competitions based on biological sex.  
Author(s): Swanson  
Coauthor(s): Bonnen, Metcalf, Tinderholt, Vasut  
Companion document(s): **SB 2**
- HB 186.** Relating to extending the eligibility of certain students to participate in a school district's special education program.  
Author(s): González, Mary
- HB 187.** Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.  
Author(s): Swanson; Klick; Noble  
Coauthor(s): Allison, Anderson, Bailes, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cason, Clardy, Cook, Craddick, Cyrier, Darby, Dean, Ellzey, Frank, Frullo, Gates, Harless, Harris, Hefner, Holland, Hull, Jetton, Kacal,

K. King, P. King, Krause, Kuempel, Lambert, Landgraf, Leach, Leman, Lozano, Metcalf, Middleton, Morrison, Murphy, Murr, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Schaefer, Schofield, Shaheen, Shine, Slaton, Slawson, Smithee, Smith, Spiller, Stephenson, Stucky, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson

Companion document(s): **HB 212; SB 32**

**HB 188.** Relating to accommodating a voter unable to enter a polling place.

Author(s): Swanson

**HB 189.** Relating to an option on ballots to choose not to vote in a race.

Author(s): Swanson

**HB 190.** Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

Author(s): Anchia

Companion document(s): **SB 7**

**HB 191.** Relating to electronic voter registration.

Author(s): Crockett

**HB 192.** Relating to the elements of the offense of illegal voting and to procedures for a person voting a provisional ballot.

Author(s): Crockett

**HB 193.** Relating to allowing straight-party voting.

Author(s): Crockett

**HB 194.** Relating to allowing a person who will be 18 years of age on the date of the general election for state and county officers to vote in the preceding primary elections.

Author(s): Crockett

Companion document(s): **SB 58**

**HB 195.** Relating to early voting by mail by any qualified voter.

Author(s): Crockett

Companion document(s): **SB 40**

**HB 196.** Relating to the release of a defendant when the state is not ready for trial.

Author(s): Crockett

**HB 197.** Relating to the selection of presidential electors.

Author(s): Crockett

**HB 198.** Relating to depository boxes for ballots to be voted by mail.

Author(s): Crockett

Companion document(s): **SB 57**

**HB 199.** Relating to the registration of voters at a polling place and related procedures.

Author(s): Crockett

**HB 200.** Relating to voter education for residents of certain long-term care facilities.

Author(s): Crockett

**HB 201.** Relating to temporary branch polling places.

Author(s): Crockett

**HB 202.** Relating to recall elections for members of the governing body of a home-rule municipality who are elected from single-member districts.

Author(s): Crockett

**HB 203.** Relating to a limitation on the authority to arrest a person for certain misdemeanors.

Author(s): Crockett

**HB 204.** Relating to determining the residence of incarcerated persons.

Author(s): Crockett

- HB 205.** Relating to a credit against the ad valorem taxes imposed on property on which certain solar energy devices have been installed.  
Author(s): Crockett
- HB 206.** Relating to a pilot project to provide emergency telemedicine medical services and telehealth services in rural areas.  
Author(s): Darby; Kacal; Shine
- HB 207.** Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.  
Author(s): Muñoz, Jr.  
Companion document(s): **HB 85; SB 7**
- HB 208.** Relating to a border operations training program for peace officers employed by local law enforcement agencies.  
Author(s): Holland  
Companion document(s): **SB 21**
- HB 209.** Relating to public access to anonymized ballots.  
Author(s): Swanson
- HB 210.** Relating to protection of persons from participation in a health care service for reasons of conscience; providing a civil remedy; authorizing disciplinary action.  
Author(s): Oliverson; Bonnen; Klick; Krause; Hefner  
Coauthor(s): Cook, Ellzey, Metcalf, Noble, Price, Sanford, Slawson, Tinderholt, Vasut, Wilson
- HB 211.** Relating to prohibited COVID-19 vaccine passports; providing a civil penalty.  
Author(s): Tinderholt
- HB 212.** Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.  
Author(s): Hefner; Metcalf; Noble  
Coauthor(s): Cain, Harris, Krause, Leman, Parker, Patterson, Sanford, Swanson, Tinderholt, Vasut  
Companion document(s): **HB 187; SB 32**
- HB 213.** Relating to the establishment of a public law school in the Rio Grande Valley.  
Author(s): Martinez
- HB 214.** Relating to the composition and duties of the Public Health Funding and Policy Committee.  
Author(s): Dominguez
- HB 215.** Relating to funding for school districts to provide inclusive and accessible playgrounds.  
Author(s): Dominguez
- HB 216.** Relating to social studies curriculum in public schools.  
Author(s): Crockett
- HB 217.** Relating to the required inclusion of a person's sex on a birth certificate and prohibited change of sex on the birth certificate of certain minors.  
Author(s): Ellzey; Cook; Noble; Middleton  
Coauthor(s): Bonnen, Cain, Frank, Holland, Hull, Klick, Murphy, Rogers, Slawson, Smith, Spiller, Tinderholt, Vasut
- HB 218.** Relating to electricity pricing rules and operating procedures that eliminate or compensate for market distortion caused by certain federal tax credits.  
Author(s): Patterson
- HB 219.** Relating to honesty in state taxation.  
Author(s): Raymond
- HB 220.** Relating to an interstate compact on border security and immigration enforcement.

Author(s): Schaefer

Coauthor(s): Bonnen, Krause, Metcalf, Sanford, Tinderholt, Vasut

**HB 221.** Relating to requiring certain employers to provide paid sick leave to employees; providing administrative and civil penalties.

Author(s): Reynolds

**HB 222.** Relating to extreme risk protective orders; creating criminal offenses.

Author(s): Reynolds

**HB 223.** Relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate.

Author(s): Shine; Button

Coauthor(s): K. Bell, Dean, P. King, Parker, Shaheen, Spiller, Tinderholt, Vasut

Companion document(s): **HB 126; SB 12; SB 20**

**HB 224.** Relating to the authority of a person who acquires a residence homestead to receive an ad valorem tax exemption for the homestead in the year in which the property is acquired.

Author(s): Shine

Coauthor(s): K. Bell, Button, Dean, P. King, Parker, Shaheen, Spiller, Tinderholt, Vasut

Companion document(s): **SB 8**

**HB 225.** Relating to the enforcement by the secretary of state of certain voter roll maintenance provisions; providing a civil penalty.

Author(s): Jetton

**HB 226.** Relating to the powers and duties of a presiding judge and alternate presiding judge in an election.

Author(s): Jetton

**HB 227.** Relating to identification of early voting ballots voted by mail by electronic code.

Author(s): Toth

**HB 228.** Relating to a pilot program for recording activity at a ballot counting station.

Author(s): Swanson

**HB 229.** Relating to accommodating voters with a disability.

Author(s): Bucy

**HB 230.** Relating to electronic voter registration.

Author(s): Johnson, Julie

Companion document(s): **HB 55**

**HB 231.** Relating to the applicability of the public information law to independent organizations certified to manage a power region.

Author(s): Johnson, Julie

**HB 232.** Relating to an interstate compact on border security and immigration enforcement.

Author(s): White

Coauthor(s): Metcalf, Tinderholt, Vasut

Companion document(s): **SB 16**

**HB 233.** Relating to a biennial report by the Texas Division of Emergency Management regarding building trade services following disasters.

Author(s): Dominguez

**HB 234.** Relating to separating the conducting of federal elections from state and local elections.

Author(s): Schofield

**HB 235.** Relating to the electronic transmission of a ballot to a voter voting early by mail on the ground of absence from the county of residence.

- Author(s): Bucy
- HB 236.** Relating to the creation and uses of the critical infrastructure resiliency fund and the eligibility of certain water-related projects for state financial assistance.  
Author(s): Zwiener
- HB 237.** Relating to federal election practices and procedures.  
Author(s): Schofield
- HB 238.** Relating to early voting by mail by any qualified voter.  
Author(s): Dominguez
- HB 239.** Relating to the salaries of sheriffs and to state assistance payments to offset the cost of sheriff's salaries in certain counties.  
Author(s): White
- HB 240.** Relating to qualifications and registration of certain voters convicted of a felony.  
Author(s): Sherman, Sr.  
Companion document(s): **HB 153; SB 51**
- HB 241.** Relating to a forensic audit of 2020 election results in certain counties.  
Author(s): Toth; Oliverson; White; Cain; Wilson  
Coauthor(s): Anderson, K. Bell, Biedermann, Bonnen, Burns, Cason, Darby, Ellzey, Harris, Hefner, P. King, Krause, Leman, Metcalf, Middleton, Noble, Parker, Patterson, Paul, Rogers, Sanford, Shaheen, Shine, Slaton, Slawson, Spiller, Swanson, E. Thompson, Tinderholt, Vasut
- HB 242.** Relating to the use of demand response technology to reduce energy consumption in state-owned buildings.  
Author(s): Zwiener
- HB 243.** Relating to state investments in social media companies that censor political speech.  
Author(s): White  
Coauthor(s): Bonnen, Metcalf, Tinderholt, Vasut  
Companion document(s): **SB 24**
- HB 244.** Relating to the opportunity to correct a vote by mail application.  
Author(s): Fierro
- HB 245.** Relating to the eligibility of certain persons younger than 18 years of age to preregister to vote.  
Author(s): Fierro  
Companion document(s): **HB 149**
- HB 246.** Relating to the creation of an energy efficiency loan guarantee program under the Texas emissions reduction plan.  
Author(s): Reynolds
- HB 247.** Relating to demand response programs.  
Author(s): Reynolds
- HB 248.** Relating to requirements for a voting system to be used in an election in this state.  
Author(s): Hefner  
Coauthor(s): Swanson, Tinderholt, Vasut
- HB 249.** Relating to the making and acceptance of political contributions before, during, or following a special legislative session; creating a criminal offense.  
Author(s): Middleton
- HB 250.** Relating to the removal, relocation, alteration, or construction of certain monuments or memorials located on public property; providing civil penalties.  
Author(s): White  
Coauthor(s): Bonnen, Metcalf, Tinderholt, Vasut
- HB 251.** Relating to a required resource access assistance offer before an abortion is performed or induced.

Author(s): Leach  
Companion document(s): **SB 62**

- HB 252.** Relating to election fraud; increasing a penalty.  
Author(s): Leach
- HB 253.** Relating to the extent of a defendant's criminal responsibility for the conduct of a coconspirator in a capital murder case and the review of certain convictions by the Board of Pardons and Paroles.  
Author(s): Leach
- HB 254.** Relating to severance pay for political subdivision employees and independent contractors.  
Author(s): Leach
- HB 255.** Relating to waivers for entrance fees to state parks for resident first responders, military service members, and veterans.  
Author(s): Leach
- HB 256.** Relating to virtual instruction at a public school and the satisfaction of teacher certification requirements through an internship teaching certain virtual courses.  
Author(s): Bell, Keith
- HB 257.** Relating to the period for which the comptroller of public accounts is required to use a school district's local value in determining the total taxable value of property in the district if the comptroller determines that the district is an eligible district.  
Author(s): Buckley
- HB 258.** Relating to the duration of a protective order prohibiting an offense motivated by bias or prejudice.  
Author(s): Sherman, Sr.
- HB 259.** Relating to the establishment of subcommittees within the Texas Maternal Mortality and Morbidity Review Committee to study maternal mortality.  
Author(s): Sherman, Sr.
- HB 260.** Relating to the appeal of an election contest.  
Author(s): Hull
- HB 261.** Relating to payments made to certain foster parents.  
Author(s): Sherman, Sr.
- HB 262.** Relating to medical examinations for certain children entering the conservatorship of the Department of Family and Protective Services.  
Author(s): Hull
- HB 263.** Relating to entrance examinations for applicants for beginning positions in fire and police departments in certain municipalities.  
Author(s): Gervin-Hawkins
- HB 264.** Relating to the contents of a petition in certain suits affecting the parent-child relationship.  
Author(s): Hull
- HB 265.** Relating to certain procedures relating to children placed under a parental child safety placement.  
Author(s): Hull
- HB 266.** Relating to the establishment of the Texas Pay Equity Task Force.  
Author(s): Sherman, Sr.
- HB 267.** Relating to the rights of a foster parent.  
Author(s): Sherman, Sr.
- HB 268.** Relating to fiscal notes for city ballot propositions.  
Author(s): Jetton

- HB 269.** Relating to electronic voter registration.  
Author(s): Jetton
- HB 270.** Relating to the entitlement of a member of the legislature to receive certain state funds following an absence without leave when the applicable house of the legislature lacks a quorum to do business.  
Author(s): Toth  
Coauthor(s): Tinderholt, Vasut
- HB 271.** Relating to the establishment of and a grant program for temporary confinement facilities during local disasters relating to illegal immigration or border security.  
Author(s): Slaton
- HB 272.** Relating to the creation of the offense of criminal trespass by an illegal alien.  
Author(s): Slaton
- HB 273.** Relating to the release or disclosure of vaccination or immunization information to certain persons; providing a civil penalty.  
Author(s): Jetton  
Coauthor(s): Capriglione, Cook, Hull, Slawson, Swanson, Tinderholt, Toth, Vasut, Wilson  
Companion document(s): **SB 74**
- HB 274.** Relating to requiring public school and public institution of higher education students to compete in interscholastic athletic competitions based on biological sex.  
Author(s): Swanson; Klick; Noble  
Coauthor(s): Allison, Anderson, Bailes, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cason, Clardy, Cook, Craddick, Cyrier, Darby, Dean, Ellzey, Frank, Frullo, Gates, Harless, Harris, Hefner, Holland, Hull, Jetton, Kacal, K. King, P. King, Krause, Kuempel, Lambert, Landgraf, Leach, Leman, Lozano, Metcalf, Middleton, Morrison, Murphy, Murr, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Schaefer, Schofield, Shaheen, Shine, Slaton, Slawson, Smithee, Smith, Spiller, Stephenson, Stucky, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson  
Companion document(s): **SB 2**
- HB 275.** Relating to electric power purchased for the ERCOT power region.  
Author(s): Rosenthal
- HB 276.** Relating to the establishment by the Railroad Commission of Texas of a policy to eliminate the routine flaring of natural gas from wells or other facilities regulated by the commission.  
Author(s): Rosenthal
- HB 277.** Relating to accessing transmission service and power at wholesale outside of the ERCOT power region.  
Author(s): Rosenthal
- HB 278.** Relating to the use of adaptive model data analytics software by the independent organization certified to manage the ERCOT power region.  
Author(s): Rosenthal
- HB 279.** Relating to electricity supply chain risk mitigation planning.  
Author(s): Rosenthal
- HB 280.** Relating to conduct constituting the criminal offense of election fraud; increasing a criminal penalty; creating an offense.  
Author(s): Allison
- HB 281.** Relating to the creation of a county court at law in Maverick County.  
Author(s): Morales, Eddie
- HB 282.** Relating to vehicle safety inspections for vehicles registered in certain counties; imposing a fee.

Author(s): Morales, Eddie

**HB 283.** Relating to limitations on increases in the appraised value for ad valorem tax purposes of residence homesteads and single-family residences other than residence homesteads.

Author(s): Capriglione

**HB 284.** Relating to the powers of peace officer members of the Texas National Guard and expediting applications for peace officer licenses from members of the Texas National Guard.

Author(s): Jetton

**HB 285.** Relating to the administration of the voter suspense list.

Author(s): Jetton

**HB 286.** Relating to improvements to election integrity, including through a partial count of auditable voting system ballots; creating a criminal offense.

Author(s): Jetton

**HB 287.** Relating to a study by Texas A&M University of the appraisal of agricultural land for ad valorem tax purposes.

Author(s): Rogers

**HB 288.** Relating to the creation of certain criminal offenses concerning firearm sales at gun shows; authorizing a fee.

Author(s): Bernal

**HB 289.** Relating to state, local, and court involvement in determining whether victims and witnesses to an offense and certain detained, arrested, or incarcerated persons are lawfully present in the United States.

Author(s): Bernal

**HB 290.** Relating to the enforcement by certain entities of state and federal immigration laws with respect to persons younger than 18 years of age.

Author(s): Bernal

**HB 291.** Relating to the authority of a taxing unit other than a school district to establish a limitation on the amount of ad valorem taxes that the taxing unit may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.

Author(s): Wilson

**HB 292.** Relating to the allocation and deposit of certain surplus state revenue to the property tax relief fund for use in reducing school district maintenance and operations ad valorem taxes.

Author(s): Bell, Cecil

**HB 293.** Relating to prohibited vaccination status discrimination and requirements for COVID-19 vaccines.

Author(s): Noble; Frank; Cook; Middleton

Coauthor(s): Hefner, Hull, Leman, Metcalf, Morrison, Patterson, Swanson, Tinderholt, Toth, Vasut

Companion document(s): **SB 77**

**HB 294.** Relating to the employment and licensing of border security officers employed by the Department of Public Safety.

Author(s): Toth

**HB 295.** Relating to the requirement that a ballot to be voted by mail be canceled and returned before voting in person.

Author(s): Noble



- HB 296.** Relating to notifying an alleged perpetrator of child abuse or neglect of the person's rights in connection with an investigation conducted by the Department of Family and Protective Services.  
Author(s): Cason
- HB 297.** Relating to approval of certain land development applications by a municipality or county.  
Author(s): Oliverson  
Companion document(s): **SB 75**
- HB 298.** Relating to athletic conference membership by institutions of higher education.  
Author(s): Burrows; Bonnen; Leach; Geren; Anderson  
Coauthor(s): Ashby, Bailes, C. Bell, Buckley, Burns, Cain, Clardy, Cook, Cyrier, Frank, Frullo, Gates, Harris, Hefner, Holland, Kacal, K. King, Krause, Landgraf, Metcalf, Middleton, Noble, Patterson, Rogers, Sanford, Schaefer, Smithee, Spiller, Stephenson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson  
Companion document(s): **SB 76**
- HB 299.** Relating to the signature required on an application for a ballot to be voted by mail or a carrier envelope for a ballot voted by mail; changing the elements of a criminal offense.  
Author(s): Noble
- HB 300.** Relating to the maximum amount of the local option residence homestead exemption from ad valorem taxation by a taxing unit.  
Author(s): Middleton
- HB 301.** Relating to ballots voted by mail.  
Author(s): Noble
- HB 302.** Relating to the creation of magistrates in Maverick County.  
Author(s): Morales, Eddie
- HB 303.** Relating to the acquisition and management of real property interests by certain Chinese entities.  
Author(s): Slaton
- HB 304.** Relating to the repeal of or limitations on certain state and local taxes, including school district maintenance and operations ad valorem taxes, the enactment of state and local value added taxes, and related school finance and administration reform; imposing taxes.  
Author(s): White
- HB 305.** Relating to the ownership of agricultural land by nonresident aliens or foreign entities.  
Author(s): White
- HB 306.** Relating to requirements for the use on this state's international border of security cameras and for camera data storage from those cameras.  
Author(s): Krause
- HB 307.** Relating to state agency and local government security incident procedures.  
Author(s): Shaheen
- HB 308.** Relating to an affirmative finding of family violence entered in the trial of certain offenses.  
Author(s): Sherman, Sr.
- HB 309.** Relating to a vacancy in the office of senator or representative due to excessive absence.  
Author(s): Middleton
- HB 310.** Relating to a vacancy in the office of a legislator due to an absence without excuse.  
Author(s): Toth

**HOUSE CONCURRENT RESOLUTIONS, HISTORY OF  
IN THE HOUSE**

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- HCR 1.** Urging Congress to restore and strengthen the Voting Rights Act of 1965.  
Author(s): Reynolds  
Referred to Constitutional Rights & Remedies 7.
- HCR 2.** Urging Congress to pass the For the People Act.  
Author(s): Reynolds  
Referred to Constitutional Rights & Remedies 7.
- HCR 3.** Urging Congress to pass the John Lewis Voting Rights Advancement Act.  
Author(s): Reynolds  
Referred to Constitutional Rights & Remedies 8.
- HCR 4.** Urging Congress to pass the George Floyd Justice in Policing Act.  
Author(s): Reynolds  
Referred to Homeland Security & Public Safety 8.
- HCR 5.** Urging Congress to pass a federal law requiring universal background checks for all firearm sales.  
Author(s): Reynolds  
Referred to Homeland Security & Public Safety 8.
- HCR 6.** Urging Congress to raise the federal minimum wage to \$15 per hour.  
Author(s): Reynolds  
Referred to International Relations & Economic Development 8.
- HCR 7.** Urging Congress to pass H.R. 40 to establish the Commission to Study and Develop Reparation Proposals for African Americans.  
Author(s): Reynolds  
Referred to State Affairs 8.
- HCR 8.** Urging Congress to pass the For the People Act and the John Lewis Voting Rights Advancement Act.  
Author(s): Bucy  
Referred to Constitutional Rights & Remedies 8.
- HCR 9.** Designating Llano as the official Barrel Racing Capital of Texas for a 10-year period beginning in 2021.  
Author(s): Murr  
Referred to Culture, Recreation, & Tourism 8.
- HCR 10.** Urging Congress to propose and submit to the states for ratification a federal balanced budget amendment to the U.S. Constitution.  
Author(s): Raymond  
Referred to State Affairs 13.
- HCR 11.** Designating Celina as the Halloween Capital of North Texas for a 10-year period beginning in 2021.  
Author(s): Sanford
- HCR 12.** Designating the city of Florence, home of the Gault Archaeological Site, as the oldest community in Texas for a 10-year period beginning in 2021.  
Author(s): Wilson  
Companion document(s): **SCR 3**
- HCR 13.** In memory of Katharyn Carterette Bock of New Braunfels.  
Author(s): Craddick
- HCR 14.** Congratulating James M. Alsup for receiving the West Texan by Nature Award from the Sibley Nature Center.  
Author(s): Craddick

**HCR 15.** Designating the third Monday in October as Domestic Violence Survivors' Day for a 10-year period beginning in 2021.

Author(s): Hull

**HOUSE JOINT RESOLUTIONS, HISTORY OF  
IN THE HOUSE**

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**HJR 1.** 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.

Author(s): Kacal

Companion document(s): **SJR 3**

Read first time 7. Referred to Constitutional Rights & Remedies 7. Committee report filed with committee coordinator 32.

**HJR 2.** Proposing a constitutional amendment establishing a limitation on the total amount of ad valorem taxes that political subdivisions may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.

Author(s): Schofield

**HJR 3.** Proposing a constitutional amendment requiring this state to observe daylight saving time year-round.

Author(s): Schofield

**HJR 4.** Proposing a constitutional amendment providing for an exemption from ad valorem taxation for public school purposes of a dollar amount or a percentage, whichever is greater, of the market value of a residence homestead and providing for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for those purposes on the homestead of a person who is elderly or disabled to reflect any increase in the exemption amount.

Author(s): Schofield

**HJR 5.** Proposing a constitutional amendment requiring the state to expand eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act.

Author(s): Bucy

**HJR 6.** Proposing a constitutional amendment to authorize a political subdivision other than a school district to establish a limitation on the amount of ad valorem taxes that the political subdivision may impose on the residence homesteads of persons who are disabled or elderly and their surviving spouses.

Author(s): Bucy

**HJR 7.** Proposing a constitutional amendment requiring the state to expand eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act.

Author(s): Israel

Companion document(s): **HJR 10**

**HJR 8.** Proposing a constitutional amendment to require the preservation of communities of interest in the apportionment of members of the Texas House of Representatives.

Author(s): Collier

**HJR 9.** Proposing a constitutional amendment to require that the apportionment of members of the United States House of Representatives elected from this state be based on the most recent United States decennial census and preserve communities of interest to the extent practicable.

Author(s): Collier

**HJR 10.** Proposing a constitutional amendment requiring the state to expand eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act.

Author(s): Reynolds

Companion document(s): **HJR 7**

- HJR 11.** Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation the total assessed value of the residence homestead of an unpaid caregiver of an individual who is eligible to receive long-term services and supports under the Medicaid program while the individual is on a waiting list for the services and supports.  
Author(s): Bernal
- HJR 12.** Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.  
Author(s): Howard; Jetton  
Companion document(s): **HJR 21; SJR 1; SJR 4**  
Read first time 13. Referred to Ways & Means 13.
- HJR 13.** Proposing a constitutional amendment to allow the legislature to override a veto of the governor following a legislative session.  
Author(s): Lopez
- HJR 14.** Proposing a constitutional amendment authorizing the denial of bail to an accused person if a judge or magistrate determines by clear and convincing evidence that requiring bail and conditions of release is insufficient to reasonably ensure the person's appearance in court or the safety of the community or of any person, including the victim of the alleged offense.  
Author(s): Reynolds  
Read first time 13. Referred to Constitutional Rights & Remedies 13.
- HJR 16.** Applying to the Congress of the United States to call a convention under Article V of the United States Constitution for the limited purpose of proposing an amendment to the constitution to prohibit abortion, euthanasia, and certain other acts.  
Author(s): Vasut
- HJR 17.** Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of real property for ad valorem tax purposes to 103.5 percent or more of the appraised value of the property for the preceding tax year.  
Author(s): Vasut
- HJR 18.** Proposing a constitutional amendment authorizing certain persons under the age of 18 to vote in a primary election.  
Author(s): Crockett  
Companion document(s): **SJR 7**
- HJR 19.** Proposing a constitutional amendment to authorize the legislature to provide for a credit against the ad valorem taxes imposed on property on which a solar energy device has been installed based on the cost of acquiring and installing the device.  
Author(s): Crockett
- HJR 20.** Proposing a constitutional amendment prohibiting the governor from vetoing an item of appropriation made to the legislative or judicial branch of state government, including to an agency the primary purpose of which is to assist those branches of government.  
Author(s): Martinez
- HJR 21.** Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.  
Author(s): Shine

Companion document(s): **HJR 12; SJR 1; SJR 4**

- HJR 22.** Proposing a constitutional amendment providing that members of the legislature are not entitled to receive a state salary, per diem, or reimbursement for mileage for an unexcused absence when the applicable house of the legislature lacks a quorum.  
Author(s): Middleton  
Coauthor(s): K. Bell, Capriglione, Cason, Cook, Frank, Hefner, Krause, Lozano, Noble, Patterson, Paul, Rogers, Sanford, Schaefer, Schofield, Shaheen, Slaton, Swanson, Tinderholt, Toth, Vasut, Wilson
- HJR 23.** Proposing a constitutional amendment to reduce the number of members of each House required to constitute a quorum to a majority.  
Author(s): Vasut; Middleton; Gates; Rogers; Cain  
Coauthor(s): K. Bell, Holland, Tinderholt
- HJR 24.** Proposing a constitutional amendment to authorize the legislature to establish a lower limit on the maximum appraised value of residence homesteads for ad valorem tax purposes and to establish a limit on the value of single-family residences other than residence homesteads for those purposes.  
Author(s): Capriglione
- HJR 25.** Proposing a constitutional amendment to authorize a political subdivision other than a school district to establish a limitation on the amount of ad valorem taxes that the political subdivision may impose on the residence homesteads of persons who are disabled or elderly and their surviving spouses.  
Author(s): Wilson
- HJR 26.** Proposing a constitutional amendment providing that a residence homestead is not subject to seizure or sale for delinquent ad valorem taxes.  
Author(s): Wilson
- HJR 27.** Proposing a constitutional amendment regarding certain organizational and procedural matters related to the legislature.  
Author(s): Raney; Morrison; King, Phil; Price; Stucky  
Coauthor(s): Darby, Swanson, Tinderholt, Vasut
- HJR 28.** Proposing a constitutional amendment to increase the maximum amount of the local option residence homestead exemption from ad valorem taxation by a political subdivision.  
Author(s): Middleton

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**HOUSE RESOLUTIONS, HISTORY OF  
IN THE HOUSE**

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- HR 1.** Commending Sammie "Sam" Ward of Sam's Barber Shop in San Antonio for his contributions to the community.  
Author(s): Gervin-Hawkins  
Referred to Resolutions Calendars 8.
- HR 2.** In memory of Stephen C. Helbing Sr.  
Author(s): Murr  
Referred to Resolutions Calendars 8.
- HR 3.** In memory of Carl James "Jimmy" Cahill Jr. of Sonora.  
Author(s): Murr  
Referred to Resolutions Calendars 8.
- HR 4.** Congratulating Shanon Biggerstaff on her retirement as president of the Ozona Chamber of Commerce.  
Author(s): Murr  
Referred to Resolutions Calendars 8.
- HR 5.** Amending the permanent rules of the House of Representatives to provide for the imposition of penalties on absent members.  
Author(s): Tinderholt  
Referred to House Administration 13.
- HR 6.** In memory of retired U.S. Army Colonel Ralph C. Gauer Sr.  
Author(s): Buckley  
Referred to Resolutions Calendars 13.
- HR 7.** In memory of retired U.S. Army Lieutenant Colonel Kenneth Keith "Scooter" Barclay of Killeen.  
Author(s): Buckley  
Referred to Resolutions Calendars 13.
- HR 8.** Commemorating CommUNITY Day in honor of the grand reopening of Waterloo Park on August 14, 2021.  
Author(s): Hinojosa  
Referred to Resolutions Calendars 13.
- HR 9.** In memory of Dr. Joe David Townsend of South Padre Island.  
Author(s): Guillen  
Referred to Resolutions Calendars 13.
- HR 10.** In memory of David Edward Feille of Atascocita.  
Author(s): Huberty  
Referred to Resolutions Calendars 13.
- HR 11.** In memory of Parker Mason Coogan of Kingwood.  
Author(s): Huberty  
Referred to Resolutions Calendars 13.
- HR 12.** In memory of Howard Pitman of Kingwood.  
Author(s): Huberty  
Referred to Resolutions Calendars 13.
- HR 13.** In memory of Vandie Lindsey Smith Jr. of Magnolia Springs.  
Author(s): White  
Referred to Resolutions Calendars 13.
- HR 14.** Commending Jac Darsnek for preserving Texas history through his Traces of Texas online photography project.  
Author(s): Harris

- HR 15.** In memory of Joel A. Garza of Weslaco.  
Author(s): Martinez
- HR 16.** Congratulating Tom Hart on his retirement as city manager of Grand Prairie.  
Author(s): Davis
- HR 17.** In memory of Joseph LaMantia Jr. of McAllen.  
Author(s): Guillen
- HR 18.** Congratulating Helen Miller and Pastor Calvin Miller on the birth of their son, Solomon Josiah Miller.  
Author(s): Thierry
- HR 19.** Honoring Don Baird for his service as mayor of Colmesneil.  
Author(s): White
- HR 20.** Commending Tom Moser for his service as a Kerr County commissioner.  
Author(s): Murr
- HR 21.** In memory of Ethan Joe Langley of Jacksboro.  
Author(s): Spiller
- HR 22.** Congratulating Chase and Lindsey Barker of Houston on the birth of their son, Chase Austin Barker II.  
Author(s): Huberty
- HR 23.** Recognizing October 2021 as Domestic Violence Awareness Month.  
Author(s): Hull
- HR 24.** Recognizing October 2022 as Domestic Violence Awareness Month.  
Author(s): Hull
- HR 25.** In memory of Rodrick L. Rodgers of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 26.** In memory of Barry Deckard of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 27.** In memory of Gerald Bedison of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 28.** In memory of Michael Harper.  
Author(s): Murr
- HR 29.** In memory of Kenneth Russell of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 30.** In memory of Timothy Beggs of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 31.** In memory of Harold Smith of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 32.** In memory of Frank Edward Rose of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 33.** In memory of Clemente Rocha of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 34.** In memory of Dorothy Sue Caylor of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 35.** In memory of Phillip Dexter Holbert of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 36.** In memory of Joe Landin of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 37.** In memory of Rebecca Adatao Crowe of the Texas Department of Criminal Justice.



- Author(s): Murr
- HR 38.** In memory of Sergeant Randall Sims of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 39.** In memory of John Wier of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 40.** In memory of Alfredo Jimenez Jr. of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 41.** In memory of Lieutenant Treva Preston of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 42.** In memory of Maria Garcia of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 43.** In memory of Godfrey Zuze of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 44.** In memory of Officer Vickie James of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 45.** In memory of Tawiwo Obele of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 46.** In memory of Troy Morin of the Texas Department of Criminal Justice.  
Author(s): Murr
- HR 47.** Congratulating Vernon Ollar on the occasion of his 100th birthday and honoring him for his patriotic service during World War II.  
Author(s): Murr
- HR 48.** Congratulating Anthony Robinson on his induction into the Mrs. H. D. Dear, Sr. and Alice E. Dear School of Creative and Performing Arts Hall of Fame at Northwestern State University.  
Author(s): Paddie
- HR 49.** In memory of Edgar Curtis Walker of Jefferson.  
Author(s): Paddie
- HR 50.** Congratulating Chief Bruce Bradshaw on his retirement from the Comanche Police Department.  
Author(s): Slawson
- HR 51.** Congratulating McLennan Community College baseball coach Mitch Thompson on his selection as the NJCAA Division I Coach of the Year.  
Author(s): Kacal
- HR 52.** Congratulating the McLennan Community College baseball team on winning the 2021 NJCAA Division I World Series.  
Author(s): Kacal
- HR 53.** Commemorating the 75th anniversary of the Kaufman Lions Club youth baseball and softball program.  
Author(s): Bell, Keith
- HR 54.** Commemorating Pakistan Independence Day on August 14, 2021.  
Author(s): Jetton
- HR 55.** Commemorating Indian Independence Day on August 15, 2021.  
Author(s): Jetton
- HR 56.** Congratulating Goldfish Swim School of Sugar Land on its one-year anniversary.  
Author(s): Jetton
- HR 57.** In memory of Earl Wayne Fletcher Sr. of Longview.  
Author(s): White

- HR 58.** Congratulating Harriette Martin on her retirement from the Newton County Public Library.  
Author(s): White
- HR 59.** Congratulating Melba Inman on her retirement from the Newton County Public Library.  
Author(s): White
- HR 60.** Commemorating the 25th anniversary of the Valley Initiative for Development and Advancement (VIDA).  
Author(s): Martinez
- HR 61.** Congratulating Officer Alexander R. Kalota on his retirement from the Mesquite Police Department.  
Author(s): Neave
- HR 62.** Commending Lowell Crew of Livingston for his service to the Polk County Texas GOP.  
Author(s): White
- HR 63.** In memory of John D. Clifton of Livingston.  
Author(s): White

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**HOUSE BILLS AND RESOLUTIONS**  
**AUTHORS OF**

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**Allen, Alma A.:**

No bills were filed by this representative.

**Allison, Steve:**

**HB 280**, Relating to conduct constituting the criminal offense of election fraud; increasing a criminal penalty; creating an offense. —A19

**Anchia, Rafael:**

**HB 190**, Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas. —A14

**Anderson, Charles "Doc":**

No bills were filed by this representative.

**Ashby, Trent:**

No bills were filed by this representative.

**Bailes, Ernest:**

No bills were filed by this representative.

**Beckley, Michelle:**

**HB 56**, Relating to voting system equipment used by counties participating in the countywide polling place program. —A4

**HB 63**, Relating to reports regarding inadequate power supply in the ERCOT power region. —A4

**Bell Jr., Cecil:**

**HB 292**, Relating to the allocation and deposit of certain surplus state revenue to the property tax relief fund for use in reducing school district maintenance and operations ad valorem taxes. —A20

**Bell, Keith:**

**HB 256**, Relating to virtual instruction at a public school and the satisfaction of teacher certification requirements through an internship teaching certain virtual courses. —A18

**HR 53**, Commemorating the 75th anniversary of the Kaufman Lions Club youth baseball and softball program. —A29

**Bernal, Diego M.:**

**HB 104**, Relating to installment payments of ad valorem taxes imposed on residence homesteads in certain counties. —A7

**HB 105**, Relating to a study of the impact, feasibility, and advisability of adopting a property tax system in which the disclosure of the sales price of real property is required by law. —A7

**HB 106**, Relating to requiring a voter to present proof of identification. —A8

**HB 108**, Relating to the creation of a Medicaid buy-in program for certain low-income individuals through the expansion of Medicaid under the federal Patient Protection and Affordable Care Act. —A8

**HB 109**, Relating to the expansion of eligibility for Medicaid in certain counties under the federal Patient Protection and Affordable Care Act. —A8

**Bernal, Diego M.: — (continued)**

- HB 111**, Relating to the expansion of eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act. —A8
- HB 113**, Relating to requiring certain employers to provide paid sick leave to employees; providing administrative penalties. —A8
- HB 119**, Relating to an exemption from ad valorem taxation of the total appraised value of the residence homestead of an unpaid caregiver of an individual who is eligible to receive long-term services and supports under the Medicaid program while the individual is on a waiting list for the services and supports. —A8
- HB 288**, Relating to the creation of certain criminal offenses concerning firearm sales at gun shows; authorizing a fee. —A20
- HB 289**, Relating to state, local, and court involvement in determining whether victims and witnesses to an offense and certain detained, arrested, or incarcerated persons are lawfully present in the United States. —A20
- HB 290**, Relating to the enforcement by certain entities of state and federal immigration laws with respect to persons younger than 18 years of age. —A20
- HJR 11**, Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation the total assessed value of the residence homestead of an unpaid caregiver of an individual who is eligible to receive long-term services and supports under the Medicaid program while the individual is on a waiting list for the services and supports. —A25

**Biedermann, Kyle:**

**No bills were filed by this representative.**

**Bonnen, Greg:**

- HB 1**, Relating to making appropriations for the legislature and legislative agencies. —A1

**Bowers, Rhetta Andrews:**

**No bills were filed by this representative.**

**Buckley, Brad:**

- HB 257**, Relating to the period for which the comptroller of public accounts is required to use a school district's local value in determining the total taxable value of property in the district if the comptroller determines that the district is an eligible district. —A18
- HR 6**, In memory of retired U.S. Army Colonel Ralph C. Gauer Sr. —A27
- HR 7**, In memory of retired U.S. Army Lieutenant Colonel Kenneth Keith "Scooter" Barclay of Killeen. —A27

**Bucy III, John H.:**

- HB 49**, Relating to the registration of voters at a polling place and related procedures. —A3
- HB 54**, Relating to acceptable forms of identification for voting. —A4
- HB 57**, Relating to early voting by mail by any qualified voter. —A4
- HB 58**, Relating to the designation of certain election days as state holidays. —A4
- HB 59**, Relating to the days and hours during which the polls are open for early voting by personal appearance. —A4
- HB 60**, Relating to the secretary of state posting on the secretary of state's Internet website databases containing certain information about elections. —A4

**Bucy III, John H.: — (continued)**

- HB 61**, Relating to the procedures for voting after changing residence to another county. —A4
- HB 62**, Relating to the method of returning a ballot to be voted by mail. —A4
- HB 64**, Relating to notifications given to a person convicted of a felony concerning the person's eligibility to vote. —A4
- HB 65**, Relating to the date of runoff elections. —A4
- HB 66**, Relating to an application for an early voting ballot by mail. —A4
- HB 67**, Relating to the authority of certain entities and individuals to prevent individuals from accessing private property for the purpose of registering voters or communicating political messages. —A5
- HB 74**, Relating to the expansion of eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act. —A5
- HB 75**, Relating to the exemption of certain property from municipal drainage service charges. —A5
- HB 77**, Relating to establishing a joint select committee to study the feasibility and sustainability of providing a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas. —A5
- HB 78**, Relating to the authority of a taxing unit other than a school district to establish a limitation on the amount of ad valorem taxes that the taxing unit may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses. —A5
- HB 167**, Relating to the elements of the offense of illegal voting. —A12
- HB 168**, Relating to election practices and procedures. —A12
- HB 229**, Relating to accommodating voters with a disability. —A16
- HB 235**, Relating to the electronic transmission of a ballot to a voter voting early by mail on the ground of absence from the county of residence. —A16
- HCR 8**, Urging Congress to pass the For the People Act and the John Lewis Voting Rights Advancement Act. —A22
- HJR 5**, Proposing a constitutional amendment requiring the state to expand eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act. —A24
- HJR 6**, Proposing a constitutional amendment to authorize a political subdivision other than a school district to establish a limitation on the amount of ad valorem taxes that the political subdivision may impose on the residence homesteads of persons who are disabled or elderly and their surviving spouses. —A24

**Burns, DeWayne:**

No bills were filed by this representative.

**Burrows, Dustin:**

**HB 298**, Relating to athletic conference membership by institutions of higher education. —A21

**Button, Angie Chen:**

No bills were filed by this representative.

**Cain, Briscoe:**

**HB 20**, Relating to complaint procedures and disclosure requirements for and censorship of users' expressions by social media platforms. —A2

**Campos, Elizabeth "Liz":**

**No bills were filed by this representative.**

**Canales, Terry:**

**No bills were filed by this representative.**

**Capriglione, Giovanni:**

**HB 159**, Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas. —A11

**HB 283**, Relating to limitations on increases in the appraised value for ad valorem tax purposes of residence homesteads and single-family residences other than residence homesteads. —A20

**HJR 24**, Proposing a constitutional amendment to authorize the legislature to establish a lower limit on the maximum appraised value of residence homesteads for ad valorem tax purposes and to establish a limit on the value of single-family residences other than residence homesteads for those purposes. —A26

**Cason, Jeff:**

**HB 79**, Relating to the determination of resident status of students by public institutions of higher education. —A5

**HB 296**, Relating to notifying an alleged perpetrator of child abuse or neglect of the person's rights in connection with an investigation conducted by the Department of Family and Protective Services. —A21

**Clardy, Travis:**

**No bills were filed by this representative.**

**Cole, Sheryl:**

**No bills were filed by this representative.**

**Coleman, Garnet F.:**

**No bills were filed by this representative.**

**Collier, Nicole:**

**HB 92**, Relating to hours during which the polls are open for early voting by personal appearance on Sunday. —A6

**HB 93**, Relating to acceptable forms of identification for voting. —A6

**HB 163**, Relating to the unlawful restraint of a dog; creating a criminal offense. —A12

**HJR 8**, Proposing a constitutional amendment to require the preservation of communities of interest in the apportionment of members of the Texas House of Representatives. —A24

**HJR 9**, Proposing a constitutional amendment to require that the apportionment of members of the United States House of Representatives elected from this state be based on the most recent United States decennial census and preserve communities of interest to the extent practicable. —A24

**Cook, David:**

**HB 182**, Relating to a restriction on the authority of an appraisal district to increase the appraised value of a residence homestead for ad valorem tax purposes for the tax year following a tax year in which the appraised value of the property is lowered as a result of an agreement, protest, or appeal. —A13

**Cortez, Philip:**

No bills were filed by this representative.

**Craddick, Tom:**

**HCR 13**, In memory of Katharyn Carterette Bock of New Braunfels. —A22

**HCR 14**, Congratulating James M. Alsup for receiving the West Texan by Nature Award from the Sibley Nature Center. —A22

**Crockett, Jasmine:**

**HB 191**, Relating to electronic voter registration. —A14

**HB 192**, Relating to the elements of the offense of illegal voting and to procedures for a person voting a provisional ballot. —A14

**HB 193**, Relating to allowing straight-party voting. —A14

**HB 194**, Relating to allowing a person who will be 18 years of age on the date of the general election for state and county officers to vote in the preceding primary elections. —A14

**HB 195**, Relating to early voting by mail by any qualified voter. —A14

**HB 196**, Relating to the release of a defendant when the state is not ready for trial. —A14

**HB 197**, Relating to the selection of presidential electors. —A14

**HB 198**, Relating to depository boxes for ballots to be voted by mail. —A14

**HB 199**, Relating to the registration of voters at a polling place and related procedures. —A14

**HB 200**, Relating to voter education for residents of certain long-term care facilities. —A14

**HB 201**, Relating to temporary branch polling places. —A14

**HB 202**, Relating to recall elections for members of the governing body of a home-rule municipality who are elected from single-member districts. —A14

**HB 203**, Relating to a limitation on the authority to arrest a person for certain misdemeanors. —A14

**HB 204**, Relating to determining the residence of incarcerated persons. —A14

**HB 205**, Relating to a credit against the ad valorem taxes imposed on property on which certain solar energy devices have been installed. —A15

**HB 216**, Relating to social studies curriculum in public schools. —A15

**HJR 18**, Proposing a constitutional amendment authorizing certain persons under the age of 18 to vote in a primary election. —A25

**HJR 19**, Proposing a constitutional amendment to authorize the legislature to provide for a credit against the ad valorem taxes imposed on property on which a solar energy device has been installed based on the cost of acquiring and installing the device. —A25

**Cyrier, John P.:**

**No bills were filed by this representative.**

**Darby, Drew:**

**HB 120**, Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas. —A9

**HB 206**, Relating to a pilot project to provide emergency telemedicine medical services and telehealth services in rural areas. —A15

**Davis, Yvonne:**

**HR 16**, Congratulating Tom Hart on his retirement as city manager of Grand Prairie. —A28

**Dean, Jay:**

**No bills were filed by this representative.**

**Deshotel, Joe:**

**No bills were filed by this representative.**

**Dominguez, Alex:**

**HB 138**, Relating to requiring a voter to present proof of identification. —A10

**HB 139**, Relating to electronic voter registration. —A10

**HB 140**, Relating to requirements to vote, including presenting proof of identification. —A10

**HB 141**, Relating to the methods by which students may be admitted to public schools or transfer within a school district and the disclosure of information regarding public school admission methods. —A10

**HB 142**, Relating to the members of the governing body of an independent organization certified for the ERCOT power region. —A10

**HB 143**, Relating to the establishment by the Texas Workforce Commission of a workplace soft skills training pilot program. —A10

**HB 144**, Relating to the display of emergency and other notices by a governmental entity on the entity's Internet website. —A10

**HB 145**, Relating to emergency management for cybersecurity events threatening this state. —A10

**HB 146**, Relating to requiring the disclosure of fees charged for the sale of concert and other event tickets. —A10

**HB 147**, Relating to the designation of polling place locations on the campuses of certain general academic teaching institutions. —A11

**HB 148**, Relating to the enforcement of parking privileges for people with disabilities; increasing criminal fines; authorizing a fee. —A11

**HB 149**, Relating to the eligibility of certain persons younger than 18 years of age to preregister to vote. —A11

**HB 150**, Relating to automatic voter registration on issuance or change of a driver's license or identification card by the Department of Public Safety. —A11

**HB 151**, Relating to electronic voter registration. —A11

**HB 152**, Relating to the registration of voters at a polling place and related procedures. —A11

**HB 153**, Relating to qualifications and registration of certain voters convicted of a felony. —A11



**Dominguez, Alex: — (continued)**

- HB 154**, Relating to days and hours for voting during the early voting period. —A11
- HB 155**, Relating to the deadline for returning a ballot voted by mail. —A11
- HB 164**, Relating to the secretary of state providing voter registration application forms to high schools. —A12
- HB 214**, Relating to the composition and duties of the Public Health Funding and Policy Committee. —A15
- HB 215**, Relating to funding for school districts to provide inclusive and accessible playgrounds. —A15
- HB 233**, Relating to a biennial report by the Texas Division of Emergency Management regarding building trade services following disasters. —A16
- HB 238**, Relating to early voting by mail by any qualified voter. —A17

**Dutton Jr., Harold V.:**

No bills were filed by this representative.

**Ellzey, Jake:**

- HB 217**, Relating to the required inclusion of a person's sex on a birth certificate and prohibited change of sex on the birth certificate of certain minors. —A15

**Fierro, Art:**

- HB 244**, Relating to the opportunity to correct a vote by mail application. —A17
- HB 245**, Relating to the eligibility of certain persons younger than 18 years of age to preregister to vote. —A17

**Frank, James:**

No bills were filed by this representative.

**Frullo, John M.:**

No bills were filed by this representative.

**Gates, Gary:**

- HB 127**, Relating to procedures in certain suits affecting the parent-child relationship filed by the Department of Family and Protective Services. —A9
- HB 128**, Relating to the operation by a school district of a vocational education program to provide eligible high school students with vocational and educational training under a plan for the issuance of a high school diploma and the application of certain student-based allotments under the public school finance system. —A9

**Geren, Charlie:**

No bills were filed by this representative.

**Gervin-Hawkins, Barbara:**

- HB 11**, Relating to the appeal to a civil service commission of a disciplinary suspension of a fire fighter or police officer in certain municipalities. —A1
- HB 12**, Relating to acts for which a firefighter or police officer in certain municipalities may be subject to disciplinary procedures. —A1
- HB 13**, Relating to a study on mold contamination in housing developments supported by financial assistance administered by the Texas Department of Housing and Community Affairs. —A1
- HB 14**, Relating to the regulation of licensed dog and cat breeders. —A2

**Gervin-Hawkins, Barbara: — (continued)**

- HB 16**, Relating to health benefit plan coverage for hair prostheses for breast cancer patients. —A2
- HB 17**, Relating to health benefit plan coverage for hair prostheses for cancer patients. —A2
- HB 18**, Relating to a study conducted by the Railroad Commission of Texas regarding reported gas flaring. —A2
- HB 19**, Relating to publication by the Railroad Commission of Texas of certain information regarding natural gas flaring. —A2
- HB 21**, Relating to the disposition by a peace officer of certain Class B misdemeanors. —A2
- HB 22**, Relating to designating June as Firearm Safety Awareness Month. —A2
- HB 23**, Relating to the imposition of consecutive sentences for more than one criminal offense of injury to a child, elderly individual, or disabled individual arising out of the same criminal episode. —A2
- HB 24**, Relating to increasing the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system. —A2
- HB 26**, Relating to the requirement for payment bonds from certain public work contractors. —A2
- HB 27**, Relating to the corroboration of certain testimony in the prosecution of a trafficking of persons offense. —A2
- HB 28**, Relating to recognizing persons who separated from military service solely on the basis of sexual orientation as honorably discharged veterans under state law. —A2
- HB 29**, Relating to policies and standards for providing legal representation to indigent defendants in certain capital felony cases. —A2
- HB 35**, Relating to a single common course numbering system for and the transfer of course credit among public institutions of higher education in this state. —A2
- HB 36**, Relating to the enforcement of the prohibition on passing a school bus using images from a school bus monitoring system. —A3
- HB 37**, Relating to requiring cultural inclusion curriculum as part of the enrichment curriculum for public schools. —A3
- HB 68**, Relating to correcting defects in an early voting ballot voted by mail. —A5
- HB 83**, Relating to the implementation of certain rules regarding public school accountability adopted by the commissioner of education or the Texas Education Agency. —A6
- HB 87**, Relating to the adoption of a healthy and safe school water plan by public schools. —A6
- HB 157**, Relating to creating abbreviated educator preparation programs for certification in marketing education and certification in health science technology education. —A11
- HB 169**, Relating to a financial assistance program for open-enrollment charter school facilities. —A12
- HB 174**, Relating to a notarized affidavit requesting a municipal animal control authority to manage dangerous dogs and aggressive dogs in the municipality's extraterritorial jurisdiction. —A13

**Gervin-Hawkins, Barbara: — (continued)**

**HB 263**, Relating to entrance examinations for applicants for beginning positions in fire and police departments in certain municipalities. —A18

**HR 1**, Commending Sammie "Sam" Ward of Sam's Barber Shop in San Antonio for his contributions to the community. —A27

**Goldman, Craig:**

No bills were filed by this representative.

**González, Jessica:**

**HB 98**, Relating to accommodating a voter unable to enter a polling place. —A7

**HB 165**, Relating to procedures for public involvement in redistricting of judicial districts, state legislative districts, State Board of Education districts, and congressional districts. —A12

**González, Mary E.:**

**HB 96**, Relating to correcting defects in an early voting ballot voted by mail. —A7

**HB 97**, Relating to the provision of certain co-navigation services to persons who are deaf-blind. —A7

**HB 186**, Relating to extending the eligibility of certain students to participate in a school district's special education program. —A13

**Goodwin, Vikki:**

No bills were filed by this representative.

**Guerra, R. D. "Bobby":**

No bills were filed by this representative.

**Guillen, Ryan:**

**HR 9**, In memory of Dr. Joe David Townsend of South Padre Island. —A27

**HR 17**, In memory of Joseph LaMantia Jr. of McAllen. —A28

**Harless, Sam:**

No bills were filed by this representative.

**Harris, Cody:**

**HR 14**, Commending Jac Darsnek for preserving Texas history through his Traces of Texas online photography project. —A27

**Hefner, Cole:**

**HB 212**, Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex. —A15

**HB 248**, Relating to requirements for a voting system to be used in an election in this state. —A17

**Hernandez, Ana:**

No bills were filed by this representative.

**Herrero, Abel:**

No bills were filed by this representative.

**Hinojosa, Gina:**

**HB 129**, Relating to an early voting ballot voted by mail. —A9

**Hinojosa, Gina: — (continued)**

**HR 8**, Commemorating CommUNITY Day in honor of the grand reopening of Waterloo Park on August 14, 2021. —A27

**Holland, Justin:**

**HB 208**, Relating to a border operations training program for peace officers employed by local law enforcement agencies. —A15

**Howard, Donna:**

**HB 126**, Relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate. —A9

**HB 137**, Relating to voter registration application forms in high schools. —A10

**HB 183**, Relating to the establishment of the task force on asylum-seeking migrants. —A13

**HJR 12**, Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead. —A25

**Huberty, Dan:**

**HR 10**, In memory of David Edward Feille of Atascocita. —A27

**HR 11**, In memory of Parker Mason Coogan of Kingwood. —A27

**HR 12**, In memory of Howard Pitman of Kingwood. —A27

**HR 22**, Congratulating Chase and Lindsey Barker of Houston on the birth of their son, Chase Austin Barker II. —A28

**Hull, Lacey:**

**HB 260**, Relating to the appeal of an election contest. —A18

**HB 262**, Relating to medical examinations for certain children entering the conservatorship of the Department of Family and Protective Services. —A18

**HB 264**, Relating to the contents of a petition in certain suits affecting the parent-child relationship. —A18

**HB 265**, Relating to certain procedures relating to children placed under a parental child safety placement. —A18

**HCR 15**, Designating the third Monday in October as Domestic Violence Survivors' Day for a 10-year period beginning in 2021. —A23

**HR 23**, Recognizing October 2021 as Domestic Violence Awareness Month. —A28

**HR 24**, Recognizing October 2022 as Domestic Violence Awareness Month. —A28

**Hunter, Todd:**

**HB 15**, Relating to dates of certain elections to be held in 2022. —A2

**Israel, Celia:**

**HB 55**, Relating to electronic voter registration. —A4

**HB 76**, Relating to the election of certain unopposed candidates. —A5

**Israel, Celia: — (continued)**

- HB 81**, Relating to the expansion of eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act. —A6
- HJR 7**, Proposing a constitutional amendment requiring the state to expand eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act. —A24

**Jetton, Jacey:**

- HB 225**, Relating to the enforcement by the secretary of state of certain voter roll maintenance provisions; providing a civil penalty. —A16
- HB 226**, Relating to the powers and duties of a presiding judge and alternate presiding judge in an election. —A16
- HB 268**, Relating to fiscal notes for city ballot propositions. —A18
- HB 269**, Relating to electronic voter registration. —A19
- HB 273**, Relating to the release or disclosure of vaccination or immunization information to certain persons; providing a civil penalty. —A19
- HB 284**, Relating to the powers of peace officer members of the Texas National Guard and expediting applications for peace officer licenses from members of the Texas National Guard. —A20
- HB 285**, Relating to the administration of the voter suspense list. —A20
- HB 286**, Relating to improvements to election integrity, including through a partial count of auditable voting system ballots; creating a criminal offense. —A20
- HR 54**, Commemorating Pakistan Independence Day on August 14, 2021. —A29
- HR 55**, Commemorating Indian Independence Day on August 15, 2021. —A29
- HR 56**, Congratulating Goldfish Swim School of Sugar Land on its one-year anniversary. —A29

**Johnson, Ann:**

No bills were filed by this representative.

**Johnson, Jarvis D.:**

No bills were filed by this representative.

**Johnson, Julie E.:**

- HB 230**, Relating to electronic voter registration. —A16
- HB 231**, Relating to the applicability of the public information law to independent organizations certified to manage a power region. —A16

**Kacal, Kyle:**

- HJR 1**, 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. —A24
- HR 51**, Congratulating McLennan Community College baseball coach Mitch Thompson on his selection as the NJCAA Division I Coach of the Year. —A29
- HR 52**, Congratulating the McLennan Community College baseball team on winning the 2021 NJCAA Division I World Series. —A29

**King, Ken:**

No bills were filed by this representative.

**King, Phil:**

No bills were filed by this representative.

**King, Tracy O.:**

No bills were filed by this representative.

**Klick, Stephanie:**

**HB 6**, Relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense. —A1

**HB 162**, Relating to the use of information from the lists of noncitizens and nonresidents excused or disqualified from jury service. —A12

**Krause, Matt:**

**HB 166**, Relating to the provision of and professional liability insurance coverage for gender transitioning or gender reassignment medical procedures and treatments for certain children. —A12

**HB 306**, Relating to requirements for the use on this state's international border of security cameras and for camera data storage from those cameras. —A12

**Kuempel, John:**

No bills were filed by this representative.

**Lambert, Stan:**

No bills were filed by this representative.

**Landgraf, Brooks:**

No bills were filed by this representative.

**Larson, Lyle:**

No bills were filed by this representative.

**Leach, Jeff:**

**HB 251**, Relating to a required resource access assistance offer before an abortion is performed or induced. —A17

**HB 252**, Relating to election fraud; increasing a penalty. —A18

**HB 253**, Relating to the extent of a defendant's criminal responsibility for the conduct of a coconspirator in a capital murder case and the review of certain convictions by the Board of Pardons and Paroles. —A18

**HB 254**, Relating to severance pay for political subdivision employees and independent contractors. —A18

**HB 255**, Relating to waivers for entrance fees to state parks for resident first responders, military service members, and veterans. —A18

**Leman, Ben:**

No bills were filed by this representative.

**Longoria, Oscar:**

No bills were filed by this representative.

**Lopez, Ray:**

**HJR 13**, Proposing a constitutional amendment to allow the legislature to override a veto of the governor following a legislative session. —A25

**Lozano, J. M.:**

**HB 160**, Relating to a supplemental payment for retirees of the Teacher Retirement System of Texas and the unfunded actuarial liabilities allowed under that system. —A11

**Lucio III, Eddie:**

No bills were filed by this representative.

**Martinez Fischer, Trey:**

No bills were filed by this representative.

**Martinez, Armando "Mando":**

**HB 213**, Relating to the establishment of a public law school in the Rio Grande Valley. —A15

**HJR 20**, Proposing a constitutional amendment prohibiting the governor from vetoing an item of appropriation made to the legislative or judicial branch of state government, including to an agency the primary purpose of which is to assist those branches of government. —A25

**HR 15**, In memory of Joel A. Garza of Weslaco. —A28

**HR 60**, Commemorating the 25th anniversary of the Valley Initiative for Development and Advancement (VIDA). —A30

**Metcalf, Will:**

No bills were filed by this representative.

**Meyer, Morgan:**

No bills were filed by this representative.

**Meza, Terry:**

No bills were filed by this representative.

**Middleton, Mayes:**

**HB 107**, Relating to the use by a political subdivision of public funds for lobbying activities. —A8

**HB 114**, Relating to the expiration date of driver's licenses and renewal driver's licenses issued to noncitizens. —A8

**HB 115**, Relating to the identification of and prohibited cooperation by state and local entities with certain federal acts that violate the United States Constitution. —A8

**HB 116**, Relating to vaccination requirements for health benefit plans or insurance policies provided to business entities. —A8

**HB 117**, Relating to the school district property value study conducted by the comptroller of public accounts. —A8

**HB 156**, Relating to the administration of the Texas Windstorm Insurance Association. —A11

**HB 158**, Relating to the establishment of the Family Educational Relief Program and an insurance premium tax credit for contributions made for purposes of that program. —A11

**HB 249**, Relating to the making and acceptance of political contributions before, during, or following a special legislative session; creating a criminal offense. —A17

**HB 300**, Relating to the maximum amount of the local option residence homestead exemption from ad valorem taxation by a taxing unit. —A21

**Middleton, Mayes: — (continued)**

**HB 309**, Relating to a vacancy in the office of senator or representative due to excessive absence. —A21

**HJR 22**, Proposing a constitutional amendment providing that members of the legislature are not entitled to receive a state salary, per diem, or reimbursement for mileage for an unexcused absence when the applicable house of the legislature lacks a quorum. —A26

**HJR 28**, Proposing a constitutional amendment to increase the maximum amount of the local option residence homestead exemption from ad valorem taxation by a political subdivision. —A26

**Minjarez, Ina:**

**No bills were filed by this representative.**

**Moody, Joe:**

**No bills were filed by this representative.**

**Morales Shaw, Penny:**

**No bills were filed by this representative.**

**Morales, Christina:**

**No bills were filed by this representative.**

**Morales, Eddie:**

**HB 281**, Relating to the creation of a county court at law in Maverick County. —A19

**HB 282**, Relating to vehicle safety inspections for vehicles registered in certain counties; imposing a fee. —A19

**HB 302**, Relating to the creation of magistrates in Maverick County. —A21

**Morrison, Geanie W.:**

**No bills were filed by this representative.**

**Muñoz Jr., Sergio:**

**HB 180**, Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas, including a related study. —A13

**HB 207**, Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas. —A15

**Murphy, Jim:**

**HB 99**, Relating to the creation of the disaster response loan fund and the permissible uses of that fund; making an appropriation. —A7

**Murr, Andrew S.:**

**HB 3**, Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses. —A1

**HB 80**, Relating to the elimination of school district maintenance and operations ad valorem taxes and the creation of a joint interim committee on the elimination of those taxes. —A6

**HB 82**, Relating to the presidential electors of this state. —A6

**HB 84**, Relating to the calculation of net to land in the appraisal of open-space land for ad valorem tax purposes. —A6



**Murr, Andrew S.: — (continued)**

- HCR 9**, Designating Llano as the official Barrel Racing Capital of Texas for a 10-year period beginning in 2021. —A22
- HR 2**, In memory of Stephen C. Helbing Sr. —A27
- HR 3**, In memory of Carl James "Jimmy" Cahill Jr. of Sonora. —A27
- HR 4**, Congratulating Shanon Biggerstaff on her retirement as president of the Ozona Chamber of Commerce. —A27
- HR 20**, Commending Tom Moser for his service as a Kerr County commissioner. —A28
- HR 25**, In memory of Rodrick L. Rodgers of the Texas Department of Criminal Justice. —A28
- HR 26**, In memory of Barry Deckard of the Texas Department of Criminal Justice. —A28
- HR 27**, In memory of Gerald Bedison of the Texas Department of Criminal Justice. —A28
- HR 28**, In memory of Michael Harper. —A28
- HR 29**, In memory of Kenneth Russell of the Texas Department of Criminal Justice. —A28
- HR 30**, In memory of Timothy Beggs of the Texas Department of Criminal Justice. —A28
- HR 31**, In memory of Harold Smith of the Texas Department of Criminal Justice. —A28
- HR 32**, In memory of Frank Edward Rose of the Texas Department of Criminal Justice. —A28
- HR 33**, In memory of Clemente Rocha of the Texas Department of Criminal Justice. —A28
- HR 34**, In memory of Dorothy Sue Caylor of the Texas Department of Criminal Justice. —A28
- HR 35**, In memory of Phillip Dexter Holbert of the Texas Department of Criminal Justice. —A28
- HR 36**, In memory of Joe Landin of the Texas Department of Criminal Justice. —A28
- HR 37**, In memory of Rebecca Adauto Crowe of the Texas Department of Criminal Justice. —A28
- HR 38**, In memory of Sergeant Randall Sims of the Texas Department of Criminal Justice. —A29
- HR 39**, In memory of John Wier of the Texas Department of Criminal Justice. —A29
- HR 40**, In memory of Alfredo Jimenez Jr. of the Texas Department of Criminal Justice. —A29
- HR 41**, In memory of Lieutenant Treva Preston of the Texas Department of Criminal Justice. —A29
- HR 42**, In memory of Maria Garcia of the Texas Department of Criminal Justice. —A29
- HR 43**, In memory of Godfrey Zuze of the Texas Department of Criminal Justice. —A29
- HR 44**, In memory of Officer Vickie James of the Texas Department of Criminal Justice. —A29

**Murr, Andrew S.: — (continued)**

**HR 45,** In memory of Tawiwo Obele of the Texas Department of Criminal Justice. —A29

**HR 46,** In memory of Troy Morin of the Texas Department of Criminal Justice. —A29

**HR 47,** Congratulating Vernon Ollar on the occasion of his 100th birthday and honoring him for his patriotic service during World War II. —A29

**Neave, Victoria:**

**HR 61,** Congratulating Officer Alexander R. Kalota on his retirement from the Mesquite Police Department. —A30

**Noble, Candy:**

**HB 293,** Relating to prohibited vaccination status discrimination and requirements for COVID-19 vaccines. —A20

**HB 295,** Relating to the requirement that a ballot to be voted by mail be canceled and returned before voting in person. —A20

**HB 299,** Relating to the signature required on an application for a ballot to be voted by mail or a carrier envelope for a ballot voted by mail; changing the elements of a criminal offense. —A21

**HB 301,** Relating to ballots voted by mail. —A21

**Oliverson, Tom:**

**HB 122,** Relating to the allocation and deposit of certain surplus state revenue to the property tax relief fund for use in reducing school district maintenance and operations ad valorem taxes. —A9

**HB 124,** Relating to the Texas Free Enterprise and Antitrust Act of 1983. —A9

**HB 210,** Relating to protection of persons from participation in a health care service for reasons of conscience; providing a civil remedy; authorizing disciplinary action. —A15

**HB 297,** Relating to approval of certain land development applications by a municipality or county. —A21

**Ordaz Perez, Claudia:**

No bills were filed by this representative.

**Ortega, Evelina "Lina":**

No bills were filed by this representative.

**Pacheco, Leo:**

No bills were filed by this representative.

**Paddie, Chris:**

**HR 48,** Congratulating Anthony Robinson on his induction into the Mrs. H. D. Dear, Sr. and Alice E. Dear School of Creative and Performing Arts Hall of Fame at Northwestern State University. —A29

**HR 49,** In memory of Edgar Curtis Walker of Jefferson. —A29

**Parker, Tan:**

**HB 123,** Relating to the security of voted ballots. —A9

**HB 125,** Relating to the security of electronic voting system media. —A9

**Patterson, Jared:**

**HB 218**, Relating to electricity pricing rules and operating procedures that eliminate or compensate for market distortion caused by certain federal tax credits. —A15

**Paul, Dennis:**

**HB 88**, Relating to hours of service by an election watcher. —A6

**HB 100**, Relating to practices and procedures for an early voting ballot voted by mail. —A7

**Perez, Mary Ann:**

No bills were filed by this representative.

**Phelan, Dade, Speaker:**

No bills were filed by this representative.

**Price, Four:**

No bills were filed by this representative.

**Ramos, Ana-Maria:**

No bills were filed by this representative.

**Raney, John:**

**HJR 27**, Proposing a constitutional amendment regarding certain organizational and procedural matters related to the legislature. —A26

**Raymond, Richard Peña:**

**HB 130**, Relating to allowing health care providers to enter certain claims and other information into the Medicaid electronic visit verification system. —A9

**HB 131**, Relating to the authority of the Public Utility Commission of Texas to set wholesale electricity prices in the ERCOT power region during a state of disaster. —A10

**HB 132**, Relating to the target planning reserve margin for ERCOT. —A10

**HB 133**, Relating to the confidentiality of certain information received or maintained by the Veterans' Land Board. —A10

**HB 134**, Relating to a study on state land use to facilitate health and wellness for veterans. —A10

**HB 135**, Relating to the creation of a work group to study uniform quality measures under a value-based program for long-term services and supports. —A10

**HB 136**, Relating to a study by the Texas Division of Emergency Management of the potential effects of droughts and wildfires in this state. —A10

**HB 219**, Relating to honesty in state taxation. —A15

**HCR 10**, Urging Congress to propose and submit to the states for ratification a federal balanced budget amendment to the U.S. Constitution. —A22

**Reynolds, Ron:**

**HB 38**, Relating to the creation of certain criminal offenses concerning firearm sales at gun shows; authorizing a fee. —A3

**HB 39**, Relating to the registration of voters at a polling place and related procedures. —A3

**HB 40**, Relating to electronic voter registration. —A3

**HB 41**, Relating to requirements to vote, including presenting proof of identification. —A3

**Reynolds, Ron: — (continued)**

- HB 42**, Relating to the minimum wage. —A3
- HB 43**, Relating to peace officers and law enforcement agencies. —A3
- HB 44**, Relating to municipal civilian complaint review boards in certain municipalities. —A3
- HB 45**, Relating to the reentry and reintegration programs provided by the Texas Department of Criminal Justice. —A3
- HB 46**, Relating to automatic voter registration on issuance or change of a driver's license or identification card by the Department of Public Safety. —A3
- HB 47**, Relating to the creation of the office of law enforcement oversight. —A3
- HB 48**, Relating to information on projected changes in weather, water availability, and climate variability in strategic plans of certain state agencies. —A3
- HB 50**, Relating to energy efficiency goals for electric utilities. —A3
- HB 51**, Relating to the establishment of the Texas Environmental Justice Advisory Council. —A3
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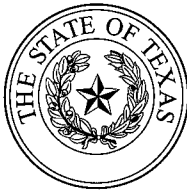
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**JOURNAL**  
OF THE  
**House of Representatives**  
OF THE  
SECOND CALLED SESSION  
OF THE  
**Eighty-Seventh Legislature**  
OF THE  
STATE OF TEXAS

BEGUN AND HELD AT  
THE CITY OF AUSTIN

August 7, 2021



VOLUME VIII



**VOLUME VIII**  
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# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

FIRST DAY — SATURDAY, AUGUST 7, 2021

In obedience of the proclamation of His Excellency, Greg Abbott, Governor of the State of Texas, convening the 87th Legislature, Second Called Session, to meet in special session at Austin, Texas, the seat of government, on this the 7th day of August 2021, the members of the House of Representatives assembled in the hall of the House of Representatives, and at 12:12 p.m. the house was called to order by the Honorable Dade Phelan, speaker.

The roll of the house was called and a quorum was not present (Record 1).

Present — Mr. Speaker(C); Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Darby; Frank; Frullo; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Morales, E.; Morrison; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; White; Wilson.

Absent — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Burns; Campos; Canales; Clardy; Cole; Coleman; Collier; Cortez; Crockett; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Huberty; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Smithee; Talarico; Thierry; Thompson, S.; Turner, C.; Vo; Walle; Wu; Zwiener.

When Record No. 1 was taken, I was absent because of important business. Had there been a quorum, I would have requested a leave of absence for today.

Burns, Larson, Paddie, and Price

When Record No. 1 was taken, I was absent because of important business in the district. Had there been a quorum, I would have requested a leave of absence for today.

Dean and Smithee

When Record No. 1 was taken, I was absent because of illness. Had there been a quorum, I would have requested a leave of absence for today.

Canales and Clardy

When Record No. 1 was taken, I was absent because of family business. Had there been a quorum, I would have requested a leave of absence for today.

Huberty

The invocation was offered by Representative Leach as follows:

Lord, our hearts today are filled with gratitude for the blessings that you've given each of us, for the privilege to live in this great state, and for the honor of serving in this chamber. Lord, our hearts and our minds this morning are also filled with frustration and possibly even fear and anxiety for what lies before us in the days ahead. So Lord, in this moment, I ask that you fill this place. Lord, that you meet us at the point of our greatest need. Lord, I ask that you rain down on this chamber in a supernatural way to show us the path forward.

God, we're staring right now at a raging ocean of division and hostility in this chamber. But Lord, you're a God who parts the sea, and you command the wind and the waves. God, there's a mountain of anger and frustration in front of us, but you're the God who moves mountains. Lord, there are relationships that are shattered, cords of trust that have been broken. But you, Lord, bring the dead to life, and what is broken, you restore.

So Lord, in this moment, I ask that you move this mountain, that you part this sea, and that you restore what is broken. God, I'm asking today that you perform a miracle in our midst. Lord, in this time of division, we set our eyes upon you. We trust in you, we lean on your faithfulness, we claim your promises, and we rest in your love and in your grace.

I pray for my colleagues, for my fellow legislators, whether they're here in this chamber, Lord, whether they're by the hospital bed of a loved one, or whether they're out on a beach somewhere. For those who are here in this state, for those who are out of this state, for those who may be out of the country, God, I pray that you meet each of us at the point of our need. Convict us of any sin in our lives. God, cleanse us of all unrighteousness. Challenge us and call us according to your purpose. As we begin this special session, this second special session, God, meet us at the point of our need and use us to bring honor to you and blessings to the people of Texas. In Jesus' name we trust, and in your name we pray. Amen.

#### **ADJOURNMENT**

Representative Meyer moved that the house adjourn until 4 p.m. Monday, August 9.

The motion prevailed.

The house accordingly, at 12:15 p.m., adjourned until 4 p.m. Monday, August 9.

# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

SECOND DAY — MONDAY, AUGUST 9, 2021

The house met at 4:20 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was not present (Record 2).

Present — Mr. Speaker(C); Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; González, M.; Guerra; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Moody; 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; Talarico; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; White; Wilson.

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

The invocation was offered by Representative Holland as follows:

O God, the fountain of wisdom, whose statutes are good and gracious and whose law is truth, we beseech thee so to guide and bless the legislature of Texas, that it may ordain for our governance only such things as please thee to the glory of thy name and the welfare of the people, through Jesus Christ, thy son, our Lord. Amen.

## HOUSE AT EASE

At 4:22 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 4:24 p.m.

(E. Morales now present)

At 4:24 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 5:08 p.m.

(Clardy now present)

At 5:08 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 6:10 p.m.

### CALL OF THE HOUSE ORDERED

Representative Tinderholt moved a call of the house to consider the following class of measures:

Items submitted for consideration by the governor in his August 5 proclamation.

The motion was seconded.

The motion for the call of the house prevailed by (Record 3): 80 Yeas, 8 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Frank; Frullo; Gates; Geren; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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 — Canales; Fierro; González, M.; King, T.; Longoria; Moody; Morales, E.; Talarico.

Present, not voting — Mr. Speaker(C).

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

### STATEMENTS OF VOTE

When Record No. 3 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 3 was taken, I was absent. I would have voted no.

Martinez

At 6:11 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 6:31 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

### HOUSE AT EASE

At 6:32 p.m., the chair announced that the house would stand at ease until 4 p.m. tomorrow.

### Tuesday, August 10

(Herrero now present)

The chair called the house to order at 4:20 p.m.

The invocation was offered by Representative Paddie as follows:

Father God, we humbly come to you today with grateful hearts, grateful for the opportunity to serve in this body and on behalf of our constituents, grateful for the men and women that we're privileged to serve with. Father God, these are not just our colleagues. They're our friends—in some cases, our mentors. They're our legislative family. Lord, like with any family, there will be difficult times, disagreements, disappointments, hard feelings, and even regrets. But Lord, so too are there many really good times, collective victories, high fives, hugs, laughs, and moments that create memories that will last a lifetime.

Lord, help us heal and strengthen our legislative family and our relationships. Help us set aside our disagreements, disappointments, even some hard feelings, and replace those things with a desire to communicate better, to listen more, to do the right thing even when it's harder. Lord, give us the wisdom and desire not to lead one another but to serve one another. And in our times of disagreement, help us to do so with a spirit of love and respect.

Lord, we ask for your blessings on this Capitol and on the people in it. And Father, we ask that you forgive us the many times that we fail you in our walks. God, we love and praise you, and we ask all these things in Jesus' name. Amen.

Representative Metcalf moved to instruct the sergeant-at-arms or officers appointed by the sergeant-at-arms to send for all absentees whose absence is not excused, for the purpose of securing and maintaining their attendance, under warrant of arrest if necessary. (See the addendum to the daily journal, Orders by the Speaker.)

A record vote was requested by Representative Metcalf.

The motion prevailed by (Record 4): 80 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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; Lozano; 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 — Dutton; Fierro; González, M.; Guerra; Herrero; King, T.; Larson; Longoria; Lucio; Moody; Talarico; Turner, J.

Present, not voting — Mr. Speaker(C).

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

### STATEMENTS OF VOTE

When Record No. 4 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 4 was taken, I was absent. I would have voted no.

Martinez

At 4:23 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 4:43 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

### HOUSE AT EASE

At 4:44 p.m., the chair announced that the house would stand at ease until 10 a.m. tomorrow.

### Wednesday, August 11

The chair called the house to order at 10:19 a.m.

The invocation was offered by Representative Buckley as follows:

Heavenly Father, you can do all things, but today I call on you to heal and protect. Heal those battling sickness and injury. Protect those caring for them and give them wisdom and your divine knowledge to restore. Heal those with uncertainties that may have strayed from your word, and show us how to guide them back to a path that pleases you. Heal the divisions in our world, our country, state, communities, and in this body. Remind us again, O Lord, that while in service to others, we are ultimately in service to you.

Protect those that protect us every day. Shield them from danger as they strive to keep our communities safe. Protect the little ones and the not-so-little ones that will return to classrooms across our great state in the days to come.

Bless those that will teach them. Nurture them, feed them, and challenge them as they begin to gain a base of knowledge upon which their futures will be built. Lord, also bless the moms, the dads, the guardians, and all that love them and want the best for them.

And finally, Lord, protect the families represented on this floor today and the families of those not on this floor today. We know that while we're away, it's your hand of protection on which we all rely and are so thankful for. This I pray in Jesus' name. Amen.

At 10:22 a.m., the chair announced that the house would stand at ease.

The chair called the house to order at 10:43 a.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 10:43 a.m., the chair announced that the house would stand at ease until 4 p.m. tomorrow.

#### Thursday, August 12

The chair called the house to order at 4:14 p.m.

The invocation was offered by Representative E. Thompson as follows:

Our God and our Father, we are faithful when you are nigh. By the power of your spirit, let us show our devotion to you by growing in faithfulness. Let us show goodness to others when we are sad, frustrated, or distracted. We pray your spirit in this place today. We need your comfort, your wisdom, your divine leadership. Allow us to make good decisions that will benefit all the citizens of this great state. We rest in your promises, Father. We ask all these things in the name above all names, Jesus Christ. Amen.

At 4:15 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 4:38 p.m.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 4:39 p.m., the chair announced that the house would stand at ease until 2 p.m. tomorrow.

#### Friday, August 13

The chair called the house to order at 2:18 p.m.

The invocation was offered by Representative Slawson as follows:

Lord, I woke up in Texas today and as best I can tell, that's the closest spot to the promised land this side of heaven. I woke up with the right to worship you, whether that's at the bedside, at the table with my children, or at a microphone

that belongs to 29 million Texans. I praise you, God, as a God who can move mountains, as a God who breaks chains, and as a God who makes the way. Lord, we have mountains, we have chains that are bound up all around us, and we need a way.

I confess to you, Lord, that I've spent a lot of the last month wondering what are we doing and a little bit frustrated that the biggest item on an agenda in this body today is a prayer. But that's some wrong thinking. The most important item on an agenda for this body is a prayer. And that was the wrong question about what we're doing when it should be about what are you doing. You've shown us time and time again that from the messes of the world comes your message and that effective leadership doesn't come from Austin or from Washington but from you.

So Lord, I pray your healing over your people, over our state, and over this body. I pray that we will leave enough space for your message and that we would have open hearts to receive it. I pray you would fill us so full of your Holy Spirit that there's no room left for anything else but you, that that you would keep us mindful that it's not just that you leave the 99 but it's how with rejoicing you wrap your arms around us. You wrap that one around your shoulders even to the cross.

We love you. We praise you. We look forward to the message that you're writing. And it's in the name of your son, Jesus Christ, that all God's people say amen.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

### **HOUSE AT EASE**

At 2:23 p.m., the chair announced that the house would stand at ease until 10 a.m. tomorrow.

### **Saturday, August 14**

The chair called the house to order at 10:06 a.m.

The invocation was offered by Representative Raney as follows:

Our Father and our God, you are the great architect of the universe and through you all things are possible. Because of you, we are blessed to serve in the Texas House of Representatives. Remind us daily, O God, that our freedom is ordained by you in your holy word. We recognize, O God, that our fathers and our mothers fought for the freedom we enjoy. May our generation and the generations to come be ever vigilant in keeping this freedom.

Our state and our nation are going through difficult times. Disease, ethnic tensions, political differences seem insurmountable. Yet we know that when we place our trust in you, we will make decisions that are acceptable in your sight. Help us to seek to understand before we are understood. For it is only when we understand others that we can understand ourselves.



We pray that our governor, lieutenant governor, speaker, and all the members of the legislature will be ever mindful of your presence as we debate the future of Texas. Grant us wisdom. We pray for the people of Texas. They, too, have a responsibility. Remind us that no one of us is exactly like the other and 100 percent agreement is not possible.

You ask of us one thing and it is to seek you. We will fall short, but we must continue. When history looks back on us, we pray that the good will be remembered and the mistakes forgiven. Bless us, O God, so that we may in turn bless others. In your holy name we pray. Amen and so mote it be.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

### HOUSE AT EASE

At 10:09 a.m., the chair announced that the house would stand at ease until 4 p.m. Monday, August 16.

#### Monday, August 16

The chair called the house to order at 4:22 p.m.

The invocation was offered by Representative VanDeaver as follows:

Father, we come to you today, and we look across this chamber, and we look across the world. And Lord, we feel frustrated. We feel anger. So Father, my prayer today is really very simple. I just pray for the wisdom of Solomon, for the patience of Job, and for the love of Christ. It's in his name I pray. Amen.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

### HOUSE AT EASE

At 4:35 p.m., the chair announced that the house would stand at ease until 11 a.m. tomorrow.

#### Tuesday, August 17

The chair called the house to order at 11:16 a.m.

The invocation was offered by Representative Shaheen as follows:

Father God, we give thanks today and we pause to draw close to you. We know that you grant all authority on earth, so we give thanks that you've placed us here at a time such as this. I ask that you be with each member here. Grant them wisdom. Grant them patience. Be with their families as we're separated. Grant them a hedge of protection. Father God, I also pray for our colleagues that aren't here. May you be with them and their families and provide them safe travels as they return to the State of Texas. And although we don't know when that will be, Father God, we know you do and you're in control.

And Father God, lastly, we thank you for your love. We thank you that you loved us so much that you gave your only begotten son, that whoever believes in him shall not perish but have eternal life. And it's in his precious name, Jesus Christ, we pray. Amen.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 11:53 a.m., the chair announced that the house would stand at ease until 2 p.m. tomorrow.

#### Wednesday, August 18

The chair called the house to order at 2:25 p.m.

The invocation was offered by Representative K. Bell as follows:

Our dear heavenly Father, thank you for this day and thank you for all the blessings you've given us. God, we thank you for the opportunity you've given us to serve the great State of Texas. God, we come to you humbly and ask for your wisdom and your discernment and your peace. We ask you to be with our governor today; that God, you would give him healing; that you would protect our first lady; that God, you would be with our members of this house that have the virus; that God, you would touch them, heal them, bring them back.

O God, we are in a difficult place in our country and our state. God, we pray that we can come together, that we can do the people's business, that we can move forward and heal. God, we pray once again for the leadership of our speaker. Be with him. Give him wisdom. Guide him in the decisions that he makes every day. God, be with all of us here. Put a hedge of protection around our families. God, protect them from this virus. Be with those in our districts that are fighting this, the first responders, the medical staff. God, give them perseverance. Let us get on the other side.

O God, once again I thank you for the opportunity you've given me to serve. I thank you for this great state and our country. Be with those that are deployed around the world that are protecting our interests, and certainly protect those in harm's way in Afghanistan. Forgive me where I fail thee. In Jesus' name I pray. Amen.

The chair announced that pursuant to Rule 5, Section 8, of the House Rules, the chair signed a form granting permission to each member in attendance today to leave the chamber and return at an appointed time.

#### HOUSE AT EASE

At 2:55 p.m., the chair announced that the house would stand at ease until 4 p.m. tomorrow.

#### Thursday, August 19

(Coleman, Hernandez, and Walle now present)

The chair called the house to order at 6:09 p.m.

The invocation was offered by Representative Coleman as follows:

This is my prayer: One of the things in life is that we have to know what our responsibilities are, and we have to work to move something in the direction of where we want it to be. And that has a lot to do with civility and how we show our love and our understanding of what God wants for all of us. When anybody does something that doesn't comport with that and they claim they are, it bothers me. I think it bothers everyone.

In this prayer, I pray that all of us look inside about where we want this world to go, this state, this house, and look at it from the perspective of trying to find as much common ground as can be found. I think that everybody should take care of their duty, but in this prayer, I pray for people to recognize that everyone is a human being and in that process, that we should be mindful of that. I think that's what God wants us to do.

So for those things I pray and that we love each other first. That's how change will actually be made. So we pray today. We pray for everyone here and all of the officials that are doing what they believe is the right thing and that God continue to give them a sense of what the right thing is. In God's name, amen.

Pursuant to Rule 5, Section 10, of the House Rules, the roll of the house was called and a quorum was announced present (Record 5).

Present — Mr. Speaker(C); Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Coleman; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; González, M.; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Moody; Morales, E.; 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; Talarico; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson.

Absent — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Gervin-Hawkins; González, J.; Goodwin; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Morales, C.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Thierry; Thompson, S.; Turner, C.; Vo; Wu; Zwiener.

### **PROCLAMATION BY THE GOVERNOR OF THE STATE OF TEXAS**

Without objection, Representative Metcalf moved to dispose with the reading of the following proclamation by the governor and enter it into the journal:

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 12 p.m. on Saturday, August 7, 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 appropriations from unappropriated available revenues for COVID-19-related healthcare expenses, such as those listed below, taking into consideration the approximately \$10.5 billion in funds received by local governments intended to be used on COVID-19 from the American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2:

- healthcare staffing needs, including physicians, nurses, and other medical professionals;
- establishing, staffing, and operating alternative care sites;
- supporting the operations of nursing homes, state supported living centers, assisted living facilities, and long-term care facilities;
- vaccine administration;
- testing sites;
- supplies and equipment, such as personal protective equipment (PPE) and ventilators; and
- standing up and operating infusion centers.

Legislation providing strategies for public-school education in prekindergarten through twelfth grade during the COVID-19 pandemic, which ensures:

- students receive a high-quality education and progress in their learning;
- in-person learning is available for any student whose parent wants it;
- the wearing of face coverings is not mandatory; and
- COVID-19 vaccinations are always voluntary.

Legislation enhancing criminal laws or providing funding from unappropriated available revenues 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 and email users from being censored based on the user's expressed viewpoints, including by providing a legal remedy for those wrongfully excluded from a platform.

Legislation providing appropriations from unappropriated available revenues 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 unappropriated available revenues 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.

Legislation modifying the filing periods and related election dates, including any runoffs, for primary elections held in Texas in 2022.

Legislation reforming the laws governing radioactive waste to protect the safety of Texans, including by further limiting the ability to store and transport high-level radioactive materials in this state.

Legislation shielding private employers and employees from political subdivision rules, regulations, ordinances, and other actions that require any terms of employment that exceed or conflict with federal or state law relating to any form of employment leave, hiring practices, employment benefits, or scheduling practices.

Legislation relating to legislative quorum requirements.

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 5th day of August 2021.

/s/Greg Abbott  
Governor of Texas

(SEAL)

Attested by:

/s/Joe A. Esparza

Deputy Secretary of State

### 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 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 Nos. 1 and 2.)

### ADJOURNMENT

Representative Metcalf moved that the house adjourn until 4 p.m. Monday, August 23.

The motion prevailed.

The house accordingly, at 6:19 p.m. Thursday, August 19, adjourned until 4 p.m. Monday, August 23. (The adjournment terminated further proceedings under the call of the house.)

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### ADDENDUM

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### ORDERS BY THE SPEAKER

The speaker submitted the following warrants for inclusion in the journal:

#### STATE OF TEXAS HOUSE OF REPRESENTATIVES

#### WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Alma Allen**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Rafael Anchía**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Michelle Beckley**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Diego Bernal**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan

Speaker of the House of Representatives

*Attest:*

/s/Robert Haney

Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Rhett Bowers**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan

Speaker of the House of Representatives

*Attest:*

/s/Robert Haney

Chief Clerk of the House of Representatives



STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **John Bucy, III**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*  
/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Elizabeth "Liz" Campos**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*  
/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Sheryl Cole**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Nicole Collier**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Philip Cortez**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Jasmine Crockett**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Yvonne Davis**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Joe Deshotel**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Alex Dominguez**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*  
/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Barbara Gervin-Hawkins**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*  
/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Jessica González**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Vikki Goodwin**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Ana Hernandez**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan

Speaker of the House of Representatives

*Attest:*

/s/Robert Haney

Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Gina Hinojosa**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan

Speaker of the House of Representatives

*Attest:*

/s/Robert Haney

Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Donna Howard**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Celia Israel**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives



STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Ann Johnson**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Jarvis Johnson**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Julie Johnson**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Ray Lopez**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES  
WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Armando Martinez**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES  
WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Trey Martinez Fischer**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Terry Meza**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Ina Minjarez**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

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/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Christina Morales**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Penny Morales Shaw**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Sergio Muñoz, Jr.**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Victoria Neave**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Claudia Ordaz Perez**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan

Speaker of the House of Representatives

*Attest:*

/s/Robert Haney

Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Lina Ortega**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan

Speaker of the House of Representatives

*Attest:*

/s/Robert Haney

Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Leo Pacheco**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Mary Ann Perez**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives



STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Ana-Maria Ramos**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Richard Peña Raymond**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Ron Reynolds**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th.day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Eddie Rodriguez**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Ramon Romero, Jr.**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Toni Rose**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Jon Rosenthal**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Carl Sherman, Sr.**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Shawn Thierry**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

Attest:

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

WARRANT

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Senfronia Thompson**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

Attest:

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Chris Turner**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Hubert Vo**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Armando Walle**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Gene Wu**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instantler, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

STATE OF TEXAS  
HOUSE OF REPRESENTATIVES

**WARRANT**

*To the Sergeant-at-Arms of the House of Representatives of the State of Texas, or any officer appointed by him:*

YOU ARE HEREBY COMMANDED to take The Honorable **Erin Zwiener**, a Member of the House of Representatives of the State of Texas, who is now absent from the House, wherever said Member may be found in the State into your custody and safekeeping and bring said Member before the bar of the House instanter, this writ being issued under a duly-adopted order of the House pursuant to Article III, Section 10, Texas Constitution, made in exercise of its lawful powers to compel the attendance of absent members in the manner provided under the House Rules of Procedure.

HEREIN FAIL NOT, but make due return hereof to this House.

WITNESS MY OFFICIAL SIGNATURE this 10th day of August 2021.

/s/Dade Phelan  
Speaker of the House of Representatives

*Attest:*

/s/Robert Haney  
Chief Clerk of the House of Representatives

**LETTER REGARDING  
HOUSE DISTRICT 118**

The following letter of resignation was submitted for inclusion in the journal:

August 17, 2021

Dear Governor Greg Abbott:

I officially resign my position of State Representative of District 118 effective Thursday, August 19, 2021. I have accepted a position of a full-time faculty member with San Antonio College, a member of the Alamo Community College District, which is publicly funded. As such, I am unable to serve in both positions due to current Texas Law. It's been a pleasure serving my constituents, however, it's time to serve in another capacity, that as a teacher.

With respect,

/s/Leo Pacheco, MPA, PHR

**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 5** (By Bonnen), Relating to making supplemental appropriations and giving direction regarding appropriations.

To Appropriations.

**HB 7** (By Landgraf), Relating to the transportation, storage, or disposal of high-level radioactive waste.

To Environmental Regulation.

**HB 20** (By Cain), Relating to censorship of or certain other interference with digital expression, including expression on social media platforms or through electronic mail messages.

To Select Constitutional Rights and Remedies.

**HB 28** (By Toth, Metcalf, and White), Relating to curriculum, materials, and activities in public schools.

To Public Education.

**SB 1** to Select Constitutional Rights and Remedies.

**SB 2** to Public Education.

**SB 3** to Public Education.

**SB 4** to Public Health.

**SB 5** to Select Constitutional Rights and Remedies.

**SB 6** to Select Constitutional Rights and Remedies.

**SB 7** to Appropriations.

**SB 8** to Ways and Means.

**SB 9** to Public Education.

**SB 12** to Ways and Means.

**SB 13** to Select Constitutional Rights and Remedies.

**SB 14** to State Affairs.

**SB 15** to Public Education.

**SJR 2** to Ways and Means.

**SJR 3** to Select Constitutional Rights and Remedies.

**List No. 2**

**HB 9** (By Bonnen), Relating to making supplemental appropriations relating to border security and giving direction regarding those appropriations

To Appropriations.

**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  
Thursday, August 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:

**SB 1** Hughes

Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses; providing civil penalties.

**SB 2** Perry

Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.

**SB 3** Hughes

Relating to civics training programs for certain public school social studies teachers and principals, parental access to certain learning management systems, and certain curriculum in public schools, including certain instructional requirements and prohibitions.

**SB 4** Lucio

Relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense.

**SB 5** Hughes

Relating to complaint procedures and disclosure requirements for, and to the censorship of users' expressions by, social media platforms.

**SB 6** Huffman

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.

**SB 7** Huffman

Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

**SB 8** Bettencourt

Relating to the authority of a person who acquires a residence homestead to receive an ad valorem tax exemption for the homestead in the year in which the property is acquired and to the protection of school districts against the resulting loss in revenue.

**SB 9** Huffman

Relating to requiring public schools to provide instruction and materials and adopt policies relating to the prevention of child abuse, family violence, and dating violence.

**SB 12** Bettencourt

Relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate and to the protection of school districts against the resulting loss in local revenue.

**SB 13** Huffman

Relating to dates of certain elections to be held in 2022.

**SB 14** Creighton

Relating to the regulation by a municipality or county of certain employment benefits and policies.

**SB 15** Taylor

Relating to virtual and off-campus electronic instruction at a public school, the satisfaction of teacher certification requirements through an internship teaching certain virtual courses, and the allotment for certain special-purpose school districts under the Foundation School Program.

**SJR 2** Bettencourt

Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.

**SJR 3** Huffman

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.

Respectfully,  
Patsy Spaw  
Secretary of the Senate



# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

THIRD DAY — MONDAY, AUGUST 23, 2021

The house met at 5:35 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present.

A verification of the roll was requested by Representative Zwiener and was granted.

The roll of those shown present was again called and the verified roll resulted, as follows (Record 6): 100 present, 48 absent.

Present — Mr. Speaker(C); Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Coleman; Cook; Cortez; Craddick; Darby; Davis; Dean; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; González, M.; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Moody; Morales, E.; 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; Talarico; Thompson, E.; Tinderholt; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Zwiener.

Absent — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Cole; Collier; Crockett; Cyrier; Deshotel; Dominguez; Gervin-Hawkins; González, J.; Goodwin; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Morales, C.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Thierry; Thompson, S.; Toth; Turner, C.; Vo; Wu.

The chair stated that a quorum was present by the above vote.

The invocation was offered by Representative Holland as follows:

Father God, we come to you today in the midst of a broken world—turmoil in Afghanistan, a global health crisis, many sick, many who have perished, and here in Austin, disagreeing on how to advance public policy. Though we can all agree that you are greater than any problem that we face. God, we need this prayer more now than ever, even as we continually experience some of the most unexpected moments of our lives. Right here on the floor, we have lost loved

ones, heroes, and mentors. Some of our own are sick or in need of healing. We ask for your hedge of protection over those members and their families in times of deep grief and sorrow.

Help us to have deeper, more frequent conversations with you. Help us to remember that you are in complete control. Help us to remember that our relationships in life and in politics are important. Right now in this world, country, state, and right here on this very floor, we have people with deeply held and completely opposing viewpoints. May we approach them with kindness and openness. May we not compromise our values or morals but find common ground wherever possible and learn from each other as people with opposing views, not as opposing people.

Help us to learn to forgive and to seek to listen, learn, and understand each other as we deliberate the business before us over the next two weeks. Help us to carefully examine the issues at hand and assess all impacts of our actions. Help us to do better than we have tried up to this point. Most importantly, we pray that your guidance would help us to treat every person on this floor or in this building or over the waves of new media with honor and dignity and to build respect no matter what. Help us to share our views as human beings and engage in real, respectful, civil dialogue. May we continue to listen, learn, and appreciate each other to experience what happens when we come to know each other better. All these things I ask in the name of Jesus Christ, your son. Amen.

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

(Dominguez and A. Johnson 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.)

(Anchia, Bucy, Cole, Goodwin, J.E. Johnson, Ortega, Perez, Rose, Rosenthal, and C. Turner now present)

**LEAVES OF ABSENCE GRANTED**

The following member was granted leave of absence for today because of a death in the family:

Toth on motion of Cain.

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

Cyrier on motion of Vasut.

(Howard now present)

## 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. 2.)

## RECESS

Representative Burrows moved that the house recess until 10 a.m. Thursday, August 26 in memory of Chris Riley of El Paso, father-in-law of Representative Moody.

The motion prevailed.

The house accordingly, at 6:14 p.m., recessed until 10 a.m. Thursday, August 26.

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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 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 4** (By Meyer and Metcalf), Relating to the authority of a person who acquires a residence homestead to receive an ad valorem tax exemption for the homestead in the year in which the property is acquired and to the protection of school districts against the resulting loss in revenue.

To Ways and Means.

**HB 6** (By Klick, Noble, Oliverson, Cook, and Frank), Relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense.

To Public Health.

**HB 8** (By Rogers, Darby, and Parker), Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

To Appropriations.

**HB 10** (By P. King, Burrows, Metcalf, Paddie, and Geren), Relating to the regulation by a municipality or county of certain employment benefits and policies.

To State Affairs.

**HB 11** (By Meyer and Metcalf), Relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate and to the protection of school districts against the resulting loss in local revenue.

To Ways and Means.

**HB 12** (By Smith, Cook, Harless, and Kacal), 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 14** (By Klick and Noble), Relating to the use of information from the lists of noncitizens and nonresidents excused or disqualified from jury service.

To Select Constitutional Rights and Remedies.

**HB 15** (By Hunter), Relating to dates of certain elections to be held in 2022.

To Select Constitutional Rights and Remedies.

**HB 16** (By Klick and Noble), Relating to voting after polls close during early voting.

To Select Constitutional Rights and Remedies.

**HB 19** (By Schofield), Relating to the practices and procedures of federal elections.

To Select Constitutional Rights and Remedies.

**HB 21** (By Noble), Relating to the requirement that a ballot to be voted by mail be canceled and returned before voting in person.

To Select Constitutional Rights and Remedies.

**HB 22** (By Jetton), Relating to the powers and duties of a presiding judge and alternate presiding judge in an election.

To Select Constitutional Rights and Remedies.

**HB 25** (By Swanson, Noble, Morrison, Klick, and Bonnen), Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.

To Public Education.

**HB 27** (By Schofield), Relating to the creation, suspension, or alteration of voting standards, practices, or procedures.

To Select Constitutional Rights and Remedies.

**HB 30** (By K. Bell, Huberty, K. King, and VanDeaver), Relating to virtual instruction and off-campus electronic instruction at a public school, certain requirements for certification as a teacher for virtual instruction only, and the allotment for special-purpose school districts under the Foundation School Program.

To Public Education.



**HB 31** (By Noble), Relating to the signature required on an application for a ballot to be voted by mail or a carrier envelope for a ballot voted by mail; changing the elements of a criminal offense.

To Select Constitutional Rights and Remedies.

**HB 33** (By Toth), Relating to the entitlement of a member of the legislature to receive certain state funds following an absence without leave when the applicable house of the legislature lacks a quorum to do business.

To State Affairs.

**HB 34** (By Toth), Relating to a vacancy in the office of a legislator due to an absence without official leave.

To State Affairs.

**HB 36** (By Noble), Relating to ballots voted by mail.

To Select Constitutional Rights and Remedies.

**HB 37** (By Toth), Relating to identification of early voting ballots voted by mail by electronic code.

To Select Constitutional Rights and Remedies.

**HB 45** (By Reynolds), Relating to electronic voter registration.

To Select Constitutional Rights and Remedies.

**HB 46** (By Reynolds), Relating to the registration of voters at a polling place and related procedures.

To Select Constitutional Rights and Remedies.

**HB 49** (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 50** (By Reynolds), Relating to requirements to vote, including presenting proof of identification.

To Select Constitutional Rights and Remedies.

**HB 52** (By Reynolds), Relating to bail proceedings and related duties of a magistrate in a criminal case.

To Select Constitutional Rights and Remedies.

**HB 75** (By Paul), Relating to hours of service by an election watcher.

To Select Constitutional Rights and Remedies.

**HB 76** (By Paul, Anderson, Jetton, and Vasut), Relating to practices and procedures for an early voting ballot voted by mail.

To Select Constitutional Rights and Remedies.

**HB 79** (By Schaefer), Relating to the creation of the criminal offense of trespass while entering the state.

To State Affairs.

**HB 86** (By Zwiener), Relating to acceptable forms of identification for voting.

To Select Constitutional Rights and Remedies.

**HB 90** (By Fierro), Relating to the eligibility of certain persons younger than 18 years of age to preregister to vote.

To Select Constitutional Rights and Remedies.

**HB 91** (By Fierro), Relating to the opportunity to correct a vote by mail application.

To Select Constitutional Rights and Remedies.

**HB 92** (By Fierro), Relating to temporary branch polling places.

To Select Constitutional Rights and Remedies.

**HB 93** (By Fierro), Relating to voting outside of the polling place.

To Select Constitutional Rights and Remedies.

**HB 95** (By Jetton), Relating to improvements to election integrity, including through a partial count of auditable voting system ballots; creating a criminal offense.

To Select Constitutional Rights and Remedies.

**HB 96** (By Hefner, Oliverson, Cook, and Noble), Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.

To Public Education.

**HB 98** (By Israel), Relating to electronic voter registration.

To Select Constitutional Rights and Remedies.

**HB 99** (By Israel), Relating to the election of certain unopposed candidates.

To Select Constitutional Rights and Remedies.

**HB 103** (By Slaton), Relating to the establishment of and a grant program for temporary confinement facilities during local disasters relating to illegal immigration or border security.

To State Affairs.

**HB 104** (By Slaton), Relating to the creation of the offense of criminal trespass by an illegal alien.

To State Affairs.

**HB 106** (By Slaton), Relating to the payment by warrant of salaries of members of the house of representatives and their staffs when a call of the house of representatives has been ordered.

To State Affairs.

**HB 107** (By Slaton), Relating to border security enhancement projects, a fund to pay for those projects, and a study on certain projects; allocating the earnings on the fund balance and reimbursement of related expenditures; granting the power of eminent domain.

To Appropriations.

**HB 112** (By Vasut), Relating to the acceptance and counting of early voting ballots voted by mail.

To Select Constitutional Rights and Remedies.

**HB 115** (By Darby, Rogers, Kacal, Cook, and Shine), Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas.

To Appropriations.

**HB 122** (By Oliverson, Wilson, Toth, and Longoria), Relating to reducing school district maintenance and operations ad valorem taxes through the use of certain surplus state revenue.

To Appropriations.

**HB 123** (By Zwiener), Relating to an increase in the amount of the exemption of residence homesteads from ad valorem taxation by a school district, a reduction in the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect the increased exemption amount, and the protection of school districts against the resulting loss in local revenue.

To Ways and Means.

**HB 127** (By Cason), Relating to prohibiting face covering mandates for public school students.

To Public Education.

**HB 130** (By Schofield and Guillen), Relating to an exemption from ad valorem taxation by a school district of a dollar amount or a percentage, whichever is greater, of the appraised value of a residence homestead, a reduction of the limitation on the total amount of ad valorem taxes that may be imposed by a school district on the homestead of a person who is elderly or disabled to reflect any increase in the exemption amount, and the protection of school districts against the resulting loss in local revenue.

To Ways and Means.

**HB 136** (By Parker), Relating to the security of voted ballots.

To Select Constitutional Rights and Remedies.

**HB 137** (By Parker), Relating to the security of electronic voting system media.

To Select Constitutional Rights and Remedies.

**HB 139** (By Jetton), Relating to the service of election watchers at a meeting place of a signature verification committee.

To Select Constitutional Rights and Remedies.

**HB 140** (By Jetton), Relating to the administration of the voter suspense list.

To Select Constitutional Rights and Remedies.

**HB 141** (By Leach), Relating to prohibiting face covering mandates for public school students.

To Public Education.

**HB 145** (By Swanson), Relating to accommodating a voter unable to enter a polling place.

To Select Constitutional Rights and Remedies.

**HB 151** (By Middleton), Relating to a vacancy in the office of senator or representative due to excessive absence.

To State Affairs.

**HB 154** (By Leman and White), Relating to the prosecution and punishment of certain criminal offenses committed in the course of or for the purpose of avoiding certain law enforcement checkpoints or evading an arrest or detention; increasing criminal penalties.

To Homeland Security and Public Safety.

**HB 164** (By Dutton), Relating to a policy requiring the use of face coverings in public schools.

To Public Education.

**HB 165** (By Shaheen), Relating to civil liability for censorship by social media companies.

To Select Constitutional Rights and Remedies.

**HB 166** (By Shaheen), Relating to ineligibility to serve as a poll watcher.

To Select Constitutional Rights and Remedies.

**HB 168** (By Martinez), Relating to cost-of-living increases applicable to benefits paid by the Teacher Retirement System of Texas.

To Appropriations.

**HB 169** (By Martinez), Relating to the acceptance of a provisional ballot after a natural disaster.

To Select Constitutional Rights and Remedies.

**HB 170** (By Zwiener), Relating to providing notice to a parent or guardian regarding a positive coronavirus disease (COVID-19) test of a person assigned to a student's classroom.

To Public Education.

**HB 171** (By J. Turner), Relating to an exception to the application of the offense of illegal voting.

To Select Constitutional Rights and Remedies.

**HB 172** (By Guillen), Relating to virtual and off-campus electronic instruction at a public school, the satisfaction of teacher certification requirements through an internship teaching certain virtual courses, and the allotment for certain special-purpose school districts under the Foundation School Program.

To Public Education.

**HB 175** (By Noble, Leach, and Cook), Relating to prohibiting a requirement that a public school student receive a coronavirus disease (COVID-19) vaccine.

To Public Education.

**HB 177** (By Dominguez), Relating to certain benefits paid by the Teacher Retirement System of Texas.

To Appropriations.

**HJR 1** (By Kacal, Smith, and Cook), 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.

**HJR 2** (By Meyer and Metcalf), Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.

To Ways and Means.

**HJR 5** (By Reynolds), Proposing a constitutional amendment authorizing the denial of bail to an accused person if a judge or magistrate determines by clear and convincing evidence that requiring bail and conditions of release is insufficient to reasonably ensure the person's appearance in court or the safety of the community or of any person, including the victim of the alleged offense.

To Select Constitutional Rights and Remedies.

**HJR 6** (By Zwiener), Proposing a constitutional amendment to increase the amount of the exemption of residence homesteads from ad valorem taxation by a school district and to reduce the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect the increased exemption amount.

To Ways and Means.

**HJR 9** (By Vasut), Proposing a constitutional amendment to reduce the number of members of each House required to constitute a quorum to a majority.

To State Affairs.

**HJR 14** (By Schofield and Guillen), Proposing a constitutional amendment providing for an exemption from ad valorem taxation for public school purposes of a dollar amount or a percentage, whichever is greater, of the market value of a residence homestead and providing for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for those purposes on the homestead of a person who is elderly or disabled to reflect any increase in the exemption amount.

To Ways and Means.

**HJR 16** (By Middleton), Proposing a constitutional amendment providing that members of the legislature are not entitled to receive a state salary, per diem, or reimbursement for mileage for an unexcused absence when the applicable house of the legislature lacks a quorum.

To State Affairs.

**HCR 1** (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.

**HCR 2** (By Hull), Designating the third Monday in October as Domestic Violence Survivors' Day for a 10-year period beginning in 2021.

To Culture, Recreation, and Tourism.

**HCR 3** (By Wilson), Designating the city of Florence, home of the Gault Archaeological Site, as the oldest community in Texas for a 10-year period beginning in 2021.

To Culture, Recreation, and Tourism.

**HCR 4** (By Reynolds), Urging Congress to restore and strengthen the Voting Rights Act of 1965.

To Select Constitutional Rights and Remedies.

**HCR 5** (By Reynolds), Urging Congress to pass the For the People Act.

To Select Constitutional Rights and Remedies.

**HCR 6** (By Reynolds), Urging Congress to pass the John Lewis Voting Rights Advancement Act.

To Select Constitutional Rights and Remedies.

**HCR 7** (By Reynolds), Urging Congress to pass the George Floyd Justice in Policing Act.

To Homeland Security and Public Safety.

**HCR 8** (By Reynolds), Urging Congress to pass a federal law requiring universal background checks for all firearm sales.

To Homeland Security and Public Safety.

**HCR 9** (By Stephenson), Commemorating the dedication of a Texas Historical Marker at the site of the Wharton Training School in Wharton.

To Resolutions Calendars.

**HR 1** (By White), In memory of John D. Clifton of Livingston.

To Resolutions Calendars.

**HR 2** (By White), Commending Lowell Crew of Livingston for his service to the Polk County Texas GOP.

To Resolutions Calendars.

**HR 3** (By White), Congratulating Melba Inman on her retirement from the Newton County Public Library.

To Resolutions Calendars.

**HR 4** (By White), Congratulating Harriette Martin on her retirement from the Newton County Public Library.

To Resolutions Calendars.

**HR 5** (By White), In memory of Earl Wayne Fletcher Sr. of Longview.

To Resolutions Calendars.

**HR 6** (By White), Honoring Don Baird for his service as mayor of Colmesneil.

To Resolutions Calendars.

**HR 7** (By White), In memory of Vandie Lindsey Smith Jr. of Magnolia Springs.

To Resolutions Calendars.

**HR 8** (By Spiller), Congratulating Dr. Glenn Blodgett of Guthrie on his induction into the American Quarter Horse Hall of Fame.

To Resolutions Calendars.

**HR 9** (By Spiller), In memory of Ethan Joe Langley of Jacksboro.

To Resolutions Calendars.

**HR 10** (By Slaton), Amending the permanent rules of the House of Representatives to require that each committee chair be a member of the majority political party.

To House Administration.

**HR 11** (By White), Commemorating the founding of Girl Scout Daisy Troop 101015 in Tyler County.

To Resolutions Calendars.

**HR 12** (By Buckley), Congratulating James Cook Jr. of Killeen ISD on being named the 2022 ESC Region 12 Elementary Teacher of the Year.

To Resolutions Calendars.

**HR 13** (By Hull), Recognizing October 2022 as Domestic Violence Awareness Month.

To Resolutions Calendars.

**HR 14** (By Hull), Recognizing October 2021 as Domestic Violence Awareness Month.

To Resolutions Calendars.

**HR 15** (By Tinderholt), Amending the permanent rules of the House of Representatives to provide for the imposition of penalties on absent members.

To House Administration.

**HR 16** (By Slaton), Amending the permanent rules of the House of Representatives to decrease the number of days that a bill or resolution must be in a calendars committee before action is required to be taken on the bill or resolution.

To House Administration.

**HR 17** (By Meyer), Congratulating Shelby Whitson and Hunter Robinson on their wedding.

To Resolutions Calendars.

**HR 18** (By Paddie), Congratulating Anthony Robinson on his induction into the Mrs. H. D. Dear, Sr. and Alice E. Dear School of Creative and Performing Arts Hall of Fame at Northwestern State University.

To Resolutions Calendars.

**HR 19** (By Paddie), In memory of Edgar Curtis Walker of Jefferson.  
To Resolutions Calendars.

**HR 20** (By Paddie), Congratulating Michael Lee on his retirement from the Texas Department of Transportation.  
To Resolutions Calendars.

**HR 21** (By Paddie), In memory of Rick Lane Campbell of Center.  
To Resolutions Calendars.

**HR 22** (By Paddie), In memory of Patricia Ryan Keesee of Linden.  
To Resolutions Calendars.

**HR 23** (By Murr), Congratulating Shanon Biggerstaff on her retirement as president of the Ozona Chamber of Commerce.  
To Resolutions Calendars.

**HR 24** (By Murr), In memory of Carl James "Jimmy" Cahill Jr. of Sonora.  
To Resolutions Calendars.

**HR 25** (By Murr), In memory of Stephen C. Helbing Sr.  
To Resolutions Calendars.

**HR 26** (By Murr), Commending Tom Moser for his service as a Kerr County commissioner.  
To Resolutions Calendars.

**HR 27** (By Murr), Congratulating Vernon Ollar on the occasion of his 100th birthday and honoring him for his patriotic service during World War II.  
To Resolutions Calendars.

**HR 28** (By Murr), In memory of Tracey Adams of the Texas Department of Criminal Justice.  
To Resolutions Calendars.

**HR 29** (By Murr), In memory of Stacy Crosby of the Texas Department of Criminal Justice.  
To Resolutions Calendars.

**HR 30** (By Murr), In memory of Sara Margaret Keenom of the Texas Department of Criminal Justice.  
To Resolutions Calendars.

**HR 31** (By Murr), In memory of Luis Hernandez of the Texas Department of Criminal Justice.  
To Resolutions Calendars.

**HR 32** (By Murr), In memory of Jimmy Garcia of the Texas Department of Criminal Justice.  
To Resolutions Calendars.

**HR 33** (By Murr), In memory of Rodrick L. Rodgers of the Texas Department of Criminal Justice.  
To Resolutions Calendars.



**HR 34** (By Murr), In memory of Barry Deckard of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 35** (By Murr), In memory of Gerald Bedison of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 36** (By Murr), In memory of Michael Harper of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 37** (By Murr), In memory of Kenneth Russell of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 38** (By Murr), In memory of Timothy Beggs of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 39** (By Murr), In memory of Harold Smith of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 40** (By Murr), In memory of Frank Edward Rose of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 41** (By Murr), In memory of Clemente Rocha III of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 42** (By Murr), In memory of Dorothy Sue Caylor of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 43** (By Murr), In memory of Phillip Dexter Holbert of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 44** (By Murr), In memory of Joe Landin of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 45** (By Murr), In memory of Rebecca Aduino Crowe of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 46** (By Murr), In memory of Randall Sims of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 47** (By Murr), In memory of John Wier of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 48** (By Murr), In memory of Lieutenant Treva Preston of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 49** (By Murr), In memory of Alfredo Jimenez Jr. of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 50** (By Murr), In memory of Maria Garcia of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 51** (By Murr), In memory of Godfrey Zuze of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 52** (By Murr), In memory of Officer Vickie James of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 53** (By Murr), In memory of Tawiwo Obele of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 54** (By Murr), In memory of Troy Morin of the Texas Department of Criminal Justice.

To Resolutions Calendars.

**HR 55** (By Martinez), In memory of Joel A. Garza of Weslaco.

To Resolutions Calendars.

**HR 56** (By Martinez), Commemorating the 25th anniversary of the Valley Initiative for Development and Advancement (VIDA).

To Resolutions Calendars.

**HR 57** (By White), Congratulating Jessie White of West Brook High School in Beaumont on his induction into the Prairie View Interscholastic League Coaches Association Hall of Fame.

To Resolutions Calendars.

**HR 58** (By Guillen), In memory of Dr. Joe David Townsend of South Padre Island.

To Resolutions Calendars.

**HR 59** (By Guillen), In memory of Joseph LaMantia Jr. of McAllen.

To Resolutions Calendars.

**HR 60** (By Guillen), In memory of Abel N. Gonzalez Sr. and Maria Elia Solis Gonzalez of Rio Grande City.

To Resolutions Calendars.

**HR 61** (By Guillen), In memory of Arcadio Jesus Salinas Jr. of Rio Grande City.

To Resolutions Calendars.

**HR 62** (By Guillen), In memory of Roy and Lucy Cantu of Rio Grande City.

To Resolutions Calendars.

**HR 63** (By Guillen), In memory of Alberto Barrera of Rio Grande City.

To Resolutions Calendars.

**HR 64** (By White), In memory of Principal Chief Herbert G. Johnson Sr. of the Alabama-Coushatta Tribe of Texas.

To Resolutions Calendars.

**HR 65** (By Collier), Congratulating the Cenikor Foundation facility in Fort Worth on the organization's 55th anniversary.

To Resolutions Calendars.

**HR 66** (By White), In memory of Principal Chief Herbert G. Johnson Sr. of the Alabama-Coushatta Tribe of Texas.

To Resolutions Calendars.

**HR 67** (By Spiller), In memory of Gregory Alan Lewis of Jacksboro.

To Resolutions Calendars.

**List No. 2**

**HR 72** (By Vasut), Amending House Rule 1 Section 15, and Rule 5, Sections 3 and 8.

To House Administration.

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**August 20**

Constitutional Rights and Remedies, Select - **SB 13, SJR 3**



# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

THIRD DAY (CONTINUED) — THURSDAY, AUGUST 26, 2021

The house met at 10:44 a.m. and was called to order by the speaker.

The invocation was offered by Representative Paul as follows:

Dear Lord, please bless this body. Bless the work that we are going to be doing. Bless our speaker and help him get through the times that we have to go through. Bless our governor with continued recovery so he can help lead our state as we go through the troubles that we have to go through. I ask for your wisdom, that we all pray and listen to your wisdom and seek your guidance so that we can accomplish the work that we know we need to do here for the people of Texas and then we can get back to our families. We thank you for your guidance, your blessing, and your love of our state and of our nation, and we ask for your guidance in all this in the name of our Lord Jesus Christ. Amen.

The chair recognized Representative Paul 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 personal business:

Canales on motion of Longoria.

Guerra on motion of Longoria.

### **MESSAGE FROM THE GOVERNOR OF THE STATE OF TEXAS**

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

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH TEXAS LEGISLATURE, SECOND CALLED SESSION:

WHEREAS, the people of Texas through their state constitution have placed in the hands of the governor the power to call and set the agenda for special sessions of the legislature; and

WHEREAS, pursuant to a gubernatorial proclamation issued on August 5, 2021, the members of the 87th Texas Legislature have convened in a Second Called Session to consider the initial list of subjects presented to them in the proclamation;

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, by the authority vested in me by Article III, Section 40, and Article IV, Section 8, of the Texas Constitution, do hereby present the following additional subjects to the 87th Texas Legislature, Second Called Session, for consideration:

Legislation regarding whether any state or local governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemptions should apply to such mandate.

Such other subjects as may be submitted by the Governor from time to time after the session convenes.

Respectfully submitted,

/s/Greg Abbott  
Governor

Austin, Texas  
August 25, 2021

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

Without objection, bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

**HB 5 - COMMITTEE ON CALENDARS RULE ADOPTED**

Representative Burrows moved to adopt the following rule governing floor consideration for **HB 5**:

Section 1. This rule for floor consideration of **HB 5** is proposed by the Committee on Calendars, pursuant to House Rule 3, Section 4(2). The rule will be effective if it is approved by the house, in accordance with House Rule 6, Section 16(f).

Section 2. (a) During second and third reading consideration of the bill, any amendment that adds or increases an item of appropriation in the bill made from general revenue or a general revenue-dedicated account is not in order unless the amendment contains an equal or greater reduction in one or more items of appropriation in the bill from general revenue or from a general revenue-dedicated account, regardless of whether the general revenue-dedicated account is subject to certification.

(b) The provisions of this section do not apply to an amendment that makes an adjustment in an item of appropriation solely to correct a technical clerical error.

The Committee on Calendars rule was adopted by (Record 7): 109 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Coleman; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; Goodwin; Harless; Harris; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Moody; Morales, E.; Morrison; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra.

Absent — Allen; Beckley; Bernal; Campos; Clardy; Cole; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Guillen; Herrero; Huberty; Jetton; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Vo; Wu.

### STATEMENTS OF VOTE

When Record No. 7 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 7 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 7 was taken, I was in the house but away from my desk. I would have voted yes.

Huberty

When Record No. 7 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

When Record No. 7 was taken, I was absent. I would have voted yes.

Martinez

### HB 9 - COMMITTEE ON CALENDARS RULE ADOPTED

Representative Burrows moved to adopt the following rule governing floor consideration for **HB 9**:

Section 1. This rule for floor consideration of **HB 9** is proposed by the Committee on Calendars, pursuant to House Rule 3, Section 4(2). The rule will be effective if it is approved by the house, in accordance with House Rule 6, Section 16(f).

Section 2. (a) During second and third reading consideration of the bill, any amendment that adds or increases an item of appropriation in the bill made from general revenue or a general revenue-dedicated account is not in order unless the amendment contains an equal or greater reduction in one or more items of appropriation in the bill from general revenue or from a general revenue-dedicated account, regardless of whether the general revenue-dedicated account is subject to certification.

(b) The provisions of this section do not apply to an amendment that makes an adjustment in an item of appropriation solely to correct a technical clerical error.

The Committee on Calendars rule was adopted by (Record 8): 106 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Coleman; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; Goodwin; Harless; Harris; Hefner; Hernandez; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Moody; Morales, E.; Morrison; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra.

Absent — Allen; Beckley; Bernal; Bowers; Campos; Clardy; Cole; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Guillen; Herrero; Hinojosa; Huberty; Johnson, A.; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Schofield; Sherman; Thierry; Vo; Wu.

#### STATEMENTS OF VOTE

When Record No. 8 was taken, I was in the house but away from my desk. I would have voted yes.

Bowers

When Record No. 8 was taken, I was absent. I would have voted yes.

Gervin-Hawkins



When Record No. 8 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 8 was taken, I was in the house but away from my desk. I would have voted yes.

Huberty

When Record No. 8 was taken, I was in the house but away from my desk. I would have voted yes.

A. Johnson

When Record No. 8 was taken, I was absent. I would have voted yes.

Martinez

**SJR 2 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representatives Metcalf, Burrows, Noble, and Sanford as house sponsors to **SJR 2**.

The motion prevailed.

**SB 8 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representatives Metcalf, Burrows, Noble, and Shine as house sponsors to **SB 8**.

The motion prevailed.

**SB 12 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representatives Metcalf, Burrows, Button, and Guillen as house sponsors to **SB 12**.

The motion prevailed.

**SB 1 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Ashby moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representatives Metcalf and Raney as house sponsors to **SB 1**.

The motion prevailed.

**CONSTITUTIONAL AMENDMENTS CALENDAR  
SENATE JOINT RESOLUTIONS  
SECOND READING**

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

**SJR 2 ON SECOND READING  
(Meyer - House Sponsor)**

**SJR 2**, A joint resolution proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.

Representative Meyer moved to postpone consideration of **SJR 2** until 3 p.m. today.

A record vote was requested by Representative C. Turner.

The motion prevailed by (Record 9): 83 Yeas, 26 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; 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.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Anchia; Bowers; Coleman; Davis; Fierro; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Lucio; Morales, E.; Neave; Perez; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra.

Absent — Allen; Beckley; Bernal; Bucy; Campos; Cole; Collier; Crockett; Deshotel; Dominguez; Dutton; Gervin-Hawkins; González, J.; Guillen; Herrero; Johnson, J.D.; King, K.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Ortega; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Vo.

**STATEMENTS OF VOTE**

When Record No. 9 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 9 was taken, I was in the house but away from my desk. I would have voted no.

Herrero

When Record No. 9 was taken, I was absent. I would have voted no.

Martinez

**GENERAL STATE CALENDAR  
SENATE BILLS  
SECOND READING**

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

**CSSB 1 ON SECOND READING**

**(Murr, Lozano, Clardy, White, Jetton, et al. - House Sponsors)**

**CSSB 1**, A bill to be entitled An Act relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.

(Landgraf in the chair)

**Amendment No. 1**

Representative Anchia offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by striking the enacting clause.

(Speaker in the chair)

**LEAVE OF ABSENCE GRANTED**

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

Guillen on motion of Lozano.

**CSSB 1 - (consideration continued)**

A record vote was requested by Representative Anchia.

Amendment No. 1 failed of adoption by (Record 10): 40 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Johnson, J.D.; King, K.; Lopez; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Vo.

### STATEMENTS OF VOTE

When Record No. 10 was taken, I was absent. I would have voted yes.

Campos

When Record No. 10 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 10 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 10 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

When Record No. 10 was taken, I was absent. I would have voted yes.

Morales Shaw

### Amendment No. 2

Representative Murr offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) as follows:

- (1) On page 2, line 22, strike "strictly construe" and substitute "interpret".
- (2) On page 3, line 6, strike "Subsection (c)" and substitute "Subsections (c)(3), (4), (5), (6), and (8)"
- (3) On page 3, line 24, strike "original".
- (4) On page 4, line 12, strike "either".
- (5) On page 7, line 4, strike "CLOSING POLLING PLACE" and substitute "POLLING PLACE CHECKLISTS".
- (6) On page 7, line 7, between "the" and "closing", insert "opening and".
- (7) On page 11, strike lines 15 through 21 and substitute the following:
  - (g) A presiding judge may not have a watcher duly accepted for service under Subchapter A, Chapter 33, removed from the polling place for violating a provision of this code or any other provision of law relating to the conduct of elections, other than a violation of the Penal Code, unless the violation was observed by an election judge or clerk.
- (8) Add the following appropriately numbered SECTION to ARTICLE 4 of the bill and renumber subsequent SECTIONS of ARTICLE 4 accordingly:
 

SECTION 4. \_\_\_\_\_. Subchapter A, Chapter 33, Election Code, is amended by adding Section 33.0016 to read as follows:

Sec. 33.0016. REFERENCES TO EARLY VOTING BALLOT BOARD IN THIS CHAPTER. A reference in this chapter to an early voting ballot board includes a signature verification committee.

(9) On page 12, line 18, strike "Class B" and substitute "Class A".

(10) On page 16, line 24, strike "(d)" and substitute "(b-1)".

(11) On page 17, line 3, strike "license" and substitute "license, election identification certificate,".

(12) On page 18, line 10, strike "(d)" and substitute "(b-1)".

(13) On page 18, line 10, strike "license" and substitute "license, election identification certificate,".

(14) On page 20, strike line 18 and substitute the following:  
87.0271(b) or (c) or 87.0411(b) or (c).

(15) On page 20, line 20, strike "Subsection (f)" and substitute "Subsections (f), (f-1), and (f-2)".

(16) On page 20, strike lines 21 through 24 and substitute the following:

(f) If the information required under Section 84.002(a)(1-a) included on the application does not identify the same voter identified on the applicant's application for voter registration under Section 13.002(c)(8), the clerk shall reject the application.

(f-1) If an application is rejected under Subsection (f), the clerk shall provide notice of the rejection in accordance with Subsection (c). The notice must include information regarding the ability to correct or add information required under Section 84.002(a)(1-a) through the online tool described by Section 86.015(c).

(f-2) If an applicant corrects an application for a ballot to be voted by mail online and that application subsequently identifies the same voter identified on the applicant's application for voter registration, the clerk shall provide a ballot to the applicant as provided by this chapter.

(17) On page 21, line 3, strike "license" and substitute "license, election identification certificate,".

(18) On page 21, line 11, strike "license" and substitute "license, election identification certificate,".

(19) Add the following appropriately numbered SECTION to ARTICLE 5 of the bill and renumber subsequent SECTIONS of that ARTICLE accordingly:

SECTION 5. \_\_\_\_ . Section 86.015(c), Election Code, as effective September 1, 2021, is amended to read as follows:

(c) An online tool used under this section must:

(1) for each election, record:

(A) each application for a ballot to be voted by mail received by the clerk; and

(B) each carrier envelope sent to a voter by the clerk;

(2) for each carrier envelope, record or assign a serially numbered and sequentially issued barcode or tracking number that is unique to each envelope; ~~and~~

(3) update the applicable Internet website as soon as practicable after each of the following events occurs:

(A) receipt by the early voting clerk of the person's application for a ballot to be voted by mail;

(B) acceptance or rejection by the early voting clerk of the person's application for a ballot to be voted by mail;

(C) placement in the mail by the early voting clerk of the person's official ballot;

(D) receipt by the early voting clerk of the person's marked ballot; and

(E) acceptance or rejection by the early voting ballot board of a person's marked ballot; and

(4) allow a voter to add or correct information required under Section 84.002(a)(1-a) or Section 86.002(g).

(20) On page 22, line 25, strike "or".

(21) On page 22, between lines 25 and 26, insert the following:

(4) missing information or containing incorrect information required under Section 84.002(a)(1-a) or Section 86.002; or

(22) On page 22, line 26, strike "(4)" and substitute "(5)".

(23) On page 23, strike lines 1 through 14 and substitute the following and reletter subsequent subsections accordingly:

(b) Not later than the second business day after a signature verification committee discovers a defect described by Subsection (a) and before the committee decides whether to accept or reject a timely delivered ballot under Section 87.027, the committee shall:

(1) determine if it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day; and

(2) return the carrier envelope to the voter by mail, if the committee determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day.

(c) If the signature verification committee determines under Subsection (b)(1) that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the committee may notify the voter of the defect by telephone or e-mail and inform the voter that the voter may request to have the voter's application to vote by mail canceled in the manner described by Section 84.032 or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect.

(24) On page 23, line 16, strike "(b)" and substitute "(b) or (c)".

(25) On page 23, line 20, strike "(b)" and substitute "(b) or (c)".

(26) On page 24, line 26, strike "matches the information" and substitute "identifies the same voter identified".

(27) On page 25, line 2, strike "matches the information" and substitute "identifies the same voter identified".

(28) On page 25, line 8, strike the underlined colon.

(29) On page 25, strike lines 9 through 12.

(30) On page 25, line 13, strike "(2)".

(31) On page 26, line 1, strike "or".

(32) On page 26, between lines 1 and 2, insert the following:

(4) missing information or containing incorrect information required under Section 84.002(a)(1-a) or Section 86.002; or

(33) On page 26, line 2, strike "(4)" and substitute "(5)".

(34) On page 26, strike lines 4 through 17 and substitute the following and reletter subsequent subsections accordingly:

(b) Not later than the second business day after a signature verification committee discovers a defect described by Subsection (a) and before the committee decides whether to accept or reject a timely delivered ballot under Section 87.041, the committee shall:

(1) determine if it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day; and

(2) return the carrier envelope to the voter by mail, if the committee determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day.

(c) If the signature verification committee determines under Subsection (b)(1) that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the committee may notify the voter of the defect by telephone or e-mail and inform the voter that the voter may request to have the voter's application to vote by mail canceled in the manner described by Section 84.032 or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect.

(35) On page 26, line 19, strike "(b)" and substitute "(b) or (c)".

(36) On page 26, line 23, strike "(b)" and substitute "(b) or (c)".

(37) On page 30, lines 15 through 17, strike "because of a physical disability that renders the voter unable to write or see or an inability to read the language in which the ballot is written".

(38) Add the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumber subsequent SECTIONS of ARTICLE 6 accordingly:

SECTION 6. \_\_\_\_\_. (a) The secretary of state shall conduct a study regarding the implementation of educational programs, including the production and publication on the secretary of state's Internet website of instructional videos, to help voters with disabilities understand how to use voting systems used in this state.

(b) Not later than December 1, 2022, the secretary of state shall submit to the standing committees of the legislature with jurisdiction over elections a report on the study required by this section.

(c) The secretary of state, using existing resources, may contract with a qualified vendor to conduct the study required by this section.

(d) This section expires December 1, 2023.

(39) On page 35, strike lines 22 through 27 and substitute the following:

(1) "Benefit" means anything reasonably regarded as a gain or advantage, including a promise or offer of employment, a political favor, or an official act of discretion, whether to a person or another party whose welfare is of interest to the person.

(2) "Vote harvesting services" means in-person interaction with one or more voters, in the physical presence of an official ballot or a ballot voted by mail, intended to deliver votes for a specific candidate or measure.

(40) On page 36, strike lines 16 through 19 and substitute the following:

(3) interactions that do not directly involve an official ballot or ballot by mail;

(4) interactions that are not conducted in-person with a voter; or

(5) activity that is not designed to deliver votes for or against a specific candidate or measure.

(41) Insert "or election official" in each of the following places:

(A) on page 37, line 4, between "official" and "commits";

(B) on page 37, lines 18-19, between "official" and "engaged";

(C) on page 37, lines 22-23, between "official" and "engaged";

(D) on page 37, line 25, between "official" and the underlined colon;

and

(E) on page 38, line 23, between "official" and "may".

(42) On page 38, line 18, between "person" and "makes", insert "knowingly".

(43) On page 44, line 18, between "Procedure," and "is", insert "as effective September 1, 2021,".

(44) On page 46, line 4, strike "and".

(45) On page 46, line 5, between "86.0105(b)" and the period, insert the following:  
; and

(3) Section 127.201(f)

(Harris in the chair)

### **Amendment No. 3**

Representative Murr offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Murr amending **CSSB 1** as follows:

(1) On page 6, lines 9-10, strike "a signature verification committee" and substitute "an early voting ballot board".

(2) On page 6, line 11, strike "committee" and substitute "board".

(3) On page 6, line 12, strike "committee" and substitute "board".

(4) On page 6, line 18, strike "committee" and substitute "board".

(5) On page 6, line 21, strike "signature verification committee" and substitute "early voting ballot board".

(6) On page 6, line 24, strike "committee" and substitute "board".

(7) Add the following appropriately numbered items to the amendment and renumber subsequent items of the amendment accordingly:



( ) On page 31, line 22, immediately following the underlined semicolon, insert "or".

( ) On page 31, line 26, strike "Code; or" and substitute "Code".

( ) Strike page 31, line 27, and page 32, line 1.

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Cain offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Murr to **CSSB 1** by adding the following appropriately numbered item to the amendment and renumbering subsequent items of the amendment accordingly:

( ) Add the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumber the SECTIONS of that ARTICLE as appropriate:

SECTION 1.     . Section 1.005, Election Code, is amended by amending Subdivision (4-a) and adding Subdivision (4-b) to read as follows:

(4-a) "Election official" means:

(A) a county clerk;

(B) a permanent or temporary deputy county clerk;

(C) an elections administrator;

(D) a permanent or temporary employee of an elections administrator;

(E) an election judge;

(F) an alternate election judge;

(G) an early voting clerk;

(H) a deputy early voting clerk;

(I) an election clerk;

(J) the presiding judge of an early voting ballot board;

(K) the alternate presiding judge of an early voting ballot board;

(L) a member of an early voting ballot board;

(M) the chair of a signature verification committee;

(N) the vice chair of a signature verification committee;

(O) a member of a signature verification committee;

(P) the presiding judge of a central counting station;

(Q) the alternate presiding judge of a central counting station;

(R) a central counting station manager;

(S) a central counting station clerk;

(T) a tabulation supervisor;

(U) an assistant to a tabulation supervisor; and

(V) a chair of a county political party holding a primary election or a runoff primary election.

(4-b) "Federal judge" means:

(A) a judge, former judge, or retired judge of a United States court of appeals;

(B) a judge, former judge, or retired judge of a United States district court;

(C) a judge, former judge, or retired judge of a United States bankruptcy court; or

(D) a magistrate judge, former magistrate judge, or retired magistrate judge of a United States district court.

Amendment No. 4 was adopted.

### REMARKS ORDERED PRINTED

Representative J. Turner moved to print all remarks on **CSSB 1**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSSB 1**.]

### Amendment No. 5

Representative Cole offered the following amendment to Amendment No. 2:

Amend the Murr amendment to **CSSB 1** by Murr as follows:

(1) On page 1, line 3, strike "interpret" and insert "liberally interpret".

A record vote was requested by Representative Cook.

Amendment No. 5 failed of adoption by (Record 11): 36 Yeas, 80 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Cortez; Crockett; Deshotel; Gervin-Hawkins; Herrero; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Walle.

### STATEMENTS OF VOTE

When Record No. 11 was taken, I was absent. I would have voted yes.

Campos

When Record No. 11 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 11 was taken, I was in the house but away from my desk.  
I would have voted yes.

Herrero

When Record No. 11 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 11 was taken, I was in the house but away from my desk.  
I would have voted yes.

Moody

When Record No. 11 was taken, I was absent. I would have voted yes.

Morales Shaw

### **Amendment No. 6**

Representatives Cook, Parker, Noble, and Capriglione offered the following amendment to Amendment No. 2:

Amend the Murr amendment to **CSSB 1** as follows:

(1) On page 1, strike lines 2 through 3.

Amendment No. 6 was adopted.

### **Amendment No. 7**

Representative S. Thompson offered the following amendment to Amendment No. 2:

Amend the Murr amendment to **CSSB 1** by Murr as follows:

(1) On page 2, line 4, strike "Class A" and insert "Class C".

(Speaker in the chair)

A record vote was requested by Representative Murr.

Amendment No. 7 failed of adoption by (Record 12): 38 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Cortez; Crockett; Deshotel; Gervin-Hawkins; Herrero; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 12 was taken, I was absent. I would have voted yes.

Campos

When Record No. 12 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 12 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 12 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 12 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

When Record No. 12 was taken, I was absent. I would have voted yes.

Morales Shaw

Amendment No. 2, as amended, was adopted. (Anchia, Bernal, Bucy, Howard, J.E. Johnson, Ortega, Talarico, and Vo recorded voting no.)

### Amendment No. 8

Representative Dutton offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) as follows:

(1) On page 1, line 18, between "election" and the semicolon, insert ", though no fraud has been currently detected in Texas".

(2) On page 2, line 15, between "to" and "reduce", insert "increase voter turnout".

A record vote was requested by Representative Murr.

Amendment No. 8 failed of adoption by (Record 13): 41 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Huberty; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddock; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 13 was taken, I was absent. I would have voted yes.

Campos

When Record No. 13 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 13 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 13 was taken, I was absent. I would have voted yes.

Morales Shaw

### Amendment No. 9

Representative Cole offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) as follows:

(1) On page 2, line 17, between "access," and "and", insert "maximize opportunities for voting".

(2) On page 2, line 22, between "code" and "to", insert "in favor of voting".

(3) On page 2, line 23, between "1.0015" and the underlined period, insert "to promote voter access and maximize opportunities for voting".

A record vote was requested by Representative C. Turner.

Amendment No. 9 failed of adoption by (Record 14): 40 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 14 was taken, I was absent. I would have voted yes.

Campos

When Record No. 14 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 14 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 14 was taken, I was absent. I would have voted yes.

Morales Shaw

#### Amendment No. 10

Representative White offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of the ARTICLE accordingly:

SECTION 1. \_\_\_\_\_. Section 254.031, Election Code, is amended by adding Subsection (c) to read as follows:

(c) Subsection (a)(1-a) does not apply to a political committee established, administered, and controlled by a non-profit agricultural organization exempt from taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(5) of that code.

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

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

Amendment No. 10 was withdrawn.

**Amendment No. 11**

Representative Bucy offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 1. \_\_\_\_\_. Chapter 1, Election Code, is amended by adding Section 1.022 to read as follows:

Sec. 1.022. REASONABLE ACCOMMODATION OR MODIFICATION. A provision of this code may not be interpreted to prohibit or limit the right of a qualified individual with a disability from requesting a reasonable accommodation or modification to any election standard, practice, or procedure mandated by law or rule that the individual is entitled to request under federal or state law.

A record vote was requested by Representative C. Turner.

Amendment No. 11 was adopted by (Record 15): 72 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Ashby; Bailes; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burrows; Capriglione; Cason; Clardy; Cole; Coleman; Cortez; Davis; Dominguez; Fierro; Frullo; Geren; Goldman; González, M.; Goodwin; Hernandez; Herrero; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, T.; Kuempel; Lambert; Larson; Leach; Longoria; Lozano; Lucio; Meyer; Minjarez; Moody; Morales, E.; Neave; Oliverson; Ordaz Perez; Ortega; Paddie; Patterson; Perez; Price; Raney; Rogers; Rose; Rosenthal; Schofield; Shine; Slaton; Slawson; Smithee; Talarico; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Bell, C.; Biedermann; Burns; Button; Cain; Cook; Craddick; Cyrier; Darby; Dean; Frank; Gates; Harless; Harris; Hefner; Holland; Hull; Jetton; King, P.; Klick; Krause; Landgraf; Leman; Metcalf; Middleton; Morrison; Murphy; Murr; Noble; Parker; Paul; Sanford; Schaefer; Shaheen; Smith; Spiller; Stephenson; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Dutton; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; King, K.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 15 was taken, I was shown voting no. I intended to vote yes.

Allison

When Record No. 15 was taken, I was shown voting no. I intended to vote yes.

Anderson

When Record No. 15 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 15 was taken, I was shown voting no. I intended to vote yes.

Button

When Record No. 15 was taken, I was absent. I would have voted yes.

Campos

When Record No. 15 was taken, I was shown voting yes. I intended to vote no.

Cason

When Record No. 15 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 15 was taken, I was shown voting no. I intended to vote yes.

Harless

When Record No. 15 was taken, I was shown voting no. I intended to vote yes.

Holland

When Record No. 15 was taken, I was in the house but away from my desk. I would have voted yes.

K. King

When Record No. 15 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 15 was taken, I was absent. I would have voted yes.

Morales Shaw



When Record No. 15 was taken, I was shown voting yes. I intended to vote no.

Patterson

When Record No. 15 was taken, I was shown voting no. I intended to vote yes.

Stucky

When Record No. 15 was taken, I was shown voting no. I intended to vote yes.

VanDeaver

**Amendment No. 12**

Representative Slaton offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of ARTICLE 1 accordingly:

SECTION 1.\_\_\_\_. Title 16, Election Code, is amended by adding Chapter 280 to read as follows:

CHAPTER 280. FORENSIC AUDIT OF 2020 GENERAL ELECTION

Sec. 280.001. FORENSIC AUDIT OF 2020 GENERAL ELECTION. (a)

The governor, lieutenant governor, and speaker of the house of representatives shall appoint an independent third party to conduct a forensic audit of the general election that took place on November 3, 2020.

(b) The independent third party appointed under Subsection (a) shall audit every precinct in each county with a population of 415,000 or more.

(c) The audit under this section must begin not later than December 15, 2021, and be completed not later than February 1, 2022.

(d) Not later than March 1, 2022, the independent third party conducting the audit under this section shall submit a report to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature detailing any anomalies or discrepancies in voter data, ballot data, or tabulation.

(e) This chapter expires April 1, 2022.

**Amendment No. 12 - Point of Order**

Representative J. Turner raised a point of order against further consideration of Amendment No. 12 under Rule 11, Section 2, and Rule 11, Section 3, of the House Rules on the grounds that the amendment is not germane and changes the original purpose of the bill.

(Harris in the chair)

The point of order was withdrawn.

Amendment No. 12 was withdrawn.

(Speaker in the chair)

**Amendment No. 13**

Representative Rose offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of the ARTICLE accordingly:

SECTION 1. \_\_\_\_\_. (a) The secretary of state shall conduct a study each biennium to evaluate the impact of all updated provisions of the Election Code following each regular legislative session, including an impact analysis of those provisions on different racial and ethnic groups.

(b) Not later than January 31 of each odd-numbered year, the secretary of state shall prepare and submit to the legislature a written report on the results of the study. The report shall include an opinion on whether the results of the study show that any updated provision had a disparate impact on any racial and ethnic groups. The secretary shall make the study available on the secretary's Internet website.

A record vote was requested by Representative C. Turner.

Amendment No. 13 failed of adoption by (Record 16): 41 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gates; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 16 was taken, I was absent. I would have voted yes.

Campos

When Record No. 16 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 16 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 16 was taken, I was absent. I would have voted yes.

Morales Shaw

**Amendment No. 14**

Representative E. Morales offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered **ARTICLE** to the bill and renumbering subsequent **ARTICLES** and **SECTIONS** of the bill accordingly:

**ARTICLE \_\_\_\_**. **SAME-DAY VOTER REGISTRATION**

**SECTION \_\_\_\_**. Subchapter A, Chapter 12, Election Code, is amended by adding Section 12.007 to read as follows:

Sec. 12.007. CERTAIN ELECTION OFFICERS ARE VOTER REGISTRARS. The registrar shall appoint at least one election officer serving each polling place for early voting by personal appearance or on election day as a regular deputy registrar.

**SECTION \_\_\_\_**. Chapter 63, Election Code, is amended by adding Section 63.010 to read as follows:

Sec. 63.010. REGISTRATION AT POLLING PLACE; VOTING PROCEDURES. (a) Other applicable provisions of this code apply to the conduct of voting and to the registration of voters under this section to the extent those provisions do not conflict with this section.

(b) A person who would be eligible to vote in an election under Section 11.001, but for the requirement to be a registered voter, shall be accepted for voting in the precinct of the person's residence if, on the day the person offers to vote, the person:

(1) submits a voter registration application that complies with Section 13.002 to a voter registrar at the polling place; and

(2) presents as proof of identification:

(A) a form of photo identification listed in Section 63.0101(a) that states the person's current address on the day the person seeks to vote; or

(B) a document listed in Section 63.0101(b)(2) and another form of identification listed in Section 63.0101(a), (b)(1), or (b)(3).

(c) Persons voting under this section shall be processed separately at the polling place from persons who are voting under regular procedures.

(d) The secretary of state shall adopt rules to ensure the accountability of election officers and to fairly implement this section.

**SECTION \_\_\_\_**. Section 85.031(a), Election Code, is amended to read as follows:

(a) For each person entitled to vote an early voting ballot by personal appearance or entitled to register at a polling place, the early voting clerk shall follow the procedure for accepting or registering a regular voter on election day, with the modifications necessary for the conduct of early voting.

SECTION \_\_\_\_\_. The secretary of state shall adopt rules as required by Section 63.010, Election Code, as added by this Act, not later than February 1, 2022.

SECTION \_\_\_\_\_. The changes in law made by this article apply only to an election for which early voting by personal appearance begins on or after February 1, 2022.

A record vote was requested by Representative C. Turner.

Amendment No. 14 failed of adoption by (Record 17): 42 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Paddie; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 17 was taken, I was absent. I would have voted yes.

Campos

When Record No. 17 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 17 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 17 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 17 was taken, I was shown voting yes. I intended to vote no.

Paddie

**Amendment No. 15**

Representative Cain offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of ARTICLE 2 accordingly:

SECTION 2. \_\_\_\_\_. Section 13.007, Election Code, is amended to read as follows:

Sec. 13.007. FALSE STATEMENT ON APPLICATION. (a) A person commits an offense if the person knowingly:

(1) makes a false statement on a registration application; or  
(2) requests, commands, coerces, or attempts to induce another person to make a false statement on a registration application.

(b) An offense under this section is a Class B misdemeanor, except that an offense under this section is a Class A misdemeanor if the person:

(1) directly or through a third party offers or provides compensation or other benefit to a person for activity described by Subsection (a); or  
(2) solicits, receives, or accepts compensation or other benefit for activity described by Subsection (a).

(c) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both [For purposes of this code, an offense under this section is considered to be perjury, but may be prosecuted only under this section].

Amendment No. 15 was withdrawn.

**Amendment No. 16**

Representative E. Morales offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following SECTIONS to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of ARTICLE 2 accordingly:

SECTION 2. \_\_\_\_\_. Subchapter A, Chapter 13, Election Code, is amended by adding Section 13.009 to read as follows:

Sec. 13.009. VOTER REGISTRATION THROUGH DEPARTMENT OF PUBLIC SAFETY. (a) The voter registrar of each county shall automatically register any county resident who is eligible to vote as provided by Section 13.001 and:

(1) is issued a Texas driver's license or a personal identification card by the Department of Public Safety; or  
(2) makes a change to a Texas driver's license or personal identification card issued by the Department of Public Safety.

(b) A driver's license or personal identification card transaction with an indication provided by Section 20.062(b) or 20.063(c) that the transaction is not for voter registration purposes is not subject to this section.

SECTION 2. \_\_\_\_ . Section 20.061, Election Code, is amended to read as follows:

Sec. 20.061. APPLICABILITY OF OTHER PROVISIONS. The other provisions of this chapter apply to the Department of Public Safety except provisions that conflict with this subchapter or Section 13.009.

SECTION 2. \_\_\_\_ . Section 20.062(b), Election Code, is amended to read as follows:

(b) The department shall prescribe and use a change of address form and procedure that combines department and voter registration functions. The form must allow a licensee or cardholder to indicate that that [whether] the change of address is not [also to be used] for voter registration purposes.

SECTION 2. \_\_\_\_ . Section 20.063, Election Code, is amended to read as follows:

Sec. 20.063. REGISTRATION PROCEDURES. (a) The Department of Public Safety shall consider an application made in person, by mail, or online at the department's Internet website [provide to each person who applies in person at the department's offices] for an original or renewal of a driver's license, a personal identification card, or a duplicate or corrected license or card by a person who is eligible to vote as provided by Section 13.001 an application for [opportunity to complete a] voter registration. The date of application is considered to be the date of submission to the voter registrar for the purpose of determining the effective date of registration [application form].

(b) The Department of Public Safety shall consider a change of address that relates to [When the department processes] a license or card and that is submitted to [for renewal by mail,] the department [shall deliver to the applicant by mail a voter registration application form.

[(e) A change of address that relates to a license or card and that is submitted to the department] in person, [or] by mail, or online at the department's Internet website [serves] as a change in [of address for] voter registration [unless the licensee or cardholder indicates that the change is not for voter registration purposes]. The date of submission of a change of address to a department employee is considered to be the date of submission to the voter registrar for the purpose of determining the effective date of registration [only].

(c) The registration of an eligible [(d) If a completed] voter as required by Subsections (a) and (b) is automatic unless the person indicates that the transaction is not for voter registration purposes [application submitted to a department employee does not include the applicant's correct driver's license number or personal identification card number, a department employee shall enter the appropriate information on the application. If a completed application does not include the applicant's correct residence address or mailing address, a department employee shall obtain the appropriate information from the applicant and enter the information on the application].

SECTION 2. \_\_\_\_\_. Section 20.065(b), Election Code, is amended to read as follows:

(b) Each weekday the department is regularly open for business, the department shall electronically transfer to the secretary of state the name and information designated by the secretary of state for [of each person who completes a] voter registration for each individual who is eligible to vote as provided by Section 13.001 and applies in person, by mail, or online at the department's Internet website for an original or renewal of a driver's license, a personal identification card, or a duplicate or corrected license or card [application submitted to the department]. The secretary shall prescribe procedures necessary to implement this subsection.

A record vote was requested by Representative C. Turner.

Amendment No. 16 failed of adoption by (Record 18): 38 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Cole; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 18 was taken, I was absent. I would have voted yes.

Campos

When Record No. 18 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 18 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 18 was taken, I was absent. I would have voted yes.

Morales Shaw

**Amendment No. 17**

Representative Bucy offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE \_\_\_\_ . ELECTRONIC VOTER REGISTRATION

SECTION \_\_\_\_ .01. Subchapter A, Chapter 13, Election Code, is amended by adding Section 13.009 to read as follows:

Sec. 13.009. ELECTRONIC VOTER REGISTRATION. (a) The secretary of state shall work with the Department of Public Safety and the Department of Information Resources to implement a program to allow a person to complete a voter registration application over the Internet from the official website of this state. The Internet websites of the secretary of state and the Department of Public Safety must also provide a link to the location of the application on the official website of this state.

(b) An applicant for electronic voter registration who has an unexpired driver's license or personal identification card issued in this state must:

(1) attest to the truth of the information provided on the application by affirmatively accepting the information as true; and

(2) affirmatively consent to the use of the signature on the applicant's driver's license or personal identification card for voter registration purposes.

(c) An applicant for electronic voter registration who does not have an unexpired driver's license or personal identification card issued in this state must:

(1) attest to the truth of the information provided on the application by affirmatively accepting the information as true; and

(2) print a registration application from the Internet website the applicant is using to register, sign the application, and mail it to the registrar.

(d) For each application submitted under Subsection (b), the program shall require that a digital copy of the applicant's signature be obtained from the Department of Public Safety.

(e) For each application submitted under Subsection (c), the program shall provide the applicant with:

(1) a registration application that the applicant can print from the registration website, sign, and mail to the registrar as required under Subsection (c)(2); and

(2) information about how the applicant can obtain a driver's license or personal identification card from the Department of Public Safety.

(f) An application submitted under this section is considered for all purposes an application submitted by mail under this title.



(g) The secretary of state shall adopt rules as necessary to implement this section, including rules to provide for additional security measures necessary to ensure the accuracy and integrity of applications submitted electronically.

(h) The rules adopted under Subsection (g) must require that:

(1) the Internet website through which a person may complete a voter registration application include a description of the offense described by Section 13.007 in a conspicuous location on the website near the place where the person begins or submits the application; and

(2) the state electronic Internet portal project be used to authenticate the identity and address of a person who submits an application electronically under this section.

A record vote was requested by Representative C. Turner.

Amendment No. 17 failed of adoption by (Record 19): 42 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lozano; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 19 was taken, I was absent. I would have voted yes.

Campos

When Record No. 19 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 19 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 19 was taken, I was absent. I would have voted yes.

Morales Shaw

### **Amendment No. 18**

Representative Howard offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 2.\_\_\_\_. Section 13.046(h), Election Code, is amended to read as follows:

(h) The secretary of state shall:

(1) consult with the Texas Education Agency regarding the number of registration application forms to provide to each high school;

(2) provide to each high school registration application forms once each fall and spring semester in the number determined from the consultation under Subdivision (1); and

(3) prescribe any additional procedures necessary to implement this section.

A record vote was requested by Representative C. Turner.

Amendment No. 18 failed of adoption by (Record 20): 43 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lozano; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Stephenson; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 20 was taken, I was absent. I would have voted yes.

Campos

When Record No. 20 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 20 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 20 was taken, I was absent. I would have voted yes.

Morales Shaw

**Amendment No. 19**

Representative Goodwin offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of ARTICLE 2 accordingly:

SECTION 2. \_\_\_\_\_. Section 15.054, Election Code, as effective September 1, 2021, is amended by amending Subsections (a) and (d) and adding Subsection (a-1) to read as follows:

(a) In this section, "military service voter" means:

(1) a member of the armed forces of the United States;

(2) a member of the merchant marine of the United States;

(3) a member of the Texas National Guard;

(4) a member of the National Guard of another state serving on active duty under an order of the president of the United States;

(5) a member of a reserve component of the armed forces of the United States serving on active duty under an order of the president of the United States or activated on state orders; or

(6) a spouse or dependent of a member of a military organization listed in Subdivisions (1) through (5).

(a-1) For purposes of Section 15.053, a voter's residence may be documented by providing a photocopy of the first document, beginning with Subdivision (1) and continuing through Subdivision (6), in the following list that corresponds to the voter's residence under Section 1.015:

(1) a driver's license issued to the voter by the Department of Public Safety that has not expired or, if the voter has notified the department of a change of address under Section 521.054, Transportation Code, an affidavit from the voter stating the new address contained in the notification;

(2) a personal identification card issued to the voter by the Department of Public Safety that has not expired or, if the voter has notified the department of a change of address under Section 521.054, Transportation Code, an affidavit from the voter stating the new address contained in the notification;

(3) a license to carry a concealed handgun issued to the voter by the Department of Public Safety that has not expired or, if the voter has notified the department of a change of address under Section 411.181, Government Code, an affidavit from the voter stating the new address contained in the notification;

(4) an appraisal district document showing the address the voter claims as a homestead in this state;

(5) a utility bill addressed to the voter's residence address; or

(6) an official tax document or Texas Department of Motor Vehicles document showing the registration address of a vehicle the voter owns.

(d) This section does not apply to:

(1) a military service voter [~~who is a member of the armed forces of the United States or the spouse of a dependent of a member~~];

(1-a) a voter domiciled in this state but temporarily living outside the territorial limits of the United States;

(2) a voter enrolled as a full-time student who lives on campus at an institution of higher education;

(3) a voter whose address is confidential under Subchapter C, Chapter 56, Code of Criminal Procedure;

(4) a federal judge, state judge, or spouse of a federal or state judge whose driver's license includes the street address of a courthouse under Section 521.121, Transportation Code; or

(5) a peace officer whose driver's license omits the officer's actual residence address under Section 521.1211, Transportation Code.

A record vote was requested by Representative C. Turner.

Amendment No. 19 failed of adoption by (Record 21): 40 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Fruilo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 21 was taken, I was absent. I would have voted yes.

Campos

When Record No. 21 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 21 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 21 was taken, I was absent. I would have voted yes.

Morales Shaw

**Amendment No. 20**

Representative Slaton offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) on page 4, line 13, between "shall" and "execute", by inserting "within 72 hours not including weekends after making the determination.".

A record vote was requested by Representative C. Turner.

Amendment No. 20 was adopted by (Record 22): 79 Yeas, 38 Nays, 1 Present, not voting.

Yeas — Allison; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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; Lozano; 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; Bernal; Bowers; Bucy; Cole; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Anderson; Beckley; Campos; Coleman; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Thompson, S.

### STATEMENTS OF VOTE

When Record No. 22 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

When Record No. 22 was taken, I was absent. I would have voted no.

Campos

When Record No. 22 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 22 was taken, I was absent. I would have voted no.

Martinez

When Record No. 22 was taken, I was absent. I would have voted no.

Morales Shaw

When Record No. 22 was taken, I was in the house but away from my desk. I would have voted no.

S. Thompson

### Amendment No. 21

Representative Middleton offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 2. \_\_\_\_ Section 18.061, Election Code, as effective September 1, 2021, is amended by amending Subsection (b) and adding Subsection (f) to read as follows:

(b) The statewide computerized voter registration list must:

(1) contain the name and registration information of each voter registered in the state;

(2) assign a unique identifier to each registered voter; and

(3) be available to any county election official in the state, including a member of a signature verification committee or a member of an early voting ballot board, through immediate electronic access.

(f) The secretary of state shall adopt rules as necessary to prevent a county election official, including a member of an early voting ballot board or signature verification committee, from retaining or sharing personally identifiable information obtained from the statewide computerized voter registration list in a manner unrelated to the official's official duties.

Amendment No. 21 was withdrawn.

**Amendment No. 22**

Representative Swanson offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTIONS to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of the ARTICLE accordingly:

SECTION 2. \_\_\_\_\_. Subchapter C, Chapter 52, Election Code, is amended by adding Section 52.0685 to read as follows:

Sec. 52.0685. OPTION TO AFFIRMATIVELY CHOOSE NOT TO VOTE.

(a) Voters shall be given the opportunity to select "I choose not to vote in this race" instead of voting for the candidates appearing on the ballot or the list of write-in candidates for each race.

(b) The secretary of state shall prescribe the form and manner of placing the option "I choose not to vote in this race" on the ballot.

SECTION 2. \_\_\_\_\_. Section 52.070(b), Election Code, as effective September 1, 2021, is amended to read as follows:

(b) Immediately below "OFFICIAL BALLOT," the following instruction shall be printed: "Vote for the candidate of your choice in each race by placing an 'X' or filling in the shape beside the candidate's name, or by placing an 'X' or filling in the shape beside 'I choose not to vote in this race'."

SECTION 2. \_\_\_\_\_. Section 52.070, Election Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) A shape shall be printed to the left of the option "I choose not to vote in this race" for each office to be voted on in the election.

Amendment No. 22 was withdrawn.

**Amendment No. 23**

Representative Perez offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by striking SECTION 3.04 of the bill (page 6, lines 4-8) and renumbering subsequent SECTIONS of ARTICLE 3 accordingly.

A record vote was requested by Representative C. Turner.

Amendment No. 23 failed of adoption by (Record 23): 38 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Johnson, J.E.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Vo.

**STATEMENTS OF VOTE**

When Record No. 23 was taken, I was absent. I would have voted yes.

Campos

When Record No. 23 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 23 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 23 was taken, I was absent. I would have voted yes.

Morales Shaw

**Amendment No. 24**

Representative Dutton offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 3 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 3. \_\_\_\_\_. Subchapter A, Chapter 41, Election Code, is amended by adding Section 41.009 to read as follows:

Sec. 41.009. DESIGNATION OF ELECTION DAY AS STATE OR LOCAL HOLIDAY. (a) The governor by proclamation may designate as a state holiday the day on which a statewide election conducted, including a primary election, is held.

(b) The commissioners court of a county may by order designate as a county holiday the day on which an election, including a primary election, is held in the county.

(c) The governing body of a municipality may by ordinance or resolution designate as a municipal holiday the day on which an election, including a primary election, is held in the municipality.

A record vote was requested by Representative C. Turner.

Amendment No. 24 failed of adoption by (Record 24): 44 Yeas, 75 Nays, 2 Present, not voting.



Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Huberty; Israel; Johnson, A.; Johnson, J.E.; King, K.; King, T.; Larson; Longoria; Lozano; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; 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; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Leach; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 24 was taken, I was absent. I would have voted yes.

Campos

When Record No. 24 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 24 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 24 was taken, I was absent. I would have voted yes.

Morales Shaw

**Amendment No. 25**

Representative Dutton offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 3 of the bill and renumbering subsequent SECTIONS of ARTICLE 3 accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 43, Election Code, is amended by adding Section 43.008 to read as follows:

Sec. 43.008. COUNTY JAIL AS POLLING PLACE. (a) A county jail shall serve as a polling place for any election in that county.

(b) Only a resident of the county who is in custody at the county jail and who is a registered voter is eligible to vote at a polling place established under this section.

(c) A polling place established under this section must allow a voter to vote in the same elections in which the voter would be entitled to vote where the voter resides.

A record vote was requested by Representative C. Turner.

Amendment No. 25 failed of adoption by (Record 25): 38 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 25 was taken, I was absent. I would have voted yes.

Campos

When Record No. 25 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 25 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 25 was taken, I was absent. I would have voted yes.

Morales Shaw

**Amendment No. 26**

Representative Zwiener offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 3 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 3.\_\_\_\_. Section 63.0101(a), Election Code, is amended to read as follows:

(a) The following documentation is an acceptable form of photo identification under this chapter:

(1) a driver's license, election identification certificate, or personal identification card issued to the person by the Department of Public Safety that has not expired or that expired no earlier than four years before the date of presentation;

(2) a United States military identification card that contains the person's photograph that has not expired or that expired no earlier than four years before the date of presentation;

(3) a United States citizenship certificate issued to the person that contains the person's photograph;

(4) a United States passport book or card issued to the person that has not expired or that expired no earlier than four years before the date of presentation; [øø]

(5) a license to carry a handgun issued to the person by the Department of Public Safety that has not expired or that expired no earlier than four years before the date of presentation; or

(6) an identification card issued to the person by a public institution of higher education in this state that contains the person's photograph, date of birth, and full legal name and that has not expired or that expired no earlier than four years before the date of presentation.

(Harris in the chair)

A record vote was requested by Representative C. Turner.

Amendment No. 26 failed of adoption by (Record 26): 41 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Lemman; Lozano; 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.

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

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 26 was taken, I was absent. I would have voted yes.

Campos

When Record No. 26 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 26 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 26 was taken, I was absent. I would have voted yes.

Morales Shaw

**Amendment No. 27**

Representative Bucy offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 3 of the bill and renumbering subsequent SECTIONS of the ARTICLE accordingly:

SECTION \_\_\_\_\_. Section 63.0101(a), Election Code, is amended to read as follows:

(a) The following documentation is an acceptable form of photo identification under this chapter:

(1) a driver's license, election identification certificate, or personal identification card issued to the voter [person] by the Department of Public Safety that has not expired or that expired no earlier than four years before the date of presentation;

(2) a United States military identification card that contains the voter's [person's] photograph that has not expired or that expired no earlier than four years before the date of presentation;

(3) a United States citizenship certificate issued to the voter [person] that contains the voter's [person's] photograph;

(4) a United States passport book or card issued to the voter [person] that has not expired or that expired no earlier than four years before the date of presentation; [or]

(5) a license to carry a handgun issued to the voter ~~[person]~~ by the Department of Public Safety that has not expired or that expired no earlier than four years before the date of presentation;

(6) an official Native American identification card or tribal document that:

(A) contains the voter's photograph and address; and

(B) is issued by a tribal organization or by a tribe that is federally recognized and located in this state;

(7) an identification card issued by a public or private institution of higher education located in this state that contains the voter's photograph; or

(8) an identification card issued by a state agency of this state that contains the voter's photograph.

A record vote was requested by Representative C. Turner.

Amendment No. 27 failed of adoption by (Record 27): 42 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Huberty; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Smithee; Thierry.

**STATEMENTS OF VOTE**

When Record No. 27 was taken, I was absent. I would have voted yes.

Campos

When Record No. 27 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 27 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 27 was taken, I was absent. I would have voted yes.

Morales Shaw

### Amendment No. 28

Representative Neave offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTIONS to ARTICLE 3 of the bill and renumbering SECTIONS of that ARTICLE accordingly:

SECTION 3.\_\_\_\_. The heading to Section 64.009, Election Code, is amended to read as follows:

Sec. 64.009. VOTING OUTSIDE [~~VOTER UNABLE TO ENTER~~] POLLING PLACE.

SECTION 3.\_\_\_\_. Section 64.009(a), Election Code, is amended to read as follows:

(a) On [~~If a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health, on~~] the voter's request, an election officer shall deliver a ballot to the voter at the polling place entrance or curb if a voter is:

(1) physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health; or

(2) presenting symptoms associated with the 2019 novel coronavirus disease (COVID-19).

SECTION 3.\_\_\_\_. The heading to Section 85.034, Election Code, is amended to read as follows:

Sec. 85.034. VOTING OUTSIDE [~~VOTER UNABLE TO ENTER~~] POLLING PLACE.

A record vote was requested by Representative C. Turner.

Amendment No. 28 failed of adoption by (Record 28): 39 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Beil, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gates; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 28 was taken, I was absent. I would have voted yes.

Campos

When Record No. 28 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 28 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 28 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 28 was taken, I was in the house but away from my desk. I would have voted yes.

Perez

### Amendment No. 29

Representative Klick offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 3 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 3.\_\_\_\_. Subchapter A, Chapter 127, Election Code, is amended by adding Section 127.009 to read as follows:

Sec. 127.009. ELECTRONIC DEVICES IN CENTRAL COUNTING STATION. (a) A counting station manager and the presiding judge of the counting station shall develop a protocol under which any electronic device inside a central counting station that is necessary to count votes is equipped with software that tracks all input and activity on the electronic device.

(b) The counting station manager and the presiding judge of the counting station shall ensure that the input and activity tracked by the software is delivered to the secretary of state not later than the fifth day after vote counting is complete.

(c) This section applies only to a central counting station located in a county with a population of 250,000 or more.

Amendment No. 29 was adopted. (Perez recorded voting no.)

**Amendment No. 30**

Representative Slaton offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 3 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 3. Chapter 127, Election Code, as effective September 1, 2021, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. RANDOMIZED AUDITS

Sec. 127.351. RANDOMIZED COUNTY AUDITS. (a) Immediately after the uniform election date in November of an even-numbered year, the secretary of state shall conduct an audit of the elections held in four counties during the previous two years.

(b) The secretary of state shall select the counties to be audited under Subsection (a) at random, except that:

(1) two of the counties selected must have a total population of less than 300,000;

(2) two of the counties selected must have a total population of 300,000 or more; and

(3) a county selected in the most recent audit cycle may not be selected in the current audit cycle.

(c) A county selected to be audited may not pay the cost of performing an audit under this section.

(d) The secretary of state shall adopt rules as necessary to implement this section.

A record vote was requested by Representative C. Turner.

The vote of the house was taken on adoption of Amendment No. 30 and the vote was announced yeas 59, nays 57.

A verification of the vote was requested and was granted.

(Speaker in the chair)

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 29): 63 Yeas, 53 Nays, 2 Present, not voting.

Yeas — Anderson; Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Button; Cain; Caprighione; Cason; Cook; Craddick; Cyrier; Darby; Dean; Frank; Goldman; Harless; Hefner; Holland; Hull; Hunter; Jetton; King, P.; Klick; Krause; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Allison; Anchia; Bailes; Bernal; Bowers; Bucy; Burrows; Clardy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Frullo; Gates; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Huberty; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, T.;



Kuempel; Lambert; Larson; Lucio; Moody; Morales, E.; Murphy; Neave; Ortega; Paddie; Perez; Rose; Rosenthal; Stephenson; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Canales; Guerra; Guillen.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Geren; Gervin-Hawkins; Israel; Johnson, J.D.; Longoria; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Morales, C.; Morales Shaw; Morrison; Muñoz; Ordaz Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

The chair stated that Amendment No. 30 was adopted by the above vote.

**STATEMENTS OF VOTE**

When Record No. 29 was taken, I was absent. I would have voted no.

Campos

When Record No. 29 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 29 was taken, I was presiding in the chair and was shown voting present, not voting. I would have voted yes.

Harris

When Record No. 29 was taken, I was absent. I would have voted no.

Martinez

When Record No. 29 was taken, I was absent. I would have voted no.

Morales Shaw

**LEAVES OF ABSENCE GRANTED**

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

Israel on motion of Howard.

The following member was granted leave of absence for the remainder of today because of illness in the family:

Geren on motion of Ashby.

**CSSB 1 - (consideration continued)**

**Amendment No. 31**

Representative Schofield offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) as follows:

( ) Add the following appropriately numbered SECTIONS to ARTICLE 3 of the bill and renumber subsequent SECTIONS of ARTICLE 3 accordingly.

SECTION 3.\_\_\_\_. Section 61.002, Election Code, is amended to read as follows:

Sec. 61.002. OPENING AND CLOSING POLLING PLACE FOR VOTING. (a) Immediately before opening the polls for voting on the first day of early voting and on election day, the presiding election judge or alternate election judge shall confirm that each voting machine has any public counter reset to zero and shall print the tape that shows the counter was set to zero for each candidate or measure on the ballot.

(b) At the official time for opening the polls for voting, an election officer shall open the polling place entrance and admit the voters.

(c) Immediately after closing the polls for voting on election day, the presiding election judge or alternate election judge shall print the tape to show the number of votes cast for each candidate or ballot measure for each voting machine.

(d) Each election judge or alternate election judge present shall sign a tape printed under this section.

SECTION 3. \_\_\_\_\_. Section 87.002, Election Code, is amended to read as follows:

Sec. 87.002. COMPOSITION OF BOARD. (a) The early voting ballot board consists of a presiding judge, an alternate presiding judge, and at least one [two] other member [members].

(b) Except as provided by Subsection (d), the presiding judge and the alternate presiding judge are [is] appointed in the same manner as a presiding election judge and alternate presiding election judge, respectively. Except as provided by Subsection (c), each [the] other member is [members are] appointed by the presiding judge in the same manner as the precinct election clerks.

(c) In the general election for state and county officers, each county chair of a political party with nominees on the general election ballot shall submit to the county election board a list of names of persons eligible to serve on the early voting ballot board in order of the county chair's preference. The county election board shall appoint at least one person from each list to serve as a member of the early voting ballot board. The same number of members must be appointed from each list. The county election board shall appoint persons as members of the early voting ballot board in the order of preference indicated on each list.

(d) In addition to the members appointed under Subsection (c), the county election board shall appoint as the presiding judge the highest-ranked person on [from] the list provided under that subsection by the political party whose nominee for governor received the most votes in the county in the most recent gubernatorial general election and as the alternate presiding judge the highest-ranked person on the list provided under that subsection by the political party whose nominee for governor received the second most votes in the county in the most recent gubernatorial general election.

SECTION 3. \_\_\_\_\_. Sections 127.006(a) and (c), Election Code, are amended to read as follows:

(a) The [Both the] manager, [and] the presiding judge, and the alternate presiding judge may appoint clerks to serve at the central counting station.

(c) A clerk appointed by the manager serves under the manager and shall perform the functions directed by the manager. A clerk appointed by the presiding judge or the alternate presiding judge serves under the presiding judge and shall perform the functions directed by the presiding judge.

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

SECTION 4. \_\_\_\_\_. Chapter 121, Election Code, is amended by adding Section 121.004 to read as follows:

Sec. 121.004. COMMUNICATIONS WITH VOTING SYSTEMS VENDOR PUBLIC INFORMATION. (a) Except as provided by Subsection (b), a written letter, e-mail, or other communication, including a communication made confidential by other law, between a public official and a voting systems vendor:

(1) is not confidential;

(2) is public information for purposes of Chapter 552, Government Code; and

(3) is not subject to an exception to disclosure provided by Chapter 552, Government Code other than Sections 552.110 and 552.1101, Government Code.

(b) A written letter, e-mail, or other communication between a public official and a voting systems vendor is excepted from disclosure under Chapter 552, Government Code, if the communication discloses information, data, or records relating to the security of elections critical infrastructure.

SECTION 4. \_\_\_\_\_. Section 127.131, Election Code, is amended by adding Subsection (f) to read as follows:

(f) The presiding judge of the central counting station shall provide and attest to a written reconciliation of votes and voters at the close of tabulation for election day and again after the central counting station meets for the last time to process late-arriving ballots by mail and provisional ballots. The secretary of state shall create and promulgate rules and a form to facilitate compliance with this subsection. The form shall be posted on a website maintained by the county along with election returns and results.

( ) Add the following appropriately numbered SECTIONS to ARTICLE 5 of the bill and renumbering subsequent SECTIONS of ARTICLE 5 accordingly:

SECTION 5. \_\_\_\_\_. Subchapter A, Chapter 84, Election Code, is amended by adding Section 84.0111 to read as follows:

Sec. 84.0111. DISTRIBUTION OF APPLICATION FORM. (a) Except as provided by Subsection (c) or as otherwise authorized by this code, an officer or employee of this state or of a political subdivision of this state may not distribute an application form for an early voting ballot to a person who did not request an application under Section 84.001.

(b) An officer or employee of this state or of a political subdivision of this state may not use public funds to facilitate the distribution by another person of an application form for an early voting ballot to a person who did not request an application under Section 84.001.

(c) A political party or a candidate for office may distribute an application form for an early voting ballot to a person who did not request an application under Section 84.001.

SECTION 5. \_\_\_\_\_. Section 84.035, Election Code, is amended to read as follows:

Sec. 84.035. **BALLOT SENT TO APPLICANT.** (a) If the early voting clerk cancels an application by an applicant to whom an early voting ballot has been sent, the clerk shall:

- (1) remove the applicant's name from the early voting roster; and
- (2) make any other entries in the records and take any other action necessary to prevent the ballot from being counted if returned.

(b) An election judge may permit a person to whom an early voting ballot has been sent who cancels the person's application for a ballot to be voted by mail in accordance with Section 84.032 but fails to return the ballot to be voted by mail to the early voting clerk, deputy early voting clerk, or presiding judge as provided by that section to vote only a provisional ballot under Section 63.011.

(\_\_\_\_\_) On page 21, line 23, strike "87.027(i), Election Code, is" and substitute "87.027(d), (e), and (i), Election Code, are".

(\_\_\_\_\_) On page 21, between lines 24 and 25, insert the following:

(d) The early voting clerk shall determine the number of members who are to compose the signature verification committee and shall state that number in the order calling for the committee's appointment. A committee must consist of not fewer than five members. In an election in which party alignment is indicated on the ballot, each county chair of a political party with a nominee or aligned candidate on the ballot shall submit to the appointing authority a list of names of persons eligible to serve on the signature verification committee in order of the county chair's preference. The authority shall appoint at least two persons from each list in the order of preference indicated on each list to serve as members of the committee. The same number of members must be appointed from each list. The authority shall appoint as the chair of the committee the highest-ranked person on [from] the list provided by the political party whose nominee for governor received the most votes in the county in the most recent gubernatorial general election. The authority shall appoint as vice chair of the committee the highest-ranked person on the list provided by the political party whose nominee for governor received the second most votes in the county in the most recent gubernatorial general election. A vacancy on the committee shall be filled by appointment from the original list or from a new list submitted by the appropriate county chair.

(e) To be eligible to serve on a signature verification committee, a person must be eligible under Subchapter C, Chapter 32, for service as a presiding election judge, except that the person must be a qualified voter:

(1) of the county, in a countywide election ordered by the governor or a county authority or in a primary election;

(2) of the part of the county in which the election is held, for an election ordered by the governor or a county authority that does not cover the entire county of the person's residence; or

(3) of the political subdivision, in an election ordered by an authority of a political subdivision other than a county.

A record vote was requested by Representative C. Turner.

Amendment No. 31 was adopted by (Record 30): 83 Yeas, 32 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Dominguez; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; 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 — Anchia; Bowers; Bucy; Coleman; Davis; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Moody; Morales, E.; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Bernal; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Morales, C.; Morales Shaw; Morrison; Muñoz; Neave; Ordaz Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 30 was taken, I was absent. I would have voted no.

Campos

When Record No. 30 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 30 was taken, I was absent. I would have voted no.

Martinez

When Record No. 30 was taken, I was absent. I would have voted no.

Morales Shaw

When Record No. 30 was taken, I was in the house but away from my desk. I would have voted no.

Neave

**Amendment No. 32**

Representatives Klick and S. Thompson offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) as follows:

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

SECTION 4. \_\_\_\_\_. Subchapter A, Chapter 33, Election Code, is amended by adding Section 33.008 to read as follows:

Sec. 33.008. TRAINING PROGRAM. The secretary of state shall develop and maintain a training program for watchers. The training program must:

(1) be available:

(A) entirely via the Internet; and

(B) at any time, without a requirement for prior registration; and

(2) provide a watcher who completes the training with a certificate of completion.

SECTION 4. \_\_\_\_\_. Section 33.031, Election Code, is amended by adding Subsection (b) to read as follows:

(b) In addition to the requirements of Subsection (a), to be eligible to serve as a watcher, a person must complete training under Section 33.008.

(2) On page 12, line 14, strike "adding Subsections (g) and (h)" and substitute "amending Subsections (a), (b), (d), and (e) and adding Subsections (a-1), (g), and (h)".

(3) On page 12, between lines 14 and 15, insert the following:

(a) A watcher appointed to serve at a precinct polling place, a meeting place for an early voting ballot board, or a central counting station must deliver the following materials [~~a certificate of appointment~~] to the presiding judge at the time the watcher reports for service:

(1) a certificate of appointment; and

(2) a certificate of completion from training completed by the watcher under Section 33.008.

(a-1) A watcher appointed to serve at an early voting polling place must deliver the certificates under Subsection (a) [~~a certificate of appointment~~] to the early voting clerk or deputy clerk in charge of the polling place when the watcher first reports for service.

(b) The officer presented with a watcher's certificates [~~certificate of appointment~~] shall require the watcher to countersign the certificate of appointment to ensure that the watcher is the same person who signed the certificate of appointment. Except as provided by Subsection (c), a watcher who presents himself or herself at the proper time with the certificates required under Subsection (a) [~~a certificate of appointment~~] shall be accepted for service unless the person is ineligible to serve or the number of appointees to which the appointing authority is entitled have already been accepted.

(d) The certificates [~~certificate~~] of a watcher serving at an early voting polling place shall be retained at the polling place until voting at the polling place is concluded. At each subsequent time that the watcher reports for service, the

watcher shall inform the clerk or deputy in charge. The officer may require the watcher to sign the watcher's name in the officer's presence, for comparison with the signature on the certificate of appointment, if the officer is uncertain of the watcher's identity.

(e) If a watcher is not accepted for service, the certificates [~~certificate of appointment~~] shall be returned to the watcher with a signed statement of the reason for the rejection.

Amendment No. 32 was adopted.

### Amendment No. 33

Representative Dutton offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTIONS to ARTICLE 4 of the bill and renumbering the SECTIONS of ARTICLE 4 accordingly:

SECTION 4.\_\_\_\_. Section 33.031, Election Code, is amended by adding Subsection (b) to read as follows:

(b) To be eligible to serve as a watcher, a person must register with the secretary of state not later than the 15th day before the election at which the person wishes to serve as a watcher. Failure to timely register with the secretary of state makes a person ineligible to serve as a watcher.

A record vote was requested by Representative C. Turner.

Amendment No. 33 failed of adoption by (Record 31): 38 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Minjarez; Moody; Morales, E.; Neave; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Lucio; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 31 was taken, I was absent. I would have voted yes.

Campos

When Record No. 31 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 31 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 31 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 31 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

#### Amendment No. 34

Representative Anchia offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) as follows:

(1) On page 12, line 25, strike "Subsections (e) and (f)" and substitute "Subsection (f)".

(2) On page 13, strike lines 6 through 8.

A record vote was requested by Representative C. Turner.

Amendment No. 34 failed of adoption by (Record 32): 39 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.



Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 32 was taken, I was absent. I would have voted yes.

Campos

When Record No. 32 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 32 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 32 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 32 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

### Amendment No. 35

Representative Dominguez offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) on page 13, line 11, between "activity" and the underlined period, by inserting "but may not sit or stand close enough to a voter at a voting station to permit the watcher to observe the voter's ballot".

(Harris in the chair)

A record vote was requested by Representative C. Turner.

Amendment No. 35 failed of adoption by (Record 33): 39 Yeas, 76 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; Kacal; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ortega; Rose; Rosenthal; Schofield; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker;

Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 33 was taken, I was absent. I would have voted yes.

Campos

When Record No. 33 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 33 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 33 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 33 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

### Amendment No. 36

Representative Rosenthal offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) on page 13, line 11, between "activity" and the underlined period, by inserting ", except that the watcher may not interfere with or interrupt a voter preparing or casting a ballot".

A record vote was requested by Representative C. Turner.

Amendment No. 36 failed of adoption by (Record 34): 36 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Johnson, J.E.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 34 was taken, I was absent. I would have voted yes.

Campos

When Record No. 34 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 34 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 34 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 34 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

### Amendment No. 37

Representative J. Turner offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) as follows:

(1) On page 14, strike line 5 and substitute the following:

SECTION 4.06. Section 33.061, Election Code, is amended by amending Subsection (a) and adding Subsection (c)

(2) On page 14, between lines 14 and 15, insert the following:

(c) It is an exception to the application of Subsection (a) that the person requested that a watcher refrain from an activity that the person reasonably believed obstructed the conduct of the election, including an activity that disturbed a voter or an election officer in a manner not authorized by this code.

A record vote was requested by Representative C. Turner.

Amendment No. 37 failed of adoption by (Record 35): 37 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Schofield; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 35 was taken, I was absent. I would have voted yes.

Campos

When Record No. 35 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 35 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 35 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 35 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

#### Amendment No. 38

Representative Zwiener offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 4 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 4.\_\_\_\_. Section 33.006(b), Election Code, is amended to read as follows:

(b) A certificate of appointment must:

(1) be in writing and signed by the appointing authority or, for an appointment for a write-in candidate under Section 33.004, by each of the voters making the appointment;

(2) indicate the capacity in which the appointing authority is acting;

(3) state the name, residence address, and voter registration number of the appointee and be signed by the appointee;

(4) identify the election and the precinct polling place or other location at which the appointee is to serve;

(4-a) indicate whether the watcher will be compensated for service and by whom;

(5) in an election on a measure, identify the measure if more than one is to be voted on and state which side of the measure the appointee represents; and

(6) contain an affidavit executed by the appointee stating that the appointee will not have possession of a device capable of recording images or sound or that the appointee will disable or deactivate the device while serving as a watcher.

A record vote was requested by Representative C. Turner.

Amendment No. 38 failed of adoption by (Record 36): 37 Yeas, 76 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leman; Lozano; 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.

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Jetton; Johnson, J.D.; Leach; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 36 was taken, I was absent. I would have voted yes.

Campos

When Record No. 36 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 36 was taken, I was in the house but away from my desk. I would have voted no.

Jetton

When Record No. 36 was taken, I was in the house but away from my desk. I would have voted no.

Leach

When Record No. 36 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 36 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 36 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

### **Amendment No. 39**

Representative Clardy offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by striking page 28, line 26, to page 29, line 2, and substituting the following:

Sec. 87.128. NOTES. (a) Each member of an early voting ballot board and each member of a signature verification committee is entitled to take any notes reasonably necessary to perform the member's duties under this chapter.

(b) Notes taken under this section may not contain personally identifiable information.

(c) Each member who takes notes under this section shall sign the notes and deliver them to the presiding judge or committee chair, as applicable, for delivery to the custodian of election records.

(d) Notes collected under this section shall be preserved in the same manner as precinct election records under Section 66.058.

A record vote was requested by Representative C. Turner.

Amendment No. 39 was adopted by (Record 37): 108 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Goldman; Goodwin; Harless; Hefner; Hernandez; Holland; Howard; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Moody; Morales, E.; Morrison; Murphy; Murr; Neave;

Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; White; Wilson; Wu; Zwiener.

Nays — Allen; Davis; Herrero; Minjarez; Walle.

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Bernal; Campos; Coleman; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 37 was taken, I was absent. I would have voted yes.

Campos

When Record No. 37 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 37 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 37 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 37 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

### Amendment No. 40

Representative Ortega offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill:

ARTICLE \_\_\_\_ . UNIVERSAL VOTING BY MAIL

SECTION \_\_\_\_ .01. Section 13.002(e), Election Code, is amended to read as follows:

(e) Notwithstanding Section 82.005, a [A] person who is certified for participation in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure, is not eligible for early voting by mail [~~under Section 82.007~~] unless the person submits an application under this section by personal delivery. The secretary of state may adopt rules to implement this subsection.

SECTION \_\_\_\_ .02. Section 82.005, Election Code, is amended to read as follows:

Sec. 82.005. ELIGIBILITY FOR EARLY VOTING [~~BY PERSONAL APPEARANCE~~]. Any qualified voter is eligible for early voting by mail or personal appearance.

SECTION \_\_\_\_ .03. Section 82.007, Election Code, is amended to read as follows:

Sec. 82.007. PARTICIPATION IN ADDRESS CONFIDENTIALITY PROGRAM. Notwithstanding Section 82.005, a [A] qualified voter who, [is eligible for early voting by mail if:

~~(1) the voter submitted a registration application by personal delivery as required by Section 13.002(e); and~~

~~(2) at the time the voter's early voting ballot application is submitted, [the voter] is certified for participation in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure, is eligible for early voting by mail only if the voter submitted a registration application by personal delivery as required by Section 13.002(e).~~

SECTION \_\_\_\_ .04. Section 84.001(a), Election Code, is amended to read as follows:

(a) To be entitled to vote an early voting ballot by mail, a person [~~who is eligible for early voting~~] must make an application for an early voting ballot to be voted by mail as provided by this title.

SECTION \_\_\_\_ .05. Section 84.002(a), Election Code, as effective September 1, 2021, is amended to read as follows:

(a) An early voting ballot application must include:

(1) the applicant's name and the address at which the applicant is registered to vote;

(2) for an application for a ballot to be voted by mail by an applicant who will be absent from the applicant's [~~on the ground of absence from the~~] county of residence on election day, the address outside the applicant's county of residence to which the ballot is to be mailed;

(3) for an application for a ballot to be voted by mail by an applicant who is 65 years of age or older on election day or has a sickness or physical condition that requires the applicant to reside in a hospital or nursing home or other long-term care facility, or with a relative [~~on the ground of age or disability~~], the address of the hospital, nursing home or other long-term care facility, or retirement center, or of a person related to the applicant within the second degree by affinity or the third degree by consanguinity, as determined under Chapter 573, Government Code, if the applicant is living at that address and that address is different from the address at which the applicant is registered to vote;

(4) for an application for a ballot to be voted by mail by an applicant who is confined [~~on the ground of confinement~~] in jail as described by Section 84.009(a), the address of the jail or of a person related to the applicant within the degree described by Subdivision (3);



(5) ~~[for an application for a ballot to be voted by mail on any ground,]~~  
an indication of each election for which the applicant is applying for a ballot; and

(6) ~~[an indication of the ground of eligibility for early voting; and~~

~~[(7)]~~ for an application for a ballot to be voted by mail by an applicant who is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and is ordered as a condition of civil commitment to reside in a facility operated by or under contract with the Texas Civil Commitment Office ~~[on the ground of involuntary civil commitment]~~, the address of the facility operated by or under contract with the Texas Civil Commitment Office or of a person related to the applicant within the degree of consanguinity described by Subdivision (3).

SECTION \_\_\_\_ .06. Section 84.009, Election Code, is amended by amending Subsection (a) and adding Subsection (b) to read as follows:

(a) This section applies only to an applicant who, at the time the application for a ballot to be voted by mail is submitted, is confined in jail:

(1) serving a misdemeanor sentence for a term that ends on or after election day;

(2) pending trial after denial of bail;

(3) without bail pending an appeal of a felony conviction; or

(4) pending trial or appeal on a bailable offense for which release on bail before election day is unlikely.

(b) On request of the applicant, an application for a ballot to be voted by mail ~~[on the ground of confinement in jail]~~ may be submitted to the early voting clerk, at the discretion of the authority in charge of the jail, by personal delivery by the jail authority or by a designated subordinate of the authority.

SECTION \_\_\_\_ .07. Section 84.011(a), Election Code, as effective September 1, 2021, is amended to read as follows:

(a) The officially prescribed application form for an early voting ballot must include:

(1) immediately preceding the signature space the statement: "I certify that the information given in this application is true, and I understand that giving false information in this application is a crime.";

(2) a statement informing the applicant of the offenses prescribed by Sections 84.003 and 84.004;

(3) spaces for entering an applicant's voter registration number and county election precinct of registration, with a statement informing the applicant that failure to furnish that information does not invalidate the application; and

(4) on an application for a ballot to be voted by mail:

(A) a space for an applicant ~~[applying on the ground of absence from the county of residence]~~ to indicate whether the applicant will be absent from the applicant's county of residence on election day and, if applicable, the date on or after which the applicant can receive mail at the address outside the county;

(B) a space for indicating the fact that an applicant whose application is signed by a witness cannot make the applicant's mark and a space for indicating the relationship or lack of relationship of the witness to the applicant;

(C) a space for entering an applicant's telephone number, with a statement informing the applicant that failure to furnish that information does not invalidate the application;

(D) a space or box for an applicant who is 65 years of age or older on election day or has a sickness or physical condition that requires the applicant to reside in a hospital or nursing home or other long-term care facility, or with a relative, ~~[applying on the ground of age or disability]~~ to indicate that the address to which the ballot is to be mailed is the address of a facility or relative described by Section 84.002(a)(3), if applicable;

(E) a space or box for an applicant who is confined ~~[applying on the ground of confinement]~~ in jail as described by Section 84.009(a) or who is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and ordered as a condition of civil commitment to reside in a facility operated by or under contract with the Texas Civil Commitment Office, ~~[involuntary civil commitment]~~ to indicate that the address to which the ballot is to be mailed is the address of a relative described by Section 84.002(a)(4) or ~~(6)~~ [(7)], if applicable;

(F) a space for an applicant ~~[applying on the ground of age or disability]~~ to indicate if the application is an application under Section 86.0015;

(G) spaces for entering the signature, printed name, and residence address of any person assisting the applicant;

(H) a statement informing the applicant of the condition prescribed by Section 81.005; and

(I) a statement informing the applicant of the requirement prescribed by Section 86.003(c).

SECTION \_\_\_\_ .08. Sections 86.001(b) and (c), Election Code, are amended to read as follows:

(b) If the application complies with the applicable requirements prescribed by this title ~~[applicant is entitled to vote an early voting ballot by mail]~~, the clerk shall provide an official ballot to the applicant as provided by this chapter.

(c) Except as provided by Section 86.008, if the applicant is not entitled to vote in the election ~~[by mail]~~, the clerk shall reject the application, enter on the application "rejected" and the reason for and date of rejection, and deliver written notice of the reason for the rejection to the applicant at both the residence address and mailing address on the application. A ballot may not be provided to an applicant whose application is rejected.

SECTION \_\_\_\_ .09. Section 86.0015(a), Election Code, is amended to read as follows:

(a) This section applies only to an application for a ballot to be voted by mail that[=

~~[(1) indicates the ground of eligibility is age or disability; and~~

[(2)] does not specify the election for which a ballot is requested or has been marked by the applicant as an application for more than one election.

SECTION \_\_\_\_ .10. Section 86.003(c), Election Code, as effective September 1, 2021, is amended to read as follows:

(c) The address to which the balloting materials must be addressed is the address at which the voter is registered to vote, or the registered mailing address if different, unless the application to vote early by mail indicates that the voter [ground for voting by mail is]:

(1) will be absent from the voter's [absence from the] county of residence on election day, in which case the address must be an address outside the voter's county of residence;

(2) is confined [confinement] in jail as described by Section 84.009(a), in which case the address must be the address of the jail or of a relative described by Section 84.002(a)(4);

(3) is 65 years of age or older on election day or has a sickness or physical condition that requires the applicant to reside in a hospital or nursing home or other long-term care facility, or with a relative, [age or disability] and [the voter] is living at a hospital, nursing home or other long-term care facility, or retirement center, or with a relative described by Section 84.002(a)(3), in which case the address must be the address of that facility or relative; or

(4) is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code, and ordered as a condition of civil commitment to reside in a facility operated by or under contract with the Texas Civil Commitment Office [involuntary civil commitment], in which case the address must be the address of the facility or of a relative described by Section 84.002(a)(6) [84.002(a)(7)].

SECTION \_\_\_\_ .11. Section 86.004(b), Election Code, is amended to read as follows:

(b) For an election to which Section 101.104 applies, the balloting materials for a voter who indicates on the application for a ballot to be voted by mail or the federal postcard application that the voter seeks [is eligible] to vote early by mail as a consequence of the voter's being outside the United States shall be mailed on or before the later of the 45th day before election day or the seventh calendar day after the date the clerk receives the application. However, if it is not possible to mail the ballots by the deadline of the 45th day before election day, the clerk shall notify the secretary of state within 24 hours of knowing that the deadline will not be met. The secretary of state shall monitor the situation and advise the clerk, who shall mail the ballots as soon as possible in accordance with the secretary of state's guidelines.

SECTION \_\_\_\_ .12. Section 87.041(b), Election Code, is amended to read as follows:

(b) A ballot may be accepted only if:

(1) the carrier envelope certificate is properly executed;

(2) neither the voter's signature on the ballot application nor the signature on the carrier envelope certificate is determined to have been executed by a person other than the voter, unless signed by a witness;

(3) ~~[the voter's ballot application states a legal ground for early voting by mail;~~

~~[(4)]~~ the voter is registered to vote, if registration is required by law;

~~(4) [(5) the address to which the ballot was mailed to the voter, as indicated by the application, was outside the voter's county of residence, if the ground for early voting is absence from the county of residence;~~

~~[(6)]~~ for a voter to whom a statement of residence form was required to be sent under Section 86.002(a), the statement of residence is returned in the carrier envelope and indicates that the voter satisfies the residence requirements prescribed by Section 63.0011; and

(5) ~~[(7)]~~ the address to which the ballot was mailed to the voter is an address ~~[that is otherwise]~~ required by Sections 84.002 and 86.003.

SECTION \_\_\_\_ .13. Section 102.001(a), Election Code, is amended to read as follows:

(a) A qualified voter is eligible to vote a late ballot as provided by this chapter if the voter has a sickness or physical condition ~~[described by Section 82.002]~~ that prevents the voter from appearing at the polling place on election day without a likelihood of needing personal assistance or of injuring the voter's health and originates on or after the day before the last day for submitting an application for a ballot to be voted by mail.

SECTION \_\_\_\_ .14. The following provisions of the Election Code are repealed:

- (1) Section 82.001;
- (2) Section 82.002;
- (3) Section 82.003;
- (4) Section 82.004;
- (5) Section 82.008, as effective September 1, 2021;
- (6) Section 84.002(b);
- (7) Section 84.002(c), as effective September 1, 2021; and
- (8) Section 112.002(b).

A record vote was requested by Representative C. Turner.

Amendment No. 40 failed of adoption by (Record 38): 36 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gates; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 38 was taken, I was absent. I would have voted yes.

Campos

When Record No. 38 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 38 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 38 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 38 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

### Amendment No. 41

Representative Zwiener offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTIONS to ARTICLE 5 of the bill and renumbering subsequent SECTIONS of ARTICLE 5 accordingly:

SECTION 5. \_\_\_\_ . Section 13.038, Election Code, is amended to read as follows:

Sec. 13.038. POWERS GENERALLY. (a) A volunteer deputy registrar may distribute voter registration application forms throughout the county and receive registration applications submitted to the deputy in person.

(b) A volunteer deputy registrar may distribute application forms for a ballot to be voted by mail throughout the county and receive applications for a ballot to be voted by mail submitted to the deputy in person as provided by Subchapter C, Chapter 84.

SECTION 5. \_\_\_\_ . Section 84.007(b), Election Code, is amended to read as follows:

- (b) An application must be submitted to the early voting clerk by:
- (1) mail;

(2) common or contract carrier;

(2-a) a volunteer deputy registrar, subsequent to a delivery made to the volunteer deputy registrar under Subchapter C;

(3) subject to Subsection (b-1), telephonic facsimile machine, if a machine is available in the clerk's office; or

(4) subject to Subsection (b-1), electronic transmission of a scanned application containing an original signature.

SECTION 5.\_\_\_\_. Chapter 84, Election Code, is amended by adding Subchapter C to read as follows:

**SUBCHAPTER C. VOLUNTEER DEPUTY REGISTRARS**

Sec. 84.051. APPLICATION FORMS FURNISHED BY VOLUNTEER DEPUTY REGISTRAR. (a) A volunteer deputy registrar may maintain a supply of official application forms for a ballot to be voted by mail and shall furnish the forms to voters throughout the county in a manner consistent with law.

(b) A voter may submit an application for a ballot to be voted by mail by delivering the application to a volunteer deputy registrar.

(c) To the extent practicable, the procedure under this section for distributing applications for a ballot to be voted by mail and delivering applications shall be the same as the procedure for delivering a registration application under Subchapter B, Chapter 13.

Sec. 84.052. DELIVERY OF APPLICATION TO EARLY VOTING CLERK. (a) A volunteer deputy registrar shall deliver in person, or by personal delivery through another designated volunteer deputy, to the early voting clerk each completed application for a ballot to be voted by mail submitted to the deputy, as provided by this section. The secretary of state shall prescribe any procedures necessary to ensure the proper and timely delivery of completed applications that are not delivered in person by the volunteer deputy who receives them.

(b) Except as provided by Subsection (c), an application shall be delivered to the early voting clerk not later than 5 p.m. of the fifth day after the date the application is submitted to the volunteer deputy registrar.

(c) An application submitted after the 15th day before the date of an election and on or before the last day for a person to timely submit an application for a ballot to be voted by mail for that election as provided by Section 84.007 shall be delivered to the early voting clerk not later than 5 p.m. of the next regular business day after the date to timely submit an application for a ballot to be voted by mail for that election as provided by Section 13.143.

Sec. 84.053. FAILURE TO DELIVER APPLICATION. (a) A volunteer deputy registrar commits an offense if the deputy fails to comply with Section 84.052.

(b) Except as provided by Subsection (c), an offense under this section is a Class C misdemeanor.

(c) An offense under this section is a Class A misdemeanor if the deputy's failure to comply is intentional.

Sec. 85.054. ADDITIONAL TRAINING FOR DEPUTY REGISTRARS.  
The secretary of state shall supplement the training under Section 13.047 to include standards of training in election law relating to applications for a ballot to be voted by mail.

A record vote was requested by Representative C. Turner.

Amendment No. 41 failed of adoption by (Record 39): 37 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gates; Gervin-Hawkins; González, J.; Hinojosa; Jetton; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 39 was taken, I was absent. I would have voted yes.

Campos

When Record No. 39 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 39 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 39 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 39 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

**Amendment No. 42**

Representative Zwiener offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) as follows:

(1) On page 31, line 1, strike "and".

(2) On page 31, line 3, between "counted" and the period, insert "; and I have never participated in or encouraged an act of insurrection against this state or the federal government".

A record vote was requested by Representative C. Turner.

Amendment No. 42 failed of adoption by (Record 40): 39 Yeas, 76 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gates; Gervin-Hawkins; Hinojosa; Jetton; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 40 was taken, I was absent. I would have voted yes.

Campos

When Record No. 40 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 40 was taken, I was in the house but away from my desk. I would have voted no.

Jetton



When Record No. 40 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 40 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 40 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

(Speaker in the chair)

**Amendment No. 43**

Representative M. González offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by striking SECTION 6.03 of the bill (page 30, line 7, through page 31, line 3) and renumbering subsequent SECTIONS of the ARTICLE accordingly.

A record vote was requested by Representative C. Turner.

Amendment No. 43 failed of adoption by (Record 41): 38 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Schofield; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 41 was taken, I was absent. I would have voted yes.

Campos

When Record No. 41 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 41 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 41 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 41 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

#### **Amendment No. 44**

Representative M. González offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) on page 33 by striking line 10 and substituting the following:

voter is:

- (1) an attendant or caregiver previously known to the voter; or
- (2) an employee or a volunteer of a social service organization.

A record vote was requested by Representative C. Turner.

Amendment No. 44 failed of adoption by (Record 42): 39 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Jetton; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Schofield; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 42 was taken, I was absent. I would have voted yes.

Campos

When Record No. 42 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 42 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 42 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 42 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

**Amendment No. 45**

Representative Moody offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by striking page 33, lines 11-22, and renumbering the SECTIONS of ARTICLE 6 accordingly.

Amend **CSSB 1** (house committee report) as follows:

- (1) On page 31, line 10, immediately following "address<sub>2</sub>", insert "and".
- (2) On page 31, strike lines 11 and 12.
- (3) On page 31, line 13, strike "(3)" and substitute "(2)".

A record vote was requested by Representative C. Turner.

Amendment No. 45 failed of adoption by (Record 43): 39 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Schofield; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 43 was taken, I was absent. I would have voted yes.

Campos

When Record No. 43 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 43 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 43 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 43 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

### Amendment No. 46

Representative M. González offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) as follows:

(1) Strike ARTICLE 6 of the bill (page 29, line 3, through page 33, line 22) and renumber subsequent ARTICLES and SECTIONS of the bill accordingly.

A record vote was requested by Representative C. Turner.

Amendment No. 46 failed of adoption by (Record 44): 38 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 44 was taken, I was absent. I would have voted yes.

Campos

When Record No. 44 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 44 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 44 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 44 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

### Amendment No. 47

Representative Neave offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 6 and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 6.\_\_\_\_. Section 64.009, Election Code, is amended by adding Subsection (e) to read as follows:

(e) An election officer shall post one or more notices outside the polling place displaying in a large font that is clearly readable from a vehicle:

(1) information about a voter's right to vote under this section; and

(2) instructions for voting under this section.

A record vote was requested by Representative C. Turner.

Amendment No. 47 failed of adoption by (Record 45): 39 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 45 was taken, I was absent. I would have voted yes.

Campos

When Record No. 45 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 45 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 45 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 45 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

#### Amendment No. 48

Representative Dominguez offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumbering subsequent SECTIONS of ARTICLE 6 accordingly:

SECTION \_\_\_\_\_. Section 64.032, Election Code, is amended by adding SECTIONS (e) and (f) to read as follows:

(e) A person commits an offense if the person knowingly photographs or makes an audio or video recording of a voter receiving assistance under this section without the voter's consent.

(f) An offense under Subsection (e) is a Class B misdemeanor, except that the offense is a Class A misdemeanor if it is shown on the trial of the offense that the photograph or audio or video recording reveals how the voter voted or intended to vote in the election.

A record vote was requested by Representative C. Turner.

Amendment No. 48 failed of adoption by (Record 46): 39 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Howard; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Herrero; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 46 was taken, I was absent. I would have voted yes.

Campos

When Record No. 46 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 46 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 46 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 46 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

**Amendment No. 49**

Representative J. Turner offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to Article 6 of the bill and renumbering the SECTIONS of Article 6 accordingly:

SECTION 6.\_\_\_\_. Section 86.010, Election Code, is amended by adding Subsection (h-1) to read as follows:

(h-1) Subsection (f) does not apply if the voter is a person with a disability being assisted by a previously known attendant or caregiver or by a person primarily employed or compensated to provide care to the voter.

**LEAVE OF ABSENCE GRANTED**

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

Minjarez on motion of Ordaz Perez.

**CSSB 1 - (consideration continued)**

A record vote was requested by Representative C. Turner.

Amendment No. 49 failed of adoption by (Record 47): 40 Yeas, 76 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; Kacal; King, T.; Larson; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Price; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.



**STATEMENTS OF VOTE**

When Record No. 47 was taken, I was absent. I would have voted yes.

Campos

When Record No. 47 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 47 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 47 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 47 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

**Amendment No. 50**

Representative Allison offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) as follows:

(1) Strike page 35, lines 4-17, and substitute the following:

(3) cause any false or intentionally misleading statement, representation, or information to be provided:

(A) to an election official; or

(B) on an application for ballot by mail, carrier envelope, or any other official election-related form or document;

(4) prevent a voter from casting a legal ballot in an election in which the voter is eligible to vote;

(5) provide false information to a voter with the intent of preventing the voter from voting in an election in which the voter is eligible to vote;

(6) cause the ballot not to reflect the intent of the voter;

(7) cause a ballot to be voted for another person that the person knows to be deceased or otherwise knows not to be a qualified or registered voter;

(8) cause or enable a vote to be cast more than once in the same election; or

(9) discard or destroy a voter's completed ballot without the voter's consent.

(b) An offense under this section is a Class A misdemeanor, unless:

(1) the person committed the offense while acting in the person's capacity as an elected official, in which case the offense is a state jail felony; or

(2) the person is convicted of an attempt, in which case the offense is a Class B [A] misdemeanor.

(2) Strike page 38, lines 17-21, and substitute the following:

Sec. 276.018. PERJURY IN CONNECTION WITH CERTAIN ELECTION PROCEDURES. (a) A person commits an offense if, with the intent to deceive, the person knowingly or intentionally makes a false statement or swears to the truth of a false statement:

(1) on a voter registration application; or  
(2) previously made while making an oath, declaration, or affidavit  
described by this code.

(b) An offense under this section is a state jail felony.

(3) Strike page 44, line 23, through page 45, line 14, and substitute the following:

SECTION 9.03. Section 64.012, Election Code, is amended by amending Subsections (a) and (b) and adding Subsections (c) and (d) to read as follows:

(a) A person commits an offense if the person knowingly or intentionally:

(1) votes or attempts to vote in an election in which the person knows the person is not eligible to vote;

(2) [~~knowingly~~] votes or attempts to vote more than once in an election;

(3) [~~knowingly~~] votes or attempts to vote a ballot belonging to another person, or by impersonating another person; ~~or~~

(4) [~~knowingly~~] marks or attempts to mark any portion of another person's ballot without the consent of that person, or without specific direction from that person how to mark the ballot; or

(5) votes or attempts to vote in an election in this state after voting in another state in an election in which a federal office appears on the ballot and the election day for both states is the same day.

~~(b) An offense under this section is a Class A misdemeanor [felony of the second degree unless the person is convicted of an attempt. In that case, the offense is a state jail felony].~~

(4) Add the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumber the SECTIONS of that ARTICLE accordingly:

SECTION 2.\_\_\_\_. Section 13.007, Election Code, is amended to read as follows:

Sec. 13.007. FALSE STATEMENT ON APPLICATION. (a) A person commits an offense if the person knowingly or intentionally:

(1) makes a false statement; or

(2) requests, commands, coerces, or attempts to induce another person to make a false statement on a registration application.

(b) An offense under this section is a Class A [~~B~~] misdemeanor.

(c) If conduct that constitutes an offense under this section also constitutes an offense under another law, the actor may be prosecuted under this section, the other law, or both. [For purposes of this code, an offense under this section is considered to be perjury, but may be prosecuted only under this section.]

### Amendment No. 51

Representative Cain offered the following amendment to Amendment No. 50:

Amend Amendment No. 50 by Allison to **CSSB 1** as follows:

(1) On page 3, line 18, insert the following between "misdemeanor" and ".":  
, except that an offense under this section is a state jail felony if the person:

(1) directly or through a third party offers or provides compensation or other benefit to a person for activity described by Subsection (a); or

(2) solicits, receives, or accepts compensation or other benefit for an activity described by Subsection (a).

A record vote was requested by Representative C. Turner.

Amendment No. 51 was adopted by (Record 48): 78 Yeas, 38 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Bailes; Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 48 was taken, I was absent. I would have voted no.

Campos

When Record No. 48 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 48 was taken, I was absent. I would have voted no.

Martinez

When Record No. 48 was taken, I was absent. I would have voted no.

Morales Shaw

When Record No. 48 was taken, I was temporarily out of the house chamber. I would have voted no.

Perez

A record vote was requested by Representative C. Turner.

Amendment No. 50, as amended, was adopted by (Record 49): 80 Yeas, 35 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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 — Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 49 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 49 was taken, I was absent. I would have voted no.

Campos

When Record No. 49 was taken, I was shown voting yes. I intended to vote no.

Cason

When Record No. 49 was taken, I was shown voting present, not voting. I intended to vote yes.

Frullo

When Record No. 49 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 49 was taken, I was absent. I would have voted no.

Martinez

When Record No. 49 was taken, I was temporarily out of the house chamber. I would have voted no.

Perez

When Record No. 49 was taken, I was shown voting yes. I intended to vote no.

Slaton

**Amendment No. 52**

Representative S. Thompson offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) as follows:

(1) On page 34, line 4, strike "state jail felony" and substitute "Class A misdemeanor".

(2) On page 37, line 17, strike "state jail felony" and substitute "Class A misdemeanor".

(3) On page 38, line 21, strike "state jail felony" and substitute "Class B misdemeanor".

(4) On page 42, line 22, strike "Class A" and substitute "Class B".

(5) On page 42, line 23, strike "state jail felony" and substitute "Class A misdemeanor".

A record vote was requested by Representative C. Turner.

Amendment No. 52 failed of adoption by (Record 50): 38 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 50 was taken, I was absent. I would have voted yes.

Campos

When Record No. 50 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 50 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 50 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 50 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

#### Amendment No. 53

Representative Walle offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) on page 37 as follows:

- (1) On line 8, between "person" and "who", insert "under the age of 65".
- (2) On line 10, between "person" and "who", insert "under the age of 65".

A record vote was requested by Representative C. Turner.

Amendment No. 53 failed of adoption by (Record 51): 38 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Lemans; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Beckley; Bucy; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 51 was taken, I was absent. I would have voted yes.

Campos

When Record No. 51 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 51 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 51 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 51 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

(Goldman in the chair)

### Amendment No. 54

Representative Rose offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 8 of the bill and renumbering subsequent SECTIONS of the ARTICLE accordingly:

SECTION \_\_\_\_\_. Chapter 273, Election Code, is amended by adding Subchapter F to read as follows:

#### SUBCHAPTER F. REPORT OF INVESTIGATIONS AND PROSECUTIONS

##### Sec. 273.101. REPORT OF INVESTIGATIONS AND PROSECUTIONS.

(a) The attorney general shall record, for each investigation or prosecution under Subchapter A or B, the following information:

- (1) the race of the investigated person;
- (2) the age of the investigated person;
- (3) the gender of the investigated person;
- (4) the month the complaint alleging criminal conduct was made;
- (5) the county in which the complaint alleging criminal conduct was made; and

(6) the source of the complaint alleging criminal conduct.

(b) Not later than January 1 of each year, the attorney general shall prepare and submit a report containing the data under Subsection (a) to:

- (1) the governor;
- (2) the lieutenant governor;
- (3) the speaker of the house;

(4) the members of the committee of the house of representatives with primary jurisdiction over elections; and

(5) the principal deputy assistant attorney general for the Civil Rights Division of the United States Department of Justice.

A record vote was requested by Representative C. Turner.

Amendment No. 54 failed of adoption by (Record 52): 37 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Anchia; Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 52 was taken, I was absent. I would have voted yes.

Campos

When Record No. 52 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 52 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 52 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 52 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez



**Amendment No. 55**

Representative Jetton offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS to ARTICLE 2 of the bill and renumber subsequent SECTIONS of ARTICLE 2 accordingly:

SECTION 2. \_\_\_\_ . Section 16.0332, Election Code, is amended by amending Subsection (a) and adding Subsections (a-1), (d), and (e) to read as follows:

(a) After the registrar receives notification [a-list] under Subsection (a-1) of this section, Section 18.068 of this code, or Section 62.113, Government Code, of persons excused or disqualified from jury service because of citizenship status or notification of persons who indicate a lack of citizenship status in connection with a motor vehicle or Department of Public Safety record as provided by Subsection (a-1), the registrar shall deliver to each registered voter whose name appears on the list a written notice requiring the voter to submit to the registrar proof of United States citizenship in the form of a certified copy of the voter's birth certificate, United States passport, or certificate of naturalization or any other form prescribed by the secretary of state. The notice shall be delivered by forwardable mail to the mailing address on the voter's registration application and to any new address of the voter known to the registrar.

(a-1) The secretary of state shall enter into an agreement with the Department of Public Safety under which information in the existing statewide computerized voter registration list is compared against information in the database of the Department of Public Safety on a monthly basis to verify the accuracy of citizenship status information previously provided on voter registration applications. In comparing information under this subsection, the secretary of state shall consider only a voter's information in the database of the Department of Public Safety that was derived from documents presented by the voter to the department after the person's current voter registration became effective, and may not consider information derived from documents presented by the voter to the department before the person's current voter registration became effective.

(d) The secretary of state shall prescribe rules for the administration of this section.

(e) Not later than December 31 of each year, the secretary of state shall provide a report to the legislature of the number of voter registrations canceled under this section during the calendar year.

SECTION 2. \_\_\_\_ . Section 18.065, Election Code, is amended by adding Subsections (e), (f), (g), (h), and (i) to read as follows:

(e) If the secretary of state determines that a voter registrar is not in substantial compliance with a requirement imposed on the registrar by a provision or rule described in Subsection (a), the secretary of state shall:

(1) for the first violation, require the registrar to attend a training course under Subsection (h);

(2) for the second violation, audit the voter registration list for the county in which the registrar serves to determine the actions needed to achieve substantial compliance under Subsection (a) and provide the results of the audit to the registrar; or

(3) for a third or subsequent violation, if the secretary of state determines that the registrar has not performed any overt actions in pursuance of compliance with the actions identified under Subdivision (2) as necessary for the registrar to achieve substantial compliance under Subsection (a) within 14 days of receiving the results of the audit conducted under that subsection, inform the attorney general that the county which the registrar serves may be subject to a civil penalty under Subsection (f).

(f) A county is liable to this state for a civil penalty of \$1,000 for each day after the 14th day following the receipt of the results of the audit conducted under Subsection (e)(2) that the county's voter registrar fails to take overt action to comply with the actions identified under that subsection as necessary for the registrar to achieve substantial compliance under Subsection (a). The attorney general may bring an action to recover a civil penalty imposed under this section.

(g) A civil penalty collected by the attorney general under this section shall be deposited in the state treasury to the credit of the general revenue fund.

(h) The secretary of state shall develop and implement a training course for registrars on substantial compliance with Sections 15.083, 16.032, and 18.061 and with rules implementing the statewide computerized voter registration list.

(i) The secretary of state shall adopt rules and prescribe procedures for the implementation of this section.

SECTION 2. \_\_\_\_\_. Section 18.068, Election Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The secretary of state shall quarterly compare the information received under Section 16.001 of this code and Sections ~~[Section]~~ 62.113 and 62.114, Government Code, to the statewide computerized voter registration list. If the secretary determines that a voter on the registration list is deceased or has been excused or disqualified from jury service because the voter is not a citizen or a resident of the county in which the voter is registered to vote, the secretary shall send notice of the determination to the voter registrar of the counties considered appropriate by the secretary.

(a-1) The secretary of state is not required to send notice under Subsection (a) for a voter who is subject to an exemption from jury service under Section 62.106, Government Code, if that exemption is the only reason the voter is excused from jury service.

SECTION 2. \_\_\_\_\_. Section 31.006, Election Code, is amended to read as follows:

Sec. 31.006. REFERRAL ~~[OF COMPLAINT]~~ TO ATTORNEY GENERAL. (a) If, after receiving or discovering information indicating that ~~[a complaint alleging]~~ criminal conduct in connection with an election has occurred, the secretary of state determines that there is reasonable cause to suspect that ~~[the alleged]~~ criminal conduct occurred, the secretary shall promptly refer the

information [~~complaint~~] to the attorney general. The secretary shall deliver to the attorney general all pertinent documents and information in the secretary's possession.

(b) The documents and information submitted under Subsection (a) are not considered public information until:

(1) the secretary of state makes a determination that the information [~~complaint~~] received does not warrant an investigation; or

(2) if referred to the attorney general, the attorney general has completed the investigation or has made a determination that the information [~~complaint~~] referred does not warrant an investigation.

SECTION 2. \_\_\_\_\_. Section 62.113(b), Government Code, is amended to read as follows:

(b) On the third business day of each month, the clerk shall send a copy of the list of persons excused or disqualified because of citizenship in the previous month to:

(1) the voter registrar of the county;

(2) the secretary of state; and

(3) the county or district attorney [~~as applicable,~~] for an investigation of whether the person committed an offense under Section 13.007, Election Code, or other law.

SECTION 2. \_\_\_\_\_. Sections 62.114(b) and (c), Government Code, are amended to read as follows:

(b) On the third business day of each month, the clerk shall send [~~to the voter registrar of the county~~] a copy of the list of persons excused or disqualified in the previous month because the persons do not reside in the county to:

(1) the voter registrar of the county; and

(2) the secretary of state.

(c) A list compiled under this section may not be used for a purpose other than a purpose described by Subsection (b) or Section 15.081 or 18.068, Election Code.

(2) Add the following appropriately numbered SECTION to ARTICLE 3 of the bill and renumber subsequent SECTIONS of ARTICLE 3 accordingly:

SECTION 3. \_\_\_\_\_. Section 127.1232, Election Code, is amended to read as follows:

Sec. 127.1232. SECURITY OF VOTED BALLOTS. (a) The general custodian of election records shall post a licensed peace officer [~~guard~~] to ensure the security of ballot boxes containing voted ballots throughout the period of tabulation at the central counting station.

(b) The general custodian of election records in a county with a population of 100,000 or more shall implement a video surveillance system that retains a record of all areas containing voted ballots:

(1) from the time the voted ballots are delivered to the central counting station until the canvass of precinct election returns; and

(2) from the time the voted ballots are delivered to the signature verification committee or early voting ballot board until the canvass of precinct election returns.

(c) A video from a system implemented under Subsection (b) shall be made available to the public by a livestream.

(d) The video recorded is an election record under Section 1.012 and shall be retained by the general custodian of election records until the end of the calendar year in which an election is held or until an election contest filed in the county has been resolved, whichever is later.

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

SECTION 4.\_\_\_\_. Section 127.1301, Election Code, is amended to read as follows:

Sec. 127.1301. [~~TALLYING, TABULATING, AND REPORTING~~] CENTRALLY COUNTED OPTICAL SCAN BALLOTS [~~BALLOT UNDERVOTES AND OVERVOTES~~]. (a) In an election using centrally counted optical scan ballots, the undervotes and overvotes on those ballots shall be tallied, tabulated, and reported by race and by election precinct in the form and manner prescribed by the secretary of state.

(b) An authority operating a central counting station under this chapter may not purchase or use a centrally counted optical ballot scan system that uses a data storage disc on which information, once written, is capable of being modified.

(c) An authority that purchases system components in order to comply with this section is eligible to have 100 percent of the cost of those system components reimbursed.

(d) Subsection (b) applies starting on the earlier of:

(1) the date on which the state certifies the first centrally counted optical ballot scan system under this section; or

(2) September 1, 2026.

(e) This subsection and Subsection (d) expire October 1, 2026.

(4) Add the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumber subsequent SECTIONS of ARTICLE 6 accordingly:

SECTION 6.\_\_\_\_. Section 64.009, Election Code, is amended by amending Subsection (b) and adding Subsections (e), (f), (f-1), (g), and (h) to read as follows:

(b) The regular voting procedures, except those in Subchapter B, may be modified by the election officer to the extent necessary to conduct voting under this section.

(e) Except as provided by Section 33.057, a poll watcher is entitled to observe any activity conducted under this section.

(f) A person who simultaneously assists seven or more voters voting under this section by providing the voters with transportation to the polling place must complete and sign a form, provided by an election officer, that contains the person's name and address and whether the person is providing assistance solely under this section or under both this section and Subchapter B.

(f-1) Subsection (f) does not apply if the person is related to each voter within the second degree by affinity or the third degree by consanguinity, as determined under Subchapter B, Chapter 573, Government Code.

(g) A form completed under Subsection (f) shall be delivered to the secretary of state as soon as practicable. The secretary shall retain a form delivered under this section for the period for preserving the precinct election records and shall make the form available to the attorney general for inspection upon request.

(h) The secretary of state shall prescribe the form described by Subsection (f).

(5) Add the following appropriately numbered SECTIONS to ARTICLE 8 of the bill and renumber subsequent SECTIONS of ARTICLE 8 accordingly:

SECTION 8.\_\_\_\_. Subchapter E, Chapter 31, Election Code, is amended by adding Sections 31.128, 31.129, and 31.130 to read as follows:

Sec. 31.128. RESTRICTION ON ELIGIBILITY. (a) In this section, "election official" means:

- (1) a county clerk;
- (2) a permanent or temporary deputy county clerk;
- (3) an elections administrator;
- (4) a permanent or temporary employee of an elections administrator;
- (5) an election judge;
- (6) an alternate election judge;
- (7) an early voting clerk;
- (8) a deputy early voting clerk;
- (9) an election clerk;
- (10) the presiding judge of an early voting ballot board;
- (11) the alternate presiding judge of an early voting ballot board;
- (12) a member of an early voting ballot board;
- (13) the chair of a signature verification committee;
- (14) the vice chair of a signature verification committee;
- (15) a member of a signature verification committee;
- (16) the presiding judge of a central counting station;
- (17) the alternate presiding judge of a central counting station;
- (18) a central counting station manager;
- (19) a central counting station clerk;
- (20) a tabulation supervisor; and
- (21) an assistant to a tabulation supervisor.

(b) A person may not serve as an election official if the person has been finally convicted of an offense under this code.

Sec. 31.129. CIVIL PENALTY. (a) In this section, "election official" has the meaning assigned by Section 31.128.

(b) An election official may be liable to this state for a civil penalty if the official:

(1) is employed by or is an officer of this state or a political subdivision of this state; and

(2) violates a provision of this code.

(c) A civil penalty imposed under this section may include termination of the person's employment and loss of the person's employment benefits.

Sec. 31.130. SUIT AGAINST ELECTION OFFICER. An action, including an action for a writ of mandamus, alleging that an election officer violated a provision of this code while acting in the officer's official capacity may only be brought against the officer in the officer's official capacity.

SECTION 8. \_\_\_\_\_. Sections 232.008(b), (c), and (d), Election Code, are amended to read as follows:

(b) Except as provided by Subsection (c), a contestant must file the petition not later than the later of the 45th [~~30th~~] day after the date the election records are publicly available under Section 1.012 or the official result of the contested election is determined.

(c) A contestant must file the petition not later than the later of the 15th [~~10th~~] day after the date the election records are publicly available under Section 1.012 or the official result is determined in a contest of:

(1) a primary or runoff primary election; or

(2) a general or special election for which a runoff is necessary according to the official result or will be necessary if the contestant prevails.

(d) A contestant must deliver, electronically or otherwise, a copy of the petition to the secretary of state by the same deadline prescribed for the filing of the petition.

SECTION 8. \_\_\_\_\_. Title 14, Election Code, is amended by adding Subtitle D to read as follows:

#### SUBTITLE D. OTHER ELECTION LAWSUITS

#### CHAPTER 247. LAWSUIT ALLEGING IMPROPER ELECTION ACTIVITIES

Sec. 247.001. PETITION ALLEGING FRAUD. This chapter applies to a civil suit in which a candidate in an election alleges in the petition that an opposing candidate, an agent of the opposing candidate, or a person acting on behalf of the opposing candidate with the candidate's knowledge violated any of the following sections of this code:

(1) Section 13.007;

(2) Section 64.012;

(3) Section 64.036;

(4) Section 84.003;

(5) Section 84.0041;

(6) Section 86.0051;

(7) Section 86.006;

(8) Section 86.010;

(9) Section 276.013; and

(10) Section 276.015.

Sec. 247.002. PROCEDURE. A candidate in an election may file a petition for an action under this chapter in any county where a defendant resided at the time of the election. If the election is for a statewide office, the candidate may also file the petition in a district court in Travis County.

Sec. 247.003. FILING PERIOD FOR PETITION. A candidate in an election may file a petition for an action under this chapter not earlier than the day after the date the election is certified and not later than the 45th day after the later of that date or the date election records are made publicly available under Section 1.012.

Sec. 247.004. DAMAGES. (a) If it is shown by a preponderance of the evidence that a defendant, an agent of the defendant, or a person acting on behalf of the defendant with the defendant's knowledge committed one or more violations of a section described by Section 247.001, the defendant is liable to the plaintiff for damages in an amount of \$1,000 for each violation.

(b) Notwithstanding Section 41.004, Civil Practice and Remedies Code, a court shall award damages under Subsection (a) to the plaintiff irrespective of whether the plaintiff is awarded actual damages.

Sec. 247.005. ATTORNEY'S FEES. In an action under this chapter, the court may award reasonable attorney's fees to the prevailing party.

SECTION 8. \_\_\_\_. Section 273.061, Election Code, is amended to read as follows:

Sec. 273.061. JURISDICTION. (a) The supreme court or a court of appeals may issue a writ of mandamus to compel the performance of any duty imposed by law in connection with the holding of an election or a political party convention, regardless of whether the person responsible for performing the duty is a public officer.

(b) The court of criminal appeals may issue a writ of mandamus to compel the performance of any duty imposed by law in connection with the provision, sequestration, transfer, or impoundment of evidence in or records relating to a criminal investigation conducted under this code or conducted in connection with the conduct of an election or political party convention. If a writ of mandamus is issued under this subsection, it shall include an order requiring the provision, sequestration, transfer, or impoundment of the evidence or record.

(6) On page 47, between lines 7 and 8, insert the following:

(e) Chapter 247, Election Code, as added by this Act, applies only to an election contest for which the associated election occurred after the effective date of this Act.

### **Amendment No. 56**

Representative Jetton offered the following amendment to Amendment No. 55:

Amend Amendment No. 55 by Jetton to **CSSB 1** as follows:

(1) Strike page 9, line 14, through page 10, line 14, and substitute the following:

Sec. 31.128. RESTRICTION ON ELIGIBILITY. (a) In this section, "election official" does not include a chair of a county political party holding a primary election or a runoff primary election.

(2) On page 14, line 5, strike "an election contest" and substitute "a cause of action".

Amendment No. 56 was adopted. (Perez recorded voting no.)

A record vote was requested by Representative C. Turner.

Amendment No. 55, as amended, was adopted by (Record 53): 75 Yeas, 33 Nays, 2 Present, not voting.

Yeas — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Morales, E.; Neave; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Allison; Beckley; Bonnen; Campos; Cason; Collier; Crockett; Davis; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales Shaw; Muñoz; Ordaz Perez; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 53 was taken, I was temporarily out of the house chamber. I would have voted yes.

Allison

When Record No. 53 was taken, I was in the house but away from my desk. I would have voted yes.

Bonnen

When Record No. 53 was taken, I was absent. I would have voted no.

Campos

When Record No. 53 was taken, my vote failed to register. I would have voted yes.

Cason

When Record No. 53 was taken, I was absent. I would have voted no.

Gervin-Hawkins



When Record No. 53 was taken, I was in the house but away from my desk. I would have voted no.

M. González

When Record No. 53 was taken, I was absent. I would have voted no.

Martinez

When Record No. 53 was taken, I was absent. I would have voted no.

Morales Shaw

When Record No. 53 was taken, I was temporarily out of the house chamber. I would have voted no.

Perez

**Amendment No. 57**

Representative Schofield offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following Article to the bill and renumbering subsequent Articles and sections of the bill accordingly:

**ARTICLE 9. ELECTION PRACTICES AND PROCEDURES RELATING TO  
FEDERAL ELECTIONS**

**SECTION 9.01.** Section 1.002(a), Election Code, is amended to read as follows:

(a) This code applies to all general, special, federal, and primary elections held in this state.

**SECTION 9.02.** Section 1.005, Election Code, is amended by amending Subdivisions (4-a), (7), (14), and (19) and adding Subdivisions (4-b) and (4-c) to read as follows:

(4-a) "Federal election" means a primary or general election for a federal office or a resulting runoff election and does not include an election held for electors for president and vice president of the United States.

(4-b) "Federal judge" means:

(A) a judge, former judge, or retired judge of a United States court of appeals;

(B) a judge, former judge, or retired judge of a United States district court;

(C) a judge, former judge, or retired judge of a United States bankruptcy court; or

(D) a magistrate judge, former magistrate judge, or retired magistrate judge of a United States district court.

(4-c) "Federal office" means the office of United States senator or United States representative.

(7) "General election for state and county officers" means the general election at which officers of the [~~federal,~~] state[;] and county governments are elected.

(14) "Primary election" means an election held by a political party under Chapter 172 to select its nominees for public office, and, unless the context indicates otherwise, the term includes a ~~[presidential]~~ primary election for a federal office.

(19) "Statewide office" means an office of the ~~[federal or]~~ state government that is voted on statewide.

SECTION 9.03. Chapters 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, Election Code, are designated as Subtitle A, Title 2, Election Code, and a heading is added to Subtitle A to read as follows:

SUBTITLE A. GENERAL REQUIREMENTS

SECTION 9.04. Section 11.002(a), Election Code, is amended to read as follows:

- (a) In this code, "qualified voter" means a person who:
- (1) is 18 years of age or older;
  - (2) is a United States citizen;
  - (3) has not been determined by a final judgment of a court exercising probate jurisdiction to be:
    - (A) totally mentally incapacitated; or
    - (B) partially mentally incapacitated without the right to vote;
  - (4) has not been finally convicted of a felony or, if so convicted, has:
    - (A) fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court; or
    - (B) been pardoned or otherwise released from the resulting disability to vote;
  - (5) is a resident of this state; and
  - (6) is a registered voter under this subtitle.

SECTION 9.05. Section 15.003(a), Election Code, is amended to read as follows:

(a) On receipt of a voter registration certificate issued under this subtitle ~~[title]~~, the person to whom the certificate is issued must personally sign it in the appropriate space.

SECTION 9.06. Title 2, Election Code, is amended by adding Subtitle B to read as follows:

SUBTITLE B. FEDERAL ELECTIONS  
CHAPTER 21. GENERAL PROVISIONS

Sec. 21.001. DEFINITIONS. In this subtitle:

(1) "Federal ballot" means a ballot that only lists elections and candidates for federal office.

(2) "State election" means an election that is not a federal election.

Sec. 21.002. FEDERAL ELECTIONS SEPARATE. (a) Notwithstanding other law, a federal election is a separate election from any other election in this state.

(b) A federal election under this subtitle may not list on the federal ballot any proposition or election for state or county office.

(c) To the extent feasible, a federal election and a state election shall be held separately and concurrently using the same precincts and polling locations.

Sec. 21.003. RULES. (a) The secretary of state shall adopt rules to enact this subtitle.

(b) The rules adopted under this section must reduce voter disruption and confusion to the greatest extent possible, including by using the same area in which voters are being accepted for voting and the same voting stations for state and federal elections.

## CHAPTER 22. VOTER REGISTRATION FOR FEDERAL ELECTIONS

Sec. 22.001. DEFINITION. In this chapter, "military service voter" means:

- (1) a member of the armed forces of the United States;
- (2) a member of the merchant marine of the United States;
- (3) a member of the Texas National Guard;
- (4) a member of the National Guard of another state serving on active duty under an order of the president of the United States;
- (5) a member of a reserve component of the armed forces of the United States serving on active duty under an order of the president of the United States or activated on state orders; or

(6) a spouse or dependent of a member of a military organization listed in Subdivisions (1) through (5).

Sec. 22.002. ELIGIBILITY TO VOTE IN FEDERAL ELECTIONS. To be eligible to vote in a federal election in this state, a person must:

(1) be a qualified voter as defined by Section 11.002 on the day the person offers to vote; or

(2) meet all requirements for voter eligibility under federal law and:

(A) meet all of the requirements to be a qualified voter under Section 11.002 except the requirement under Section 11.002(a)(6) that the person be a registered voter under Subtitle A, and be:

(i) a military service voter; or

(ii) domiciled in this state but temporarily living outside the territorial limits of the United States and the District of Columbia; or

(B) be unable to complete the registration requirements under Subtitle A.

Sec. 22.003. REGISTRATION FOR FEDERAL ELECTIONS. (a) If the United States Congress enacts legislation that allows a voter to be eligible to register to vote under this subtitle when the same voter would be ineligible to register to vote under Subtitle A, the secretary of state shall create and maintain a procedure by which a person eligible under Section 22.002 may submit an application to register to vote under this subtitle. The procedure under this section must comply with all federal laws for voter registration.

(b) A person who submits an application for registration under Chapter 13 that does not comply with all requirements under Subtitle A but does comply with all requirements under federal law shall be registered to vote under this subtitle.

(c) A person registered to vote under Subsection (b) who submits an application for registration under Chapter 13 that is accepted becomes registered to vote under Subtitle A.

CHAPTER 23. CONDUCT OF FEDERAL ELECTIONS

Sec. 23.001. CREATION OF FEDERAL BALLOT. The authority preparing a ballot for a concurrent federal and state election shall prepare a separate federal ballot for voters registered under this subtitle.

Sec. 23.002. BALLOT RECEIVED BY VOTER IN FEDERAL ELECTION. (a) A voter registered to vote under Subtitle A may vote a full ballot containing propositions and candidates for office in state and federal elections.

(b) A voter registered to vote under this subtitle may only vote a federal ballot.

Sec. 23.003. OTHER CONDUCT. (a) Voting, tabulation, and reporting procedures for a state election shall be conducted under the provisions of this code.

(b) To the extent possible, voting, tabulation, and reporting procedures for a federal election shall be conducted under the provisions of this code.

(c) To the extent that federal law conflicts with a provision of this code, voting, tabulation, and reporting procedures for a federal election shall be conducted under the provisions of the applicable federal law.

SECTION 9.07. Subchapter A, Chapter 41, Election Code, is amended by adding Section 41.003 to read as follows:

Sec. 41.003. GENERAL ELECTION FOR FEDERAL OFFICERS. (a) The general election for federal officers shall be held on the first Tuesday after the first Monday in November in even-numbered years.

(b) To the extent feasible, the general election for federal officers shall be held concurrently with the general election for state and county officers.

SECTION 9.08. The heading to Section 41.007, Election Code, is amended to read as follows:

Sec. 41.007. PRIMARY ELECTIONS FOR STATE AND COUNTY OFFICERS.

SECTION 9.09. Sections 41.007(a) and (d), Election Code, are amended to read as follows:

(a) The general primary election date for state and county officers is the first Tuesday in March in each even-numbered year.

(d) No ~~other~~ election other than a primary election for federal officers may be held on the date of a primary election.

SECTION 9.10. Subchapter A, Chapter 41, Election Code, is amended by adding Section 41.0075 to read as follows:

Sec. 41.0075. PRIMARY ELECTIONS FOR FEDERAL OFFICERS. (a) The primary election date for federal officers is the first Tuesday in March in each even-numbered year.

(b) The runoff primary election date for federal officers is the fourth Tuesday in May following the primary election for federal officers.

(c) To the extent feasible, the primary election for federal officers shall be held concurrently with the primary election for state and county officers.

SECTION 9.11. Section 42.002(a), Election Code, is amended to read as follows:

(a) The county election precincts are the election precincts for the following elections:

- (1) the general election for state and county officers;
- (2) a special election ordered by the governor;
- (3) a primary election;
- (4) a countywide election ordered by the commissioners court, county judge, or other county authority, except an election subject to Section 42.062(2);

[and]  
(5) a federal election; and  
(6) as provided by Section 42.0621, any other election held by a political subdivision on a uniform election date.

SECTION 9.12. Section 67.010(a), Election Code, is amended to read as follows:

(a) The county election returns for an election for a statewide office other than governor or lieutenant governor, a statewide measure, a district office, a federal office, or president and vice-president of the United States shall be canvassed by the governor.

SECTION 9.13. Section 84.014, Election Code, is amended to read as follows:

Sec. 84.014. ACTION BY EARLY VOTING CLERK ON CERTAIN APPLICATIONS. If an applicant provides a date of birth, driver's license number, or social security number on the applicant's application for an early voting ballot to be voted by mail that is different from or in addition to the information maintained by the voter registrar in accordance with Subtitle A, Title 2, the early voting clerk shall notify the voter registrar. The voter registrar shall update the voter's record with the information provided by the applicant.

SECTION 9.14. Section 101.052, Election Code, is amended by amending Subsections (e), (f), and (j) and adding Subsection (n) to read as follows:

(e) An applicant who otherwise complies with applicable requirements is entitled to receive a full ballot to be voted by mail under this chapter if:

- (1) the applicant submits a federal postcard application to the early voting clerk on or before the 20th day before election day; and
- (2) the application contains the information that is required for registration under Subtitle A, Title 2.

(f) The applicant is entitled to receive only a federal ballot to be voted by mail under Chapter 114 if:

- (1) the applicant submits the federal postcard application to the early voting clerk after the date provided by Subsection (e)(1) and before the deadline for submitting a regular application for a ballot to be voted by mail; and
- (2) the application contains the information that is required for registration under Subtitle A, Title 2.

(j) If the early voting clerk determines that an application that is submitted before the time prescribed by Subsection (e)(1) does not contain the information that is required for registration under Subtitle A, Title 2, the clerk shall notify the

applicant of that fact. If the applicant has provided a telephone number or an address for receiving mail over the Internet, the clerk shall notify the applicant by that medium.

(n) A federal postcard application that does not meet the requirements of Subtitle A, Title 2, may still constitute registration for federal elections if the federal postcard application meets the requirements of Subtitle B, Title 2.

SECTION 9.15. Section 101.053(b), Election Code, is amended to read as follows:

(b) If an applicant provides a date of birth, driver's license number, or social security number on the applicant's federal postcard application that is different from or in addition to the information maintained by the voter registrar in accordance with Subtitle A, Title 2, the early voting clerk shall notify the voter registrar. The voter registrar shall update the voter's record with the information provided by the applicant.

SECTION 9.16. Section 101.055, Election Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The submission of a federal postcard application that complies with the ~~[applicable]~~ requirements of Subtitle A, Title 2, by an unregistered applicant constitutes registration by the applicant:

(1) for the purpose of voting in the election for state and county officers for which a ballot is requested; and

(2) under Subtitle A, Title 2, if the federal postcard application complies with the requirements under that subtitle, unless the person indicates on the application that the person is residing outside the United States indefinitely.

(a-1) The submission of a federal postcard application that complies with the requirements of Subtitle B, Title 2, by an unregistered applicant constitutes registration by the applicant:

(1) for the purpose of voting in the election for federal officers for which a ballot is requested; and

(2) under Subtitle B, Title 2, if the federal postcard application complies with the requirements under that subtitle, unless the person indicates on the application that the person is residing outside the United States indefinitely.

SECTION 9.17. Section 142.005, Election Code, is amended to read as follows:

Sec. 142.005. **AUTHORITY WITH WHOM APPLICATION FILED.** An application for a place on the ballot must be filed with:

(1) the secretary of state, for a federal, statewide, or district office; or

(2) the county judge, for a county or precinct office.

SECTION 9.18. Section 145.033, Election Code, is amended to read as follows:

Sec. 145.033. **AUTHORITY WITH WHOM WITHDRAWAL REQUEST FILED.** A candidate must file a withdrawal request with:

(1) the secretary of state, for a federal, statewide, or district office; or

(2) the authority responsible for having the official ballot prepared, for a county or precinct office.

SECTION 9.19. Section 145.037(d), Election Code, is amended to read as follows:

(d) The chair must deliver the certification to:

- (1) the secretary of state, for a federal, statewide, or district office; or
- (2) the authority responsible for having the official ballot prepared, for a county or precinct office.

SECTION 9.20. Section 146.024, Election Code, is amended to read as follows:

Sec. 146.024. AUTHORITY WITH WHOM DECLARATION FILED. A declaration of write-in candidacy must be filed with:

- (1) the secretary of state, for a federal, statewide, or district office; or
- (2) the county judge, for a county or precinct office.

SECTION 9.21. Section 161.008(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (c), the secretary of state shall certify in writing for placement on the general election ballot the name of each candidate nominated at a primary election or convention of a political party for a federal, statewide, or district office.

SECTION 9.22. Section 163.006(d), Election Code, is amended to read as follows:

(d) Before January 15 of each year in which political parties hold precinct conventions under this title, the secretary of state shall deliver written notice of the requirements of this section to the state chair of each party that had a nominee for a federal, statewide, or district office on the most recent general election ballot.

SECTION 9.23. Section 172.059(b), Election Code, is amended to read as follows:

(b) A withdrawal request for the runoff primary must be filed with the state chair, for a federal, statewide, or district office, or with the county chair, for a county or precinct office.

SECTION 9.24. Section 172.121(a), Election Code, is amended to read as follows:

(a) The state chair shall certify on the secretary of state's website for placement on the runoff primary election ballot the name of each general primary candidate for a federal, statewide, or district office who is to be a candidate in the runoff.

SECTION 9.25. Section 172.122(a), Election Code, is amended to read as follows:

(a) The state chair shall certify by posting on the secretary of state's website the name and address of each primary candidate who is nominated for a federal, statewide, or district office. The state chair shall execute and file digitally with the secretary of state an affidavit certifying that the returns posted on the secretary of state's website are the correct and complete returns. The secretary of state shall adopt by rule a process to allow the chair to submit the affidavit digitally.

SECTION 9.26. Section 173.063, Election Code, is amended to read as follows:

Sec. 173.063. FEE RETAINED BY STATE CHAIR. The state chair shall deposit in the state primary fund each filing fee accompanying an application for a place on the ballot filed with the state chair:

(1) for a federal office;

(1-a) for a statewide office; or

(2) for a district office if the application is filed after the regular filing deadline.

SECTION 9.27. Section 181.0311(a), Election Code, as effective September 1, 2021, is amended to read as follows:

(a) In addition to any other requirements, to be considered for nomination by convention, a candidate must:

(1) pay a filing fee to the secretary of state for a federal, statewide, or district office or the county judge for a county or precinct office; or

(2) submit to the secretary of state for a federal, statewide, or district office or the county judge for a county or precinct office a petition in lieu of a filing fee that satisfies the requirements prescribed by Subsection (e) and Section 141.062.

SECTION 9.28. Section 181.032(a), Election Code, is amended to read as follows:

(a) An application for nomination by a convention must be filed with:

(1) the state chair, for a federal, statewide, or district office; or

(2) the county chair, for a county or precinct office.

SECTION 9.29. Section 181.068(b), Election Code, is amended to read as follows:

(b) Not later than the 20th day after the date of the convention making the nomination, the presiding officer shall deliver the certification to:

(1) the authority responsible for having the official general election ballot prepared in the county, for certification of a county or precinct office; or

(2) the secretary of state, for certification of a federal, statewide, or district office.

SECTION 9.30. Sections 231.008(b) and (c), Election Code, are amended to read as follows:

(b) If the judgment in a contest for an office affects the preparation of the ballot for a succeeding election, the clerk shall deliver a copy to the authority responsible for having the official ballot prepared or, in the case of a federal, statewide, or district office, to the authority responsible for certifying the names of the candidates for placement on the ballot.

(c) If the judgment orders that a new general or special election be held, the clerk shall deliver a copy to the authority responsible for ordering the election. If the judgment orders a new primary election, the clerk shall deliver a copy to the state chair of the appropriate political party, in the case of a federal, statewide, or district office, or to the county chair, in the case of a county or precinct office.

SECTION 9.31. Section 232.013(d), Election Code, is amended to read as follows:



(d) If the contested election is a primary, the district clerk shall deliver a certified copy of the order setting the date of the runoff to the state chair of the political party in the case of a federal, statewide, or district office or to the county chair in the case of a county or precinct office.

SECTION 9.32. Section 232.048(c), Election Code, is amended to read as follows:

(c) The candidate receiving the most votes in a new election ordered by a court in a primary election contest is the political party's nominee, regardless of whether the candidate receives a majority vote, if the date of the final canvass of the court-ordered primary is on or after:

(1) the 85th day before the date of the succeeding general election in the case of a federal, statewide, or district office; or

(2) the 75th day before the date of the succeeding general election in the case of a county or precinct office.

SECTION 9.33. Section 252.005, Election Code, is amended to read as follows:

Sec. 252.005. AUTHORITY WITH WHOM APPOINTMENT FILED: CANDIDATE. An individual must file a campaign treasurer appointment for the individual's own candidacy with:

(1) the commission, if the appointment is made for candidacy for:

(A) a federal office;

(A-1) a statewide office;

(B) a district office filled by voters of more than one county;

(C) a judicial district office filled by voters of only one county;

(D) state senator;

(E) state representative; or

(F) the State Board of Education;

(2) the county clerk, if the appointment is made for candidacy for a county office, a precinct office, or a district office other than one included in Subdivision (1);

(3) the clerk or secretary of the governing body of the political subdivision or, if the political subdivision has no clerk or secretary, with the governing body's presiding officer, if the appointment is made for candidacy for an office of a political subdivision other than a county;

(4) the county clerk if:

(A) the appointment is made for candidacy for an office of a political subdivision other than a county;

(B) the governing body for the political subdivision has not been formed; and

(C) no boundary of the political subdivision crosses a boundary of the county; or

(5) the commission if:

(A) the appointment is made for candidacy for an office of a political subdivision other than a county;

(B) the governing body for the political subdivision has not been formed; and

(C) the political subdivision is situated in more than one county.

**Amendment No. 57 - Point of Order**

Representative J. Turner raised a point of order against further consideration of Amendment No. 57 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

(Speaker in the chair)

The point of order was withdrawn.

Amendment No. 57 was withdrawn.

**Amendment No. 58**

Representatives Cain and Burrows offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) as follows:

(1) Strike page 44, line 27, through page 45, line 1, and substitute the following:

(1) votes or attempts to vote in an election if ~~[in which]~~ the person knows:

(A) of particular circumstances that make the person [is] not eligible to vote in the election; and

(B) that those circumstances make the person not eligible to vote in the election;

(2) On page 44, line 19, between the words "by" and "adding" insert "amending Section 4 and by".

(3) On page 44, between lines 19 and 20, insert the following:

Sec. 4. The Court of Criminal Appeals ~~[Office of Court Administration of the Texas Judicial System]~~ shall promulgate a standardized felony judgment form that conforms to the requirements of Section 1 of this article. A court entering a felony judgment ~~[judgement]~~ shall use the form promulgated under this section.

(4) Strike page 45, lines 22-27, and substitute the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. Notwithstanding Section 10.03 of this Act, the change in law made by this Act to Section 64.012(a)(1), Election Code, applies to an offense regardless of whether the offense was committed before, on, or after the effective date of this Act.

Amendment No. 58 was adopted.

**Amendment No. 59**

Representative Zwiener offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 9 of the bill and renumbering subsequent SECTIONS of ARTICLE 9 accordingly:

SECTION 9. \_\_\_\_\_. Subchapter C, Chapter 18, Election Code, is amended by adding Section 18.0682 to read as follows:

Sec. 18.0682. NOTICE REGARDING POTENTIAL ELIGIBILITY. (a) A court shall provide notice as described by this section to each person convicted of a felony over whom the court has jurisdiction who has:

(1) fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court; or

(2) been pardoned or otherwise released from the resulting disability to vote.

(b) The court shall provide notice under this section to a person described by Subsection (a) that the person may be eligible to vote.

(c) Notice under this section must be both verbal and written.

(d) Notice under this section may be given through an agent of the court, including a parole officer.

(e) The secretary of state shall adopt rules as necessary to implement this section.

A record vote was requested by Representative C. Turner.

Amendment No. 59 failed of adoption by (Record 54): 37 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Dominguez; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 54 was taken, I was absent. I would have voted yes.

Campos

When Record No. 54 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 54 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 54 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 54 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

**Amendment No. 60**

Representative Rose offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by striking the SECTION of the bill containing the effective date of the Act and substituting the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. This Act takes effect on the later of:

(1) the date on which the secretary of state submits a study to the legislature that:

(A) provides an analysis of the effects of this Act on voters who vote by mail and voters who may desire to vote by mail, disaggregated by ethnicity, race, and county;

(B) provides an analysis of the potential impact of the changes in law made by this Act on voter turnout based on:

(i) aggregate county-level turnout data; and

(ii) survey data from current population surveys conducted by the United States Census Bureau;

(C) provides an analysis of the potential impact of the changes in law made by this Act on the election-related activities, including voting, of community members who are members of racial and ethnic minority groups;

(D) uses legal and social scientific methods that:

(i) are consistently used in published research journals; and

(ii) have been recognized as reliable in one or more published court opinions; and

(E) is performed by academics employed by a university in this state rated at "tier one" by the Carnegie Classification of Institutions of Higher Education under a contract entered into with the secretary of state; or

(2) the 91st day after the last day of the legislative session.

A record vote was requested by Representative C. Turner.

Amendment No. 60 failed of adoption by (Record 55): 37 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Dominguez; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 55 was taken, I was absent. I would have voted yes.

Campos

When Record No. 55 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 55 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 55 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 55 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

#### Amendment No. 61

Representative Neave offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by striking page 47, lines 8 and 9, and substituting the following:

SECTION 10.04. Subject to Section 10.05 of this article, this Act takes effect on the 91st day after the last day of the legislative session.

SECTION 10.05. No provision of this Act shall take effect until:

(1) the attorney general institutes an action in the United States District Court for the District of Columbia for a declaratory judgment that the changes in law made by this Act have neither the purpose nor will have the effect of denying or abridging the right to vote on account of race or color or in contravention of the guarantees set forth in 52 U.S.C. Section 10303(f)(2), and that court issues such a judgment; and

(2) the United States attorney general issues a written opinion stating that the changes in law made by this Act have neither the purpose nor will have the effect of denying or abridging the right to vote on account of race or color or in contravention of the guarantees set forth in 52 U.S.C. Section 10303(f)(2).

A record vote was requested by Representative C. Turner.

Amendment No. 61 failed of adoption by (Record 56): 36 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 56 was taken, I was absent. I would have voted yes.

Campos

When Record No. 56 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 56 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 56 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 56 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

**Amendment No. 62**

Representative Krause offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering the SECTIONS of that ARTICLE accordingly:

SECTION 1.\_\_\_\_. Section 1.012, Election Code, is amended by adding Subsections (c-1), (c-2), and (c-3) to read as follows:

(c-1) Except as provided by Subsections (c-2) and (c-3) and notwithstanding any other law, including Section 66.058, a cast ballot becomes public information under Chapter 552, Government Code, on the 60th day following the date of the election. When responding to a request for public information to which a ballot is responsive, the custodian shall produce a copy of the ballot and may not produce the original ballot.

(c-2) Any information on a ballot subject to a request for public information that could be used to identify an individual is confidential and shall be withheld and redacted from the copy of the ballot.

(c-3) If a ballot cast in a precinct containing five or fewer registered voters on election day is responsive to a request for public information, the governmental body, as that term is defined under Section 552.003, Government Code, that produces the copy of the ballot shall take reasonable measures to ensure that production of the copy does not have the effect of disclosing the ballot selections of any voter in that precinct. Reasonable measures to prevent disclosure of ballot selections under this subsection may include redacting precinct identifying information, modifying the request for public information to include portions of ballots from additional precincts, and aggregating responsive records from multiple precincts.

**Amendment No. 62 - Point of Order**

Representative Ortega raised a point of order against further consideration of Amendment No. 62 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 62 was withdrawn.

**Amendment No. 63**

Representatives Clardy and Middleton offered the following amendment to **CSSB 1**:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 2. \_\_\_\_\_. Subchapter B, Chapter 87, Election Code, is amended by adding Section 87.028 to read as follows:

Sec. 87.028. ACCESS TO INFORMATION. (a) On request, a county election official shall provide to a member of an early voting ballot board all available information necessary to fulfilling the functions of the board, including any information from the statewide computerized voter registration list under Section 18.061.

(b) On request, a county election official shall provide to a member of a signature verification committee all available information necessary to fulfilling the functions of the committee, including any information from the statewide computerized voter registration list under Section 18.061.

(c) The secretary of state shall adopt rules as necessary to prevent a member of an early voting ballot board or signature verification committee from retaining or sharing personally identifiable information from the statewide computerized voter registration list under Section 18.061 obtained under this section for any reason unrelated to the official's official duties.

Amendment No. 63 was adopted. (Perez recorded voting no.)

A record vote was requested by Representative C. Turner.

**CSSB 1**, as amended, was passed to third reading by (Record 57): 79 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.



### STATEMENTS OF VOTE

When Record No. 57 was taken, I was absent. I would have voted no.

Beckley

When Record No. 57 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 57 was taken, I was absent. I would have voted no.

Crockett

When Record No. 57 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 57 was taken, I was in the house but away from my desk. I would have voted no.

M. González

When Record No. 57 was taken, I was absent. I would have voted no.

Martinez

When Record No. 57 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 57 was taken, I was absent. I would have voted no.

Morales Shaw

When Record No. 57 was taken, I was absent. I would have voted no.

Muñoz

When Record No. 57 was taken, I was temporarily out of the house chamber. I would have voted no.

Perez

When Record No. 57 was taken, I was absent. I would have voted no.

Rodriguez

When Record No. 57 was taken, I was absent. I would have voted no.

Romero

### REASONS FOR VOTE

Representative Beckley submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocol or procedures to address the recent surge in the spread of COVID on the house floor and the Capitol buildings in general. Until the issue is addressed and safety measures are put in place to protect members of the Texas Legislature, I will not be present on the floor, but have included my statement on **CSSB 1**.

**CSSB 1** is a restrictive and discriminatory voting bill. There are restrictions on early voting and overnight voting is prohibited entirely, making it harder for those who work long or irregular hours and those with family or child-care responsibilities to vote.

**CSSB 1** empowers partisan poll watchers to harass and intimidate voters and makes it harder for election judges to remove watchers from a polling place when necessary, including when those watchers break the law.

The bill removes safeguards for partisan signature verification committees, making it easier to erroneously throw out mail ballots based on personal opinions of a voter's signature, with no required training in handwriting analysis.

**CSSB 1** would make it harder than ever to assist voters needing help either at the polls or when filling out a mail ballot.

**CSSB 1** creates new restrictions that likely violate the ADA, intrusively requires private information, and criminalizes honest mistakes made by those providing assistance.

**CSSB 1** also creates a criminal offense for vote harvesting, which is vaguely defined and could be construed to include any interactions between campaigns and voters.

Due to aforementioned reasons, I would have voted "no."

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

Our nation, and our democracy, was viciously attacked on January 6th by insurrectionists that were emboldened and encouraged by elected officials in Texas. They were inspired by "The Big Lie," a lie perpetuated by the highest officeholders in our state, as well as by my republican colleagues. This insurrection and the inaccurate statements hurled all over national news made their way to Texas' legislative process. And now, republican leaders have codified these egregious lies into Texas law.

During the Regular Session, as Vice-chair of the Elections Committee, I led the fight against misinformation and a suite of attempts to restrict Texans' fair and free right to vote. In the Elections Committee, members heard continuously from community advocacy organizations like NAACP, LULAC, and the Texas Civil Rights Project that these voter suppression bills would likely disparately impact people of color, seniors, and people with disabilities. It was no surprise that throughout the legislative process, we saw women legislators of color being silenced during debate on bills that would further promote republicans' frightful and divisive attacks on the franchise.

**SB 1** will give partisan poll watchers unfettered access to the polling site; outlaws drive-thru voting, 24-hour voting, and other strategies to make voting easier; makes it harder to vote by mail; and implements other voter suppression tactics that will create a long-lasting, chilling effect on Texas voters.

History will look back on this bill in disgust and will remember those who voted yea, those who voted nay, those who ended a historic quorum break, and the courageous members that stayed off the house floor and protested the passage of this bill until the very moment votes were recorded. I am proud to have helped organize two historic quorum breaks that effectively stopped this language from

becoming law, one lasting 38 days. With confidence, on behalf of the residents of House District 104 and the people of Texas, I express my strong and complete opposition to **SB 1**. I would have voted "no."

Representative Martinez Fischer submitted the following reason for vote to be printed in the journal:

I have served in the Texas House of Representatives for 20 years. In that time, I have seen bills that are damaging and that cause harm to our state. I've fought against them in the committee room and on the house floor. I've even fought them all the way up to the United States Supreme Court.

The process isn't always perfect. In fact, it rarely is. But in my 20 years of service, rarely have I felt the process was so broken that denying quorum was the only option to defend my constituents. The knowingly deceitful tactics employed in the pursuit of this discriminatory omnibus elections legislation forced our hand.

Legislating to ensure free and fair elections is more foundational than anything we do as a body. Every drafting decision, every amendment, and every floor vote impacts the ability of our constituents to exercise one of their most sacred and cherished rights: the freedom to vote. When the stakes are this high, the process has to reflect that.

**CSSB 1** has one purpose: to stop people from voting. More than that, it tries to stop certain people from voting—people that look like me, my family, and my community. I cannot abide by that.

If my colleagues in the majority cared about crafting a sound policy, they would have offered in good faith to negotiate with the minority. Instead, we found ourselves on the receiving end of social media stunts and "Wanted" poster graphics that put a literal target on the backs of black and brown members like me.

If they cared about public input, they would have started taking testimony on the elections bill earlier than nearly 2 a.m. in the morning during the first called special session. They would not have voted immediately after taking hours upon hours of public testimony, denying members the time to reflect on what they had heard.

The quality of our policy reflects the quality of our process. In short, if the majority cared about the process, they would have gone to every length to ensure transparency and good faith engagement with the public and with their colleagues in the minority party. They opted instead for a hasty, sloppy, self-serving process that has left the People's House in a shambles.

I cannot in good conscience be a party to this farce. I remain opposed to **CSSB 1** and will continue to work for federal voting rights protections for all Americans.

Representative Muñoz submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocols or procedures in place to address the recent surge in the spread of COVID or the delta variants on the house floor or the Capitol buildings. Several positive cases have been confirmed on the floor, yet there is no mask mandate or daily testing required.

I cannot in good conscience support **CSSB 1** and have included my statement on **CSSB 1** below:

**CSSB 1** is a restrictive and discriminatory voting bill. Since my first session in 2011, the Texas Legislature has passed numerous voting restriction bills that have been found to be discriminatory in several federal cases filed challenging such discriminatory intent and purpose. The current bill, **CSSB 1**, is not necessary and is based on unfounded, toxic, political rhetoric because certain individuals cannot and will not accept the outcome of the election of November 2020. Additionally, the legislative process has been tainted and manipulated in such a way that meaningful and substantive debate on the issues are sidelined because of political affiliation and personal vendettas. Doing so prevents any meaningful debate and/or changes to legislation that could benefit the whole state, not just a select few. Furthermore, the inability to engage in debate, in favor or against, is an affront to the legislative process that so many portray they feel strongly about preserving, just like the institution itself. Today, even freedom of speech by using the word "racism" has also been frowned upon and asked that such a word not be used. Voter intimidation, voter suppression, legislation with a discriminatory impact on minorities, is for all its intended purpose the definition of racism. "Racism" defined, in any form, is "prejudice, discrimination, or antagonism directed against a person or people on the basis of their membership in a particular racial or ethnic group, or the systematic oppression of a racial group to the social, economic, and political advantage of another, typically one that is a minority or marginalized."

There are numerous restrictions on early voting and overnight voting is prohibited entirely, making it harder for those who work long or irregular hours and/or those with family or child-care responsibilities to vote. And no justifiable reason has been given to support such a ban.

**CSSB 1** unnecessarily empowers partisan poll watcher(s) to harass and intimidate voters and makes it harder for election judges to remove watchers from a polling place when necessary, including instances when those same poll watchers break the law.

The bill removes safeguards for partisan signature verification committees, making it easier to erroneously throw out mail ballots based on personal opinions of a voter's signature, with no required training.

**CSSB 1** would make it harder than ever to assist voters needing help either at the polls or when filling out a mail ballot. Currently there are several protections in state law that prohibit unlawful assistance and safeguard the vote by mail ballot process.

**CSSB 1** creates new restrictions that likely violate the ADA, intrusively requires private information, and criminalizes honest mistakes made by those providing assistance.

**CSSB 1** also creates criminal offenses related to GOTV programs, which is vaguely defined and could be construed to include any interactions between campaigns and voters.

Unfortunately, the political process and empowering a partisan office that has singled out minorities for prosecution and punishment, in my opinion, does not serve the overall goal of encouraging participation in elections. Such actions only increase voter apathy.

Due to the aforementioned reasons, I would have voted "no."

Representative Ordaz Perez submitted the following reason for vote to be printed in the journal:

When voters speak, our government should listen. What we are seeing here today is a government that doesn't like what its citizens have said, nor the manner in which they said it. My home district in El Paso County was particularly hard-hit by the COVID-19 pandemic. As we saw here in Texas, and throughout the nation, black and Hispanic communities were especially impacted. Among all large counties in the United States with more than 500,000 in population, El Paso County had the second highest infection rate behind Miami-Dade. The death rate was the 10th highest in the United States of all large counties, and El Paso was the only non-East Coast county that experienced such a high death rate.

To put this in perspective, our delegation represents a county that is similar in size to Denton, but saw quadruple the number of deaths. Even though El Paso and Hidalgo Counties have about 20 percent fewer residents than Collin County, these two counties experienced triple the number of deaths respectively. More than 2,700 lives were lost due to this pandemic and our delegation represents many constituents who have lost multiple loved ones to this pandemic since March of last year. So it is no surprise that thousands of responsible Texans in our county, who had not hugged their children and grandchildren for many months, opted to exercise their right to vote in a manner that protected their health and the health of their neighbors.

In my house district, nearly 7,000 voters cast a ballot by mail. Due to the pandemic, many seniors opted to exercise their right to vote by mail. In El Paso County, 28,000 opted to exercise their right to vote by mail—the overwhelming majority of them were seniors aged 65 and older. While Texas republicans have argued that this isn't a partisan issue, the numbers tell a different story. When looking at each party's political base in El Paso County (that is looking at the voters who have voted only in their preferred party's primary) less than 20 percent of eligible republicans aged 65 and older cast a mail-in ballot in 2020, compared with double that number—40 percent—of eligible democrat voters with a history of strictly voting in democrat primaries. Despite the fact that 90 percent of voters have a history of voting in prior elections, which never generated any controversy, what was different about this race? It is simply the manner in which these Texans chose to exercise their right. And for those leading this state government, the thought of more Texans exercising their right to vote is

a threat. And rather than encouraging people, including those from their own party to vote, it is much easier to wield the power of the government to make it harder for other Texans to vote. It's un-American, it's contrary to the values of our nation, and it should be contrary to the values of this state.

As a state representative in El Paso, it's difficult to consider this anything other than a direct attack on my constituents. House District 76 has nearly twice the number of people considered low income compared to the state average. We are 92 percent non-Anglo. There are 61,000 people—or about a third of my constituency—that have recently moved, have a disability, or are active or retired military. All of these populations are being targeted by this legislation—making it more difficult to vote by mail, making it more difficult to prove residency, limiting what is considered a disability, cutting the hours the polls are open, and considering a requirement to be at work to not be an impediment to voting. For those leading this state government, the thought of more Texans exercising their right to vote is a threat. And rather than encouraging people—including those from their own party—to vote, it is much easier to wield the power of the government to make it harder for other Texans to vote. The nation—and the world—are watching, and I am truly ashamed of what they are seeing. It's un-American, it's contrary to the values of our nation, and it should be contrary to the values of this state.

### **POSTPONED BUSINESS**

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

#### **SJR 2 ON SECOND READING**

**(Meyer, Metcalf, Burrows, Noble, and Sanford - House Sponsors)**

**SJR 2**, A joint resolution proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.

**SJR 2** was read second time earlier today and was postponed until this time.

#### **SJR 2 - REMARKS**

**REPRESENTATIVE HOWARD:** I know that we've had a lot of divisive issues coming before us, but I want to come up here to support this truly bipartisan policy. During the regular session, I filed similar legislation, having spotted this oversight in the 86th, and several members shared my worry that we were repeating the mistake of 2006 compression. I worked with Chairman Huberty on this. At the time, we were told **HB 3** did take care of this, but once enacted, we realized it had not. So I filed my bill and SJR in the 87th Regular Session. I cajoled Chairman Meyer for a hearing and, as he knows, kept asking and asking about it, and he finally gave me that hearing.

This body certainly saw the wisdom in making things right with seniors and those with disabilities. Chairman Huberty worked with me to get it onto his **HB 3** fix as an amendment that you all supported, but it needed the constitutional amendment for this to work. Eventually, the SJR did get a hearing, where a republican precinct chair from Representative Jetton's and Senator Kolkhorst's district drove up to testify in support. I hope that Mr. and Mrs. Vrshek are watching right now, as Mr. Vrshek has also been tracking this since **HB 3**'s passage. Unfortunately, this language was stripped in the conference committee for **HB 1525**, and the SJR never got a vote out of Chair Meyer's committee.

I appreciate the leadership in this building resurrecting a good idea and recognizing the mistake in not passing my legislation earlier, but I also hope that political leaders and voters realize that there's plenty of good things to pass that originate from the other side of the aisle. Taking a cue from the Vrsheks, I support this bill, even if it doesn't have my name or party on it, and I would urge the chamber to pass this bill out. Thank you to Chairman Meyer for ushering this important legislation through. I hope we can work together next session on another bipartisan tax break bill—repealing the tampon tax. I support passage.

**SJR 2** was adopted by (Record 58): 116 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Coleman; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Fierro; Frank; Frullo; Gates; Goldman; Goodwin; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Moody; Morales, E.; Morrison; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; 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 — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Dutton; Gervin-Hawkins; González, J.; González, M.; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 58 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 58 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 58 was taken, I was in the house but away from my desk. I would have voted yes.

M. González

When Record No. 58 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 58 was taken, I was absent. I would have voted yes.

Martinez Fischer

When Record No. 58 was taken, I was absent. I would have voted yes.

Morales Shaw

When Record No. 58 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

When Record No. 58 was taken, I was absent. I would have voted yes.

Reynolds

When Record No. 58 was taken, I was absent. I would have voted yes.

Rodriguez

When Record No. 58 was taken, I was absent. I would have voted yes.

Romero

### **GENERAL STATE CALENDAR**

**(consideration continued)**

#### **SB 8 ON SECOND READING**

**(Meyer - House Sponsor)**

**SB 8**, A bill to be entitled An Act relating to the authority of a person who acquires a residence homestead to receive an ad valorem tax exemption for the homestead in the year in which the property is acquired and to the protection of school districts against the resulting loss in revenue.

**SB 8** was passed to third reading. (Perez and Romero recorded voting yes.)

#### **SB 12 ON SECOND READING**

**(Meyer - House Sponsor)**

**SB 12**, A bill to be entitled An Act relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate and to the protection of school districts against the resulting loss in local revenue.



**Amendment No. 1**

Representative Meyer offered the following amendment to **SB 12**:

Amend **SB 12** (house committee printing) on page 7 by striking lines 16 through 18 and substituting the following:

(5) subtracting the amount computed under Subdivision (4) from the amount computed under Subdivision (3); and

Amendment No. 1 was adopted.

**REMARKS ORDERED PRINTED**

Representative Jetton moved to print remarks by Representative Howard on **SJR 2**.

The motion prevailed.

**SB 12 - (consideration continued)**

**SB 12**, as amended, was passed to third reading. (Perez and Romero recorded voting yes.)

**SB 13 ON SECOND READING  
(Hunter - House Sponsor)**

**SB 13**, A bill to be entitled An Act relating to dates of certain elections to be held in 2022.

**SB 13 - REMARKS**

REPRESENTATIVE ANCHIA: In the scheduling bill that you so eloquently laid out, there would be updated timelines depending on when plans were adopted. And these would be congressional plans, State Board of Education plans and, if permitted by the state Constitution, state house, and state senate, district plans. When you were devising these timelines, did you have an opportunity to talk to elections administrators in the large urban counties?

REPRESENTATIVE HUNTER: This is a senate bill that was developed in the senate. I'm the house sponsor, so I relied on the senate. And the senate, I can't speak to who they talked to, but I do know they have visited with the secretary of state. But me, personally? No.

ANCHIA: Thank you for that clarification. The first timeline envisions that plans would be adopted by November 15, 2021, and that the filing period would commence in two weeks and last for two weeks and the primary election day would be March 1, 2022. Do you believe that two weeks is enough time for local election officials, especially in large counties like Dallas, to inform voters, modify precincts, and notify potential candidates of changes caused by redistricting?

HUNTER: The answer is yes, and I have been through this before where this has worked. And since you brought it up, so everybody knows, it would be November 29 to December 13, 2021. But the answer is yes.

ANCHIA: So just to be clear, there would be a two-week filing period. Is that correct?

HUNTER: Approximately. I haven't counted from the 29th to the 13th, but the answer is approximately correct.

ANCHIA: Okay. And can you state the goal of this scheduling bill? What we're trying to achieve here?

HUNTER: Certainly. So the members know, every 10 years you get the census. You go through the redistricting process. This year, the census was delayed. And basically, many of you may not get specific information, RedAppl, until September 1. So you have a different type of situation because the census didn't get produced. What this does is make sure you have a mechanism that you keep your March to May primary runoff without running in the summer. So I want you to remember that, because some of us in here have had to run in a May, June, and July time period. So what the bill does is say if we do things on time, which Chairman Anchia is correct—November 15—primary election stays the same. Primary runoff stays the same. If for some reason we're not able to make that November 15, then we have constructed the plan that if it gets done by December 28, then your filing period is approximately, as Chairman Anchia said, 14 days—January 10 to 24. But if we don't, your primary is April 5 next year and your primary runoff would be June 21 next year. If we don't make that, there is a third basis which is February 7, 2022, if we get it done. The filing period is February 21 through March 7. Your primary election is May 24, 2022, and your runoff is July 26, 2022. So yes, sir, this is the framework. And I do agree with the senate that I think it's a good framework to work from, but you are correct. It's contingent on making sure that we do it by these dates.

ANCHIA: Thank you for that answer. And just to say back to you what I think I heard, the purpose of these timelines was to avoid a summer runoff and not necessarily with a view toward the local election itself but really to avoid the summer runoff, correct?

HUNTER: Well, I wouldn't say that's the only reason, but certainly it would be best, I agree with you, to keep the current schedule—the March to May—than changing things, which could cause confusion, into a summertime. But yes.

ANCHIA: And the thought there being that summer runoffs are typically low turnout for elections and that's something that you'd like to avoid.

HUNTER: Absolutely, especially being from the coast because you don't know if a hurricane will come.

REPRESENTATIVE C. TURNER: I want to ask about the timeline, which you described very well. The timeline is triggered by gubernatorial action under this bill. Is that right?

HUNTER: Well, the timeline is when the redistricting bill is signed, of course, by the governor and starts the process.

C. TURNER: Right. I think it specifically says "'becomes law' on the earlier of the date the governor signs an Act of the 87th Legislature relating to the composition of . . . districts or the date on which the time for gubernatorial action . . . expires." Which is, as I recall, a three-week period, is that right? After a bill is sent to the governor, the governor has three weeks to sign it, veto it, or let it become law without his signature. Is that right?

HUNTER: Correct.

C. TURNER: So under the bill, then, if the legislature—the house and the senate—passes redistricting plans and sends them to the governor, say, on November 1, if the governor chose not to act on those bills until after November 15—he would have until November 22, right? A three-week period? If he waited until after November 15, by delaying action on the maps, he would then cause the primary election to be moved back a month. Is that right?

HUNTER: It would trigger into the next time frame, yes.

C. TURNER: So that flexibility there potentially gives the executive and only the executive the ability—if redistricting happened in that time frame that I just described—the ability to adjust the primary schedule based on his action on the bills.

HUNTER: Depending on the execution, it could change you into different time schedules, like you say. My view is, knowing the governor, because I've known him a long time, I don't think he would delay. I think he would want to do this as quickly and effectively as possible.

C. TURNER: Understand. All right, thank you. I just wanted to clarify that.

### REMARKS ORDERED PRINTED

Representative C. Turner moved to print all remarks on **SB 13**.

The motion prevailed.

#### Amendment No. 1

Representative Hunter offered the following amendment to **SB 13**:

Amend **SB 13** (house committee report) as follows:

(1) On page 3, line 22, strike "A date" and substitute "Except as provided by Subsection (h), a date".

(2) On page 4, between lines 7 and 8, insert the following:

(h) Notwithstanding any other provision of this code, an election for the office of precinct chair held in 2022 shall be held on the same date as the runoff primary election held in 2022 and the precinct chair shall be elected by plurality vote. The secretary of state shall set the dates of the filing period for the election of the precinct chair and shall adjust the schedule for performing any official act relating to an election held under this subsection as necessary for the efficient and orderly administration of the election.

(3) On page 4, line 8, strike "(h)" and substitute "(i)".

HUNTER: We have a mechanical process amendment because you have to do precinct chairs and they have a different type of election. So when we change in our schedules, this sets it up in the statute, in the law, so that they can be elected. I think it's a week after that we have it, but we have to put it in the statute so it is allowed to be done. That's all the amendment does.

Amendment No. 1 was adopted.

A record vote was requested by Representative C. Turner.

**SB 13**, as amended, was passed to third reading by (Record 59): 91 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dutton; Ferro; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Middleton; Morales, E.; 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; Bernal; Bowers; Bucy; Coleman; Dominguez; Goodwin; Hernandez; Howard; Lucio; Moody; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Geren; Guerra; Guillen; Israel; Minjarez.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Muñoz; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 59 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 59 was taken, I was absent. I would have voted no.

Crockett

When Record No. 59 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 59 was taken, I was absent. I would have voted no.

Martinez

When Record No. 59 was taken, I was absent. I would have voted no.  
Martinez Fischer

When Record No. 59 was taken, I was absent. I would have voted no.  
Morales Shaw

When Record No. 59 was taken, I was temporarily out of the house chamber. I would have voted yes.  
Perez

When Record No. 59 was taken, I was absent. I would have voted no.  
Rodriguez

### ADJOURNMENT

Representative Hefner moved that the house adjourn until 11 a.m. tomorrow in memory of the Honorable Wayne Wolfe of Emory.

The motion prevailed.

The house accordingly, at 11:40 p.m., adjourned until 11 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

**HCR 10** (By Craddick), Congratulating James M. Alsup for receiving the West Texan by Nature Award from the Sibley Nature Center.  
To Resolutions Calendars.

**HCR 11** (By Craddick), In memory of Katharyn Carterette Bock of New Braunfels.  
To Resolutions Calendars.

**HR 68** (By Guillen), Congratulating Elva Yolanda Morado on her retirement from the Texas A&M AgriLife Extension Service.  
To Resolutions Calendars.

**HR 69** (By Rogers), Commending Ted D. Matthews for his service as CEO of Eastland Memorial Hospital.  
To Resolutions Calendars.

**HR 70** (By Rogers), Commemorating the Eastland Memorial Hospital 2021 annual gala.  
To Resolutions Calendars.

**HR 71** (By Slaton), Amending the permanent rules of the House of Representatives to require that the back microphone be continuously on at any time the house is in session.

To House Administration.

**HR 73** (By K. Bell), Commemorating the 150th anniversary of the First Baptist Church of Kaufman.

To Resolutions Calendars.

**HR 74** (By K. Bell), Commemorating the 75th anniversary of the Kaufman Lions Club youth baseball and softball program.

To Resolutions Calendars.

**HR 75** (By Price), In memory of Chalys Diane Baker of Amarillo.

To Resolutions Calendars.

**HR 76** (By Davis), Congratulating Kenneth Barr on his receipt of the 2021 Drive to Excellence Award from the North Texas Tollway Authority.

To Resolutions Calendars.

**HR 77** (By Huberty), Congratulating Chase and Lindsey Barker of Houston on the birth of their son, Chase Austin Barker II.

To Resolutions Calendars.

**HR 78** (By Jetton), Commending Loukya Kotla for her service as an intern in the office of State Representative Jacey Jetton.

To Resolutions Calendars.

**HR 79** (By Jetton), Commending Melinda Dae for her service as a legislative intern in the office of State Representative Jacey Jetton.

To Resolutions Calendars.

**HR 80** (By Jetton), Congratulating Goldfish Swim School in Sugar Land on its one-year anniversary.

To Resolutions Calendars.

**HR 81** (By Jetton), Commemorating Indian Independence Day on August 15, 2021.

To Resolutions Calendars.

**HR 82** (By Jetton), Commending Michael Nguyen on his service as a legislative intern in the office of State Representative Jacey Jetton.

To Resolutions Calendars.

**HR 83** (By Jetton), Commending Menita Thakare on her service as a summer intern in the office of State Representative Jacey Jetton.

To Resolutions Calendars.

**HR 84** (By Jetton), Commending Huy Hoang Nguyen and Ngoc Tram Thi Chu of the Creamery Teahouse and Tram's Teahouse for their cultural and community contributions.

To Resolutions Calendars.

**HR 85** (By Jetton), Commending Maria Siddeeqe for her service as a legislative intern in the office of State Representative Jacey Jetton.

To Resolutions Calendars.

**HR 86** (By Jetton), Honoring Anya Kureshi for her service as a legislative intern in the office of State Representative Jacey Jetton.

To Resolutions Calendars.

**HR 87** (By Jetton), Congratulating Al and Frances Luna of Rosenberg on their 60th wedding anniversary.

To Resolutions Calendars.

**HR 88** (By Cole), In memory of Ada Cecilia Collins Anderson of Austin.

To Resolutions Calendars.

**HR 89** (By White), Commending Victoria Denise Herline Engman for her service as an administrative aide in the office of State Representative James White.

To Resolutions Calendars.

**HR 90** (By White), Commending Sebastian Quaid for his service as a legislative aide in the office of State Representative James White.

To Resolutions Calendars.

**HR 91** (By White), Commending Jordan Parr for his service as legislative director in the office of State Representative James White.

To Resolutions Calendars.

**HR 92** (By Huberty), Congratulating William and Sarah Jane Holleman on the birth of their son, James Robert Holleman.

To Resolutions Calendars.

**HR 93** (By Huberty), In memory of David Edward Feille of Atascocita.

To Resolutions Calendars.

**HR 94** (By Jetton), Commending Jason Zhang for his service as a legislative intern in the office of State Representative Jacey Jetton.

To Resolutions Calendars.

## List No. 2

**HB 233** (By Huberty), Relating to providing accelerated instruction for public school students who fail to achieve satisfactory performance on certain assessment instruments.

To Public Education.

**HR 95** (By Wu), Commending Nikita Munsif for her service as a legislative aide in the office of State Representative Gene Wu.

To Resolutions Calendars.

**HR 96** (By Darby and Shine), Amending House Rule 4 Section 9, and Rule 5, Sections 3 and 8.

To House Administration.

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**August 23**

Environmental Regulation - **HB 7**

Public Health - **SB 4**

Ways and Means - **SB 8, SB 12, SJR 2**

**August 24**

Appropriations - **HB 1, HB 5, HB 9, SB 7**

Constitutional Rights and Remedies, Select - **SB 1**

**August 25**

Constitutional Rights and Remedies, Select - **HB 20, SB 6**

Public Education - **SB 15**



# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

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FOURTH DAY — FRIDAY, AUGUST 27, 2021

The house met at 11:19 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 60).

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

Absent, Excused — Morales Shaw.

Absent — Beckley; Campos; Collier; Crockett; Davis; Deshotel; Gervin-Hawkins; González, J.; Guillen; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Neave; Ordaz Perez; Ortega; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

The invocation was offered by Representative Burns as follows:

Most gracious heavenly Father, Lord, we praise you as our creator and thank you for life. We thank you for the blessings you've given us, and we thank you for our circumstances, whatever they may be. I pray for the lost, that they would find Jesus. I pray for those that trust in you, that we would continue to seek and look toward Jesus. And I pray for us all, that we may reflect Jesus as we seek to follow your will. Lord, forgive us when we fail. I give my heart to you in love. In Jesus' name, amen.

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

### LEAVES OF ABSENCE GRANTED

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

Morales Shaw on motion of Perez.

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

Guillen on motion of Lozano.

### MOTION IN WRITING RULES SUSPENDED

Representative Noble offered the following motion in writing:

Mr. Speaker:

I move to suspend Rule 6, Section 11, to authorize the Committee on Resolutions Calendars to prepare and post the Congratulatory and Memorial Resolutions Calendar set for Monday, August 30, not later than 11 a.m. on Monday, August 30.

Noble

The motion was read and prevailed.

### PROVIDING FOR A CONGRATULATORY AND MEMORIAL CALENDAR

Representative Noble moved to set a congratulatory and memorial calendar for 2 p.m. Monday, August 30.

The motion prevailed.

(Davis and Ortega now present)

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for the remainder of today because of personal business:

Canales on motion of Longoria.

Guerra on motion of Longoria.

### SB 1 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Ashby moved to suspend Rule 8, Section 5(d), of the House Rules to designate as co-sponsors for **SB 1** all co-authors for **HB 3**.

The motion prevailed.

### GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

**SB 1 ON THIRD READING****(Murr, Lozano, Clardy, White, Jetton, et al. - House Sponsors)**

**SB 1**, A bill to be entitled An Act relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.

(Neave and Ordaz Perez now present)

**SB 1** was passed by (Record 61): 80 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriiglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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; Lozano; 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; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen; Morales Shaw.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 61 was taken, I was absent. I would have voted no.

Beckley

When Record No. 61 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 61 was taken, I was absent. I would have voted no.

Crockett

When Record No. 61 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 61 was taken, I was absent. I would have voted no.

Martinez

When Record No. 61 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 61 was taken, I was absent. I would have voted no.

C. Morales

When Record No. 61 was taken, I was absent because of important business.  
I would have voted no.

Ramos

When Record No. 61 was taken, I was absent. I would have voted no.

Reynolds

When Record No. 61 was taken, I was absent. I would have voted no.

Rodriguez

### REASONS FOR VOTE

Representative Beckley submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocol or procedures to address the recent surge in the spread of COVID on the house floor and the Capitol buildings in general. Until the issue is addressed and safety measures are put in place to protect members of the Texas Legislature, I will not be present on the floor, but have included my statement on **SB 1**.

**SB 1** is a restrictive and discriminatory voting bill. There are restrictions on early voting and overnight voting is prohibited entirely, making it harder for those who work long or irregular hours and those with family or child-care responsibilities to vote.

**SB 1** empowers partisan poll watchers to harass and intimidate voters and makes it harder for election judges to remove watchers from a polling place when necessary, including when those watchers break the law.

The bill removes safeguards for partisan signature verification committees, making it easier to erroneously throw out mail ballots based on personal opinions of a voter's signature, with no required training in handwriting analysis.

**SB 1** would make it harder than ever to assist voters needing help either at the polls or when filling out a mail ballot.

**SB 1** creates new restrictions that likely violate the ADA, intrusively requires private information, and criminalizes honest mistakes made by those providing assistance.

**SB 1** also creates a criminal offense for vote harvesting, which is vaguely defined and could be construed to include any interactions between campaigns and voters.

Due to aforementioned reasons, I would have voted "no."

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

Our nation, and our democracy, was viciously attacked on January 6th by insurrectionists that were emboldened and encouraged by elected officials in Texas. They were inspired by "The Big Lie," a lie perpetuated by the highest officeholders in our state, as well as by my republican colleagues. This insurrection and the inaccurate statements hurled all over national news made their way to Texas' legislative process. And now, republican leaders have codified these egregious lies into Texas law.

During the Regular Session, as Vice-chair of the Elections Committee, I led the fight against misinformation and a suite of attempts to restrict Texans' fair and free right to vote. In the Elections Committee, members heard continuously from community advocacy organizations like NAACP, LULAC, and the Texas Civil Rights Project that these voter suppression bills would likely disparately impact people of color, seniors, and people with disabilities. It was no surprise that throughout the legislative process, we saw women legislators of color being silenced during debate on bills that would further promote republicans' frightful and divisive attacks on the franchise.

**SB 1** will give partisan poll watchers unfettered access to the polling site; outlaws drive-thru voting, 24-hour voting, and other strategies to make voting easier; makes it harder to vote by mail; and implements other voter suppression tactics that will create a long-lasting, chilling effect on Texas voters.

History will look back on this bill in disgust and will remember those who voted yea, those who voted nay, those who ended a historic quorum break, and the courageous members that stayed off the house floor and protested the passage of this bill until the very moment votes were recorded. I am proud to have helped organize two historic quorum breaks that effectively stopped this language from becoming law, one lasting 38 days. With confidence, on behalf of the residents of House District 104 and the people of Texas, I express my strong and complete opposition to **SB 1**. I would have voted "no."

Representative Israel submitted the following reason for vote to be printed in the journal:

The right to vote is sacred and fundamental to our democracy. We should spend our limited time in this body on measures that help more Texans vote safely and securely, like online voter registration. Given the many other pressing priorities of our state at this time, I fundamentally oppose this legislation and further attempts to restrict the right to vote.

Representative Martinez Fischer submitted the following reason for vote to be printed in the journal:

I have served in the Texas House of Representatives for 20 years. In that time, I have seen bills that are damaging and that cause harm to our state. I've fought against them in the committee room and on the house floor. I've even fought them all the way up to the United States Supreme Court.

The process isn't always perfect. In fact, it rarely is. But in my 20 years of service, rarely have I felt the process was so broken that denying quorum was the only option to defend my constituents. The knowingly deceitful tactics employed in the pursuit of this discriminatory omnibus elections legislation forced our hand.

Legislating to ensure free and fair elections is more foundational than anything we do as a body. Every drafting decision, every amendment, and every floor vote impacts the ability of our constituents to exercise one of their most sacred and cherished rights: the freedom to vote. When the stakes are this high, the process has to reflect that.

**SB 1** has one purpose: to stop people from voting. More than that, it tries to stop certain people from voting—people that look like me, my family, and my community. I cannot abide by that.

If my colleagues in the majority cared about crafting a sound policy, they would have offered in good faith to negotiate with the minority. Instead, we found ourselves on the receiving end of social media stunts and "Wanted" poster graphics that put a literal target on the backs of black and brown members like me.

If they cared about public input, they would have started taking testimony on the elections bill earlier than nearly 2 a.m. in the morning during the first called special session. They would not have voted immediately after taking hours upon hours of public testimony, denying members the time to reflect on what they had heard.

The quality of our policy reflects the quality of our process. In short, if the majority cared about the process, they would have gone to every length to ensure transparency and good faith engagement with the public and with their colleagues in the minority party. They opted instead for a hasty, sloppy, self-serving process that has left the People's House in a shambles.

I cannot in good conscience be a party to this farce. I remain opposed to **SB 1** and will continue to work for federal voting rights protections for all Americans.

Representative C. Morales submitted the following reason for vote to be printed in the journal:

I take my oath of office very seriously. We broke quorum this session because the republicans do not believe in our democracy and would not even entertain amendments addressing the legitimate concerns of our communities. With no negotiation, fair hearings, or opportunities to work on solutions, we were left with no choice. We left because it is all we could do to stop the detrimental harm to our communities. We left because we believe that voting is the foundation of our democracy.

I would have voted no on a majority of these bills because it was a partisan agenda that was not good for Texans. From the beginning, the final outcome had been determined. Millions of taxpayer dollars were spent on special sessions used to punish, harm, and instill fear in communities across our state. I would have voted no because this bill is bad for my community and erases years of progress that we have made as a state.

This is not the end. The COVID-19 pandemic is still ravaging our communities, Texans now cannot access crucial health care, and entire communities will face additional barriers to exercising their rights and participating in our democracy. There will be another special session for redistricting and any other partisan priority that the governor chooses to add to the call. They will not stop, but neither will we. We will continue to represent our constituents and stand up for our communities in whatever way we can. I am proud to represent HD 145.

Representative Muñoz submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocols or procedures in place to address the recent surge in the spread of COVID or the delta variants on the house floor or the Capitol buildings. Several positive cases have been confirmed on the floor, yet there is no mask mandate or daily testing required.

I cannot in good conscience support **SB 1** and have included my statement on **SB 1** below:

**SB 1** is a restrictive and discriminatory voting bill. Since my first session in 2011, the Texas Legislature has passed numerous voting restriction bills that have been found to be discriminatory in several federal cases filed challenging such discriminatory intent and purpose. The current bill, **SB 1**, is not necessary and is based on unfounded, toxic, political rhetoric because certain individuals cannot and will not accept the outcome of the election of November 2020. Additionally, the legislative process has been tainted and manipulated in such a way that meaningful and substantive debate on the issues are sidelined because of political affiliation and personal vendettas. Doing so prevents any meaningful debate and/or changes to legislation that could benefit the whole state, not just a select few. Furthermore, the inability to engage in debate, in favor or against, is an affront to the legislative process that so many portray they feel strongly about preserving, just like the institution itself. Today, even freedom of speech by using the word "racism" has also been frowned upon and asked that such a word not be used. Voter intimidation, voter suppression, legislation with a discriminatory impact on minorities, is for all its intended purpose the definition of racism. "Racism" defined, in any form, is "prejudice, discrimination, or antagonism directed against a person or people on the basis of their membership in a particular racial or ethnic group, or the systematic oppression of a racial group to the social, economic, and political advantage of another, typically one that is a minority or marginalized."

There are numerous restrictions on early voting and overnight voting is prohibited entirely, making it harder for those who work long or irregular hours and/or those with family or child-care responsibilities to vote. And no justifiable reason has been given to support such a ban.

**SB 1** unnecessarily empowers partisan poll watcher(s) to harass and intimidate voters and makes it harder for election judges to remove watchers from a polling place when necessary, including instances when those same poll watchers break the law.

The bill removes safeguards for partisan signature verification committees, making it easier to erroneously throw out mail ballots based on personal opinions of a voter's signature, with no required training.

**SB 1** would make it harder than ever to assist voters needing help either at the polls or when filling out a mail ballot. Currently there are several protections in state law that prohibit unlawful assistance and safeguard the vote by mail ballot process.

**SB 1** creates new restrictions that likely violate the ADA, intrusively requires private information, and criminalizes honest mistakes made by those providing assistance.

**SB 1** also creates criminal offenses related to GOTV programs, which is vaguely defined and could be construed to include any interactions between campaigns and voters.

Unfortunately, the political process and empowering a partisan office that has singled out minorities for prosecution and punishment, in my opinion, does not serve the overall goal of encouraging participation in elections. Such actions only increase voter apathy.

Due to the aforementioned reasons, I would have voted "no."

Representative Ordaz Perez submitted the following reason for vote to be printed in the journal:

When voters speak, our government should listen. What we are seeing here today is a government that doesn't like what its citizens have said, nor the manner in which they said it. My home district in El Paso County was particularly hard-hit by the COVID-19 pandemic. As we saw here in Texas, and throughout the nation, black and Hispanic communities were especially impacted. Among all large counties in the United States with more than 500,000 in population, El Paso County had the second highest infection rate behind Miami-Dade. The death rate was the 10th highest in the United States of all large counties, and El Paso was the only non-East Coast county that experienced such a high death rate.

To put this in perspective, our delegation represents a county that is similar in size to Denton, but saw quadruple the number of deaths. Even though El Paso and Hidalgo Counties have about 20 percent fewer residents than Collin County, these two counties experienced triple the number of deaths respectively. More than 2,700 lives were lost due to this pandemic and our delegation represents many constituents who have lost multiple loved ones to this pandemic since March of last year. So it is no surprise that thousands of responsible Texans in our county, who had not hugged their children and grandchildren for many months, opted to exercise their right to vote in a manner that protected their health and the health of their neighbors.

In my house district, nearly 7,000 voters cast a ballot by mail. Due to the pandemic, many seniors opted to exercise their right to vote by mail. In El Paso County, 28,000 opted to exercise their right to vote by mail—the overwhelming majority of them were seniors aged 65 and older. While Texas republicans have argued that this isn't a partisan issue, the numbers tell a different story. When looking at each party's political base in El Paso County (that is looking at the voters who have voted only in their preferred party's primary) less than



20 percent of eligible republicans aged 65 and older cast a mail-in ballot in 2020, compared with double that number—40 percent—of eligible democrat voters with a history of strictly voting in democrat primaries. Despite the fact that 90 percent of voters have a history of voting in prior elections, which never generated any controversy, what was different about this race? It is simply the manner in which these Texans chose to exercise their right. And for those leading this state government, the thought of more Texans exercising their right to vote is a threat. And rather than encouraging people, including those from their own party to vote, it is much easier to wield the power of the government to make it harder for other Texans to vote. It's un-American, it's contrary to the values of our nation, and it should be contrary to the values of this state.

As a state representative in El Paso, it's difficult to consider this anything other than a direct attack on my constituents. House District 76 has nearly twice the number of people considered low income compared to the state average. We are 92 percent non-Anglo. There are 61,000 people—or about a third of my constituency—that have recently moved, have a disability, or are active or retired military. All of these populations are being targeted by this legislation—making it more difficult to vote by mail, making it more difficult to prove residency, limiting what is considered a disability, cutting the hours the polls are open, and considering a requirement to be at work to not be an impediment to voting. For those leading this state government, the thought of more Texans exercising their right to vote is a threat. And rather than encouraging people—including those from their own party—to vote, it is much easier to wield the power of the government to make it harder for other Texans to vote. The nation—and the world—are watching, and I am truly ashamed of what they are seeing. It's un-American, it's contrary to the values of our nation, and it should be contrary to the values of this state.

Representative Ramos submitted the following reason for vote to be printed in the journal:

Today, on Lyndon B. Johnson's birthday, I am reminded that this was an individual that did not shy away from getting into "Good Trouble." He was not afraid of upsetting people when advocating for issues he was passionate about. In fact, President Johnson signed the Voting Rights Act in 1965 in order to protect our right to vote amidst pushback from the opposition. That is why I am in D.C., to protect Texans' right to vote and to continue fighting for a federal response to the restrictive and discriminatory **SB 1** voting bill.

This is not a bill created to protect Texans; it is a bill that harms them. **SB 1** instead hurts the everyday Texan by placing restrictions on early voting, creating a Class A misdemeanor offense toward election officers overseeing their community's polling place, and makes it harder to assist disabled voters at the polls or when filling out a mail ballot.

I do not support any bill that takes away the freedom to vote.

Representative Rodriguez submitted the following reason for vote to be printed in the journal:

I take my oath of office very seriously. The freedom to vote is central to why I proudly serve HD 51 and is the foundation of our republic. In my nearly 20 years of public service, no issue or fight is more important to me than the fundamental right to our voice in our democracy—our vote.

My colleagues and I started a campaign to preserve our freedom to vote at the end of the regular session, killing a voter suppression bill negotiated in the dark of night and meant to make it harder for all Texans to vote.

We continued this campaign when we broke quorum again and went to Washington, D.C., to do everything we could to push Congress to act. Our efforts were successful and the U.S. House returned early from recess and passed the John Lewis Act (H.R. 4) this week. Every senator and congressman we met with told us our presence in D.C. was critical and making a difference. Even the vice president commended us and implored us to stay the course. Legislators and faith leaders from across the country joined our campaign in Washington, D.C., to push Congress to act and implored us to hold the line.

My colleagues and I started a campaign to protect our freedom to vote and I intend to finish it. That is why I am not going to the house floor today to participate in the erosion of our democracy. Nor will I participate in the charade of republicans pushing through their voter suppression bill, taking no substantive amendments, and ignoring the testimony of hundreds of Texans against this harmful legislation.

### **REMARKS ORDERED PRINTED**

Representative Wu moved to print all remarks on **SB 1**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **SB 1**.]

### **SJR 2 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED**

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate as co-sponsors for **SJR 2** all co-authors for **HJR 2**.

The motion prevailed.

### **SB 8 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED**

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate as co-sponsors for **SB 8** all co-authors for **HB 4**.

The motion prevailed.

**SB 8 ON THIRD READING****(Meyer - House Sponsor)**

**SB 8**, A bill to be entitled An Act relating to the authority of a person who acquires a residence homestead to receive an ad valorem tax exemption for the homestead in the year in which the property is acquired and to the protection of school districts against the resulting loss in revenue.

**SB 8** was passed by (Record 62): 121 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Coleman; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; González, M.; Goodwin; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, E.; Morrison; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Rogers; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; 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 — Canales; Guerra; Guillen; Morales Shaw.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 62 was taken, I was excused because of personal business. I would have voted yes.

Canales

When Record No. 62 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 62 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 62 was taken, I was absent. I would have voted yes.

Martinez Fischer

When Record No. 62 was taken, I was absent. I would have voted yes.

C. Morales

When Record No. 62 was taken, I was excused because of important business. I would have voted yes.

Morales Shaw

When Record No. 62 was taken, I was absent. I would have voted yes.

Rodriguez

**SB 12 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate as co-sponsors for **SB 12** all co-authors for **HB 11**.

The motion prevailed.

**SB 12 ON THIRD READING  
(Meyer - House Sponsor)**

**SB 12**, A bill to be entitled An Act relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate and to the protection of school districts against the resulting loss in local revenue.

**SB 12** was passed by (Record 63): 121 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Coleman; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; González, M.; Goodwin; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, E.; Morrison; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Rogers; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; 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 — Canales; Guerra; Guillen; Morales Shaw.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 63 was taken, I was excused because of personal business. I would have voted yes.

Canales

When Record No. 63 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 63 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 63 was taken, I was absent. I would have voted yes.

Martinez Fischer

When Record No. 63 was taken, I was absent. I would have voted yes.

C. Morales

When Record No. 63 was taken, I was excused because of important business. I would have voted yes.

Morales Shaw

When Record No. 63 was taken, I was absent. I would have voted yes.

Reynolds

When Record No. 63 was taken, I was absent. I would have voted yes.

Rodriguez

**SB 13 ON THIRD READING**

**(Hunter - House Sponsor)**

**SB 13**, A bill to be entitled An Act relating to dates of certain elections to be held in 2022.

**SB 13** was passed by (Record 64): 96 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Fierro; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Middleton; Moody; Morales, E.; 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; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Anchia; Bernal; Cole; Coleman; Dominguez; Dutton; González, M.; Goodwin; Hernandez; Howard; Israel; Lucio; Minjarez; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen; Morales Shaw.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 64 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 64 was taken, I was absent. I would have voted no.

Crockett

When Record No. 64 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 64 was taken, I was absent. I would have voted no.

Martinez

When Record No. 64 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 64 was taken, I was absent. I would have voted no.

C. Morales

When Record No. 64 was taken, I was excused because of important business. I would have voted no.

Morales Shaw

When Record No. 64 was taken, I was absent. I would have voted no.

Reynolds

When Record No. 64 was taken, I was absent. I would have voted no.

Rodriguez

### REASONS FOR VOTE

Representative C. Morales submitted the following reason for vote to be printed in the journal:

I take my oath of office very seriously. We broke quorum this session because the republicans do not believe in our democracy and would not even entertain amendments addressing the legitimate concerns of our communities. With no negotiation, fair hearings, or opportunities to work on solutions, we were left with no choice. We left because it is all we could do to stop the detrimental harm to our communities. We left because we believe that voting is the foundation of our democracy.

I would have voted no on a majority of these bills because it was a partisan agenda that was not good for Texans. From the beginning, the final outcome had been determined. Millions of taxpayer dollars were spent on special sessions used to punish, harm, and instill fear in communities across our state. I would have voted no because this bill is bad for my community and erases years of progress that we have made as a state.

This is not the end. The COVID-19 pandemic is still ravaging our communities, Texans now cannot access crucial health care, and entire communities will face additional barriers to exercising their rights and participating in our democracy. There will be another special session for redistricting and any other partisan priority that the governor chooses to add to the call. They will not stop, but neither will we. We will continue to represent our constituents and stand up for our communities in whatever way we can. I am proud to represent HD 145.

Representative Rodriguez submitted the following reason for vote to be printed in the journal:

I take my oath of office very seriously. The freedom to vote is central to why I proudly serve HD 51 and is the foundation of our republic. In my nearly 20 years of public service, no issue or fight is more important to me than the fundamental right to our voice in our democracy—our vote.

My colleagues and I started a campaign to preserve our freedom to vote at the end of the regular session, killing a voter suppression bill negotiated in the dark of night and meant to make it harder for all Texans to vote.

We continued this campaign when we broke quorum again and went to Washington, D.C., to do everything we could to push Congress to act. Our efforts were successful and the U.S. House returned early from recess and passed the John Lewis Act (H.R. 4) this week. Every senator and congressman we met with told us our presence in D.C. was critical and making a difference. Even the vice president commended us and implored us to stay the course. Legislators and faith leaders from across the country joined our campaign in Washington, D.C., to push Congress to act and implored us to hold the line.

My colleagues and I started a campaign to protect our freedom to vote and I intend to finish it. That is why I am not going to the house floor today to participate in the erosion of our democracy. Nor will I participate in the charade of republicans pushing through their voter suppression bill, taking no substantive amendments, and ignoring the testimony of hundreds of Texans against this harmful legislation.

**CONSTITUTIONAL AMENDMENTS CALENDAR**  
**SENATE JOINT RESOLUTIONS**  
**SECOND READING**

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

**SJR 3 ON SECOND READING**  
**(Kacal, Smith, Cook, et al. - House Sponsors)**

**SJR 3**, A joint resolution 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.

**Amendment No. 1**

Representative A. Johnson offered the following amendment to **SJR 3**:

Amend **SJR 3** (house committee printing) as follows:

(1) On page 1, strike line 22 at "committing" through the end of line 24 and substitute the following:

(1) murder, if the accused intentionally or knowingly caused the death of an individual;

(2) aggravated assault with a deadly weapon, if the assault was committed against a person the accused knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant;

(3) aggravated sexual assault, if the accused used or exhibited a deadly weapon during the commission of the assault; or

(4) aggravated robbery, if the accused used or exhibited a firearm during the commission of the robbery."

(2) On page 2, strike Subsection (e).

Representative Kacal moved to postpone consideration of **SJR 3** until 3 p.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR**  
**HOUSE BILLS**  
**SECOND READING**

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

**HB 9 ON SECOND READING**  
**(by Bonnen, E. Morales, Metcalf, et al.)**

**HB 9**, A bill to be entitled An Act relating to making supplemental appropriations relating to border security and giving direction regarding those appropriations.

(Harris in the chair)

**Amendment No. 1**

Representative Moody offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) by striking the enacting clause (page 1, line 4).

A record vote was requested by Representative Moody.



Amendment No. 1 failed of adoption by (Record 65): 36 Yeas, 82 Nays, 2 Present, not voting.

Yeas — Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morales, E.; 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.

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

Absent, Excused — Canales; Guerra; Guillen; Morales Shaw.

Absent — Beckley; Campos; Collier; Crockett; Davis; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 65 was taken, I was shown voting no. I intended to vote yes.

Allen

When Record No. 65 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 65 was taken, my vote failed to register. I would have voted yes.

M. González

When Record No. 65 was taken, I was absent. I would have voted yes.

Martinez

### Amendment No. 2

Representative Bonnen offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) as follows:

(1) On page 1, between lines 18 and 19, insert the following:

(c) Out of money appropriated by Subsection (a) of this section, the Office of Court Administration, Texas Judicial Council shall transfer \$905,200 to the Comptroller's Department, Judiciary Section for the purpose of providing funding for visiting judges.

(2) On page 3, lines 23 through 24, strike "misdemeanor crimes for district and county attorneys" and substitute "misdemeanor and felony crimes for eligible prosecuting attorneys, as defined by Section 772.0071(a), Government Code,".

(3) Strike page 3, line 26, through page 4, line 4.

(4) On page 4, line 8, strike "two ambulances" and substitute "ambulance services".

(5) On page 4, line 12, strike "ambulances" and substitute "ambulance services".

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

SECTION \_\_\_\_ . BORDER SECURITY REPORTING REQUIREMENT.

(a) In this section, "border security" means activities associated with deterring crimes and enforcing state laws related to offenses listed in Section 772.0071, Government Code, hunting and fishing laws related to poaching, laws for which this state receives federal grants intended to enhance law enforcement, or laws that relate to federal law enforcement operations, between designated entry and exit points in counties:

(1) adjacent to or a portion of which are located within 20 miles of an international border;

(2) adjacent to two counties located on an international border with a population of more than 5,000 and less than 7,500 according to the most recent federal decennial census;

(3) adjacent to the Gulf Intracoastal Waterway, as defined by Section 51.002, Transportation Code; or

(4) included in a disaster declaration relating to border security issued by the governor.

(b) The Department of Public Safety, Military Department, Trusteed Programs within the Office of the Governor, Department of Criminal Justice, Commission on Jail Standards, and Office of Court Administration, Texas Judicial Council, shall report all budgeted and expended amounts and performance indicator results for border security to the Legislative Budget Board.

(c) The entities described by Subsection (b) of this section shall provide the report required by that subsection on a quarterly basis and in the manner prescribed by the Legislative Budget Board. Each report must include, at a minimum:

(1) expended amounts and performance indicators for activities related to enforcing laws described by Subsection (a) of this section that occur:

(A) in each county described by Subsection (a) of this section as well as for statewide activities that support border security; or

(B) in any geographic region outside of the counties described by Subsection (a) of this section, as requested, such as areas identified as smuggling corridors;

- (2) the method of finance of budgeted and expended amounts;
- (3) the object of expense of budgeted and expended amounts;
- (4) regular and overtime pay;
- (5) the quarterly total number of border security-related apprehensions and arrests made by state law enforcement personnel deployed to geographic regions included in the areas described by Subsection (a) of this section, including the number of minors apprehended;
- (6) the total quarterly number of individuals undergoing magistration, prosecution, or conviction for state crimes related to border security;
- (7) the total quarterly number of individuals confined to state correctional facilities converted by the Department of Criminal Justice to confine those accused of state crimes related to border security;
- (8) the quarterly total length, expressed in miles, and type of temporary and permanent fencing, barrier, or wall erected along the international border with Mexico; and
- (9) the quarterly total number and amount of grants issued by the Truusted Programs within the Office of the Governor to local jurisdictions and counties included in the area described by Subsection (a) of this section.

Amendment No. 2 was adopted.

### Amendment No. 3

Representative Fierro offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) as follows:

(1) On page 3, line 13, strike "\$1,020,290,860" and substitute "\$520,290,860".

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

SECTION \_\_\_\_ . TEXAS WATER DEVELOPMENT BOARD. The amount of \$500,000,000 is appropriated from the General Revenue Fund to the Texas Water Development Board for the two-year period beginning on the effective date of this Act. Money appropriated under this section may be used by the board only for the purpose of ensuring border security by providing funding for grants to counties located on this state's international border with Mexico for flood mitigation projects and only to the extent authorized by law.

Amendment No. 3 failed of adoption.

### Amendment No. 4

Representative Dominguez offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) as follows:

(1) On page 2, line 1, strike "\$133,506,725" and substitute "\$283,506,725".

(2) On page 3, line 13, strike "\$1,020,290,860" and substitute "\$870,290,860".

A record vote was requested by Representative M. González.

Amendment No. 4 failed of adoption by (Record 66): 38 Yeas, 80 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Coleman; Cortez; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Minjarez; 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.

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

Absent, Excused — Canales; Guerra; Guillen; Morales Shaw.

Absent — Beckley; Campos; Collier; Crockett; Davis; Deshotel; Geren; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 66 was taken, I was shown voting no. I intended to vote yes.

Cole

When Record No. 66 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 66 was taken, I was absent. I would have voted no.

Martinez

### HB 9 - POINT OF ORDER

Representative Zwiener raised a point of order against further consideration of **HB 9** under Rule 8, Section 10(b), of the House Rules.

(Speaker in the chair)

The point of order was overruled and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**  
on House Bill 9

Announced in the House on August 27, 2021

Representative Zwiener raises a point of order against further consideration of **HB 9** under Rule 8, Section 10(b), of the House Rules on the grounds that the bill is limited in application to one or more political subdivisions by means of artificial devices.

Ms. Zwiener argues that the provisions of the Bonnen Amendment, adopted by the house, cause the bill to be limited in application in violation of the rule. The Bonnen Amendment included a provision imposing a reporting requirement on specified state agencies. The reporting requirement specifies certain geographical regions for which information is required to be supplied to the Legislative Budget Board. The purpose of the cited section of the rules is to prevent house consideration of unconstitutional local bills. **HB 9** is an appropriations bill, and the complained-of section is a reporting requirement related to the use of state funds by state agencies. The language identified by Ms. Zwiener does not limit the application of the bill.

Accordingly, the point of order is respectfully overruled.

**LEAVE OF ABSENCE GRANTED**

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

Ramos on motion of Neave. (Middleton recorded voting no.)

**HB 9 - (consideration continued)**

**Amendment No. 5**

Representative Ortega offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) as follows:

(1) On page 1, strike lines 5 through 12 and substitute the following:

SECTION 1. OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL. (a) The amount of \$32,486,125 is appropriated from the General Revenue Fund to the Office of Court Administration, Texas Judicial Council for the two-year period beginning on the effective date of this Act for the purposes of:

(1) providing funding for indigent legal representation, foreign language interpreters for courts, increased staff functions, equipment purchases, and program administration costs; and

(2) collecting and making available upon request to a member of the public all open court records, including probable cause affidavits.

(2) On page 2, strike lines 21 through 25 and substitute the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. DEPARTMENT OF CRIMINAL JUSTICE. The amount of \$273,700,000 is appropriated from the general revenue fund to the Department of Criminal Justice for the two-year period beginning on the effective date of this Act for the purposes of:

(1) providing funding for correctional security operations; and  
 (2) making available upon request to a member of the public information concerning persons confined in the Dolph Briscoe Unit, including each person's name, the county where the person was arrested, the name of the law enforcement agency that arrested the person, the amount of the person's bond, and the name of the attorney who represented the person.

A record vote was requested by Representative M. González.

Amendment No. 5 failed of adoption by (Record 67): 39 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Collier; Crockett; Davis; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 67 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 67 was taken, I was absent. I would have voted yes.

Martinez

#### Amendment No. 6

Representative J. Turner offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) as follows:

(1) On page 3, line 13, strike "\$1,020,290,860" and substitute "\$970,290,860".

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

SECTION \_\_\_\_ . HEALTH AND HUMAN SERVICES COMMISSION. The amount of \$50,000,000 is appropriated from the General Revenue Fund to the Health and Human Services Commission for the two-year period beginning on the effective date of this Act for the purpose of providing grants as authorized by other law to non-profit organizations that provide assistance to migrants at the state's international border with Mexico.

A record vote was requested by Representative M. González.

Amendment No. 6 failed of adoption by (Record 68): 39 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Collier; Crockett; Davis; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 68 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 68 was taken, I was absent. I would have voted yes.

Martinez

**Amendment No. 7**

Representative A. Johnson offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) on page 1, line 10, between "purchases," and "and", by inserting "the printing of magistrate forms in Spanish, Latin American Indigenous languages, and the languages of the top five countries of origin of those seeking asylum at this state's international border with Mexico,".

A record vote was requested by Representative M. González.

Amendment No. 7 failed of adoption by (Record 69): 39 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Collier; Crockett; Davis; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 69 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 69 was taken, I was absent. I would have voted yes.

Martinez

**Amendment No. 8**

Representative T. King offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) on page 3, line 18, by inserting the following after the period:



A border security grant made with money appropriated by this subsection may be awarded to a local law enforcement agency to reimburse a landowner for damages caused to the landowner's property as a result of a car chase involving undocumented immigrants along this state's international border with Mexico.

A record vote was requested by Representative M. González.

Amendment No. 8 failed of adoption by (Record 70): 54 Yeas, 66 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Dominguez; Dutton; Fierro; Frullo; Geren; González, M.; Goodwin; Harless; Hernandez; Herrero; Holland; Howard; Huberty; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Paddie; Perez; Price; Raney; Rose; Rosenthal; Stucky; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Gates; Goldman; Harris; Hefner; Hull; Hunter; Jetton; King, P.; Klick; Krause; Landgraf; Leach; Leman; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Collier; Crockett; Davis; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 70 was taken, I was shown voting no. I intended to vote yes.

Darby

When Record No. 70 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 70 was taken, I was absent. I would have voted yes.

Martinez

**Amendment No. 9**

Representatives T. King and E. Morales offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) on page 3, between lines 18 and 19, by inserting the following appropriately designated subsection and relettering subsequent subsections appropriately:

( ) The money appropriated by Subsection (a) of this section may not be used to:

- (1) acquire property through the exercise of eminent domain; or
- (2) build a barrier along this state's international border with Mexico on property acquired through the exercise of eminent domain.

Amendment No. 9 was adopted.

**Amendment No. 10**

Representative Zwiener offered the following amendment to **HB 9**:

Amend **HB 9** (house committee report) as follows:

- (1) On page 2, line 21, between "JUSTICE." and "The", insert "(a)".
- (2) On page 2, between lines 25 and 26, insert the following appropriately lettered subsection:

( ) Money appropriated under this section may not be used to hold or detain individuals solely for the offense of criminal trespass under Section 30.05, Penal Code.

**LEAVE OF ABSENCE GRANTED**

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

Collier on motion of Neave. (Middleton recorded voting no.)

**HB 9 - (consideration continued)**

A record vote was requested by Representative M. González.

Amendment No. 10 failed of adoption by (Record 71): 39 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Davis; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 71 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 71 was taken, I was absent. I would have voted yes.

Martinez

#### Amendment No. 11

Representative Zwiener offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) as follows:

(1) On page 3, line 13, strike "\$1,020,290,860" and substitute "\$770,290,860".

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

SECTION \_\_\_\_ . PUBLIC UTILITY COMMISSION OF TEXAS. The amount of \$250,000,000 is appropriated from the General Revenue Fund to the Public Utility Commission of Texas for the two-year period beginning on the effective date of this Act for the purpose of providing funding to improve the reliability of the electric power grid to ensure that border security operations are stable and reliable.

#### Amendment No. 11 - Point of Order

Representative Slaton raised a point of order against further consideration of Amendment No. 11 under Rule 8, Section 4, of the House Rules on the grounds that the amendment changes general law through an appropriations bill.

(Harris in the chair)

The point of order was withdrawn.

#### Amendment No. 11 - Point of Order

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

(Speaker in the chair)

The point of order was withdrawn.

A record vote was requested by Representative M. González.

Amendment No. 11 failed of adoption by (Record 72): 40 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Slawson; Thierry.

#### STATEMENTS OF VOTE

When Record No. 72 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 72 was taken, I was absent. I would have voted yes.

Martinez

#### HB 9 - POINT OF ORDER

Representative Ortega raised a point of order against further consideration of **HB 9** under Rule 4, Section 32, of the House Rules on the grounds that the bill analysis is materially misleading. The point of order was withdrawn.

#### Amendment No. 12

Representative C. Turner offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) on page 3, between lines 18 and 19, by inserting the following appropriately designated subsection:

( ) Out of money appropriated by Subsection (a) of this section, the amount of \$200,000,000 may be used only to provide funding for grants for training law enforcement officers in counties adjacent to this state's international border with Mexico during the state fiscal biennium beginning September 1, 2021. Department officers must receive appropriate training, including academy and in-service training, in the following:

- (1) immigration law related to protections for victims of crime or persecution;
- (2) use of force and tactical withdrawal in reducing the need for lethal force;
- (3) social and cultural sensitivity toward border communities and the impact of border operations on communities and residents;
- (4) language and basic cultural awareness of major migrant-sending nations;
- (5) best practices in community policing and civil and human rights;
- (6) response to grievances and referral of complaints; and
- (7) identification of and response to vulnerable populations, including persons expressing potential grounds for asylum, children, victims of crime and human trafficking, and individuals fleeing persecution or torture.

A record vote was requested by Representative M. González.

Amendment No. 12 failed of adoption by (Record 73): 40 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

## STATEMENTS OF VOTE

When Record No. 73 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 73 was taken, I was absent. I would have voted yes.

Martinez

**Amendment No. 13**

Representative Goodwin offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) on page 3, between lines 18 and 19, by inserting the following appropriately designated subsection:

( ) Out of money appropriated by Subsection (a) of this section, the amount of \$500,000 may be used only to provide funding for grants to counties adjacent to this state's international border with Mexico and municipalities within those counties to cover those counties' and municipalities' costs to house processed and quarantined COVID-positive asylum seekers during the state fiscal biennium beginning September 1, 2021.

A record vote was requested by Representative M. González.

Amendment No. 13 failed of adoption by (Record 74): 40 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.; Tindereholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 74 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 74 was taken, I was absent. I would have voted yes.

Martinez

**Amendment No. 14**

Representative Howard offered the following amendment to **HB 9**:

Amend **HB 9** on page 3, by striking lines 19-25 and substituting the following:

(b) The amount of \$3,765,000 is appropriated from the General Revenue Fund to the Trusteed Programs within the Office of the Governor for the purpose of providing funding for additional full-time equivalent (FTE) employees and for additional training regarding:

(1) the handling of misdemeanor crimes for district and county attorneys; and

(2) the handling of crimes of sexual violence and human trafficking for state and local law enforcement agencies operating at the border. The training shall be developed in accordance with evidence-based best practices; this can include best practices identified by the Sexual Assault Survivors' Task Force within the Office of the Governor. The training shall be developed and implemented by sexual assault nonprofit coalitions as defined by Section 420.003 (7-a) of the Texas Government Code. The Trusteed Programs within the Office of the Governor shall provide additional grant funding, as necessary, for the purposes of this section.

Amendment No. 14 was withdrawn.

**Amendment No. 15**

Representative E. Morales offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) on page 3, between lines 25 and 26, by inserting the following appropriately designated subsection and re-designating accordingly any subsequent subsections of SECTION 6 of the bill:

( ) Out of money appropriated by Subsection (a) of this section, the amount of \$14,000,000 in each state fiscal year of the state fiscal biennium beginning September 1, 2021, may be used only to provide funding for grants to counties adjacent to this state's international border with Mexico to cover those counties' costs for court-appointed attorneys, court recordings, additional law enforcement personnel and equipment, overtime pay for law enforcement personnel, and other expenses related to non-citizens held in county jail facilities, and for non-citizen autopsies.

Amendment No. 15 was adopted.

**Amendment No. 16**

Representative Fierro offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) on page 3, between lines 25 and 26, by inserting the following appropriately designated subsection and re-designating accordingly any subsequent subsections of SECTION 6 of the bill:

( ) Out of money appropriated by Subsection (a) of this section, the amount of \$510,145,430 may be used only for the purpose of making grants to local law enforcement agencies for border security operations in the areas served by those agencies during the two-year period beginning on the effective date of this Act.

A record vote was requested by Representative M. González.

Amendment No. 16 failed of adoption by (Record 75): 38 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Darby; Deshotel; Dutton; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Wu.

**STATEMENTS OF VOTE**

When Record No. 75 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 75 was taken, I was absent. I would have voted yes.

Martinez



**Amendment No. 17**

Representative Minjarez offered the following amendment to **HB 9**:

Amend house committee report for **HB 9** by adding the following new SECTION and renumbering subsequent SECTIONS accordingly:

(1) SECTION 8. PROHIBITION ON EXPENDITURES. None of the funds appropriated by this Act may be expended to construct or renovate a physical barrier, wall, or other construction project creating a permanent barrier on public or private land bordering this state and Mexico.

A record vote was requested by Representative M. González.

Amendment No. 17 failed of adoption by (Record 76): 39 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 76 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 76 was taken, I was absent. I would have voted yes.

Martinez

**Amendment No. 18**

Representative Goodwin offered the following amendment to **HB 9**:

Amend **HB 9** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . BORDER WALL SPENDING REQUIREMENT. Notwithstanding any other provision of this Act or Chapter 1053 (**SB 1**), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), during the state fiscal biennium beginning September 1, 2021, a state agency may spend appropriated money to construct a wall, fence, or other barrier in the region of this state's international border only in an area for which the Texas Water Development Board and the Texas Commission on Environmental Quality have conducted a study on flooding and water quality.

A record vote was requested by Representative M. González.

Amendment No. 18 failed of adoption by (Record 77): 39 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Allen; Beckley; Bonnen; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Holland; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 77 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 77 was taken, I was absent. I would have voted yes.

Martinez

### HB 9 - POINT OF ORDER

Representative Zwiener raised a point of order against further consideration of **HB 9** under Rule 8, Section 19, of the House Rules and under Article III, Section 39, of the Texas Constitution on the grounds that the bill has an improper effective date.

(Goldman in the chair)

The point of order was withdrawn.

### Amendment No. 19

Representatives Howard, Button, and Neave offered the following amendment to **HB 9**:

Amend **HB 9** by striking page 3, lines 19-25, and substituting the following:

(b) The amount of \$3,765,000 is appropriated from the General Revenue Fund to the Trusteed Programs within the Office of the Governor for the purpose, during the two-year period beginning on the effective date of this Act, of providing funding for additional full-time equivalent (FTE) employees and for additional training regarding:

- (1) the handling of misdemeanor and felony crimes eligible for prosecuting attorneys, as defined by Section 772.0071(a), Government Code; and
- (2) the handling of crimes of sexual violence and human trafficking for state and local law enforcement agencies operating at the border.

The training under this subsection shall be developed in accordance with evidence-based best practices, which can include best practices identified by the Sexual Assault Survivors' Task Force within the Office of the Governor. The training shall be developed and implemented by sexual assault nonprofit coalitions as defined by Section 420.993 (7-a), Government Code. The Trusteed Programs within the Office of the Governor shall provide additional grant funding as necessary, for the purposes of this section.

A record vote was requested by Representative M. González.

Amendment No. 19 failed of adoption by (Record 78): 41 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Button; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Harless; Harris; Hefner; Holland; Huberty; Hull; Jetton; Kacal; King, K.; King, P.; Klick; Krause;

Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales; Collier; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Hinojosa; Hunter; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 78 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 78 was taken, I was in the house but away from my desk. I would have voted yes.

M. González

When Record No. 78 was taken, I was absent. I would have voted yes.

Martinez

### Amendment No. 20

Representative Zwiener offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . PROHIBITION ON USE OF APPROPRIATED MONEY.  
An amount appropriated by this Act may not be used to effectuate a policy of separating family units consisting of persons who:

- (1) are not citizens or other nationals of the United States; and
- (2) are not lawfully authorized to be present in the United States under the Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.) or other federal law.

A record vote was requested by Representative M. González.

Amendment No. 20 failed of adoption by (Record 79): 40 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales; Collier; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 79 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 79 was taken, I was absent. I would have voted yes.

Martinez

#### HB 9 - REMARKS

REPRESENTATIVE M. GONZÁLEZ: It is difficult for me to stand up here and speak in opposition to my chairman's bill, but I do so because it is very critical that we understand the implications of what we're doing today. During the regular session, I think if you ask any one of us, one of the best moments of the 140 days we spent together was when we passed what I would think is the most beautiful budget we have passed in a long time. A piece of art of legislation, it really honored the needs of every constituent, and it was passed by this legislature unanimously. How do we get to that point? We listen to each other. We work together. We find ways to compromise.

In the first session, we spent \$1.1 billion, an increase of over \$300 million, on border security. Now, we're asking to spend \$1.7 billion. If you put together the other \$250 million already done through budget execution, we're spending over \$3 billion for border security. What could we do with \$3 billion? I can tell you. For a decade I have heard, as I've served in this legislature, how desperately our retired teachers need a cost of living adjustment. I'm sure you have heard the same stories about how over the years the prices of their taxes, the prices of their homes, the prices of their electricity bills have all increased. And yet they're still having to live within the same confines of their retirement.

The financial decisions we make as a body is a moral document. Members, I am from the area in which we are making these appropriations to. I am a very proud border member, and I'm not going to say there aren't things we should be

doing. But is this what we should be doing? Putting aside the needs of some of our most respected educators in our state over a political agenda? Should we be encouraging the weaponizing and the militarization of the border in order to make sure we have something to talk about during campaigns? Do we have a responsibility to ensure that we are not creating another immigration system outside of the federal one?

Members, this is more than an appropriations bill. This is creating border barriers, something that the federal government should be doing. This is creating a completely other judicial system—again, something the federal government should be doing. This is militarizing our border by deputizing our Texas military department, something that we shouldn't be doing. I understand we have been in a gridlock politically because of the moment in time that we're in. But at what point do we move beyond the partisan lines and say maybe there is a better answer to the humanitarian crisis that's on the border? There are multiple lives that we're dealing with in the passage of this legislation. These are kids' lives, women's lives, families' lives on both sides—Texans and people who are migrating here.

I hope that when we leave this body, we will look at and find a way to create public policy that is both compassionate and responsible. Because not only do the migrants that are escaping horrendous conditions deserve that but so do our fellow Texans and the next generation. I know that we're going to pass this piece of legislation, but I hope next legislative session we can come back and act responsibly when it comes to the border realities our state is facing. I urge you to vote no on this piece of legislation.

REPRESENTATIVE LOZANO: I didn't intend to speak on this legislation—I didn't intend to speak on any legislation, actually—but when there are certain things said, I just do need to correct the record. One of the things that's going on in this region of Texas which I grew up in and I currently live in—when we talk about the Brooks County sheriff testifying about what he needs to combat the border crisis, when Representative Donna Howard talks about the amount of women that have outcries about the sexual assault that's going on on the border on Texas soil, we must act. And that's what this legislation is doing.

The claims made that border walls do not work are patently false. The former chief of Border Patrol, Rodney Scott, said in an interview when asked if the border wall is significant—he said, "it's very, very significant." It works. "I would argue that the reason that [the Rio Grande Valley] has had the most apprehensions in the nation has been successes in building out [the] border wall." That's the chief of Border Patrol. Some of my best friends are Border Patrol agents, and they have said that they need this border wall because it helps buy them time to apprehend drug traffickers, coyotes, human smugglers, sex traffickers. This is happening every single day on Texas soil, and we cannot fall asleep at the wheel.

This problem was amplified during the presidential election. The president, President Biden, when he campaigned, he campaigned on easing protocols, including a moratorium on deportations, an end to Donald Trump's "wait in Mexico" policy, and halting construction on the border wall. President Biden

campaigned on halting construction on the border wall. Reckless—reckless rhetoric like his policy on Afghanistan—because that platform gave migrants good reason to believe it would be easier to get into the United States. And so caravan upon caravan upon caravan set sail to the United States. And because they failed to act, there was a border crisis. How bad? So bad that the vice president of the United States in an interview said, while visiting with the president of Guatemala, to those of you who want to come to the United States, do not come. Do not come. Progressives were angry with her. But the executive branch was confused because their policy was failing. And so in that period of chaos, confusion, and failure, Governor Abbott, our legislature, and Chairman Bonnen have brought forth this legislation which will give the sheriffs which testified in those committee hearings—democrat sheriffs—the tools they need. And so I ask you to please support this bill.

### REMARKS ORDERED PRINTED

Representative Harris moved to print remarks by Representative Lozano on **HB 9**.

The motion prevailed.

A record vote was requested by Representative M. González.

**HB 9**, as amended, was passed to engrossment by (Record 80): 81 Yeas, 38 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morales, E.; 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; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; Longoria; Lucio; Minjarez; Moody; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Canales; Collier; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; King, T.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 80 was taken, I was absent. I would have voted no.

Beckley

When Record No. 80 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 80 was taken, I was absent. I would have voted no.

Crockett

When Record No. 80 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 80 was taken, I was absent. I would have voted no.

Martinez

When Record No. 80 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 80 was taken, I was excused because of important business. I would have voted no.

Morales Shaw

When Record No. 80 was taken, I was absent. I would have voted no.

Rodriguez

### REASON FOR VOTE

Representative Beckley submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocol or procedures to address the recent surge in the spread of COVID on the house floor and the Capitol buildings in general. Several members have tested positive and continue to put the rest of the legislative body at risk, whether they are voting from the speaker's chambers or directly from the house floor. Until the issue is addressed and safety measures are put in place to protect members of the Texas Legislature, I will not be present on the floor, but have included my statement on **HB 9**.

**HB 9** would direct almost \$2 billion more in general revenue to address a supposed public safety crisis—\$1 billion of that through a new grant program at the governor's office. **HB 9** would bring state funding on border security to \$2.9 billion, up from \$797 million in 2020-2021.

**HB 9** is a continuation of the governor's and the legislature's ineffective, often illegal, and wasteful border efforts. A staggering amount of state taxpayer funds is being allocated toward border operations that waste resources, threaten the rights of border residents, cruelly send migrants to jail, and unlawfully interfere with the federal immigration system. The governor's new system,



created under an abuse of his emergency disaster authority, of charging migrants, including asylum seekers, with criminal trespass and jailing them at a state prison in an effort to deter migration to Texas and interfere with the immigration process is both unlawful and completely unconscionable.

In the end, Texans in our border communities and people arriving in Texas seeking protection are hurt, and \$1.8 billion more of taxpayer money is dumped into a cruel project to win points with the governor's base—while we could use real leadership that is brave enough to address COVID-19 and fixing the state's damaged electrical grid.

Due to aforementioned reasons, I would have voted "no."

### REMARKS ORDERED PRINTED

Representative Zwiener moved to print remarks by Representative M. González on **HB 9**.

The motion prevailed.

### LEAVE OF ABSENCE GRANTED

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

J. González on motion of Minjarez.

### POSTPONED BUSINESS

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

#### SJR 3 ON SECOND READING

(Kacal, Smith, Cook, et al. - House Sponsors)

**SJR 3**, A joint resolution 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.

**SJR 3** was read second time earlier today and was postponed until this time. Amendment No. 1 was pending at the time of postponement.

A record vote was requested by Representative A. Johnson.

Amendment No. 1 failed of adoption by (Record 81): 40 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Schaefer; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Harless; Harris; Hefner; Holland; Huberty; Hull; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano;

Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Hunter; Jetton; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 81 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 81 was taken, I was absent. I would have voted yes.

Martinez

#### Amendment No. 2

Representative Dominguez offered the following amendment to **SJR 3**:

Amend **SJR 3** (house committee report) on page 2, line 11, immediately after the underlined period, by inserting the following:

The written order may not be disclosed to any person except the defendant, a district attorney, a criminal district attorney, a county attorney with criminal jurisdiction, or a subsequent court of record.

Amendment No. 2 was adopted.

**SJR 3**, as amended, was passed to third reading by (Record 82): 82 Yeas, 34 Nays, 2 Present, not voting.

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

Nays — Allen; Anchia; Bernal; Biedermann; Bowers; Bucy; Cole; Coleman; Davis; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; Lucio; Minjarez; Moody; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Schaefer; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Cortez; Crockett; Deshotel; Dominguez; Gervin-Hawkins; González, M.; Hinojosa; Johnson, J.D.; King, T.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 82 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 82 was taken, I was absent. I would have voted no.

Martinez

When Record No. 82 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 82 was taken, I was absent. I would have voted no.

Rodriguez

### REASON FOR VOTE

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

This session, the house failed to pass meaningful criminal justice reform measures. **SJR 3** and **CSSB 6** reinforce Texas' cash bail system, which doubles down on a criminal justice system that penalizes the poor and affords a higher quality of justice for people that can afford to post bond. This legislation, and other pieces like it, will overcrowd Texas jails. The Texas Legislature should focus on equitable criminal justice reform that does not disproportionately and negatively impact Texas' black and Latino communities. Had I been present, I would have voted no.

### GENERAL STATE CALENDAR

(consideration continued)

#### HB 7 ON SECOND READING

(by Landgraf)

**HB 7**, A bill to be entitled An Act relating to the transportation, storage, or disposal of high-level radioactive waste.

#### HB 7 - REMARKS

REPRESENTATIVE LANDGRAF: Members, on September 13—this coming September 13—the Nuclear Regulatory Commission is poised to issue a license for the storage and disposal of high-level radioactive waste in Texas. That would make Texas unique among the 50 states and is a distinction that we probably don't want to have. So we are taking this opportunity through **HB 7** to formally

give our opposition as a state legislature to the plans that the NRC has. This is something that's quite important to my district because the site where this high-level radioactive waste would be stored would be at a facility that would be licensed in Andrews County, which is in District 81, which I'm very proud to serve. Before I get to any of the other details, I do have a perfecting amendment that I would like to lay out.

### Amendment No. 1

Representative Landgraf offered the following amendment to **HB 7**:

Amend **HB 7** (house committee report) as follows:

- (1) On page 1, line 15, strike "located on university campuses" and substitute "operated by a university".
- (2) On page 2, line 3, strike "Sections 401.072 and 401.073" and substitute "Section 401.072".
- (3) On page 2, strike lines 5 through 8.
- (4) On page 2, line 9, strike "401.073" and substitute "401.072".
- (5) On page 2, lines 12 and 13, strike "located on university campuses" and substitute "operated by a university".

LANDGRAF: This amendment takes care of some issues that we wanted to avoid that could have created inadvertently some unintended consequences related to some of the test reactors and research reactors that we have at some of the research universities here in the State of Texas, both at The UT System and The A&M System and also at Abilene Christian University. And I want to thank Representative Lambert for making sure that this issue was brought to my attention so that we could avoid a situation that could potentially be harmful to some of our research institutions.

REPRESENTATIVE LAMBERT: Thank you for this bill. Thank you especially for this amendment. I just wanted to clarify. You and I have had discussions about the bill and one of the concerns that I've had regarding **HB 7**. I just wanted to ask: **HB 7** exempts out the current commercial nuclear reactors and the current university research reactors. Is that accurate?

LANDGRAF: That's accurate. Yes, sir.

LAMBERT: A research and testing university reactor has been proposed to be created at Abilene Christian University, which is in my district, with the support and the use by The University of Texas and Texas A&M University. Are you aware of that?

LANDGRAF: Yes, sir, I am.

LAMBERT: If that reactor will be permitted after the effective date of **HB 7**, assuming it passes, some have raised concerns that **HB 7** would prohibit that research reactor from being built. This amendment would not prohibit the research reactor from being built. Is that correct?

LANDGRAF: That's correct, and that's our specific intention, yes.

LAMBERT: And this bill will not prohibit advanced nuclear technology reactors from being built in Texas. Is that correct?

LANDGRAF: That's also correct. Yes, sir.

Amendment No. 1 was adopted.

### Amendment No. 2

Representative Craddick offered the following amendment to **HB 7**:

Amend **HB 7** (house committee report) as follows:

(1) On page 1, line 6, strike "Subdivision (12-b)" and substitute "Subdivisions (12-b), (20), and (25-a)".

(2) On page 1, line 8, immediately following "42 U.S.C. Section 10101(12)", add the following:

. A reference in this subdivision to the "U.S.C." means the United States Code as it existed on September 1, 2021.

(3) On page 1, lines 8 and 9, strike "and includes spent nuclear fuel as defined by 42 U.S.C. Section 10101(23).".

(4) On page 1, between lines 9 and 10, insert the following:

(20) "Reactor-related greater than Class C waste" means greater than Class C low-level radioactive waste originating from a civilian nuclear power reactor that exceeds the concentration limits of radionuclides established for Class C waste in 10 C.F.R. Section 61.55. A reference in this subdivision to the "C.F.R." means the Code of Federal Regulations as it existed on September 1, 2021.

(25-a) "Spent nuclear fuel" has the meaning assigned by 42 U.S.C. Section 10101(23). A reference in this subdivision to the "U.S.C." means the United States Code as it existed on September 1, 2021.

(5) On page 1, line 23, between "waste" and "by", insert ", spent nuclear fuel, or reactor-related greater than Class C waste".

(6) On page 2, line 6, between "WASTE" and the underlined period, insert ", SPENT NUCLEAR FUEL, AND REACTOR-RELATED GREATER THAN CLASS C WASTE".

(7) On page 2, line 7, between "waste" and "on", insert ", spent nuclear fuel, or reactor-related greater than Class C waste".

(8) On page 2, line 10, between "WASTE" and the underlined period, insert ", SPENT NUCLEAR FUEL, AND REACTOR-RELATED GREATER THAN CLASS C WASTE".

(9) On page 2, line 15, between "waste" and "in", insert ", spent nuclear fuel, or reactor-related greater than Class C waste".

### Amendment No. 2 - Point of Order

Representative Landgraf 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. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on Amendment No. 2 to House Bill 7

Announced in the House on August 27, 2021

(Goldman in the chair)

Representative Landgraf raises a point of order against further consideration of the Craddick Amendment under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

The subject of the bill, as reflected by the bill's caption, is the transportation, storage, or disposal of high-level radioactive waste. The bill as introduced regulated a single class of waste. The amendment would expand the bill by applying the bill's provisions to certain greater than Class C low-level radioactive waste. The class of waste included in the amendment is different from the class of waste included in the bill. See 10 C.F.R. § 61.2. For this reason, the amendment is not germane. 87 H. Jour. 2181 (2021).

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

The ruling precluded further consideration of Amendment No. 2.

LANDGRAF: We are on the clock in advance of this September 13 license issuance date. And that's the reason why we have this sense of urgency, and that's why I have such an intense desire to keep this bill clean so that we can accomplish that objective. I want to be very clear that through this bill, we are restricting high-level radioactive waste from being stored or disposed of within the boundaries of Texas. Now, I'm not opposed to restricting greater than Class C waste, but I don't want to jeopardize our crucial effort to ban high-level radioactive waste in Texas prior to this impending September 13 deadline.

Greater than Class C waste deserves to have its own conversation. It deserves to have an interim charge so that we can study this issue thoroughly, and if there are additional special sessions, perhaps a greater than Class C call would be appropriate for that. I also think it's going to be important for us to have further discussions in communities like Andrews, Texas, where these types of policies are going to have the biggest impact but other communities and other regions of the state as well that will be impacted. But the business that is directly before us is to ban a new stream of high-level radioactive waste, including spent nuclear fuel, from coming to Texas because it's about to be forced down our throats on September 13 if we don't take this action. So your vote will help to protect Texas from that deluge of high-level radioactive waste.

**HB 7**, as amended, was passed to engrossment.

**CSHB 20 ON SECOND READING****(by Cain, White, Burrows, Metcalf, Shaheen, et al.)**

**CSHB 20**, A bill to be entitled An Act relating to censorship of or certain other interference with digital expression, including expression on social media platforms or through electronic mail messages.

(Harris in the chair)

**Amendment No. 1**

Representative Cain offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee report) as follows:

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

SECTION \_\_\_\_\_. Section 321.001, Business & Commerce Code, is amended by adding Subdivision (4-a) to read as follows:

(4-a) "Malicious computer code" means an unwanted computer program or other set of instructions inserted into a computer's memory, operating system, or program that:

(A) is specifically constructed with the ability to replicate itself or to affect the other programs or files in the computer by attaching a copy of the unwanted program or other set of instructions to one or more computer programs or files; or

(B) is intended to perform an unauthorized process that will adversely impact the confidentiality of information contained in or the integrity or availability of the computer's memory, operating system, or program.

(2) On page 9, strike lines 2 through 13 and substitute "PROHIBITED. An electronic mail service provider may not".

(3) On page 9, line 20, strike "a computer virus," and substitute "malicious computer code,".

(4) On page 10, line 15, strike "The".

(5) On page 10, strike lines 16 through 18.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Biedermann offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee report) as follows:

(1) On page 12, line 6, strike "or".

(2) On page 12, line 7, between "state" and the underlined period, insert the following:

; or

(4) is a current or former president of the United States

Amendment No. 2 was withdrawn.

**Amendment No. 3**

Representative Howard offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee report) as follows:

(1) On page 13, line 6, after the underlined semicolon, strike "or".

(2) On page 13, line 7, between "(4)" and "is", insert the following:  
directly or indirectly promotes or supports vaccine misinformation; or

(5)

A record vote was requested by Representative C. Turner.

Amendment No. 3 failed of adoption by (Record 83): 43 Yeas, 73 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Ashby; Bernal; Bowers; Bucy; Capriglione; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frullo; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Biedermann; Campos; Crockett; Deshotel; Frank; Gates; Gervin-Hawkins; Hinojosa; Johnson, J.D.; King, K.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 83 was taken, I was shown voting yes. I intended to vote no.

Ashby

When Record No. 83 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 83 was taken, I was absent. I would have voted yes.

Martinez

#### Amendment No. 4

Representative Rosenthal offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee printing) as follows:

(1) In SECTION 6 of the bill (page 13, after line 2), by adding "(3) includes the denial of the Holocaust;" and renumber subsequent SECTIONS accordingly.

A record vote was requested by Representative Rosenthal.

Amendment No. 4 failed of adoption by (Record 84): 48 Yeas, 68 Nays, 2 Present, not voting.



Yeas — Allen; Anchia; Bailes; Bernal; Bowers; Bucy; Capriglione; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Geren; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, T.; Larson; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Paddie; Perez; Price; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Cason; Clardy; Cook; Craddick; Cyprier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Parker; Paul; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

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

Absent, Excused — Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Leach; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Morales, C.; Muñoz; Oliverson; Patterson; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 84 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 84 was taken, I was absent. I would have voted yes.

Martinez

### Amendment No. 5

Representative Rosenthal offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee printing) as follows:

(1) In SECTION 6 of the bill (page 13, after line 2), by adding "(3) directly or indirectly promotes or supports any international or domestic terrorist group or any international or domestic terrorist acts;" and renumber subsequent SECTIONS accordingly.

A record vote was requested by Representative Rosenthal.

Amendment No. 5 failed of adoption by (Record 85): 49 Yeas, 67 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Ashby; Bailes; Bernal; Bowers; Bucy; Capriglione; Cole; Coleman; Cortez; Davis; Dominguez; Fierro; Frullo; Geren; González, M.; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.;

Kacal; King, T.; Kuempel; Larson; Longoria; Lucio; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Paddie; Perez; Price; Rose; Rosenthal; Stucky; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Gates; Goldman; Harless; Hefner; Holland; Hull; Hunter; Jetton; King, P.; Klick; Krause; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Dutton; Gervin-Hawkins; Hinojosa; Huberty; Johnson, J.D.; King, K.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 85 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 85 was taken, I was absent. I would have voted yes.

Martinez

#### Amendment No. 6

Representative Dominguez offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee report) by striking page 1, line 19, through page 16, line 21, and substituting the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill as appropriate:

SECTION \_\_\_\_\_. Subchapter B, Chapter 405, Government Code, is amended by adding Section 405.024 to read as follows:

Sec. 405.024. PUBLIC FORUM TEXAS. (a) In this section, "social media platform" means an Internet website or application that is open to the public, allows a user to create an account, and enables users to communicate with other users for the primary purpose of posting information, comments, messages, or images.

(b) The secretary of state shall establish and maintain the Public Forum Texas social media platform that consists of the "Publicforum.Texas.gov" Internet website and a corresponding mobile application to be known as "Public Forum Texas App".

Amendment No. 6 failed of adoption.

A record vote was requested by Representative C. Turner.

**CSHB 20**, as amended, was passed to engrossment by (Record 86): 76 Yeas, 44 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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; Bernal; Bowers; Bucy; Capriglione; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Geren; González, M.; Goodwin; Hernandez; Herrero; Howard; Huberty; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 86 was taken, I was absent. I would have voted no.

Beckley

When Record No. 86 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 86 was taken, I was absent. I would have voted no.

Crockett

When Record No. 86 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 86 was taken, I was absent. I would have voted no.

Martinez

When Record No. 86 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 86 was taken, I was excused because of important business. I would have voted no.

Morales Shaw

When Record No. 86 was taken, I was absent. I would have voted no.

Rodriguez

### REASON FOR VOTE

Representative Beckley submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocol or procedures to address the recent surge in the spread of COVID on the house floor and the Capitol buildings in general. Several members have tested positive and continue to put the rest of the legislative body at risk, whether they are voting from the speaker's chamber or the house floor. Until the issue is addressed and safety measures are put in place to protect members of the Texas Legislature, I will not be present on the floor, but have included my statement on **CSHB 20**.

Under **CSHB 20**, social media platforms and companies would not be able to remove any content without being subject to legal claims of bias and exposing themselves to liability. This bill will force companies to do one of two things: either stop monitoring content at all, allowing harmful, false, misleading, and even illegal content on their sites—or move away from being neutral platforms, creating an even more politically polarized social media landscape.

**CSHB 20** could also be negative for business in the state by dissuading technology companies to relocate to Texas because of policies that would unconstitutionally prohibit a social media platform, which is a private entity, from removing content based on the "viewpoint" of the user—even if the post is against the platform's community standards.

**CSHB 20** runs counter to private speech on social media platforms. It would subject social media companies to burdensome regulation and expose them to expensive litigation in state courts, leaving Texas taxpayers with the bill.

Due to aforementioned reasons, I would have voted "no."

### GENERAL STATE CALENDAR SENATE BILLS SECOND READING

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

#### **CSSB 6 ON SECOND READING (Smith, Cook, Harless, Kacal, et al. - House Sponsors)**

**CSSB 6**, A bill to be entitled An Act 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, and to the reporting of information pertaining to bail bonds.

Representative Smith moved to postpone consideration of **CSSB 6** until 8:30 p.m. today.

The motion prevailed.

### **REMARKS ORDERED PRINTED**

Representative Wu moved to print all remarks on **CSHB 20**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSHB 20**.]

### **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).

### **REMARKS ORDERED PRINTED**

Representative Zwiener moved to print all remarks on **HB 7**.

The motion prevailed.

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

Representative Lozano moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 15** all joint authors and co-authors for **HB 30** who sign on to **HB 30** before **SB 15** passes the house on third reading.

The motion prevailed.

### **SB 15 ON SECOND READING (K. Bell - House Sponsor)**

**SB 15**, A bill to be entitled An Act relating to virtual and off-campus electronic instruction at a public school, the satisfaction of teacher certification requirements through an internship teaching certain virtual courses, and the allotment for certain special-purpose school districts under the Foundation School Program.

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

Representative K. Bell offered the following amendment to **SB 15**:

Amend **SB 15** (house committee printing) as follows:

(1) On page 3, line 15, strike "and".

(2) On page 3, line 19, between "Subsection (d)" and the underlined period, insert the following:  
;  
and

(3) may not count a student for purposes of calculating the district's or school's average daily attendance if the student has 10 or more unexcused absences in a six-month period

(3) On page 5, line 8, after the underlined period, add the following:  
The commissioner may waive the requirements of this subsection for courses included in the enrichment curriculum under Section 28.002.

(4) On page 5, line 15, strike "A" and substitute "Except as otherwise provided under Subsection (e)(3), a".

(5) On page 6, strike lines 1 through 9.

(6) On page 6, line 10, strike "(r)" and substitute "(q)".

(7) On page 6, between lines 17 and 18, add the following appropriately lettered subsection and reletter subsequent subsections and cross-references to those subsections accordingly:

( ) In calculating under Subsection (q) the number of students that may be enrolled in a local remote learning program, a school district or open-enrollment charter school shall count students who spent at least half of the student's instructional time during the 2021-2022 school year enrolled in virtual courses or receiving remote instruction, other than by enrollment in electronic courses offered through the state virtual school network under Chapter 30A, including students who were enrolled in virtual courses or received remote instruction during the 2021-2022 school year because the student was:

(1) medically fragile;

(2) placed in a virtual setting by an admission, review, and dismissal committee; or

(3) receiving accommodations under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794).

(8) On page 6, line 20, strike "Subsection (c-1)" and substitute "Subsections (c-1) and (c-2)".

(9) On page 6, strike lines 24 through 26, and substitute the following: at least half of the students' instructional time:

(1) in virtual courses offered under a local remote learning program under Section 29.9091; or

(2) receiving remote instruction, regardless of whether the student is enrolled in a remote learning program offered under Section 29.9091 and including students receiving remote instruction who are:

(A) medically fragile;

(B) placed in a virtual setting by an admission, review, and dismissal committee; or

(C) receiving accommodations under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794).

(c-2) Subsection (c-1) and this subsection expire September 1, 2023.

(10) On page 7, strike line 1, and substitute "adding Subsections (h-1), (m-1), and (m-2) to".

(11) On page 7, strike lines 3 through 17, and substitute the following:

(h-1) Subject to rules adopted by the commissioner under Section 48.007(b), time that a student participates in a course or program provided under Section 48.007(c) shall be counted as part of the minimum number of instructional hours required for a student to be considered a full-time student in average daily attendance for purposes of this section. This subsection expires September 1, 2023.

(m-1) Except for students enrolled in programs or courses offered under Chapter 30A or Section 48.053, a school district or open-enrollment charter school may not count for purposes of calculating the district's or school's average daily attendance a student who received virtual or remote instruction for a majority of the instructional days during the preceding school year if the student:

(1) did not achieve satisfactory performance or higher or the equivalent in the preceding school year on:

(A) each assessment instrument administered to the student under Section 39.023 or 39.025; or

(B) if the student was not administered an assessment instrument described by Paragraph (A) during the preceding school year, an assessment instrument designed to show grade-level proficiency in the essential knowledge and skills identified under Section 28.002 by the State Board of Education for the student's grade level;

(2) had a number of unexcused absences that exceeds 10 percent of the number of instructional days in the preceding school year; or

(3) did not earn a grade of C or higher or the equivalent in each of the foundation curriculum courses taken virtually or remotely in the preceding school year.

(12) Strike page 7, line 20 through page 9, line 5.

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

SECTION \_\_\_\_ . Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0549 to read as follows:

Sec. 39.0549. EVALUATING VIRTUAL AND LOCAL REMOTE PROGRAMS. (a) In evaluating under Section 39.054 the performance of a school district or open-enrollment charter school that operates a full-time local remote learning program, the commissioner shall assign the program separate overall and domain performance ratings as if the program were a campus of the district or school. For purposes of assigning performance ratings under this subsection, students who spend at least half of the students' instructional time receiving virtual or remote instruction are considered enrolled in the program, including students:

(1) enrolled in virtual courses offered under a local remote learning program under Section 29.9091; or

(2) receiving remote instruction, regardless of whether the student is enrolled in a remote learning program offered under Section 29.9091 and including students receiving remote instruction who are:

(A) medically fragile;

(B) placed in a virtual setting by an admission, review, and dismissal committee; or

(C) receiving accommodations under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794).

(b) A performance rating under this section is not subject to Section 39.054(a-3) or 39.0546.

(c) A performance rating assigned under this section may not be used for purposes of Section 39.0544 or for determining whether to impose any intervention or sanction authorized by Chapter 39A.

(d) This section expires September 1, 2023.

SECTION \_\_\_\_\_. Subchapter A, Chapter 48, Education Code, is amended by adding Section 48.0071 to read as follows:

Sec. 48.0071. OFF-CAMPUS COURSES OR PROGRAMS COUNTED FOR PURPOSES OF AVERAGE DAILY ATTENDANCE. (a) The commissioner may approve off-campus electronic courses, an off-campus electronic program, or an instructional program that combines in-person instruction and off-campus electronic instruction in the same manner that the commissioner approves instructional programs under Section 48.007(a).

(b) The commissioner shall adopt by rule verification and reporting procedures to report student participation in courses or programs provided under Subsection (c).

(c) A school district or open-enrollment charter school may provide one or more off-campus electronic courses, an off-campus electronic program, or an instructional program that combines in-person instruction and off-campus electronic instruction to students enrolled in the district or school who have reasonable access to in-person services at a district or school facility. Off-campus electronic instruction for a course or program provided under this subsection may be provided synchronously or asynchronously. A student enrolled in a course or program provided under this subsection shall be counted toward the district's or school's average daily attendance in the same manner as other district or school students. In adopting rules under Subsection (b), the commissioner shall provide for a method of taking attendance, once each school day, for students enrolled in a course or program provided under this subsection.

(d) A school district or open-enrollment charter school that operated during the 2020-2021 school year a full-time virtual program outside the state virtual network under Chapter 30A with at least 10 percent of the enrollment for the program including students who resided outside the geographic area served by the district or school may:

(1) continue to operate the virtual program on a full-time basis;

(2) apply the same enrollment and transfer criteria used during the 2020-2021 school year; and

(3) offer the program to students in any grade level or combination of grade levels from kindergarten through grade 12 as long as the program includes at least one grade level for which an assessment instrument is administered under Section 39.023.

(e) This section expires September 1, 2023.

SECTION \_\_\_\_\_. A school district or open-enrollment charter school that operates a full-time local remote learning program during the 2021-2022 school year that meets the requirements of Section 29.9091, Education Code, as added by this Act, is entitled to funding in the manner prescribed by this Act regardless of whether the district or school began operating the program before, on, or after the effective date of this Act.



**Amendment No. 2**

Representative K. Bell offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by K. Bell to **SB 15** as follows:

- (1) On page 1, line 8, between "absences" and "in", insert "in the program".
- (2) On page 1, line 23, strike "spent" and substitute "spend".
- (3) On page 1, line 24, between "year" and "enrolled", insert "or 2022-2023 school year, as applicable,".
- (4) On page 1, line 27, strike "who were".
- (5) On page 1, line 29, between "year" and "because", insert "or 2022-2023 school year, as applicable,".
- (6) On page 3, line 16, strike "described by Paragraph (A)" and substitute "that was required to be administered to the student under Section 39.023 or 39.025".
- (7) Strike page 4, line 31, through page 5, line 5, substitute "PURPOSES OF AVERAGE DAILY ATTENDANCE.", and reletter subsections of that section and cross-references to those subsections accordingly.

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

**Amendment No. 3**

Representative M. González offered the following amendment to **SB 15**:

Amend **SB 15** (senate committee printing) as follows:

- (1) In SECTION 3 of the bill, in added Section 29.9091(b)(1), Education Code (page 1, line 59), strike "or".
- (2) In SECTION 3 of the bill, in added Section 29.9091(b)(1), Education Code (page 2, line 2), strike "and" and substitute the following:  
or  
(C) any bilingual education program, including a program using a dual language immersion program model, offered by the district or school;
- (3) In SECTION 3 of the bill, in added Section 29.9091(b)(2), Education Code (page 2, line 5), between "student" and the underlined period, insert the following:  
; and

(3) offer the option for a student's parent or person standing in parental relation to the student to complete digital literacy training at the district or school, including an option for non-English speaking persons

(4) In SECTION 3 of the bill, in added Section 29.9091, Education Code (page 2, between lines 59 and 60), insert the following appropriately lettered subsection and reletter subsequent subsections of the section accordingly:

( ) If a school district or open-enrollment charter school that is required to offer a bilingual education and special language program under Section 29.053 offers virtual courses under a local remote learning program, the district or school must make available to emergent bilingual students who are eligible to

enroll in a virtual course under Subsection (d) virtual courses for the bilingual education and special language program. A virtual course for a bilingual education and special language program offered under this subsection must:

(1) meet the content and instruction standards for bilingual education and special language programs under Section 29.055; and

(2) be taught by a teacher who holds the appropriate certification for assignment to a bilingual education and special language program under Section 29.061.

Amendment No. 3 failed of adoption.

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

Representative M. González offered the following amendment to **SB 15**:

Amend **SB 15** (house committee printing) as follows:

(1) On page 2, line 25, strike "asynchronous instruction,".

(2) On page 8, lines 12 through 13, strike "may be provided synchronously or asynchronously," and substitute "must be provided in a manner consistent with Section 29.9091,".

(3) On page 8, lines 13 through 14, strike "provided under" and substitute "described by".

Amendment No. 4 failed of adoption.

#### **Amendment No. 5**

On behalf of Representative J. Turner, Representative M. González offered the following amendment to **SB 15**:

Amend **SB 15** (house committee report) by striking page 4, lines 14 through 21, and substituting the following:

(i) If a school district or open-enrollment charter school offers virtual courses under a local remote learning program, the district or school must ensure the accessibility of online technology, including compatibility with assistive technology for any participating student receiving special education services. The courses must meet the needs of a participating student in a manner consistent with Subchapter A of this chapter and with federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) and Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794).

A record vote was requested by Representative Zwiener.

Amendment No. 5 failed of adoption by (Record 87): 40 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Hernandez; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Leach; Longoria; Lozano; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; 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.

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

Absent, Excused — Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Coleman; Crockett; Deshotel; Gervin-Hawkins; Herrero; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 87 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 87 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 87 was taken, I was absent. I would have voted yes.

Martinez

### Amendment No. 6

Representatives Huberty and K. Bell offered the following amendment to **SB 15**:

Amend **SB 15** (house committee report) by striking page 4, line 26, to page 5, line 5, and substituting the following:

(k) A district or school may not directly or indirectly coerce any teacher to agree to an assignment to teach a full-time local remote learning program.

Amendment No. 6 was adopted.

A record vote was requested by Representative M. González.

**SB 15**, as amended, was passed to third reading by (Record 88): 115 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Frank; Frullo; Gates; Geren; Goldman; Goodwin; Harless; Hefner; Hernandez; Holland; Howard; Huberty; Hull; Hunter;

Israel; Jetton; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, E.; Morrison; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Rogers; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Fierro; González, M.; Johnson, A.

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

Absent, Excused — Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Coleman; Crockett; Deshotel; Gervin-Hawkins; Herrero; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 88 was taken, I was excused because of personal business. I would have voted yes.

Canales

When Record No. 88 was taken, I was shown voting no. I intended to vote yes.

Fierro

When Record No. 88 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 88 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 88 was taken, I was shown voting no. I intended to vote yes.

A. Johnson

When Record No. 88 was taken, I was absent. I would have voted yes.

Martinez

#### POSTPONED BUSINESS

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

**CSSB 6 ON SECOND READING**  
**(Smith, Cook, Harless, Kacal, et al. - House Sponsors)**

**CSSB 6**, A bill to be entitled An Act 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, and to the reporting of information pertaining to bail bonds.

**CSSB 6** was read second time earlier today and was postponed until this time.

(Speaker in the chair)

**Amendment No. 1**

Representative Smith offered the following amendment to **CSSB 6**:

Amend **CSSB 6** (house committee printing) as follows:

(1) On page 5, line 1, between "birth" and the underlined comma, insert "or, if impracticable, other identifying information".

(2) On page 6, lines 12-14, strike "regarding the number of defendants for whom bail was set during the preceding state fiscal year" and substitute "from the preceding state fiscal year regarding the number of defendants for whom bail was set after arrest".

(3) On page 6, between lines 23 and 24, insert the following appropriately lettered subsection:

( ) The Department of Public Safety shall assist the office in implementing the public safety report system established under this article and shall provide criminal history record information to the office in the electronic form necessary for the office to implement this article.

(4) On page 7, line 14, strike "section" and substitute "article".

(5) On page 7, strike lines 25 through 27 and substitute the following:

(e) In the manner described by this article, a magistrate may, but is not required to, order, prepare, or consider a public safety report in setting bail for a defendant charged only with a misdemeanor punishable by fine only or a defendant who receives a citation under Article 14.06(c). If ordered, the report shall be prepared for the time and place for an appearance as indicated in the citation.

(f) A magistrate may set bail for a defendant charged only with an offense punishable as a misdemeanor without ordering, preparing, or considering a public safety report if the public safety report system is unavailable for longer than 12 hours due to a technical failure at the Office of Court Administration of the Texas Judicial System.

(6) On page 8, strike lines 6 through 8 and substitute the following:

(b) Notwithstanding any other law, a defendant to whom this article applies may be released on bail only by a magistrate who is:

(1) any of the following:

(A) a resident of this state;

(B) a justice of the peace serving under Section 27.054 or 27.055,

Government Code; or

- (C) a judge or justice serving under Chapter 74, Government Code;
- and
- (2) in compliance with the training requirements of Article 17.024.
- (7) On page 9, line 27, immediately following "WITH", insert "FELONY".
- (8) On page 10, strike lines 3 through 8 and substitute the following:
- (1) if a defendant is charged with committing an offense punishable as a felony while released on bail in a pending case for another offense punishable as a felony and the subsequent offense was committed in the same county as the previous offense, the defendant may be released on bail only by:
- (A) the court before whom the case for the previous offense is pending; or
- (B) another court designated in writing by the court described by Paragraph (A); and
- (9) On page 10, strike line 10 and substitute the following:  
offense punishable as a felony while released on bail for another pending offense punishable as a felony and the
- (10) On page 11, line 3, strike "monetary" and substitute "cash or surety".
- (11) On page 13, line 2, strike "hearing before" and substitute "review by".
- (12) On page 13, line 3, strike "hearing may be held before" and substitute "review may be conducted by".
- (13) On page 13, line 5, strike "held for that purpose".
- (14) On page 13, lines 5 through 8, strike "The defendant must be given the opportunity to present evidence and respond to evidence presented by the attorney representing the state."
- (15) On page 13, line 17, strike "hearing" and substitute "review".
- (16) On page 13, lines 18 and 19, strike "and must provide to the office the reason for the delay".
- (17) On page 13, line 19, strike "hearing" and substitute "review".
- (18) On page 14, line 11, between "only" and "without", insert "or a defendant who receives a citation under Article 14.06(c)".
- (19) On page 21, line 26, between "SECTION 9." and "Article", insert "(a)".
- (20) On page 22, line 3, between "case" and "are", insert "in which the defendant has been arrested".
- (21) On page 23, between lines 5 and 6, insert the following:
- (a-1) Notwithstanding any other law, the duties imposed by Subsection (a)(6) with respect to obtaining and considering information through the public safety report system do not apply until April 1, 2022. This subsection expires June 1, 2022.
- (22) On page 23, between lines 11 and 12, insert the following:
- (b) Article 17.15(a), Code of Criminal Procedure, as amended by this Act, and Article 17.15(c), as added by this Act, take effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not

receive the vote necessary for immediate effect, Article 17.15(a), Code of Criminal Procedure, as amended by this Act, and Article 17.15(c), as added by this Act, take effect on the 91st day after the last day of the legislative session.

(23) On page 23, between lines 25 and 26, insert the following appropriately lettered subsection and reletter subsequent subsections and cross-references to those subsections accordingly:

( ) Notwithstanding Subsection (b), a sheriff, peace officer, or jailer may make a bail decision regarding a defendant who is charged only with a misdemeanor punishable by fine only or a defendant who receives a citation under Article 14.06(c) without considering the factor required by Article 17.15(a)(6).

(24) On page 28, line 17, between "set" and the underlined comma, insert "after arrest".

(25) On page 30, line 15, between "publish" and "each", insert "the information from".

(26) On page 30, line 17, following the underlined period, insert the following:

Any identifying information or sensitive data, as defined by Rule 21c, Texas Rules of Civil Procedure, regarding the victim of an offense may not be published under this subsection.

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

SECTION \_\_\_\_\_. (a) Section 411.083(c), Government Code, is amended to read as follows:

(c) The department may disseminate criminal history record information under Subsection (b)(1) only for a criminal justice purpose. The department may disseminate criminal history record information under Subsection (b)(2) only for a purpose specified in the statute or order. The department may disseminate criminal history record information under Subsection (b)(4), (5), or (6) only for a purpose approved by the department and only under rules adopted by the department. The department may disseminate criminal history record information under Subsection (b)(7) only to the extent necessary for a county or district clerk to perform a duty imposed by law to collect and report criminal court disposition information. Criminal history record information disseminated to a clerk under Subsection (b)(7) may be used by the clerk only to ensure that information reported by the clerk to the department is accurate and complete. The dissemination of information to a clerk under Subsection (b)(7) does not affect the authority of the clerk to disclose or use information submitted by the clerk to the department. The department may disseminate criminal history record information under Subsection (b)(8) only to the extent necessary for the office of court administration to perform a duty imposed by law, including the development and maintenance of the public safety report system as required by Article 17.021, Code of Criminal Procedure, or to compile court statistics or prepare reports. The office of court administration may disclose criminal history record information obtained from the department under Subsection (b)(8):

(1) in a public safety report prepared under Article 17.022, Code of Criminal Procedure; or

(2) in a statistic compiled by the office or a report prepared by the office, but only in a manner that does not identify the person who is the subject of the information.

(b) This section takes effect on the 91st day after the last day of the legislative session.

#### **Amendment No. 2**

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

Amend Amendment No. 1 by Smith to **CSSB 6** on page 5, by striking line 11 and substituting the following:

offense and any person's address or contact information shall be redacted and may not be published under this subsection.

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

#### **Amendment No. 3**

Representative Smith offered the following amendment to **CSSB 6**:

Amend **CSSB 6** (house committee report) on page 6, between lines 23 and 24, by inserting the following appropriately lettered subsection and relettering subsequent subsections and cross-references to those subsections accordingly:

( ) Any contract for goods or services between the office and a vendor that may be necessary or appropriate to develop the public safety report system is exempt from the requirements of Subtitle D, Title 10, Government Code. This subsection expires September 1, 2022.

Amendment No. 3 was adopted.

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

Representative Smith offered the following amendment to **CSSB 6**:

Amend **CSSB 6** (house committee printing) as follows:

(1) On page 15, line 19, strike "Notwithstanding any other law" and substitute "Except as provided by Articles 15.21, 17.033, and 17.151".

(2) On page 19, line 8, strike "Notwithstanding any other law" and substitute "Except as provided by Articles 15.21, 17.033, and 17.151".

Amendment No. 4 was adopted.

#### **Amendment No. 5**

Representative A. Johnson offered the following amendment to **CSSB 6**:

Amend **CSSB 6** (house committee report) as follows:

(1) On page 15, line 19, between the underlined comma and "a defendant", insert "except on a showing of good cause of extraordinary circumstances and with agreement of the state,".



(2) On page 19, line 8, between the underlined comma and "a defendant", insert "except on a showing of good cause of extraordinary circumstances and with agreement of the state,".

#### AMENDMENT NO. 5 - REMARKS

REPRESENTATIVE A. JOHNSON: The purpose of this amendment is—if you notice within this bill, it takes away the concept of judicial discretion. It says that you cannot give a PR bond on a felony certain limitation of offenses and obligates that the judge push that population back into the cash bail industry. This amendment says—because there is some concern that I have heard with some of the judges elected in some counties saying we want to take away what they can do—so this exception is that "except on a showing of good cause of extraordinary circumstances and with agreement of the state." So this would allow, in an extenuating circumstance where only a PR bond can help and the state agrees, that the judge and the state by agreement can implement a PR bond to a defendant.

REPRESENTATIVE MOODY: The amendment that you have before the body today is a discretionary piece where the prosecutor has said in this instance we will permit it. So they're essentially serving a gatekeeper function in this amendment?

A. JOHNSON: Exactly.

MOODY: Okay. And are there other examples in the law where we essentially put those—I mean, prosecutors in their role on a daily basis are gatekeepers, right? They get cases presented to them all the time. It doesn't necessarily mean they're going to prosecute them. Correct?

A. JOHNSON: Correct. Not only that, they get to decide whether or not they want to make requests for high bond and whether or not they want to make requests for no bond. So they are a gatekeeper function in which the state and the judge and the defense can make an objection. This bill would take away that give and take and that discretionary battle that might happen among those three parties. This would just give the opportunity to give it back but, so that it's not *carte blanche*, upon "good cause of extraordinary circumstances."

MOODY: So you're putting a high bar there and creating a gatekeeper function. But this is the meat of the bill. We're talking about the PR bond limitation. I mean, there are certainly other parts of the bill that deserve our attention, but this is really the crux of the bill. Isn't that correct?

A. JOHNSON: It's the crux of the bill in saying that you get to decide. This is one of the things we talked about the other day. You elect your judges. If you don't like what the judges are doing, you can unelect them. But tell me the last time you looked at the people that were making a profit off the bail bond industry and decided that they wanted to post a bond for somebody who's a violent offender because they could skim off the top 10 percent. You don't get to unelect

the cash bond bail industry. They don't have ethical obligations. And so this bill pushes the discretion away from the judge and says if a bail bondsman wants to give them money, they can do it.

The important thing about this bill is I have seen it in effect. You can't always know what's happening with a defendant. And every once in a while you need a tool like, you know what, that person needs to go to a shelter or that person needs to go to treatment. And the judge can say, I've got a deal for you: You can choose jail or drug treatment. And a lot of times they'll go, all right, I'm ready—drug treatment. And when the judge does it on a PR bond, if they leave that treatment facility within 24 hours, they can report it to the judge. The judge can issue a warrant and bring them back. On the flip side, if a for-profit industry posts their cash bond, you can't revoke it until they skip bond. This is taking away the judge's ability to help those unique circumstances of funneling people to proper services.

MOODY: But with the amendment, if the amendment goes on, that situation in the real world would look like: Judge is looking at the case. You've got a prosecutor sitting there giving him a rough schedule of the case. The defense attorney's obviously going to be asking for whatever he thinks is reasonable under the circumstances. Today, in a lot of cases, you'll see the prosecutor—I know I've done it as a prosecutor and as a defense attorney—where you go, can we just agree? Here's the person's history. Here's what we have going on. Here's the situation. I know that it says injury to an elder, but this is a 50-year-old that got into a scuffle with a 70-year-old. Yes, I know that the offense sounds bad, but this needs to go to PR. Let's get them out on PR rather than keep them in the jail awaiting a trial. I think the examples are multiple. But can you think of a good example for the folks here to understand that while something on paper—and by the way, it's still an accusation, right? We're not talking about anyone that's been convicted of any of these crimes, right? This is someone that's been accused of this crime.

A. JOHNSON: Correct.

MOODY: Can you give a good example from your experience where one of these things that does sound heinous by the name of the offense but it's a case where we need a PR bond so let's get something a little more creative involved?

A. JOHNSON: So let's take an example in human trafficking cases. Often, a pimp will have a stable of girls, and those girls may get charged as a party in an aggravated robbery. Think of it this way. That individual female is like a shrimp on the line and the pimp will set up the john that comes to pay for sex and rob him at the end. Every once in a while, these guys will call up and say, hey, I paid to have sex with somebody and then these two dudes jumped in, beat me up, and stole all my stuff. And that's a perfect circumstance where it may not fit our perfect picture of what we think between victimization and offender.

And it's usually—think about it. You don't usually get it the first time. It's usually when you've come in and out of jail a couple of times and you finally go, ugh, I've had it. Fine, I'm done. This takes away the discretion—the bill—from

having the judge step in when that person's in a moment of saying, I am ready for forgiveness. I am ready for a different path. I am ready for that shelter or rehab facility. And the judge has the power to let them choose a better path.

If you don't accept this amendment, you give all that discretion back to the for-profit bail bond industry so that they can make a cut. I don't think that's where we want to go in all the discussions of criminal justice reform that have come out of this body. And I'm giving you a chance to bake this back into this bill with this amendment.

MOODY: You made reference to a broader criminal justice reform movement, and there has been a slow erosion of the one-size-fits-all approach. And that is a good thing because we need creativity in this process because for too long we have taken certain conduct—where there's substance abuse disorder, homelessness, other issues—and we've essentially said we don't want to deal with those difficult societal issues like mental health crises and we're just going to jam people into the criminal justice system. We have done an enormous amount of work to get away from overcriminalization in a lot of circumstances. We have a lot of work to go, don't get me wrong, but we have started down a road to start to peel some of that back, and we have great tools available in counties throughout the state. We have allowed for a lot of creativity in our laboratories across the state.

But when we do this and we put back a one-size-fits-all approach because that code section sounds very egregious, we're essentially taking a giant step backward in this arena. I appreciate you bringing forth this amendment. We don't need a one-size-fits-all approach. This would be a step backward. And I think your amendment to allow—this isn't a free pass. This is allowing for a prosecutor in a case to work with the judge in a particular matter to address that particular situation because it may not need a no bond or no PR bond. And then honestly, you're just pushing people who have and have not in different directions based solely on their ability to pay. And I think that's really what we need to get away from in this system.

A. JOHNSON: Not only that, it's not their ability to pay. Consider that it's the ability of the person to pay who wants to control them. So when we talk about victims who are part of organized crime of either drugs, human trafficking, or anything else, if that person is worried, all they've got to do is go post their bond and get them out of town. And so again, this allows the judge the ability to implement discretion with the approval of the state. I ask for your adoption of this amendment.

REPRESENTATIVE SMITH: I've just got to tell you how much I really enjoy working with Representative A. Johnson. I think she's smart, she's tough, and she is experienced. But I've got to respectfully decline to support this amendment and ask that you would join me with it. First of all, this bill is not about the bail bond industry. It's about public safety. It's about getting folks out of jail that don't need to be in jail, period. This particular amendment—first of all, this is a highly

negotiated, sensitive bill. I think there's been a ton of folks that have worked together on it. This makes complicated what does not need to be complicated, and I would ask that you would support me in opposing this amendment.

A. JOHNSON: This amendment is the right thing to do, and I would ask that you consider giving back the discretion. And if you're mad at Harris County, think about Judge Westfall from Tarrant County who came up and equally suggested that taking away judicial discretion is not a good thing. It's the job you hire them for. It's the ethics that they are there for. And in this case, you're taking it away from a judge and you are literally giving it back to a for-profit company to determine what's best for public safety. This gives you back a little bit of safety and judicial discretion.

Amendment No. 5 failed of adoption.

### Amendment No. 6

Representative A. Johnson offered the following amendment to **CSSB 6**:

Amend **CSSB 6** (house committee printing) by striking page 17, line 18, and substituting the following:

"Prostitution), if the defendant is not alleged to have engaged in conduct constituting an offense under Section 43.02(a);"

Amendment No. 6 was adopted.

### Amendment No. 7

Representative Moody offered the following amendment to **CSSB 6**:

Amend **CSSB 6** (house committee report) as follows:

(1) On page 5, strike lines 15 and 16, and substitute  
       "(i) offenses described by Article 17.03(b-2)".

(2) Strike page 14, line 13, through page 21, line 16, and substitute the following:

SECTION 6. Article 17.03, Code of Criminal Procedure, as effective September 1, 2021, is amended by amending Subsection (b) and adding Subsection (b-2) to read as follows:

(b) Only the court before whom the case is pending may release on personal bond a defendant who:

(1) is charged with an offense under the following sections of the Penal Code:

- (A) [~~Section 19.03 (Capital Murder)~~];
- [~~(B)~~] Section 20.04 (Aggravated Kidnapping);
- (B) [~~(C)~~] Section 22.021 (Aggravated Sexual Assault);
- [~~(D)~~] Section 22.03 (~~Deadly Assault on Law Enforcement or Corrections Officer, Member or Employee of Board of Pardons and Paroles, or Court Participant~~);
- [~~(E)~~] Section 22.04 (Injury to a Child, Elderly Individual, or Disabled Individual);
- (C) [~~(F)~~] Section 29.03 (Aggravated Robbery);
- [~~(D)~~] [~~(G)~~] Section 30.02 (Burglary); or

(E) ~~[(H)]~~ Section 71.02 (Engaging in Organized Criminal Activity);

~~[(I) Section 21.02 (Continuous Sexual Abuse of Young Child or Disabled Individual); or~~

~~[(J) Section 20A.03 (Continuous Trafficking of Persons);]~~

(2) is charged with a felony under Chapter 481, Health and Safety Code, or Section 485.033, Health and Safety Code, punishable by imprisonment for a minimum term or by a maximum fine that is more than a minimum term or maximum fine for a first degree felony; or

(3) does not submit to testing for the presence of a controlled substance in the defendant's body as requested by the court or magistrate under Subsection (c) of this article or submits to testing and the test shows evidence of the presence of a controlled substance in the defendant's body.

(b-2) Notwithstanding any other law, a defendant may not be released on personal bond if the defendant is charged with an offense under the following provisions of the Penal Code:

(1) Section 19.02 (Murder);

(2) Section 19.03 (Capital Murder);

(3) Section 20A.02 (Trafficking of Persons);

(4) Section 20A.03 (Continuous Trafficking of Persons);

(5) Section 21.02 (Continuous Sexual Abuse of Young Child or Disabled Individual);

(6) Section 21.11 (Indecency with a Child);

(7) Section 22.021 (Aggravated Sexual Assault);

(8) Section 43.04 (Aggravated Promotion of Prostitution), if the defendant is not alleged to have engaged in conduct constituting an offense under Section 43.02(a);

(9) Section 43.05 (Compelling Prostitution); or

(10) Section 43.25 (Sexual Performance by a Child).

(3) On page 22, strike lines 15 and 16, and substitute the following:

(A) is an offense described by Article 17.03(b-2); or

(4) On page 23, line 27, through page 24, line 1, strike "involving violence as defined by Article 17.03" and substitute "described by Article 17.03(b-2)".

(5) On page 24, lines 23 and 24, strike "involving violence as defined by Article 17.03" and substitute "described by Article 17.03(b-2)".

(6) On page 33, line 22, between "as added by this Act," and "and Sections", insert "Article 17.03, Code of Criminal Procedure, as amended by this Act,".

(7) Renumber the remaining SECTIONS of the bill accordingly.

#### AMENDMENT NO. 7 - REMARKS

REPRESENTATIVE MOODY: I ask for your attention just for a bit. I'd like to claim a lot of credit for this amendment, but the credit belongs to y'all. This is the operative provision about PR bond limitations that this body voted for this year when it was called **HB 20**. You wrote this. I didn't write this. The Texas House wrote this. I'm asking you to write it again, and I'll tell you why. We talk a lot about rights and responsibilities on this floor. So let's get down to what this bill is

about. This bill is about accusations and what happens to your physical person when you're facing an accusation. Are we detaining you waiting for trial or are we going to allow you free movement? Does your ability to pay, should it bear on that result?

When we talk about systemic problems, this is what we're talking about. The example of someone who is working two jobs to get by and gets arrested for one of these deals and can't get a PR bond and has to then sit in jail—they've got family issues, they've got job issues, they've got transportation issues, they're going to have housing issues. Guess what? That person's going to plead guilty to that charge every single time, not because they are or not but because of the pressures that have been put on them because they can't pay to get out. A person that has means? They can fight and try their case at their leisure. Why do those two people get different results? We're talking about your actual liberty. There's very few things the government can do more than this. The government can take your life under the death penalty in this state, and they can deprive you of your liberty by locking you up.

I just want to hit on this again. These are accusations. You know, I've presented bills in committees before that talk about protective orders. Part of what can happen in a protective order hearing is a firearm can be restricted from that person's possession. And I have had people send death threats to my office and tell me: How dare you—in an ex parte hearing where they've had no due process, you're going to say that person is going to lose their Second Amendment right? And I hear that over and over again when I look at that. Yet when we talk about accusation and depriving you of your liberty—you know, this is also depriving you of your opportunity to have a firearm. You know why? It's separating you physically and throwing you in jail. So if we have to put it in those terms, I'll put it in those terms. But we are literally talking about confining you on an accusation.

So if we care about liberty and we care about these things and we care about the Constitution, and I know you do, then all I'm asking you to do is to go back to what this body already wrote. We did this, bipartisan, all of us. I wish I could claim credit for it but I can't. This limits a very broad section of the bill to make sure we are talking about certain conduct only, and the accusation piece of this is what I want you to focus on because these are not folks that have been convicted of anything. I'm not asking you to do anything you haven't done before. Y'all have already voted for this overwhelmingly. So that's all I'm asking you to do is to do it again. Allow this conversation to continue. I don't know that this will be the end of the discussion. What I'm asking for is an opportunity—an opportunity to discuss better policy. Because when we lock people up on accusations and they're not able to get out because of their inability to pay, we are creating a very dangerous system.

REPRESENTATIVE SCHAEFER: Representative Moody, do you know what question I get back from my judges when I talk to them about this bill?

MOODY: I don't, but I'd be interested to know.

SCHAEFER: They ask me why we would take away their discretion.

MOODY: I think it's a great question to ask. And when y'all go back home and you're going to have more crowding in your jails and you're depriving your judges of this decision making, you're going to look back on an opportunity where we could have done a little bit better on policy. So let's start that discussion here. Nothing says this is the beginning or the end or the middle, but if we change this section, it is going to amplify this discussion in a very meaningful way. It doesn't mean we're going to end with this, but it means at least we're going to have the opportunity to talk about one of the most important things that we discuss on this floor and that is our physical liberty.

REPRESENTATIVE SMITH: I really appreciate Mr. Moody's comments. I appreciate his perspective. I appreciate him working with me in many areas of this bill. But I would tell you that first of all, this amendment will conflict with my perfecting amendment that has already been put on in several different ways. So it would be very, very disastrous. The other part of this is that over the special sessions, we have worked hard on this particular element of the bill. It has several concessions in it, some of which I made to Mr. Moody. So now, then, to come back later on, respectfully, and try and change all that—we just can't. It just is not going to let the bill work like it should. We have an emergency in some areas of the state. We may have an emergency in all areas of the state we've got to deal with. I think this is a judicious way to do it. It does not overly limit judicial discretion. So I ask that you respectfully oppose this amendment.

MOODY: I appreciate the dialogue that Mr. Smith and I have had on this for quite some time now because it takes someone that's going to earnestly look at a very complex issue to be able to help try and draft good policy, and I know that's what he's after, too. We do have a difference of opinion here, and that's okay. We talked about it in committee. We talked about it during session. We're talking about it now. That's okay. What I'm saying is, give us the opportunity to continue that discussion. If we make this change, that's going to allow us to do that as a house. This is language you all have written and voted on before, and so I ask you to do it one more time.

A record vote was requested by Representative Moody.

Amendment No. 7 failed of adoption by (Record 89): 42 Yeas, 77 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Krause; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Sanford; Schaefer; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddock; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf;

Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, M.; Hinojosa; Johnson, J.D.; King, P.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 89 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 89 was taken, I was absent. I would have voted yes.

Martinez

**LEAVE OF ABSENCE GRANTED**

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

Anchia on motion of C. Turner.

**CSSB 6 - (consideration continued)**

**Amendment No. 8**

Representative Clardy offered the following amendment to **CSSB 6**:

Amend **CSSB 6** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.071 to read as follows:

Art. 17.071. CHARITABLE BAIL ORGANIZATIONS. (a) In this article, "charitable bail organization" means a person who accepts and uses donations from the public to deposit money with a court in the amount of a defendant's bail bond. The term does not include:

(1) a person accepting donations with respect to a defendant who is a member of the person's family, as determined under Section 71.003, Family Code; or

(2) a nonprofit corporation organized for the purpose of religious worship.

(b) This article does not apply to a charitable bail organization that pays a bail bond for not more than three defendants in any 180-day period.

(c) A person may not act as a charitable bail organization for the purpose of paying a defendant's bail bond in a county unless the person:



(1) is a nonprofit organization exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code; and

(2) has been issued a certificate under Subsection (d) with respect to that county.

(d) A county clerk shall issue to a charitable bail organization a certificate authorizing the organization to pay bail bonds in the county if the clerk determines the organization is:

(1) a nonprofit organization described by Subsection (c)(1); and

(2) current on all filings required by the Internal Revenue Code.

(e) A charitable bail organization shall file in the office of the county clerk of each county where the organization intends to pay bail bonds an affidavit designating the individuals authorized to pay bonds on behalf of the organization.

(f) Not later than the 10th day of each month, a charitable bail organization shall submit, to the sheriff of each county in which the organization files an affidavit under Subsection (e), a report that includes the following information for each defendant for whom the organization paid a bail bond in the preceding calendar month:

(1) the name of the defendant;

(2) the cause number of the case;

(3) the county in which the applicable charge is pending, if different from the county in which the bond was paid; and

(4) any dates on which the defendant has failed to appear in court as required for the charge for which the bond was paid.

(f-1) A sheriff who receives a report under Subsection (f) shall provide a copy of the report to the Office of Court Administration of the Texas Judicial System.

(g) A charitable bail organization may not pay a bail bond for a defendant at any time the organization is considered to be out of compliance with the reporting requirements of this article.

(h) The sheriff of a county may suspend a charitable bail organization from paying bail bonds in the county for a period not to exceed one year if the sheriff determines the organization has paid one or more bonds in violation of this article and the organization has received a warning from the sheriff in the preceding 12-month period for another payment of bond made in violation of this article. The sheriff shall report the suspension to the Office of Court Administration of the Texas Judicial System.

(i) Chapter 22 applies to a bail bond paid by a charitable bail organization.

(j) A charitable bail organization may not accept a premium or compensation for paying a bail bond for a defendant.

(k) Not later than December 1 of each year, the Office of Court Administration of the Texas Judicial System shall prepare and submit, to the governor, lieutenant governor, speaker of the house of representatives, and presiding officers of the standing committees of each house of the legislature with

primary jurisdiction over the judiciary, a report regarding the information submitted to the office under Subsections (f-1) and (h) for the preceding state fiscal year.

### AMENDMENT NO. 8 - REMARKS

REPRESENTATIVE CLARDY: Let me explain to the members if I could—I'm sure you all have some questions—this amendment. Much like what Representative Moody said a moment ago, this really isn't my amendment. What this amendment is is a lot of hard work from several members. And I will say this is an issue that greatly concerned me in the committee that we served on, the select committee, that we heard, and it was a concern I heard voiced not only by myself but by Ms. Thompson and also by Charlie Geren concerning the charitable bail organizations.

A little bit of history, members: The original bill as it came over was essentially going to outlaw and not allow charitable bail organizations to participate in the bail process. It was going to make it illegal for them to issue a bond. We had a long, healthy, and, I think, robust discussion, and several of us expressed an opinion—Ms. Thompson, if I may quote you—"green is green." All money is green. And there was a push by many of us asking, so why are we going to discriminate against charitable bail organizations when the only two things that matter is what is the bond that the judge has set—a magistrate has properly set the bond—and whether someone, whether it be a family member, a church, a friend, a bail bondsman, or a charitable bail organization if they can afford it, if they put the money up, cash on the barrelhead, that person is released pursuant to the law?

We learned a lot about why this was there, but the most important thing is we stood up as colleagues of yours in the Texas House and made it very clear to the other side of the building that this would not stand, that we would not have this prohibition to charitable bail organizations doing what otherwise everyone else is allowed to do. There's equal protection arguments, there's all sorts of things, but fundamentally, we have judges to trust to set the bails and then we have a process by which people can attain their freedom. And we want to make sure everyone has that right.

This amendment does several simple things. First off, what it does do is it is going to allow charitable bail organizations to do their work and get people out as they see fit. This amendment does not apply to family members. These requirements are not required by family members. It's not required by churches or other nonprofit religious organizations. And if you're a small charitable bail organization being defined as one who does less than three bonds in a period of 180 days, you don't have to do these disclosure requirements. Fundamentally, what this amendment does is it requires there to be some reasonable and limited disclosure requirements—what are you doing? First, to qualify as a charitable bail organization, you have to be operating as a 501(a) or a 501(c)(3) on the Internal Revenue Code and also have been issued a certificate. There's several safety procedures in this amendment that are important. First is for the charitable bail organization to be able to issue these bonds, they have to receive a county certification. That comes from the office of the county clerk. They authorize them

if they determine that they are a nonprofit organization and they are current on all their IRS filings. Once that happens, there's a second step where they have to file with the sheriff of each county information as follows: the name of the defendant for whom bail bonds have been issued—again, more than three in a 180-day period—the cause number of the case, the county in which the charge is pending, and the dates on which the defendant has failed to appear in a court as required for the charge on which the bond was paid. Then the sheriff, in turn, will provide this information to the OCA, Office of Court Administration—which I think both the bill author and Chairman Moody have both talked about how that works—and they will develop other protocols to make sure these rules are followed.

The last check and balance in the amendment says that that sheriff may suspend a charitable bail organization from paying these bonds if they get a warning—if they are not following the rules, haven't filed the paperwork. There's no intention to get them on a technical gotcha, but if they determine they fail to do those and follow the rules and file the appropriate disclosures, they can be suspended from a bail organization bond. Otherwise, the OCA will work with the legislature and the leaders of our government to come up with the reports and the forms that are necessary to do this. But what this does, again, I think importantly it allows these organizations who serve constituents who serve them, and it certainly doesn't stand in the place of family or church, but it does give them an option to bail bondsmen as a way to make their way out of jail. I think it accommodates people. But I think it's a reasonable expectation from the state that if you're going to get into a regulated business, which the bail bond business is, that you should have to perform some modicum of disclosure, something where we know who you are and that your organization can follow these rules.

REPRESENTATIVE S. THOMPSON: Mr. Clardy, if a church charitable organization didn't make any more than three bail bonds a year, would they be required to report to the sheriff?

CLARDY: Well, first off, if they're doing the bonding through the church—through the actual Baptist church, Methodist church, whatever the church is—they're not covered by this amendment at all. They have no disclosure requirements. So a traditional church, if they decide to have a potluck dinner and bake sale to raise money to bond out one of their parishioners, they've got no duties under this amendment. But if it's a charitable bail organization and they do more than three in a 180-day period, they do have the disclosure requirements.

S. THOMPSON: But if they did a potluck dinner like the religious organization did and they did no more than three, they would not be required to report?

CLARDY: If there's no more than three for a charitable organization, they do not have to report.

S. THOMPSON: And if the church did more than 3,000, they would never have to report to the sheriff, right?

CLARDY: That is correct.

S. THOMPSON: Even if that person failed to appear in court.

CLARDY: No, there's no obligation based upon the performance of the accused to appear in court. I would like to say one thing, Ms. Thompson, just while it's on my mind. I think this is important to know that historically if you compare the failure to appear records of those who are bonded out by charitable bail organizations versus traditional bondsmen, the actual appearance rate is higher. We have fewer people fail to appear when they are bonded out by charitable bail organizations.

S. THOMPSON: What about when they pay the full bail like the bail bondsman company? What about that failure rate?

CLARDY: If I understand your question, if they fail to appear, the bail bondsman puts up the money—

S. THOMPSON: No, I'm talking about the percentage. You knew the percentage on those other two. What about the percentage of those who use a bail bondsman to bail out and fail to appear?

CLARDY: Oh, what I understand is that there are more people that appear—there's a higher percentage that appear—when they've been bonded out by a charitable bail organization than those who are bonded out by a bail bondsman. That's my understanding.

S. THOMPSON: So what you're saying is if you're not a religious organization that does this but you're a charitable organization and you do more than three bail bonds a year, then you're required to make a report to the sheriff and give them certain data that is located in your amendment, right?

CLARDY: First thing that you have to do is be eligible—

S. THOMPSON: Why the distinction?

CLARDY: Distinction between?

S. THOMPSON: Why are you distinguishing what a charitable organization will have to do as opposed to what the religious charitable organization does?

CLARDY: That's a fair question.

S. THOMPSON: Thank you.

CLARDY: Let me explain it this way. If we're dealing with, again, as defined here, a "nonprofit corporation organized for the purpose of religious worship," I think all of us in this chamber are loath to—and, in fact, I think would resist mightily—any infringement upon the freedom of religion, the freedom to worship. So the imposition of any kind of requirement on churches and their mission work and how they do things—they may view getting their parishioners out as part of their mission, and that would very well be so. These are charitable organizations organized under the federal tax code as 501(a) or 501(c)(3). They're nonprofit organizations. They're fundamentally set up differently. If I could, one is a religious organization protected under our Constitution and the First Amendment. The others are secular organizations. They may be charitable organizations, but they're secular and they're organized under sections of the tax code. And with that comes certain responsibilities, which is why the two things

are they have to be eligible, be a qualifying nonprofit, and secondly, they have to get a certificate from the county. The county clerk's not going to exercise any discretion like I don't like the way this form looks. They have to get a certification saying they will do these things; then, you go to the sheriff and you provide those more detailed reports of the bonds that are issued; and that, in turn, goes to the OCA and those records are kept.

S. THOMPSON: So in other words, if you are cloaked under religion, then you get a lot more freedom than if you would be a regular charitable organization. Is that what you're telling me?

CLARDY: What I'm telling you is that's the distinction I'm making in my mind.

S. THOMPSON: And I appreciate that.

CLARDY: But the churches—and it was important to all of us. You and I are on the same page on this. I do not want our churches to be impaired or limited in any way in what they choose to do to help their parishioners. But these organizations are nonprofit entities. They exist exclusively under the federal tax code. That's a different animal, literally, than historical bodies of worship. And as you recall, Ms. Thompson, we argued about this—me and you together with Chairman Geren and others—that we don't want to see the charitable bail organizations excluded from participating in the bail process. And I was adamant on that, and I know you were. We were adamant on that, and we were very forceful, and the stakeholders that have come together on this, and the people that have talked about this, and have been clear that any onerous restriction on them, any burden unnecessarily placed on them, we were not about that.

S. THOMPSON: In other words, you're hiding behind the tax code to say that the charitable organizations—because they happen to fall under the tax code and they may have certain restrictions because of the way that they were incorporated—that's different and distinct from how we should allow the religious charitable organizations to operate. Is that what you're telling me?

CLARDY: Ms. Thompson, I'm too big to hide. I'm not hiding behind anything.

S. THOMPSON: All I'm asking you to tell me is—

CLARDY: If you're going to be a nonprofit organization under the federal tax code, you're already filing paperwork. You're in the business of taking care of business—filing your tax reports, your tax returns. You've got to comply with those regulations. So to ask you to file simple forms, who did you bond out—again, I'll go back to it. This is on page 2 of the amendment.

S. THOMPSON: All I'm asking you to tell me is which color lipstick Monique is wearing today. That's all I'm asking. Which color lipstick is Monique wearing today? Is she wearing the lipstick color under religion? Or is she wearing the one under the tax code? And I'm asking you to make a distinction.

CLARDY: I don't know. I'd like to meet Monique.

S. THOMPSON: What is the rationale of putting this back into this bill?

CLARDY: Again, we did not put back into the original bill that you and I saw, nor would we have, nor would I have ever agreed to put that back in. I found it to be discriminatory on its face. I thought it was an unequal application of the equal protection clause. And again, these were your words, not mine, but when you said them, I wish that I had—that when it comes to posting bond, the only color that matters is green. The judge sets it; somebody pays it.

S. THOMPSON: But you're actually treating these two charitable organizations differently, one because they're under religion and the other because we say they're under the tax code.

CLARDY: But we hold different institutions and different organizations to different standards in any number of areas. But in this sense, they are engaging in a practice, posting bond, again, through a legal process. It goes through a magistrate. But what they have done is they have chosen to do this under the tax code. What we did not want to do, and I think you may remember this, was there was some push in committee and in maybe one of the drafts—I don't remember exactly where in the process—to make charitable bond organizations subject to the exact same laws and regulations that the bail bondsmen are under. That's excessive. That is onerous. That was burdensome. And I couldn't support that either. We've already boiled this down to a very simple and easy to follow set of disclosures. It's not tied to penalties. It's not tied to anything other than you just need to report to the county clerk, get your certification, and file your report with the sheriff. And they can do that. If they can file their tax returns, they can certainly file this.

S. THOMPSON: So what you're saying is if you are a charitable organization, nonreligious, and you make over three bonds, then you have to report to the sheriff. And if you want to avoid that, you need to become a religious organization so you don't have to do that, and you can make as many bonds as you want to.

CLARDY: You make a very good distinction.

S. THOMPSON: Isn't that what you just told us?

CLARDY: So yes, there are churches and then there are nonprofit organizations under the tax code, the charitable bail organizations. Now, those charitable bail organizations, their charitable relation may be to a church. But again, that's not uncommon to have related entities. Put it in our world of politics. You can have a political action committee that does certain things and that's in that category, but then you have a corporation that does things here, and then you have some other entity that does charitable work. So what this is saying is, it's not saying that these charitable bail organizations cannot be related to a church or have the majority of its members form a church or have cross-directors or elders or leadership. It's just saying that if you're going to engage in issuing bonds, you're going to have to meet some reasonable and limited and not onerous reporting requirements. You get certified by the county clerk, you get your certification, and then you file the reports if you are doing more than three. So if it's done very irregularly, you're fine.

Amendment No. 8 was adopted.

**Amendment No. 9**

Representative C. Turner offered the following amendment to **CSSB 6**:

Amend **CSSB 6** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 26.044, Tax Code, is amended by adding Subsection (e) to read as follows:

(e) Notwithstanding any other provision of this section, the term "state criminal justice mandate" includes the amount spent by the county in the previous 12 months to comply with the requirements of law pertaining to the public safety report system developed under Article 17.021, Code of Criminal Procedure. This subsection expires December 31, 2025.

SECTION \_\_\_\_\_. Section 26.044(e), Tax Code, as added by this Act, applies only to a tax year that begins on or after January 1, 2022.

(Harris in the chair)

A record vote was requested by Representative C. Turner.

Amendment No. 9 failed of adoption by (Record 90): 37 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Rose; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

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

Absent, Excused — Anchia; Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gates; Gervin-Hawkins; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 90 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 90 was taken, I was absent. I would have voted yes.

Martinez

(Speaker in the chair)

A record vote was requested by Representative C. Turner.

**CSSB 6**, as amended, was passed to third reading by (Record 91): 82 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morales, E.; 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; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Goodwin; Hernandez; Herrero; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Canales; Collier; González, J.; Guerra; Guillen; Morales Shaw; Ramos.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, M.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Muñoz; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 91 was taken, I was absent. I would have voted no.

Beckley

When Record No. 91 was taken, I was absent. I would have voted no.

Crockett

When Record No. 91 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 89 was taken, I was absent. I would have voted no.

Martinez

When Record No. 91 was taken, I was absent. I would have voted no.

Martinez Fischer



When Record No. 91 was taken, I was absent. I would have voted no.

Rodriguez

### REASONS FOR VOTE

Representative Beckley submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocol or procedures to address the recent surge in the spread of COVID on the house floor and the Capitol buildings in general. Several members have tested positive and continue to put the rest of the legislative body at risk, whether voting from the speaker's chamber or the house floor. Until the issue is addressed and safety measures are put in place to protect members of the Texas Legislature, I will not be present on the floor, but have included my statement on **CSSB 6**.

While there are some reasonable provisions in **CSSB 6** and the intent of reforming the bail system is good, Texas should be reforming the criminal justice system so that less people are put in jail and those who are not guilty can be released in the most expedient way, instead of setting up a system that treats defendants unequally based on wealth.

**CSSB 6** will negatively affect low-income Texans by channeling them into the money bail system and keeping low-risk defendants in jail pretrial because they are unable to raise bail money, while allowing others who are a risk to the public to go free simply because they have the resources to do so.

**CSSB 6** will effectively force accused Texans to choose private bail bonds, a for-profit industry, by restricting access to charitable bail funds for people in jail awaiting trial, as well as hiking bail rates for those accused of certain violent crimes or repeated nonviolent offenses.

Several provisions in **CSSB 6** remove judicial discretion, could delay bail decisions, and lead to an increase in administrative burdens on the courts, overcrowding in jails, and higher costs to counties.

Increasing reliance on the money bail system could have a disproportionate impact on communities of color and could exacerbate racial or gender inequities tied to the criminal justice system and to economic factors that relate to an individual's ability to pay bail.

Due to aforementioned reasons, I would have voted "no."

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

This session, the house failed to pass meaningful criminal justice reform measures. **SJR 3** and **CSSB 6** reinforce Texas' cash bail system, which doubles down on a criminal justice system that penalizes the poor and affords a higher quality of justice for people that can afford to post bond. This legislation, and other pieces like it, will overcrowd Texas jails. The Texas Legislature should focus on equitable criminal justice reform that does not disproportionately and negatively impact Texas' black and Latino communities. Had I been present, I would have voted no.

**GENERAL STATE CALENDAR**  
**(consideration continued)**

**SB 7 - RULES SUSPENDED**  
**HOUSE SPONSOR AUTHORIZED**

Representative Bonnen moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 7** all joint authors and co-authors for **HB 8**.

The motion prevailed.

Representative Bonnen moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Canales as a house sponsor to **SB 7**.

The motion prevailed.

**SB 7 ON SECOND READING**  
**(Rogers - House Sponsor)**

**SB 7**, A bill to be entitled An Act relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

**Amendment No. 1**

On behalf of Representative Allen, Representative Bowers offered the following amendment to **SB 7**:

Amend **SB 7** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Subchapter H, Chapter 824, Government Code, is amended by adding Sections 824.7015 and 824.703 to read as follows:

Sec. 824.7015. ADJUSTMENT TO BENEFITS. (a) Subject to Section 821.006 and notwithstanding Section 824.702, the amount of a monthly service retirement benefit, disability retirement benefit, or death benefit paid under this chapter is increased to include a 10 percent adjustment in accordance with this section.

(b) The board of trustees shall recompute the amount of a benefit paid monthly under this chapter by applying the 10 percent adjustment to the monthly amount otherwise required to be paid as determined in accordance with the other applicable provisions of this chapter and other law.

Sec. 824.703. ANNUAL ADJUSTMENT FOR COST OF LIVING. (a) Subject to Section 821.006 and notwithstanding Section 824.702, the amount of a monthly service retirement benefit, disability retirement benefit, or death benefit paid under this chapter is increased to include a four percent annual cost-of-living adjustment in accordance with this section.

(b) The board of trustees shall recompute the amount of a benefit paid monthly under this chapter by applying the four percent adjustment to the monthly amount otherwise required to be paid as determined in accordance with the other applicable provisions of this chapter.

(b) Sections 824.7015 and 824.703, Government Code, as added by this section, apply only to a monthly benefit payment made by the Teacher Retirement System of Texas on or after February 1, 2022.

**Amendment No. 1 - Point of Order**

Representative Vasut raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 1 was withdrawn.

**SB 7** was passed to third reading.

**REMARKS ORDERED PRINTED**

Representative Moody moved to print all remarks on Amendment No. 5, Amendment No. 7, and Amendment No. 8 on **CSSB 6**.

The motion prevailed.

**SB 1 - REQUEST OF SENATE GRANTED**

On motion of Representative Murr, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1**.

**SB 1 - CONFERENCE COMMITTEE INSTRUCTED**

Representative Murr moved to instruct the Conference Committee on **SB 1** to limit the deliberations to resolving differences on Amendment No. 58 by Cain.

The motion to instruct conferees prevailed.

**SB 1 - CONFERENCE COMMITTEE APPOINTED**

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1**: Murr, chair; Burrows, Coleman, Lozano, and J. Turner.

**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 2 p.m. Monday, August 30.

The motion prevailed.

The house accordingly, at 10:25 p.m., adjourned until 2 p.m. Monday, August 30.

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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 183** (By Swanson), Relating to a pilot program for recording activity at a ballot counting station.

To Select Constitutional Rights and Remedies.

**HB 185** (By Hefner), Relating to requirements for a voting system to be used in an election in this state.

To Select Constitutional Rights and Remedies.

**HB 186** (By Howard), Relating to voter registration application forms in high schools.

To Select Constitutional Rights and Remedies.

**HB 188** (By Jetton), Relating to the enforcement by the secretary of state of certain voter roll maintenance provisions; providing a civil penalty.

To Select Constitutional Rights and Remedies.

**HB 200** (By Landgraf), Relating to the prohibition on the transportation, storage, and disposal of high-level radioactive waste in certain areas.

To Environmental Regulation.

**HB 203** (By Dominguez), Relating to requiring public schools to offer a virtual learning option during a disaster.

To Public Education.

**HB 205** (By Muñoz), Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas, including a related study.

To Appropriations.

**HB 206** (By Muñoz), Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

To Appropriations.

**HB 208** (By Oliverson), Relating to a vacancy in the office of senator or representative due to unexcused absence.

To State Affairs.

**HB 210** (By C. Bell, Oliverson, Metcalf, Patterson, and Wilson), Relating to the allocation and deposit of certain surplus state revenue to the property tax relief fund for use in reducing school district maintenance and operations ad valorem taxes.

To Appropriations.

**HB 212** (By Bucy), Relating to electronic voter registration.

To Select Constitutional Rights and Remedies.

**HB 213** (By Bucy), Relating to acceptable forms of identification for voting.

To Select Constitutional Rights and Remedies.

**HB 214** (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 215** (By Bucy), Relating to early voting by mail by any qualified voter.

To Select Constitutional Rights and Remedies.

**HB 216** (By Bucy), Relating to the procedures for voting after changing residence to another county.

To Select Constitutional Rights and Remedies.

**HB 218** (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 219** (By Bucy), Relating to the registration of voters at a polling place and related procedures.

To Select Constitutional Rights and Remedies.

**HB 220** (By Bucy), Relating to the electronic transmission of a ballot to a voter voting early by mail on the ground of absence from the county of residence.

To Select Constitutional Rights and Remedies.

**HB 221** (By Bucy), Relating to accommodating voters with a disability.

To Select Constitutional Rights and Remedies.

**HB 223** (By Capriglione), Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas.

To Appropriations.

**HB 227** (By Anchia and Howard), Relating to a policy requiring the use of face masks, face shields, or other face coverings and providing notice to a parent or guardian regarding a positive coronavirus disease (COVID-19) test for a person assigned to a student's classroom in public schools.

To Public Education.

**HB 236** (By Landgraf), Relating to the prohibition on the transportation, storage, and disposal of high-level radioactive waste in certain areas.

To Environmental Regulation.

**HB 237** (By Zwiener), Relating to the governor's issuance of executive orders, proclamations, and regulations under the Texas Disaster Act of 1975 regarding the wearing of face masks or coverings in certain schools.

To Public Education.

**HB 238** (By Landgraf), Relating to the storage of radioactive waste or elemental mercury for any period exceeding one year; authorizing a fee.

To Environmental Regulation.

**HJR 26** (By Howard), Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.

To Ways and Means.

**HR 97** (By Cain), In memory of H Scott Apley of Dickinson.

To Resolutions Calendars.

**HR 98** (By Price), In memory of Peggy Ferguson of Dumas.

To Resolutions Calendars.

**HR 99** (By Price), Commemorating the 70th anniversary of the Amarillo Wesley Community Center.

To Resolutions Calendars.

**HR 100** (By Price), Commemorating the 70th anniversary of Wonderland Amusement Park in Amarillo.

To Resolutions Calendars.

**HR 101** (By Price), Congratulating Michael Maples on his retirement as deputy executive commissioner for the Health and Specialty Care System at the Texas Health and Human Services Commission.

To Resolutions Calendars.

**HR 102** (By Tinderholt), Congratulating Mission Arlington on its 35th anniversary.

To Resolutions Calendars.

**HR 103** (By Meyer), In memory of Jeffrey Sean Barry of Dallas.

To Resolutions Calendars.

**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  
Friday, August 27, 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 REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

**SB 1**

Senate Conferees: Hughes - Chair/Bettencourt/Buckingham/Creighton/Lucio

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**August 26**

State Affairs - **SB 14**





# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

FIFTH DAY — MONDAY, AUGUST 30, 2021

The house met at 2:14 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 92).

Present — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Cook; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Rogers; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; White; Wilson; Wu; Zwiener.

Absent — Beckley; Campos; Canales; Coleman; Collier; Cortez; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Herrero; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ordaz Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Walle.

The invocation was offered by Representative Oliverson as follows:

Father God, we come together before you as a people called by your name, and we humbly beseech you as we go about our business here on behalf of our constituents as we serve you by serving others. We ask that you would give us wisdom, you would give us patience, you would give us discernment, and you would give us strength to finish the job at hand. I ask that you put a wall of protection around our families. Bring them comfort and protection as we cannot be with them. And Lord, I specifically pray today on behalf of our brothers and sisters in Southeast Louisiana and Mississippi. Lord, many of us know the pain and the suffering that come with a Category 4 hurricane. But God, we know that you are all powerful. We know that those hurricanes and those storms are nothing compared to your mighty power. And so I humbly ask that miracles will be done in your name and that the people who are in harm's way will be saved, will be

protected, that lives will be preserved, and that people will have opportunity to serve you as they serve their fellow men and women in the wake of this most recent disaster. And we ask all these things in your son Jesus' name. Amen.

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

### **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).

### **INTRODUCTION OF GUEST**

The chair recognized Representative Bonnen who introduced Medal of Honor recipient Clarence Eugene Sasser for the dedication and unveiling of his portrait hanging in the house chamber.

(Coleman, Cortez, and Hinojosa now present)

(Guillen in the chair)

### **LEAVE OF ABSENCE GRANTED**

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

Canales on motion of Guillen.

### **CONGRATULATORY AND MEMORIAL CALENDAR**

The following congratulatory resolutions were laid before the house:

**HCR 9** (by Stephenson), Commemorating the dedication of a Texas Historical Marker at the site of the Wharton Training School in Wharton.

**HCR 10** (by Craddick), Congratulating James M. Alsup for receiving the West Texan by Nature Award from the Sibley Nature Center.

**HR 2** (by White), Commending Lowell Crew of Livingston for his service to the Polk County Texas GOP.

**HR 3** (by White), Congratulating Melba Inman on her retirement from the Newton County Public Library.

**HR 4** (by White), Congratulating Harriette Martin on her retirement from the Newton County Public Library.

**HR 6** (by White), Honoring Don Baird for his service as mayor of Colmesneil.

**HR 8** (by Spiller), Congratulating Dr. Glenn Blodgett of Guthrie on his induction into the American Quarter Horse Hall of Fame.

**HR 11** (by White), Commemorating the founding of Girl Scout Daisy Troop 101015 in Tyler County.

**HR 12** (by Buckley), Congratulating James Cook Jr. of Killeen ISD on being named the 2022 ESC Region 12 Elementary Teacher of the Year.

**HR 13** (by Hull), Recognizing October 2022 as Domestic Violence Awareness Month.

**HR 14** (by Hull), Recognizing October 2021 as Domestic Violence Awareness Month.

**HR 17** (by Meyer), Congratulating Shelby Whitson and Hunter Robinson on their wedding.

**HR 18** (by Paddie), Congratulating Anthony Robinson on his induction into the Mrs. H. D. Dear, Sr. and Alice E. Dear School of Creative and Performing Arts Hall of Fame at Northwestern State University.

**HR 20** (by Paddie), Congratulating Michael Lee on his retirement from the Texas Department of Transportation.

**HR 23** (by Murr), Congratulating Shanon Biggerstaff on her retirement as president of the Ozona Chamber of Commerce.

**HR 26** (by Murr), Commending Tom Moser for his service as a Kerr County commissioner.

**HR 27** (by Murr), Congratulating Vernon Ollar on the occasion of his 100th birthday and honoring him for his patriotic service during World War II.

**HR 56** (by Martinez), Commemorating the 25th anniversary of the Valley Initiative for Development and Advancement (VIDA).

**HR 57** (by White), Congratulating Jessie White of West Brook High School in Beaumont on his induction into the Prairie View Interscholastic League Coaches Association Hall of Fame.

**HR 65** (by Collier), Congratulating the Cenikor Foundation facility in Fort Worth on the organization's 55th anniversary.

**HR 68** (by Guillen), Congratulating Elva Yolanda Morado on her retirement from the Texas A&M AgriLife Extension Service.

**HR 69** (by Rogers), Commending Ted D. Matthews for his service as CEO of Eastland Memorial Hospital.

**HR 70** (by Rogers), Commemorating the Eastland Memorial Hospital 2021 annual gala.

**HR 73** (by K. Bell), Commemorating the 150th anniversary of the First Baptist Church of Kaufman.

**HR 74** (by K. Bell), Commemorating the 75th anniversary of the Kaufman Lions Club youth baseball and softball program.

**HR 76** (by Davis), Congratulating Kenneth Barr on his receipt of the 2021 Drive to Excellence Award from the North Texas Tollway Authority.

**HR 77** (by Huberty), Congratulating Chase and Lindsey Barker of Houston on the birth of their son, Chase Austin Barker II.

**HR 78** (by Jetton), Commending Loukya Kotla for her service as an intern in the office of State Representative Jacey Jetton.

**HR 79** (by Jetton), Commending Melinda Dae for her service as a legislative intern in the office of State Representative Jacey Jetton.

**HR 80** (by Jetton), Congratulating Goldfish Swim School in Sugar Land on its one-year anniversary.

**HR 81** (by Jetton), Commemorating Indian Independence Day on August 15, 2021.

**HR 82** (by Jetton), Commending Michael Nguyen on his service as a legislative intern in the office of State Representative Jacey Jetton.

**HR 83** (by Jetton), Commending Menita Thakare on her service as a summer intern in the office of State Representative Jacey Jetton.

**HR 84** (by Jetton), Commending Huy Hoang Nguyen and Ngoc Tram Thi Chu of the Creamery Teahouse and Tram's Teahouse for their cultural and community contributions.

**HR 85** (by Jetton), Commending Maria Siddeeqe for her service as a legislative intern in the office of State Representative Jacey Jetton.

**HR 86** (by Jetton), Honoring Anya Kureshi for her service as a legislative intern in the office of State Representative Jacey Jetton.

**HR 87** (by Jetton), Congratulating Al and Frances Luna of Rosenberg on their 60th wedding anniversary.

**HR 89** (by White), Commending Victoria Denise Herline Engman for her service as an administrative aide in the office of State Representative James White.

**HR 90** (by White), Commending Sebastian Quaid for his service as a legislative aide in the office of State Representative James White.

**HR 91** (by White), Commending Jordan Parr for his service as legislative director in the office of State Representative James White.

**HR 92** (by Huberty), Congratulating William and Sarah Jane Holleman on the birth of their son, James Robert Holleman.

**HR 94** (by Jetton), Commending Jason Zhang for his service as a legislative intern in the office of State Representative Jacey Jetton.

**HR 95** (by Wu), Commending Nikita Munsif for her service as a legislative aide in the office of State Representative Gene Wu.

**HR 99** (by Price), Commemorating the 70th anniversary of the Amarillo Wesley Community Center.

**HR 100** (by Price), Commemorating the 70th anniversary of Wonderland Amusement Park in Amarillo.

**HR 101** (by Price), Congratulating Michael Maples on his retirement as deputy executive commissioner for the Health and Specialty Care System at the Texas Health and Human Services Commission.

**HR 102** (by Tinderholt), Congratulating Mission Arlington on its 35th anniversary.

The resolutions were adopted.

**HR 76 - NAMES ADDED**

Without objection, the names of all the members of the house were added to **HR 76** as signers thereof.

The following memorial resolutions were laid before the house:

**HCR 11** (by Craddick), In memory of Katharyn Carterette Bock of New Braunfels.

**HR 1** (by White), In memory of John D. Clifton of Livingston.

**HR 5** (by White), In memory of Earl Wayne Fletcher Sr. of Longview.

**HR 7** (by White), In memory of Vandie Lindsey Smith Jr. of Magnolia Springs.

**HR 9** (by Spiller), In memory of Ethan Joe Langley of Jacksboro.

**HR 19** (by Paddie), In memory of Edgar Curtis Walker of Jefferson.

**HR 21** (by Paddie), In memory of Rick Lane Campbell of Center.

**HR 22** (by Paddie), In memory of Patricia Ryan Keesee of Linden.

**HR 24** (by Murr), In memory of Carl James "Jimmy" Cahill Jr. of Sonora.

**HR 25** (by Murr), In memory of Stephen C. Helbing Sr.

**HR 28** (by Murr), In memory of Tracey Adams of the Texas Department of Criminal Justice.

**HR 29** (by Murr), In memory of Stacy Crosby of the Texas Department of Criminal Justice.

**HR 30** (by Murr), In memory of Sara Margaret Keenom of the Texas Department of Criminal Justice.

**HR 31** (by Murr), In memory of Luis Hernandez of the Texas Department of Criminal Justice.

**HR 32** (by Murr), In memory of Jimmy Garcia of the Texas Department of Criminal Justice.

**HR 33** (by Murr), In memory of Rodrick L. Rodgers of the Texas Department of Criminal Justice.

**HR 34** (by Murr), In memory of Barry Deckard of the Texas Department of Criminal Justice.

**HR 35** (by Murr), In memory of Gerald Bedison of the Texas Department of Criminal Justice.

**HR 36** (by Murr), In memory of Michael Harper of the Texas Department of Criminal Justice.

**HR 37** (by Murr), In memory of Kenneth Russell of the Texas Department of Criminal Justice.

**HR 38** (by Murr), In memory of Timothy Beggs of the Texas Department of Criminal Justice.

**HR 39** (by Murr), In memory of Harold Smith of the Texas Department of Criminal Justice.

**HR 40** (by Murr), In memory of Frank Edward Rose of the Texas Department of Criminal Justice.

**HR 41** (by Murr), In memory of Clemente Rocha III of the Texas Department of Criminal Justice.

**HR 42** (by Murr), In memory of Dorothy Sue Caylor of the Texas Department of Criminal Justice.

**HR 43** (by Murr), In memory of Phillip Dexter Holbert of the Texas Department of Criminal Justice.

**HR 44** (by Murr), In memory of Joe Landin of the Texas Department of Criminal Justice.

**HR 45** (by Murr), In memory of Rebecca Adauto Crowe of the Texas Department of Criminal Justice.

**HR 46** (by Murr), In memory of Randall Sims of the Texas Department of Criminal Justice.

**HR 47** (by Murr), In memory of John Wier of the Texas Department of Criminal Justice.

**HR 48** (by Murr), In memory of Lieutenant Treva Preston of the Texas Department of Criminal Justice.

**HR 49** (by Murr), In memory of Alfredo Jimenez Jr. of the Texas Department of Criminal Justice.

**HR 50** (by Murr), In memory of Maria Garcia of the Texas Department of Criminal Justice.

**HR 51** (by Murr), In memory of Godfrey Zuze of the Texas Department of Criminal Justice.

**HR 52** (by Murr), In memory of Officer Vickie James of the Texas Department of Criminal Justice.

**HR 53** (by Murr), In memory of Tawiwo Obele of the Texas Department of Criminal Justice.

**HR 54** (by Murr), In memory of Troy Morin of the Texas Department of Criminal Justice.

**HR 55** (by Martinez), In memory of Joel A. Garza of Weslaco.

**HR 58** (by Guillen), In memory of Dr. Joe David Townsend of South Padre Island.

**HR 59** (by Guillen), In memory of Joseph LaMantia Jr. of McAllen.

**HR 60** (by Guillen), In memory of Abel N. Gonzalez Sr. and Maria Elia Solis Gonzalez of Rio Grande City.

**HR 61** (by Guillen), In memory of Arcadio Jesus Salinas Jr. of Rio Grande City.

**HR 62** (by Guillen), In memory of Roy and Lucy Cantu of Rio Grande City.

**HR 63** (by Guillen), In memory of Alberto Barrera of Rio Grande City.

**HR 64** (by White), In memory of Principal Chief Herbert G. Johnson Sr. of the Alabama-Coushatta Tribe of Texas.

**HR 66** (by White), In memory of Principal Chief Herbert G. Johnson Sr. of the Alabama-Coushatta Tribe of Texas.

**HR 67** (by Spiller), In memory of Gregory Alan Lewis of Jacksboro.

**HR 75** (by Price), In memory of Chalys Diane Baker of Amarillo.

**HR 88** (by Cole), In memory of Ada Cecilia Collins Anderson of Austin.

**HR 93** (by Huberty), In memory of David Edward Feille of Atascocita.

**HR 97** (by Cain), In memory of H Scott Apley of Dickenson.

**HR 98** (by Price), In memory of Peggy Ferguson of Dumas.

**HR 103** (by Meyer), In memory of Jeffrey Sean Barry of Dallas.

The resolutions were unanimously adopted by a rising vote.

(Herrero now present)

### **HR 13 AND HR 14 - REMARKS**

REPRESENTATIVE HULL: Members, we just passed two resolutions commemorating the month of October 2021 and 2022 as Domestic Violence Awareness Month. As a society, when we hear the words "domestic violence," what we hear is physical abuse. I am here to shed light on domestic violence being so much more than physical abuse. Domestic violence never starts with a punch in the face, but what it does start with is emotional abuse, psychological abuse, religious abuse, and financial abuse. This can look like many things: control, gaslighting, weaponizing your children, turning your support system against you, the abuser playing the victim, and the list keeps going.

When physical abuse is present, the other forms of abuse have already taken place. Often, there was no physical abuse prior. Instead, the abuser uses every other form of abuse, to the point where the victims find themselves wishing there was physical violence so there would be proof and an end in sight. Even though that is not a healthy outlook, some victims feel it's the only way people will believe them. One of the main questions that is asked on domestic violence

hotlines is from victims asking, is this abuse? Is what I am experiencing abuse? Many people living it don't understand that there is a label to what they are experiencing and that what that is is domestic violence.

One of the most dangerous times for a victim of domestic violence is when they are in the process of leaving or after they have left. This is when the abuse is the worst. This is the most terrifying time for a victim of domestic violence. This is when her life is in the most danger. When you hear reports of an abuser killing their spouse, rarely was there known physical violence prior. So my takeaway for all of you is just because someone doesn't have a bruise on their face, it doesn't mean they're not a victim of domestic violence. You can't judge a book by its cover. It can even be someone like me, one of your colleagues, and you'd never know.

Given the domestic violence statistics that it's 1 in 4 women and 1 in 9 men, I know there are many of us survivors in this room right now. To the victims and to the survivors, I want this to serve as a reminder that you are not the lies your abuser says about you and nothing you have done makes it to where you deserved the abuse. In those times when you feel like you have no strength left to go on, remember Jesus is by your side and you can find your strength in him. Remember the love Jesus has for you. You are so loved, and you can do this.

I urge you all to look up something called the wheel of violence, and you will see that there are so many other things before you get to sexual abuse and physical abuse. I'll close with this. I want this to serve as a reminder to all of us that none of us know the battles that others are fighting and to always be kind.

#### **REMARKS ORDERED PRINTED**

Representative J.E. Johnson moved to print remarks by Representative Hull on **HR 13** and **HR 14**.

The motion prevailed.

#### **NAMES ADDED**

Without objection, the names of all the members of the house were added to **HR 13** and **HR 14** as signers thereof.

(Speaker in the chair)

#### **HR 123 - NOTICE GIVEN**

At 2:56 p.m., pursuant to the provisions of Rule 14, Section 4, of the House Rules, the speaker announced that Representative Burrows would, in one hour, move to suspend the regular order of business to take up and consider **HR 123**.

(J. González and M. González now present)

#### **CONSTITUTIONAL AMENDMENTS CALENDAR SENATE JOINT RESOLUTIONS THIRD READING**

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



**SJR 3 ON THIRD READING**  
**(Kacal, Smith, Cook, et al. - House Sponsors)**

**SJR 3**, A joint resolution 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.

Representative Kacal moved to postpone consideration of **SJR 3** until 4 p.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR**  
**HOUSE BILLS**  
**THIRD READING**

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

**HB 9 ON THIRD READING**  
**(by Bonnen, E. Morales, Metcalf, Holland, Middleton, et al.)**

**HB 9**, A bill to be entitled An Act relating to making supplemental appropriations relating to border security and giving direction regarding those appropriations.

**HB 9** was passed by (Record 93): 85 Yeas, 36 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Morales, E.; Morrison; Murphy; Murr; Noble; 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; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Dominguez; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; Minjarez; Moody; Muñoz; Neave; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Davis; Deshotel; Gervin-Hawkins; Guillen; Johnson, J.D.; King, T.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Ordaz Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Walle.

The chair stated that **HB 9** was passed subject to the provisions of Article III, Section 49a, of the Texas Constitution.

### STATEMENTS OF VOTE

When Record No. 93 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 93 was taken, I was absent. I would have voted no.

Crockett

When Record No. 93 was taken, I was in the house but away from my desk. I would have voted no.

Davis

When Record No. 93 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 93 was taken, I was absent. I would have voted no.

Martinez

When Record No. 93 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 93 was taken, I was absent. I would have voted no.

C. Morales

When Record No. 93 was taken, I was in the house but away from my desk. I would have voted no.

Morales Shaw

When Record No. 93 was taken, I was shown voting no. I intended to vote yes.

Muñoz

When Record No. 93 was taken, I was temporarily out of the house chamber. I would have voted no.

Ordaz Perez

When Record No. 93 was taken, I was absent. I would have voted no.

Reynolds

When Record No. 93 was taken, I was absent. I would have voted no.

Rodriguez

When Record No. 93 was taken, my vote failed to register. I would have voted no.

Walle

(Walle now present)

**HB 7 ON THIRD READING**  
**(by Landgraf)**

**HB 7**, A bill to be entitled An Act relating to the transportation, storage, or disposal of high-level radioactive waste.

**Amendment No. 1**

Representatives Craddick and Goodwin offered the following amendment to **HB 7**:

Amend **HB 7** on third reading (second reading engrossment), in SECTION 3 of the bill, in added Section 401.072, Health and Safety Code, by striking page 2, lines 9 and 10, and substituting the following:

license holder, may not dispose of or store in this state:

(1) high-level radioactive waste; or

(2) radioactive waste that meets the storage requirements under

10 C.F.R. Section 72.128 as that section existed on September 1, 2021.

**Amendment No. 1 - Point of Order**

Representative Landgraf raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on Amendment No. 1 to House Bill 7

Announced in the House on August 30, 2021

Representative Landgraf raises a point of order against further consideration of the Craddick Amendment under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

The subject of the bill, as reflected by the bill's caption, is the transportation, storage, or disposal of high-level radioactive waste. While artfully drafted, this amendment is similar in effect to the amendment offered by Mr. Craddick during second reading consideration of the bill. For the reasons stated in the Chair's ruling on that amendment, this amendment is not germane. 87 H. Jour. 2d C.S. 230 (2021).

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

The ruling precluded further consideration of Amendment No. 1.

**HB 7** was passed by (Record 94): 94 Yeas, 32 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Cason; Clardy; Coleman; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; González, M.; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Moody; Morales, E.; Morrison; Murphy; Murr; Neave; 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; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson.

Nays — Allen; Anchia; Bernal; Bowers; Bucy; Capriglione; Cole; Davis; González, J.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; Longoria; Lucio; Minjarez; Morales Shaw; Muñoz; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ordaz Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 94 was taken, I was excused because of personal business. I would have voted yes.

Canales

When Record No. 94 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 94 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 94 was taken, I was shown voting no. I intended to vote yes.

Hernandez

When Record No. 94 was taken, I was shown voting no. I intended to vote yes.

Longoria

When Record No. 94 was taken, I was absent. I would have voted no.

Martinez

When Record No. 94 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 94 was taken, I was absent. I would have voted no.

C. Morales

When Record No. 94 was taken, I was shown voting yes. I intended to vote no.

Neave

When Record No. 94 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ordaz Perez

When Record No. 94 was taken, I was absent. I would have voted no.

Reynolds

When Record No. 94 was taken, I was absent. I would have voted no.

Rodriguez

### HB 20 ON THIRD READING

(by Cain, White, Burrows, Metcalf, Shaheen, et al.)

**HB 20**, A bill to be entitled An Act relating to censorship of or certain other interference with digital expression, including expression on social media platforms or through electronic mail messages.

**HB 20** was passed by (Record 95): 77 Yeas, 49 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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; Bernal; Bowers; Bucy; Capriglione; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ordaz Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 95 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 95 was taken, I was absent. I would have voted no.

Crockett

When Record No. 95 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 95 was taken, I was absent. I would have voted no.

Martinez

When Record No. 95 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 95 was taken, I was absent. I would have voted no.

C. Morales

When Record No. 95 was taken, I was temporarily out of the house chamber. I would have voted no.

Ordaz Perez

When Record No. 95 was taken, I was absent. I would have voted no.

Reynolds

When Record No. 95 was taken, I was absent. I would have voted no.

Rodriguez

**GENERAL STATE CALENDAR  
SENATE BILLS  
THIRD READING**

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

**SB 15 ON THIRD READING  
(K. Bell, et al. - House Sponsors)**

**SB 15**, A bill to be entitled An Act relating to virtual and off-campus electronic instruction at a public school, the satisfaction of teacher certification requirements through an internship teaching certain virtual courses, and the allotment for certain special-purpose school districts under the Foundation School Program.

**SB 15** was passed by (Record 96): 119 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Coleman; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Goldman; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Rogers; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine;

Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Zwiener.

Nays — González, J.; González, M.; Hinojosa; Howard; Israel; Turner, C.; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ordaz Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 96 was taken, I was excused because of personal business. I would have voted yes.

Canales

When Record No. 96 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 96 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 96 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 96 was taken, I was absent. I would have voted yes.

C. Morales

When Record No. 96 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ordaz Perez

When Record No. 96 was taken, I was absent. I would have voted yes.

Reynolds

When Record No. 96 was taken, I was absent. I would have voted no.

Rodriguez

**SB 6 ON THIRD READING**

**(Smith, Cook, Harless, Kacal, et al. - House Sponsors)**

**SB 6**, A bill to be entitled An Act 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, and to the reporting of information pertaining to bail bonds.

**Amendment No. 1**

Representative Moody offered the following amendment to **SB 6**:

Amend **SB 6** on third reading in added Article 17.071(a)(2), Code of Criminal Procedure, by striking "a nonprofit corporation organized for the purpose of religious worship" and substituting "a nonprofit corporation organized for a religious purpose".

Amendment No. 1 was adopted.

**SB 6**, as amended, was passed by (Record 97): 85 Yeas, 40 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Muñoz; Murphy; Murr; Neave; 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; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales Shaw; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales, E.; Ordaz Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 97 was taken, I was absent. I would have voted no.

Crockett

When Record No. 97 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 97 was taken, I was absent. I would have voted no.

Martinez

When Record No. 97 was taken, I was absent. I would have voted no.

Martinez Fischer



When Record No. 97 was taken, I was absent. I would have voted no.

C. Morales

When Record No. 97 was taken, I was shown voting yes. I intended to vote no.

Neave

When Record No. 97 was taken, I was absent. I would have voted no.

Rodriguez

### SB 7 ON THIRD READING

**(Rogers, Darby, Ashby, Parker, Bonnen, et al. - House Sponsors)**

**SB 7**, A bill to be entitled An Act relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

#### SB 7 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE DARBY: On page 4, line 8, of **SB 7**, it says: "If the board of trustees of the Teacher Retirement System of Texas finds that the legislature did not appropriate money in an amount sufficient to provide a one-time supplemental payment of benefits under this section, the retirement system may not make the payment." It is my understanding that Section 13 of **HB 5** appropriates \$701,100,535 to actually fund **SB 7**, which will provide a 13th check of up to \$2,400 for all TRS employees. My question to you is: Since this is an appropriation that's coming directly from general revenue, it will fund the entire amount needed for the 13th check. Can we be confident that the board of trustees of TRS will have no reason not to make the payment of the 13th check?

REPRESENTATIVE ROGERS: Yes, since the bill covers those who retired on December 31, 2020, TRS knows exactly what the 13th check amount will be. The bill's fiscal note states: "TRS estimates the cost to provide a one-time supplemental annuity payment under the provisions of the bill would total \$701.1 million. This analysis assumes the legislature would need to appropriate an additional \$701.1 million for fiscal year 2022 to TRS for the TRS board to make the payment." And that is precisely what **HB 5** does. So if both **SB 7** and **HB 5** pass, the money is definitely there to pass the 13th check.

#### REMARKS ORDERED PRINTED

Representative Darby moved to print remarks between Representative Rogers and Representative Darby on **SB 7**.

The motion prevailed.

**SB 7** was passed by (Record 98): 125 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cole; Coleman; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; 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.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Rogers; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; 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 — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ordaz Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Slawson; Thierry.

#### STATEMENTS OF VOTE

When Record No. 98 was taken, I was absent. I would have voted yes.

Campos

When Record No. 98 was taken, I was excused because of personal business. I would have voted yes.

Canales

When Record No. 98 was taken, I was absent. I would have voted yes.

Crockett

When Record No. 98 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 98 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 98 was taken, I was absent. I would have voted yes.

Martinez Fischer

When Record No. 98 was taken, I was absent. I would have voted yes.

C. Morales

When Record No. 98 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ordaz Perez

When Record No. 98 was taken, I was absent. I would have voted yes.

Ramos

When Record No. 98 was taken, I was absent. I would have voted yes.

Reynolds

When Record No. 98 was taken, I was absent. I would have voted yes.

Rodriguez

### REASON FOR VOTE

Representative Ramos submitted the following reason for vote to be printed in the journal:

As an educator and a mother of an educator, I recognize the sacrifices it takes to devote one's career to molding our youth. That is why I have continuously supported our active and retired educators. This can be seen by the previous legislation that I have been honored to be a part of. **SB 7** would appropriate funds for and continue the 13th check for our retired educators. I support any legislation that not only grants a supplemental payment in retirement but also provides for a long overdue cost-of-living adjustment.

### GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

#### CSHB 5 ON SECOND READING (by Bonnen, et al.)

**CSHB 5**, A bill to be entitled An Act relating to making supplemental appropriations and giving direction regarding appropriations. .

Representative Bonnen moved to postpone consideration of **CSHB 5** until 10 a.m. Wednesday, September 1.

The motion prevailed.

### GENERAL STATE CALENDAR SENATE BILLS SECOND READING

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

#### SB 4 ON SECOND READING (Klick, Noble, Oliverson, Cook, Frank, et al. - House Sponsors)

**SB 4**, A bill to be entitled An Act relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense.

(Harris in the chair)

#### Amendment No. 1

Representative Zwiener offered the following amendment to **SB 4**:

Amend **SB 4** (house committee printing) by striking the enacting clause (page 1, line 5).

(Ordaz Perez now present)

A record vote was requested by Representative Zwiener.

Amendment No. 1 failed of adoption by (Record 99): 42 Yeas, 81 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Davis; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Cortez; Crockett; Deshotel; Dominguez; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 99 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

When Record No. 99 was taken, I was in the house but away from my desk. I would have voted yes.

Dominguez

When Record No. 99 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 99 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 99 was taken, I was shown voting no. I intended to vote yes.

E. Morales

**Amendment No. 2**

Representative Moody offered the following amendment to **SB 4**:

Amend **SB 4** (house committee report) by striking SECTION 1 of the bill (page 1, lines 6 through 15) and renumbering subsequent SECTIONS of the bill and cross-references to those SECTIONS accordingly.

A record vote was requested by Representative Zwiener.

Amendment No. 2 failed of adoption by (Record 100): 42 Yeas, 83 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vasut; Walle; White; Wilson.

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

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 100 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 100 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 100 was taken, I was shown voting no. I intended to vote yes.

S. Thompson

When Record No. 100 was taken, I was shown voting no. I intended to vote yes.

Walle

**Amendment No. 3**

Representative Hinojosa offered the following amendment to **SB 4**:

Amend **SB 4** (house committee printing) as follows:

- (1) On page 2, strike lines 11 through 27.
- (2) On page 2, line 27, immediately following the underlined semicolon, insert "or".
- (3) On page 3, strike lines 1 through 5.
- (4) On page 7, strike lines 4 through 6.
- (5) Renumber accordingly the subdivisions of amended Section 171.006(a), Health and Safety Code.

A record vote was requested by Representative Zwiener.

Amendment No. 3 failed of adoption by (Record 101): 45 Yeas, 81 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 101 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 101 was taken, I was absent. I would have voted yes.

Martinez

**Amendment No. 4**

Representative J.E. Johnson offered the following amendment to **SB 4**:

Amend **SB 4** (house committee printing) as follows:

(1) On page 3, line 20, strike "Subdivisions (2) and (5)" and substitute "Subdivision (5)".

(2) Strike page 3, line 22, through page 4, line 8.

A record vote was requested by Representative Zwiener.

Amendment No. 4 failed of adoption by (Record 102): 45 Yeas, 81 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 102 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 102 was taken, I was absent. I would have voted yes.

Martinez

**Amendment No. 5**

Representative A. Johnson offered the following amendment to **SB 4**:

Amend **SB 4** (house committee report) as follows:

(1) On page 4, line 27, between "(a)," and "(c)," insert "(b),".

(2) On page 5, strike lines 10 through 15, and substitute the following:

(2) except as otherwise provided by Subsection (b), the provision[~~prescription, or administration~~] of the abortion-inducing drug satisfies the protocol tested and authorized by the United States Food and Drug Administration as outlined in the final printed label of the abortion-inducing drug.

(3) On page 5, between lines 15 and 16, insert the following:

(b) A person may provide[~~prescribe, or administer~~] the abortion-inducing drug in the dosage amount prescribed by the clinical management guidelines defined by the American Congress of Obstetricians and Gynecologists Practice Bulletin as those guidelines.

(4) On page 7, strike lines 24 through 27 and renumber subsequent SECTIONS of the bill accordingly.

A record vote was requested by Representative Zwiener.

Amendment No. 5 failed of adoption by (Record 103): 45 Yeas, 81 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

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

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 103 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 103 was taken, I was absent. I would have voted yes.

Martinez



**Amendment No. 6**

Representative Bucy offered the following amendment to **SB 4**:

Amend **SB 4** (house committee report) on page 5, line 18, between "service" and the underlined period, by inserting "unless the provision of the drug by the manufacturer, supplier, physician, or other person complies with applicable recommendations issued by a federal agency".

A record vote was requested by Representative Zwiener.

Amendment No. 6 failed of adoption by (Record 104): 45 Yeas, 80 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Schaefer; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 104 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 104 was taken, I was absent. I would have voted yes.

Martinez

**Amendment No. 7**

Representative Howard offered the following amendment to **SB 4**:

Amend **SB 4** (house committee printing) as follows:

(1) On page 5, line 26, immediately following the underlined semicolon, insert "and".

(2) Strike page 5, line 27, through page 6, line 8.

(3) On page 6, line 9, strike "(6)" and substitute "(4)".

A record vote was requested by Representative Zwiener.

Amendment No. 7 failed of adoption by (Record 105): 45 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; 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.

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

Absent, Excused — Canales.

Absent — Beckley; Buckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Murr; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 105 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 105 was taken, I was absent. I would have voted yes.

Martinez

#### SB 4 - POINT OF ORDER

Representative Zwiener raised a point of order against further consideration of **SB 4** under Rule 4, Section 32(c), of the House Rules on the grounds that the bill analysis is materially misleading. The point of order was withdrawn.

**Amendment No. 8**

Representative Goodwin offered the following amendment to **SB 4**:

Amend **SB 4** (house committee printing) on page 6, line 11, by striking "49" and substituting "70".

(Speaker in the chair)

A record vote was requested by Representative Zwiener.

Amendment No. 8 failed of adoption by (Record 106): 45 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 106 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 106 was taken, I was absent. I would have voted yes.

Martinez

**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. 2).

**SB 4 - (consideration continued)****Amendment No. 9**

Representative Rosenthal offered the following amendment to **SB 4**:

Amend **SB 4** (house committee printing) on page 6, lines 10-11, by striking "whose pregnancy is more than 49 days of gestational age" and substituting "without following the clinical management guidelines contained in the American College of Obstetrician and Gynecologists Practice Bulletin Number 225, October 2020".

A record vote was requested by Representative Zwiener.

Amendment No. 9 failed of adoption by (Record 107): 45 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 107 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 107 was taken, I was absent. I would have voted yes.

Martinez

**Amendment No. 10**

Representative Coleman offered the following amendment to **SB 4**:

Amend **SB 4** (house committee printing) on page 6, line 11, by striking "of gestational age" and substituting "post-fertilization".

A record vote was requested by Representative Zwiener.

Amendment No. 10 failed of adoption by (Record 108): 43 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Thompson, S.; Vo.

**STATEMENTS OF VOTE**

When Record No. 108 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 108 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 108 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

**Amendment No. 11**

Representative C. Turner offered the following amendment to **SB 4**:

Amend **SB 4** (senate committee printing) in SECTION 5 of the bill, in amended Section 171.063, Health and Safety Code, as follows:

(1) Strike amended Subsection (a)(2) (page 3, lines 2-7) and substitute the following:

(2) [~~except as otherwise provided by Subsection (b),~~] the provision[~~, prescription, or administration~~] of the abortion-inducing drug satisfies the protocol tested and authorized by the United States Food and Drug Administration as outlined in the final printed label of the abortion-inducing drug as it existed on August 1, 2021.

(2) In added Subsection (c)(4) (page 3, line 24), immediately after the underlined semicolon, insert "and".

(3) In added Subsection (c)(5) (page 3, line 27), strike "and" and substitute a period.

(4) Strike added Subsection (c)(6) (page 3, lines 28-30).

A record vote was requested by Representative Zwiener.

Amendment No. 11 failed of adoption by (Record 109): 43 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meyer; Meza; Morales, C.; Morales Shaw; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Thompson, S.

**STATEMENTS OF VOTE**

When Record No. 109 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 109 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 109 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

**Amendment No. 12**

Representative Cole offered the following amendment to **SB 4**:

Amend **SB 4** (house committee report) on page 6, line 11, between "age" and the period, by inserting ", unless the physician determines that providing the abortion-inducing drug to the pregnant woman does not pose a threat to the health or safety of the pregnant woman".

A record vote was requested by Representative Zwiener.

Amendment No. 12 failed of adoption by (Record 110): 42 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Guillen; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meyer; Meza; Morales, C.; Morales Shaw; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Thompson, S.; Vo.

### STATEMENTS OF VOTE

When Record No. 110 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 110 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 110 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

#### Amendment No. 13

Representative J. González offered the following amendment to **SB 4**:

Amend **SB 4** (house committee report) on page 6, line 11, between "age" and the period, by inserting "unless the pregnant woman is a minor and the pregnancy is the result of a sexual assault, rape, or incest".

A record vote was requested by Representative Zwiener.

Amendment No. 13 failed of adoption by (Record 111): 43 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, M.; Guillen; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meyer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Thompson, S.



### STATEMENTS OF VOTE

When Record No. 111 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 111 was taken, I was in the house but away from my desk. I would have voted yes.

M. González

When Record No. 111 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 111 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

#### Amendment No. 14

Representative A. Johnson offered the following amendment to **SB 4**:

Amend **SB 4** (house committee report) on page 7, line 8, by striking "2 knowingly, or recklessly".

A record vote was requested by Representative Zwiener.

Amendment No. 14 failed of adoption by (Record 112): 44 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meyer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Thompson, S.

**STATEMENTS OF VOTE**

When Record No. 112 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 112 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 112 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

**Amendment No. 15**

Representative Morales Shaw offered the following amendment to **SB 4**:

Amend **SB 4** (house committee printing) on page 7, lines 9 and 10, by striking "state jail felony" and substituting "Class A misdemeanor".

A record vote was requested by Representative Zwiener.

Amendment No. 15 failed of adoption by (Record 113): 44 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Biedermann; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Huberty; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meyer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Thompson, S.

**STATEMENTS OF VOTE**

When Record No. 113 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 113 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 113 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

#### **Amendment No. 16**

Representative A. Johnson offered the following amendment to **SB 4**:

Amend **SB 4** (house committee printing) on page 7, lines 9 and 10, by striking "state jail felony" and substituting "Class C misdemeanor".

Amendment No. 16 was withdrawn.

#### **Amendment No. 17**

Representative Rosenthal offered the following amendment to **SB 4**:

Amend **SB 4** (house committee printing) as follows:

(1) On page 8, lines 17-18, strike "(a) Except as provided by Subsection (b) of this section, the" and substitute "The".

(2) Strike page 8, line 21, through page 9, line 2, and substitute the following:

SECTION 11. (a) In this SECTION:

(1) "Commission" means the Health and Human Services Commission.

(2) "Telemedicine medical services" has the meaning assigned by Section 111.001, Occupations Code.

(b) The commission shall conduct a study on:

(1) the safety and efficacy of drug-induced abortions;

(2) the impact on women's health of authorizing the use of telemedicine medical services to provide drug-induced abortions.

(c) Not later than September 1, 2026, the commission shall prepare a report on the results of the study conducted under Subsection (b) of this section and submit a copy of the report to the governor, the lieutenant governor, and the speaker of the house of representatives.

(e) This section expires January 1, 2027.

SECTION 12. (a) Except as provided by Subsection (b) of this section, this Act takes effect December 1, 2026.

(b) Section 11 of this Act takes effect January 1, 2022.

A record vote was requested by Representative Zwiener.

Amendment No. 17 failed of adoption by (Record 114): 43 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, M.; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meyer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Thompson, S.

#### STATEMENTS OF VOTE

When Record No. 114 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 114 was taken, I was in the house but away from my desk. I would have voted yes.

M. González

When Record No. 114 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 114 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

#### SB 4 - POINT OF ORDER

Representative Zwiener raised a point of order against further consideration of **SB 4** under Rule 8, Section 1(a)(1), of the House Rules on the grounds that the bill caption failed to give reasonable notice of the subject of the bill. The point of order was withdrawn.

A record vote was requested by Representative Zwiener.

**SB 4** was passed to third reading by (Record 115): 83 Yeas, 42 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson;

Leach; Leman; Lozano; 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; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 115 was taken, I was absent. I would have voted no.

Beckley

When Record No. 115 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 115 was taken, I was absent. I would have voted no.

Crockett

When Record No. 115 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 115 was taken, I was absent. I would have voted no.

Martinez

When Record No. 115 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 115 was taken, my vote failed to register. I would have voted no.

Perez

When Record No. 115 was taken, I was absent. I would have voted no.

Rodriguez

### REASON FOR VOTE

Representative Beckley submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocol or procedures to address the recent surge in the spread of COVID on the house floor and the Capitol buildings in general. Several members have tested positive and continue to put the rest of the legislative body at risk, whether they are voting from the speaker's chambers or directly from the house floor. Until the issue is addressed and safety measures are put in place to protect members of the Texas Legislature, I will not be present on the floor, but have included my statement on **SB 4**.

**SB 4** places medically unnecessary restrictions on how and when a provider can provide medication abortion, and it will be an almost total ban on the most common type of abortion in Texas. **SB 4** would ban medication abortion after just seven weeks, 49 days gestation, in direct conflict with evidence-based practice.

**SB 4** would create additional substantial, medically unnecessary reporting requirements for abortion providers, including an impossible requirement that providers report on pregnancy complications that occur during subsequent pregnancies. As a federal district court has already held when Indiana passed similar reporting requirements, it is unconstitutionally vague to require such extensive reporting on matters unrelated to abortion. These requirements are meant only to discourage the provision of abortion and encourage over-reporting of unrelated complications to make abortion look more dangerous than it is.

Laws that regulate medical care should be based on scientific evidence, best practices, and preserve the physician-patient relationship. Any legislation that would ban abortion or restrict access, as **SB 4** does, inherently interferes with the patient-physician relationship, threatens communication between the physician and the patient, and limits the ability of physicians to provide the most appropriate medical care for their patients. **SB 4** is an unnecessary intrusion in the physician-patient relationship and compromises the use of effective, commonly used treatment options for patients.

**SB 4** is both unconstitutional and unnecessary political interference in the practice of medicine. An individual's right to choose an abortion has been settled law since 1973 when the Supreme Court ruled in *Roe v. Wade*, which makes clear that an individual may decide independently to have an abortion prior to viability. **SB 4** strips an individual of their constitutional right to choose an abortion.

### POSTPONED BUSINESS

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

**SJR 3 ON THIRD READING**  
**(Kacal, Smith, Cook, et al. - House Sponsors)**

**SJR 3**, A joint resolution 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.

**SJR 3** was read third time earlier today and was postponed until this time.

**Amendment No. 1**

Representative Kacal offered the following amendment to **SJR 3**:

Amend **SJR 3** on third reading as follows:

(1) In SECTION 2 of the joint resolution, strike added Section 11d(a), Article I, Texas Constitution, and substitute the following:

Sec. 11d. (a) A person taken into custody for an offense may be denied release on bail pending trial if a judge or magistrate, following a hearing, determines:

(1) by a preponderance of the evidence that the person engaged in any of the following conduct constituting a criminal offense:

(A) murder, if the accused intentionally or knowingly caused the death of a person;

(B) aggravated assault, if the accused used or exhibited a deadly weapon during the commission of the assault and the assault was committed against a person the accused knows is a public servant while the public servant is lawfully discharging an official duty or wearing an identifiable uniform, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant;

(C) aggravated sexual assault, if the accused used or exhibited a deadly weapon during the commission of the assault; or

(D) aggravated robbery, if the accused used or exhibited a deadly weapon during the commission of the robbery; and

(2) by clear and convincing evidence that requiring bail and conditions of release is insufficient to reasonably ensure:

(A) the person's appearance in court as required; or

(B) the safety of the community, law enforcement, or victim of the alleged offense.

(2) In SECTION 2 of the joint resolution, in added Section 11d(b), Article I, Texas Constitution, as amended on second reading by the Dominguez amendment, strike the following:

The written order may not be disclosed to any person except the defendant, a district attorney, a criminal district attorney, a county attorney with criminal jurisdiction, or a subsequent court of record.

(3) In SECTION 2 of the joint resolution, in added Section 11d(d), Article I, Texas Constitution, strike "clear and convincing".

(4) In SECTION 2 of the joint resolution, strike added Section 11d(e), Article I, Texas Constitution.

(5) In SECTION 3 of the joint resolution, strike "a person accused of a violent or sexual offense or of continuous trafficking of persons" and substitute "persons accused of certain violent or sexual offenses".

Amendment No. 1 was adopted.

**SJR 3**, as amended, failed of adoption (not receiving the necessary two-thirds vote) by (Record 116): 87 Yeas, 35 Nays, 1 Present, not voting.

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

Nays — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Cortez; Davis; Dutton; Fierro; González, J.; Goodwin; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Lucio; Minjarez; Moody; Morales Shaw; Neave; Ordaz Perez; Ortega; Perez; Rose; Schaefer; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales.

Absent — Beckley; Campos; Coleman; Collier; Crockett; Deshotel; Dominguez; Gervin-Hawkins; González, M.; Israel; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Sherman; Thierry.

#### STATEMENTS OF VOTE

When Record No. 116 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 116 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 116 was taken, I was absent. I would have voted no.

Martinez

When Record No. 116 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 116 was taken, I was absent. I would have voted no.

Reynolds

When Record No. 116 was taken, I was absent. I would have voted no.

Rodriguez



**ADJOURNMENT**

Representative Metcalf moved that the house adjourn until 12 p.m. tomorrow.

The motion prevailed.

The house accordingly, at 7:37 p.m., adjourned until 12 p.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**

**SB 8, SJR 2**

**Senate List No. 2**

**SB 12, SB 13**

**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  
Monday, August 30, 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 CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

**SB 12** (31 Yeas, 0 Nays)

**SB 13** (30 Yeas, 1 Nay)

Respectfully,  
Patsy Spaw  
Secretary of the Senate



# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

SIXTH DAY — TUESDAY, AUGUST 31, 2021

The house met at 12:27 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 117).

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

Absent, Excused — Canales; Herrero; Morales Shaw.

Absent — Allen; Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Zwiener.

The invocation was offered by Representative Landgraf as follows:

Heavenly Father, please continue to guard and guide all of the survivors and emergency responders of the August 31, 2019, shooting. We pray that they find healing and strength. We also pray, Lord, that you watch over the families of those we lost that day, the ones whose names will forever be etched in our hearts: Edwin Peregrino, Joe Griffith, Kameron Brown, precious Leilah Hernandez, Mary Granados, Raul Garcia, and Rodolfo Arco. And finally, Lord, we pray that you also guard, guide, and direct this Texas House so that we may be worthy to serve the people of Texas who place their trust in us. It's in the name of Christ, our holy redeemer, that we pray. Amen.

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

### LEAVES OF ABSENCE GRANTED

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

Canales on motion of Guillen.

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

Herrero on motion of Walle.

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

Morales Shaw on motion of Perez.

### SB 1 - CONFERENCE COMMITTEE REPORT ADOPTED

Representative Murr submitted the conference committee report on **SB 1**.  
(Zwiener now present)

### SB 1 - REMARKS

REPRESENTATIVE J. TURNER: Members, the conference committee report on **SB 1** does not include my signature. I cannot support this bill or the conference committee report for a simple reason. I believe this bill does more harm than good for our democracy. I'm not going to repeat here the points that many of my democratic colleagues have made in previously speaking against this bill at various times as it's gone through this process. But I will simply say that I do believe that many of the changes to our election laws in this bill are not only unnecessary but are far out of proportion to the level of any actual demonstrated fraud in our voting process.

There are too many provisions in this bill that restrict the ease and availability of voting and too few that expand it. I fear that as a result of this bill's passage today, there will be ballots by mail that should be accepted but will not be, that new and unnecessary paperwork will discourage some people from properly assisting others in the voting process, that there will be good people who would like to participate in the electoral process who will instead be discouraged or even afraid to do so because of legal risks. And most concerning, I am concerned that there could be additional criminal prosecutions brought against people for simple mistakes—innocuous activity that they may not even realize was illegal as they simply sought to participate in one way or another in our democracy.

Members, I do not oppose everything in this bill. There are some parts of this bill that I believe do make progress, and some of those provisions were added on this floor last week. And despite my strong disagreement on many issues, I do appreciate my colleagues, those of you on the other side of the figurative aisle in this chamber, working to include some of these changes. I respect the desire to have honesty and integrity in our elections. All of us want that. Democrats and republicans alike want that. But this bill as a whole, in my judgment, has too

many provisions that are not only unnecessary but that are actually harmful to the electoral process, and it's not what we should want or expect in a well-functioning democracy.

Members, in my remaining minute or two, I'm going to address specifically the change made by the conference committee report that Representative Murr spoke about a moment ago. That's the removal of the Cain amendment. I supported the Cain amendment that this house added because it reinforces the core bedrock principle of criminal law that only a person who acts with criminal intent should be subject to criminal punishment and deprived of their liberty. As you likely heard, a woman is currently scheduled to go to prison for five years—five years of her life on this earth. Her name is Crystal Mason. Why has she received this five-year sentence? Because she attempted to vote by casting a provisional ballot. She cast this provisional ballot not realizing that she was ineligible to vote, and that is not seriously disputed. Her vote never counted precisely because she was not eligible. Well, why was she not eligible? Because she was on federal supervised release at that time.

I'll say that I myself, before I studied this issue, I would not have known whether a person on federal supervised release was eligible to vote, and I'm a lawyer and a member of the legislature. And yet Crystal Mason has been convicted of illegal voting and sentenced to five years in prison. Her case is currently on appeal. She was convicted and sentenced under a statute that actually says the following: "A person commits an offense if the person votes or attempts to vote in an election in which the person knows the person is not eligible to vote." Now, I'd very much would have liked for us to address this issue through the Cain amendment which would have clarified absolutely that people in that situation such as Ms. Mason have to know the circumstance that made them ineligible to vote as well as the fact that the circumstance made them ineligible to vote. I appreciate Representative Cain bringing that amendment, and I appreciate this house supporting it.

I was disappointed that, for whatever reason, the senate did not accept the amendment and it's not now in the final version of the bill. But I hope that it's not because they believe that more people in situations like that of Crystal Mason should be prosecuted or imprisoned. And I hope this body will continue working to correct the injustice by which an inherently benign and even a civic act, the act of voting, becomes a basis for the deprivation of a person's liberty. I believe we are intending, members, to consider a resolution shortly that I hope will address this critical issue in a way that we can all unite around in a bipartisan fashion, which is something I believe we very much need right now in this house of representatives that we love and respect. Members, thank you for your attention. It's my hope that in the future we in this house and in this legislature will work to make it easier, not harder, for our citizens to exercise their sacred right to vote. Because the future of our democracy depends on it.

REPRESENTATIVE COLEMAN: Members, I sit to speak against the conference committee report on **SB 1**. I appreciate personally the work that was done to make this a better bill, and I appreciate the fact that the conference committee report adopts the house language that actually made this a better bill. The bill is

not good enough for me to vote for, and I think it still has major flaws that will create problems down the road. And all I can hope is that if those problems occur, as was said on the floor that these are likely challenges for people voting because of the language in the bill, that we come back here in two years and fix it. Because the worst thing we could ever do is prevent somebody from exercising their constitutional right to vote. Let me talk about that a little bit.

You know, y'all never hear me talking about my family. So I'm going to talk about my family a little bit. I guess some of you would be surprised that I was born in segregation. I think you would be surprised. I heard the stories of my father driving back from D.C. to Houston and the fear of being stopped, having to stay in black hotels, not being able to exercise all of their rights because of the fact that the world was in segregation. I grew up in a segregated neighborhood. Things were not the same for people of color, for black people in particular, at that time. And that moved over and became part of the voting history of this country, the idea that barriers were put up for people to cast their ballot and become a part of this America that we all love. To have something move backward, which nobody ever thought could really happen—you know, we think we've made progress, and then all of a sudden there's new law that moves us back in time. And this is a part of new law that moves us back in time, back to where you have intimidation in the polling place because of poll watchers, which started during Reconstruction. How do you think democrats got control of the house again in state governments around the country when it was done through the Constitution?

I know that I'm here because of the Voting Rights Act. I wouldn't be here if it wasn't for that. This is one of the districts that was created under the Voting Rights Act to have the people elect the representative of their choice. And if they couldn't elect the representative of their choice through their vote, then they had no representation. Because prior to that, there were districts that were unequal in size and there wasn't "one person, one vote." So equality of the vote is extremely important. That's something that we all need to keep in mind. If we got rid of the county line rule now, that would affect people in rural areas and make them less likely to be able to elect the person of their choice.

There are things we do in law that have negative impacts on our constituents and on our state. So I will be voting no on the conference committee report. I didn't sign the conference committee report, and I don't support the conference committee report. I urge you to vote no on the conference committee report mainly for the reasons that John said. I think those are the legal reasons for not voting for this. But the emotional reasons for not voting for it are the fact that it creates hardship for people because of the color of their skin and their ethnicity. And I'm part of that class of people that it creates hardship for. Now, I'm part of another class of people. I'm in a wheelchair. If a polling place is not accessible for somebody in a wheelchair or that's disabled, it creates a problem for them. I had a problem getting down here just to speak on this bill. Armando had to push me down here. So there are things that we don't know until we are in the position of someone who has a disability. We don't know. And so by making it more difficult for those folks to vote, and I know there were some corrections to that, but until

you know, you don't know. So I would say that we have to be careful with that and look at whether or not that's had any impact on people who have, particularly, physical disabilities and maybe intellectual disabilities who can vote and give their voice. So I'm glad to be back on this floor if only for the ability to vote no.

My family fought to make sure that people were able to run for office and to vote. My grandmother was a slave in East Texas in Trinity County. My grandfather came from East Texas from Houston County. They came to Houston in the early 1900s and made their way through segregation as uneducated people who made sure that their children were educated. That came from paying taxes, from doing all the things that we all do, but they didn't reap the benefit of that. People have to reap the benefit of their government in an equal way. Let's make sure that we're not creating more divides because of somebody's ethnicity, because of their income, because of their disability, because of their gender, because of any of those situations that create differences among people. I know people did the best they could on this bill. I don't begrudge them the challenge of doing so, but it hurts. It really hurts. So with that, I urge you to vote no.

#### LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of a death in the family:

Collier on motion of Neave.

Representative Murr moved to adopt the conference committee report on **SB 1**.

The motion to adopt the conference committee report on **SB 1** prevailed by (Record 118): 80 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; 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; Lozano; 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 — Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Guerra; Hernandez; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Herrero; Morales Shaw.

Absent — Allen; Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; Guillen; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 118 was taken, I was in the house but away from my desk. I would have voted no.

Allen

When Record No. 118 was taken, I was absent. I would have voted no.

Campos

When Record No. 118 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 118 was taken, I was absent. I would have voted no.

Crockett

When Record No. 118 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 118 was taken, I was absent. I would have voted no.

Martinez

When Record No. 118 was taken, I was excused because of important business. I would have voted no.

Morales Shaw

### HR 123 - ADOPTED (by Burrows) RULES SUSPENDED

Representative Burrows moved to suspend the regular order of business to take up and consider at this time **HR 123**.

The motion prevailed.

The following resolution was laid before the house:

**HR 123**, Expressing the beliefs of the House regarding prosecution for the offense of illegal voting.

### HR 123 - REMARKS

**REPRESENTATIVE BURROWS:** This house has led on criminal justice reform. I believe we probably accomplished more this past session than any session I've ever been a part of. And when it comes to election law, I think that's no different. The current law is a good law. It says if a person knowingly votes when they're ineligible, it's a crime. I think everybody in this body supports that. If you're ineligible and you try to cast your ballot, it should not be counted, and it should



be a crime. The problem becomes that some, in very few cases, interpreted this differently and basically made this a strict liability standard where people who did not know they were ineligible are prosecuted, convicted, and put in jail for up to five years, as we've heard.

This body on multiple occasions has expressed its disagreement with this interpretation. We have voted multiple times in many different capacities to say we don't agree with this. The Cain amendment which was adopted, in all honesty, may not have been necessary in the first place because the law as written, if interpreted correctly, should have already provided for this. So it was put on twice—once in the regular session, once here. We all adopted it, but unfortunately it did not survive the conference committee. **HR 123** reaffirms this house's commitment to the basic principles. If you go in and you're ineligible and you knowingly vote anyway, it's a crime and you should be prosecuted. But if you make an honest mistake—an honest mistake which we have heard examples where this has happened—we don't approve of strict liability. You should not be put in jail for five years under those circumstances. So that's what this resolution does.

REPRESENTATIVE J. TURNER: Representative Burrows, you and I have disagreed about the elections bill, **SB 1**, but you're here with a resolution now that has my support because I strongly agree with what you said, that a person's honest mistake in voting when they genuinely believe they were eligible to do so should not result in their conviction and imprisonment. Is that a fair summary of the principle that you are aiming for in this resolution?

BURROWS: I think it's a fair summary of where this body has been, that we value liberty, we understand where it is, that we have continued to move the ball forward in these areas, especially this area. So yes, it is, Representative.

J. TURNER: You heard my reference a few moments ago to the case of Crystal Mason. And would you agree with me, Representative, that five years in prison is a serious deprivation of a person's liberty?

BURROWS: I could not imagine.

J. TURNER: And it seems to have been acknowledged that she did not realize that she was ineligible to vote. But her conviction has currently been upheld, although it's still on appeal, because that statute has been interpreted to say that all that was necessary was for her to know that she was on supervised release even though she didn't realize that fact made her ineligible. Have I summarized that matter correctly to your knowledge?

BURROWS: My understanding is the same as yours. And as you said earlier, I would not have known that being on supervised release would have made you ineligible. That is a high bar to impute on somebody to put them away for five years.

J. TURNER: I know her case is now on appeal. And of course, we have separate branches of government and it's not our role here in the legislature to tell any other branch of government what to do or how to rule in a case. But it seems to me that it is appropriate, given the fact that we adopted and then accepted the

removal of the Cain amendment, to explain ourselves to some degree and express the sense of the house about the issue it dealt with. Do you agree that that's appropriate here?

BURROWS: I think it is, and I think that we are reiterating and restating what is the current law. Obviously, the courts are about to decide what it is, but my interpretation of current law is you have to have a mens rea element. As we said, this is not a strict liability-type of issue. So I believe this resolution actually conforms with what the current law is today, and the Cain amendment was no different, which is why this body has adopted it several times.

REPRESENTATIVE ANCHIA: Members, I think this is a wonderful opportunity for us to begin to heal this house and really make a big difference in the life of a fellow Texan. Rarely do we come down here and take a vote that we can immediately see the benefits of. I'm grateful to Chair Burrows, Representative Turner, and every other member who worked on this resolution. Because while some may say, well, this is a nonbinding resolution, it does express the sense of this body—of this lawmaking body, of this representative Texan body—and I think it's important that we on a bipartisan basis send a strong signal not only to Texans but also to the judiciary of our intent of how laws should be applied. So I'm grateful for all the bipartisan effort. Be on the lookout, members. I will be circulating a letter that hopefully we can all sign onto. It will be an amicus letter that can go to the court, with this resolution as an exhibit, expressing the sense of this body and the importance of doing justice. So thank you, and I would urge you to vote in favor of this house resolution.

(Allen now present)

**HR 123** was adopted by (Record 119): 119 Yeas, 4 Nays, 1 Present, not voting.

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

Nays — Biedermann; Cason; Slaton; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Herrero; Morales Shaw.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 119 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 119 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 119 was taken, I was excused because of important business. I would have voted yes.

Morales Shaw

**REMARKS ORDERED PRINTED**

Representative Dominguez moved to print remarks by Representative J. Turner and Representative Coleman on **SB 1**.

The motion prevailed.

Representative C. Turner moved to print all remarks on **HR 123**.

The motion prevailed.

**CSHB 5 - MOTION TO RECONSIDER**

Representative C. Turner moved to reconsider the vote by which **CSHB 5** was postponed on Monday, August 30 until 10 a.m. tomorrow.

A record vote was requested by Representative C. Turner.

The motion to reconsider was lost by (Record 120): 49 Yeas, 74 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bailes; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; Frullo; González, M.; Goodwin; Guerra; Guillen; Hernandez; Howard; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, T.; Kuempel; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Price; Raney; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Herrero; Morales Shaw.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 120 was taken, I was excused because of personal business. I would have voted yes.

Canales

When Record No. 120 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 120 was taken, I was absent. I would have voted yes.

Martinez

### GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

#### SB 4 ON THIRD READING

**(Klick, Noble, Oliverson, Cook, Frank, et al. - House Sponsors)**

**SB 4**, A bill to be entitled An Act relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense.

**SB 4** was passed by (Record 121): 82 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; 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; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Guerra; Hernandez; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Herrero; Morales Shaw.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; Hinojosa; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 121 was taken, I was absent. I would have voted no.

Beckley

When Record No. 121 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 121 was taken, I was absent. I would have voted no.

Crockett

When Record No. 121 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 121 was taken, I was absent. I would have voted no.

Martinez

When Record No. 121 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 121 was taken, I was absent. I would have voted no.

C. Morales

When Record No. 121 was taken, I was excused because of important business. I would have voted no.

Morales Shaw

When Record No. 121 was taken, I was absent. I would have voted no.

Reynolds

When Record No. 121 was taken, I was absent. I would have voted no.

Rodriguez

**REASON FOR VOTE**

Representative Beckley submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocol or procedures to address the recent surge in the spread of COVID on the house floor and the Capitol buildings in general. Several members have tested positive and continue to put the rest of the legislative body at risk, whether they are voting

from the speaker's chambers or directly from the house floor. Until the issue is addressed and safety measures are put in place to protect members of the Texas Legislature, I will not be present on the floor, but have included my statement on **SB 4**.

**SB 4** places medically unnecessary restrictions on how and when a provider can provide medication abortion, and it will be an almost total ban on the most common type of abortion in Texas. **SB 4** would ban medication abortion after just seven weeks, 49 days gestation, in direct conflict with evidence-based practice.

**SB 4** would create additional substantial, medically unnecessary reporting requirements for abortion providers including an impossible requirement that providers report on pregnancy complications that occur during subsequent pregnancies. As a federal district court has already held when Indiana passed similar reporting requirements, it is unconstitutionally vague to require such extensive reporting on matters unrelated to abortion. These requirements are meant only to discourage the provision of abortion and encourage over-reporting of unrelated complications to make abortion look more dangerous than it is.

Laws that regulate medical care should be based on scientific evidence, best practices, and preserve the physician-patient relationship. Any legislation that would ban abortion or restrict access, as **SB 4** does, inherently interferes with the patient-physician relationship, threatens communication between the physician and the patient, and limits the ability of physicians to provide the most appropriate medical care for their patients. **SB 4** is an unnecessary intrusion in the physician-patient relationship and compromises the use of effective, commonly used treatment options for patients.

**SB 4** is both unconstitutional and unnecessary political interference in the practice of medicine. An individual's right to choose an abortion has been settled law since 1973 when the Supreme Court ruled in *Roe v. Wade*, which makes clear than an individual may decide independently to have an abortion prior to viability. **SB 4** strips an individual of their constitutional right to choose an abortion.

### 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.)

### ADJOURNMENT

Representative K. Bell moved that the house adjourn until 11 a.m. tomorrow.

The motion prevailed.

The house accordingly, at 1:26 p.m., adjourned until 11 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**

**HR 104** (By Fierro), In memory of Vietnam War correspondent and author Joe Galloway.

To Resolutions Calendars.

**HR 105** (By Fierro), Congratulating Erica Marin on her appointment as director of the El Paso Museum of History.

To Resolutions Calendars.

**HR 106** (By Cook), In memory of former state representative Toby Ray Goodman of Mansfield.

To Resolutions Calendars.

**HR 107** (By Holland), In memory of Shirley Smith Shoquist of Rockwall.

To Resolutions Calendars.

**HR 108** (By Kacal), Commending the McLennan Community College baseball team on winning the 2021 Junior College World Series.

To Resolutions Calendars.

**HR 109** (By Kacal), Congratulating McLennan Community College baseball coach Mitch Thompson on his selection as the NJCAA Division I Coach of the Year.

To Resolutions Calendars.

**HR 110** (By Price), In memory of Joseph Harold Pool of Amarillo.

To Resolutions Calendars.

**HR 111** (By Price), Commemorating the 50th anniversary of Los Barrios de Amarillo.

To Resolutions Calendars.

**HR 112** (By Price), Congratulating Jennifer Sims on her retirement as deputy commissioner at the Texas Department of State Health Services.

To Resolutions Calendars.

**HR 113** (By P. King), Congratulating Dakota Stroud of the Weatherford Fire Department on his receipt of a Medal of Valor and Citation Bar.

To Resolutions Calendars.

**HR 114** (By Holland), In memory of Kenneth Duncan Dickson of Rockwall.

To Resolutions Calendars.

**HR 115** (By Middleton), In memory of Jesse C. Turrubiate of La Marque.

To Resolutions Calendars.

**HR 116** (By Middleton), In memory of Vincent Michael Robins of Mont Belvieu.

To Resolutions Calendars.

**HR 117** (By Geren), Commemorating the release of the motion picture 12 Mighty Orphans, filmed in Fort Worth.

To Resolutions Calendars.

**HR 118** (By White), In memory of retired game warden James Lovett of Bay City.

To Resolutions Calendars.

**HR 119** (By White), Congratulating the Livingston 10U All-Stars baseball team on winning the state championship in the 2021 Dixie Youth Baseball playoffs.

To Resolutions Calendars.

**HR 120** (By White), In memory of George W. Atteberry of Woodville.

To Resolutions Calendars.

**HR 121** (By Hull), Honoring the BIZPAC organization and its leaders, Joseph L. Trahan, Dr. Elias Jackson, and Mark Goloby.

To Resolutions Calendars.

**HR 122** (By Cole), Congratulating Texas Terry of Lexington on winning the 2021 U.S. Kids Golf World Championship in the under-eight division.

To Resolutions Calendars.

**HR 124** (By Davis), Congratulating television sportscaster Dale Hansen on his retirement from WFAA in Dallas.

To Resolutions Calendars.

**HR 125** (By Harris), Commending Jac Darsnek for preserving Texas history through his Traces of Texas online photography project.

To Resolutions Calendars.

**HR 126** (By Vasut), In memory of James William Kellogg Jr.

To Resolutions Calendars.

**HR 127** (By Vasut), In memory of former Quintana mayor Deborah Estelle Alongis.

To Resolutions Calendars.

**HR 128** (By Vasut), Congratulating Honorable Marc Holder on his retirement from Brazoria County Court at Law No. 2.

To Resolutions Calendars.



**HR 129** (By Vasut), Congratulating the Honorable Judge K. Randall Hufstetler on his retirement from the 300th Judicial District Court.

To Resolutions Calendars.

**HR 130** (By Vasut), Congratulating the Honorable Judge Terri Tipton Holder on her retirement as judge of the 149th District Court.

To Resolutions Calendars.

**HR 131** (By White), Commending Officer William McKeon Jr. on his receipt of a Star of Texas Award.

To Resolutions Calendars.

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## APPENDIX

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### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**August 30**

Environmental Regulation - **HB 200**

### ENGROSSED

**August 30 - HB 7, HB 9, HB 20**



# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

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SEVENTH DAY — WEDNESDAY, SEPTEMBER 1, 2021

The house met at 11:38 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 122).

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

Absent, Excused — Canales; Guerra; Holland; Rogers; Thierry.

Absent — Beckley; Campos; Collier; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman.

The invocation was offered by Representative Smith as follows:

Our Father, who art in heaven, hallowed be thy name. Thy kingdom come. Thy will be done, on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For thine is the kingdom, the power, and the glory, forever. Amen.

The chair recognized Representative Smith 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 personal business:

Canales on motion of Guillen.

Guerra on motion of Guillen.

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

Holland on motion of Cyrier.

Rogers on motion of Harless.

Thierry on motion of Meza.

**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).

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for today because of a death in the family:

Collier on motion of Neave.

**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 Nos. 3 and 4).

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Burrows requested permission for the Committee on Calendars to meet while the house is in session, at 12:15 p.m. today, in 1W.14, to consider a calendar.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

At 11:42 a.m., the following committee meeting was announced:

Calendars, 12:15 p.m. today, 1W.14, for a formal meeting, to consider a calendar.

**LEAVE OF ABSENCE GRANTED**

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

Israel on motion of Howard.

**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.)

**HCR 12 - ADOPTED  
(by Craddick)**

Representative Capriglione moved to suspend all necessary rules to take up and consider at this time **HCR 12**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 12**, Commemorating the 125th anniversary of the founding of St. Ann's Catholic Church in Midland.

**HCR 12** was adopted.

On motion of Representative Guillen, the names of all the members of the house were added to **HCR 12** as signers thereof.

**SB 14 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Paddie moved to suspend Rule 8, Section 5(d), of the House Rules to designate as co-sponsors for **SB 14** all co-authors for **HB 10**.

The motion prevailed.

**GENERAL STATE CALENDAR  
SENATE BILLS  
SECOND READING**

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

**CSSB 14 ON SECOND READING**

**(P. King, Paddie, Burrows, Metcalf, Geren, et al. - House Sponsors)**

**CSSB 14**, A bill to be entitled An Act relating to the regulation by a municipality or county of certain employment benefits and policies.

(Reynolds now present)

**Amendment No. 1**

Representative A. Johnson offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) on page 1 as follows:

(1) Strike added Section 83.001(2), Labor Code (lines 12 and 13), and renumber the subsequent subdivisions of that section accordingly.

(2) On line 20, between "policy" and "requiring", insert "applicable to an employer that employs fifteen or more employees".

(Crockett now present)

A record vote was requested by Representative C. Turner.

Amendment No. 1 failed of adoption by (Record 123): 43 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ortega; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Buckley; Campos; Deshotel; Gervin-Hawkins; Hefner; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Morales Shaw; Ordaz Perez; Perez; Ramos; Raymond; Rodriguez; Romero; Sherman.

### STATEMENTS OF VOTE

When Record No. 123 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 123 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 123 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

### Amendment No. 2

Representative Cole offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) on page 1, line 21, by striking "exceed or".

A record vote was requested by Representative C. Turner.

Amendment No. 2 failed of adoption by (Record 124): 46 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Perez; Ramos; Raymond; Rodriguez; Romero; Sherman.

### STATEMENTS OF VOTE

When Record No. 124 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 124 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 124 was taken, my vote failed to register. I would have voted yes.

Perez

When Record No. 124 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

### Amendment No. 3

Representative Rosenthal offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee printing) on page 1 of the bill by striking lines 23-24 and substituting the following:  
employment benefits, or scheduling practices.

A record vote was requested by Representative C. Turner.

Amendment No. 3 failed of adoption by (Record 125): 46 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

#### STATEMENTS OF VOTE

When Record No. 125 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 125 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 125 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

#### Amendment No. 4

Representative Bernal offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that requires meal breaks of not more than 30 minutes;

A record vote was requested by Representative C. Turner.

Amendment No. 4 failed of adoption by (Record 126): 46 Yeas, 79 Nays, 1 Present, not voting.



Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Johnson, J.E.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

### STATEMENTS OF VOTE

When Record No. 126 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 126 was taken, I was shown voting no. I intended to vote yes.

Lozano

When Record No. 126 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 126 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

### Amendment No. 5

Representative Morales Shaw offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) as follows:

(1) On page 1, line 19, strike "or enforce".

(2) On page 2, line 2, between "policy" and "that", insert "adopted on or after January 1, 2022.".

(3) On page 2, lines 11-13, strike ", regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after January 1, 2022".

(4) On page 2, strike lines 24-26, and substitute the following:

SECTION 2. Chapter 83, Labor Code, as added by this Act, applies only to an ordinance, order, rule, regulation, or policy adopted on or after the effective date of this Act. An ordinance, order, rule, regulation, or policy adopted before the effective date of this Act is governed by the law in effect on the date the ordinance, order, rule, regulation, or policy was adopted, and the former law is continued in effect for that purpose.

(Harris in the chair)

A record vote was requested by Representative C. Turner.

Amendment No. 5 failed of adoption by (Record 127): 47 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

### STATEMENTS OF VOTE

When Record No. 127 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 127 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 127 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

**Amendment No. 6**

Representative Zwiener offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

(5) an ordinance, order, rule, regulation, or policy that prohibits discrimination by an employer with 15 or fewer employees, on the basis of a person's age.

A record vote was requested by Representative C. Turner.

Amendment No. 6 failed of adoption by (Record 128): 47 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lozano; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Davis; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

**STATEMENTS OF VOTE**

When Record No. 128 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 128 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 128 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

### Amendment No. 7

Representative Howard offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy prohibiting an employer from including a question regarding a job applicant's criminal history record information on an initial employment application form, provided that the ordinance, order, rule, regulation, or policy:

(A) does not apply to an applicant for a position for which consideration of criminal history record information is required by law; and

(B) clearly allows an employer to inquire into and consider an applicant's criminal history record information once the applicant submits an initial employment application form;

A record vote was requested by Representative C. Turner.

Amendment No. 7 failed of adoption by (Record 129): 50 Yeas, 71 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Buckley; Bucy; Cain; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Krause; Leach; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Sanford; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vasut; Vo; Walle; White; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Guillen; Johnson, J.D.; King, T.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Rosenthal; Sherman.

**STATEMENTS OF VOTE**

When Record No. 129 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 129 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 129 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

When Record No. 129 was taken, my vote failed to register. I would have voted yes.

Rosenthal

**Amendment No. 8**

Representative Goodwin offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy relating to the protection of worker health and safety, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2021;

A record vote was requested by Representative C. Turner.

Amendment No. 8 failed of adoption by (Record 130): 45 Yeas, 76 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Hefner; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker;

Patterson; Paul; Price; Raney; Schaefer; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sanford; Sherman; Slaton.

### STATEMENTS OF VOTE

When Record No. 130 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 130 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 130 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

### Amendment No. 9

Representative Neave offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits discrimination, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after January 1, 2022;

Pursuant to Rule 5, Section 28, of the House Rules, Representative Neave requested an extension of speaking time on Amendment No. 9.

The request was not granted.

A record vote was requested by Representative C. Turner.

Amendment No. 9 failed of adoption by (Record 131): 47 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Allison; Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

**STATEMENTS OF VOTE**

When Record No. 131 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 131 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 131 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

**Amendment No. 10**

Representative Burrows offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) on page 2 of the bill by striking lines 21 through 23 and substituting the following:

(5) contracts or agreements relating to terms of employment, including general terms for multiple contracts or agreements, voluntarily entered into between a governmental entity and a private employer, organization, or other entity doing business with the governmental entity.

Amendment No. 10 was adopted.

**Amendment No. 11**

Representative Perez offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits discrimination on the basis of political affiliation, opinion, or viewpoint, regardless of whether the ordinance, order, rule, regulation.

A record vote was requested by Representative C. Turner.

Amendment No. 11 failed of adoption by (Record 132): 48 Yeas, 75 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lozano; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Stephenson; Talarico; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Anderson; Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman; Thompson, S..

#### STATEMENTS OF VOTE

When Record No. 132 was taken, I was in the house but away from my desk. I would have voted no.

Anderson

When Record No. 132 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 132 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 132 was taken, I was excused because of important business in the district. I would have voted no.

Rogers



**Amendment No. 12**

Representative Ortega offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that is adopted by petition:

(A) in accordance with Chapter 277, Election Code; or

(B) in a manner prescribed by a home-rule city charter provision or a city ordinance that was in effect on September 1, 1985;"

A record vote was requested by Representative C. Turner.

Amendment No. 12 failed of adoption by (Record 133): 46 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Anchia; Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Parker; Ramos; Raymond; Rodriguez; Romero; Sherman.

**STATEMENTS OF VOTE**

When Record No. 133 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 133 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 133 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

### Amendment No. 13

Representative Cole offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits discrimination on the basis of a person's language fluency, literacy, or accent.

A record vote was requested by Representative C. Turner.

Amendment No. 13 failed of adoption by (Record 134): 45 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Anderson; Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman; Thompson, S.; Vo.

### STATEMENTS OF VOTE

When Record No. 134 was taken, I was in the house but away from my desk. I would have voted no.

Anderson

When Record No. 134 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 134 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 134 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

**Amendment No. 14**

Representative Cole offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits discrimination by an employer with 15 or fewer employees, on the basis of a person's disability, regardless of whether the ordinance, order, rule, regulation, or policy.

A record vote was requested by Representative C. Turner.

Amendment No. 14 failed of adoption by (Record 135): 46 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; King, K.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

### STATEMENTS OF VOTE

When Record No. 135 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 135 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 135 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

#### Amendment No. 15

Representative Hinojosa offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy adopted for the purpose of protecting the health or safety of persons in the municipality or county during a disaster declaration made under the authority of the governor of Texas or the president of the United States.

A record vote was requested by Representative C. Turner.

Amendment No. 15 failed of adoption by (Record 136): 47 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

**STATEMENTS OF VOTE**

When Record No. 136 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 136 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 136 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

**Amendment No. 16**

Representative Fierro offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits discrimination by an employer with 15 or fewer employees, on the basis of a person's race, color, national origin, or ethnicity.

A record vote was requested by Representative C. Turner.

Amendment No. 16 failed of adoption by (Record 137): 47 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

### STATEMENTS OF VOTE

When Record No. 137 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 137 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 137 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

#### Amendment No. 17

Representative M. González offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) an ordinance, order, rule, regulation, or policy that prohibits discrimination on the basis of an employee's or an employment applicant's military service history or veteran status.

A record vote was requested by Representative C. Turner.

Amendment No. 17 failed of adoption by (Record 138): 47 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

**STATEMENTS OF VOTE**

When Record No. 138 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 138 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 138 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

**Amendment No. 18**

Representative Ordaz Perez offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) in SECTION 1 of the bill, in added Section 83.002(c), Labor Code (page 2, lines 3-23), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) the powers and duties of a political subdivision under Chapter 418, Government Code (Texas Disaster Act of 1975);

A record vote was requested by Representative C. Turner.

Amendment No. 18 failed of adoption by (Record 139): 45 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; González, M.; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

### STATEMENTS OF VOTE

When Record No. 139 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 139 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 139 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

### Amendment No. 19

Representative Middleton offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee printing) by adding the following appropriately numbered SECTION and renumbering the other SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 617, Government Code, is amended by adding Section 617.006 to read as follows:

Sec. 617.006. PROHIBITION ON COLLECTION OF LABOR ORGANIZATION DUES. (a) Except as provided by Subsection (b), a political subdivision of the state may not deduct or withhold, or contract to deduct or withhold, from an employee's salary or wages payment of dues or membership fees to a labor organization or other similar entity, including a trade union, labor union, employees' association, or professional organization.

(b) Subsection (a) does not apply to deductions or withholdings by:

(1) a political subdivision:

(A) under Section 141.008, Local Government Code; or

(B) under the terms of an agreement entered into under:

(i) Subchapter B or C, Chapter 142, Local Government Code;

or

(ii) Chapter 174, Local Government Code

(c) Subsection (a) does not affect the ability of a political subdivision of the state to deduct or withhold from an employee's salary or wages an amount for donation to a charitable organization determined to be eligible for participation in the state employee charitable campaign under Subchapter I, Chapter 659.



**Amendment No. 19 - Point of Order**

Representative J. Turner raised a point of order against further consideration of Amendment No. 19 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 19 was withdrawn.

**Amendment No. 20**

Representative Walle offered the following amendment to **CSSB 14**:

Amend **CSSB 14** (house committee report) on page 2 of the bill by striking lines 14 through 19 and substituting the following:

(4) an ordinance, order, rule, regulation, or policy relating to rest or water breaks of not more than 10 minutes for each four hours worked for workers directly engaged in the construction industry, unless longer or more frequent rest or water breaks are required under applicable state or federal law;

A record vote was requested by Representative C. Turner.

Amendment No. 20 failed of adoption by (Record 140): 50 Yeas, 75 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Cole; Coleman; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Hunter; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lozano; Lucio; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

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

Absent, Excused — Canales; Collier; Guerra; Holland; Israel; Rogers; Thierry.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman.

**STATEMENTS OF VOTE**

When Record No. 140 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 140 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 140 was taken, I was excused because of important business in the district. I would have voted no.

Rogers

### **CSSB 14 - POINT OF ORDER**

Representative Moody raised a point of order against further consideration of **CSSB 14** under Article III, Section 40, of the Texas Constitution.

(Speaker in the chair)

The point of order was sustained and the speaker submitted the following ruling:

### **RULING BY THE SPEAKER**

on Senate Bill 14

Announced in the House on September 1, 2021

Representative Moody raises a point of order against further consideration of **CSSB 14** under Article III, Section 40, Texas Constitution on the grounds that the subject matter of the bill is not included in the governor's proclamation.

The proclamation submits the subject of "legislation shielding private employers and employees from [certain] political subdivision" regulations governing the employer-employee relationship. The bill applies to any employer who employs one or more employees and expressly exempts municipal and county employers from its application, which indicates that the bill applies to other public employers. The proclamation "confine[s] the business to a particular field which may be covered in such way as the Legislature may determine." 55 H. Jour. 1st C.S. 156 (1957). The field in this case is confined to legislation shielding only private employers.

Accordingly, the point of order is well-taken and sustained. The bill is returned to the Committee on State Affairs.

**CSSB 14** was returned to the Committee on State Affairs.

### **MESSAGE FROM THE SENATE**

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

### **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. 5).

### **POSTPONED BUSINESS**

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

**CSHB 5 ON SECOND READING**  
**(by Bonnen, et al.)**

**CSHB 5**, A bill to be entitled An Act relating to making supplemental appropriations and giving direction regarding appropriations.

**CSHB 5** was read second time on August 30 and was postponed until 10 a.m. today.

**Amendment No. 1**

Representative Bonnen offered the following amendment to **CSHB 5**:

Amend **CSHB 5** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: TEXAS ANTI-GANG CENTER. The amount of \$180,000,000 is appropriated from the General Revenue Fund to the Trusteed Programs within the Office of the Governor for the state fiscal year beginning September 1, 2021, for the purpose of supporting the work of Texas Anti-Gang Center programs in municipalities with a population of more than 500,000 according to the most recent federal decennial census. Unexpended balances remaining for the purpose described by this section for the state fiscal year beginning September 1, 2021, are appropriated for the same purposes for the state fiscal year beginning September 1, 2022.

**Amendment No. 1 - Point of Order**

Representative Zwiener raised a point of order against further consideration of Amendment No. 1 under Rule 6, Section 16(f), of the House Rules and the calendar rule governing consideration of **HB 5** on the grounds that the amendment does not comply with the rule. The point of order was withdrawn.

Amendment No. 1 was withdrawn.

**CSHB 5 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE FRANK: First, Section 11 of **CSHB 5**, Subsection (a), provides \$35 million in each year of the biennium to DFPS to help build foster care capacity in order to help children lacking placements. Is that correct?

REPRESENTATIVE BONNEN: Yes, that is correct.

FRANK: I just want to make sure, is it the intent of the house to ensure that these funds, which total \$70 million, be designated statewide to both the legacy foster care system and to the regions that are transitioning to or have already implemented community-based care? Is that your intent?

BONNEN: Yes, that is correct. The purpose of the funds is to address our capacity statewide. And as you know, the state's entire foster care system is currently in a significant capacity crisis. So these funds should be dedicated to both the legacy and the community-based care regions.

**REMARKS ORDERED PRINTED**

Representative Frank moved to print all remarks on **CSHB 5**.

The motion prevailed.

**CSHB 5** was passed to engrossment.

**RECESS**

Representative Metcalf moved that the house recess until 12:30 p.m. tomorrow.

The motion prevailed.

The house accordingly, at 5:17 p.m., recessed until 12:30 p.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**

**HR 134** (By T. King, Raymond, and Guillen), In memory of U.S. Marine Lance Corporal David Lee Espinoza of Laredo.

To Resolutions Calendars.

**HR 136** (By Longoria), Commemorating the William "Billy" Leo Foundation BBQ Cookoff in La Joya.

To Resolutions Calendars.

**HR 137** (By K. Bell), In memory of Thomas Rice Winkelvoss of Mabank.

To Resolutions Calendars.

**HR 138** (By Morrison), Congratulating Morgan O'Connor, Kelly Schaar, and Bridey Greeson of the Dunn O'Connor River Ranch on their receipt of a Lone Star Land Steward Award from the Texas Parks and Wildlife Department.

To Resolutions Calendars.

**HR 139** (By Morrison), Honoring Claud B. Jacobs for his community service.

To Resolutions Calendars.

**HR 140** (By Morrison), Congratulating Dr. Speck Phillips of Victoria on his 100th birthday.

To Resolutions Calendars.

**HR 141** (By Morrison), In memory of Kelly Janette Raley Franklin of Victoria.

To Resolutions Calendars.

**HR 142** (By Morrison), Congratulating Dr. Larry Riedel of Victoria on his 92nd birthday.

To Resolutions Calendars.

**HR 143** (By Morrison), Congratulating Presbyterian Day School in Victoria on its 75th anniversary.

To Resolutions Calendars.

**HR 144** (By Morrison), Congratulating Our Lady of the Gulf Catholic School on its 25th anniversary.

To Resolutions Calendars.

**HR 145** (By Morrison), Congratulating Dr. Felix F. Regueira on his retirement.

To Resolutions Calendars.

**HR 146** (By Herrero), In memory of Joaquin Villarreal III of Robstown.

To Resolutions Calendars.

**HR 147** (By Herrero), In memory of Magdalena Sanchez Zapata.

To Resolutions Calendars.

**HR 148** (By Herrero), In memory of Felipe Salazar Jr. of Robstown.

To Resolutions Calendars.

**HR 149** (By Herrero), Congratulating the one-act play team from Tulo-so-Midway High School in Corpus Christi on winning the 2021 UIL 4A state championship.

To Resolutions Calendars.

**HR 150** (By Martinez), Congratulating Colonel Carlos Tamez on his retirement as commander of the 3rd Medical Training Brigade at Joint Base San Antonio.

To Resolutions Calendars.

**HR 151** (By Fierro), Commending El Paso City Council member Cecilia Lizarraga for her leadership during the COVID-19 pandemic.

To Resolutions Calendars.

**HR 152** (By Fierro), Commending El Paso City Council member Isabel Salcido for her leadership during the COVID-19 pandemic.

To Resolutions Calendars.

**HR 153** (By Fierro), Commending El Paso City Council Representative Peter Svarzbein for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

**HR 154** (By Fierro), Commending El Paso County Commissioner Carl L. Robinson for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

**HR 155** (By Fierro), Commending El Paso County Commissioner David Stout for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

**HR 156** (By Fierro), Commending El Paso County Commissioner Carlos Leon for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

**HR 157** (By Fierro), Commending El Paso County Judge Ricardo A. Samaniego for his leadership during the COVID-19 pandemic.

To Resolutions Calendars.

**HR 158** (By Price), Congratulating Ray Cogburn of Amarillo on his retirement as executive director of Region 16 Education Service Center.

To Resolutions Calendars.

**HR 159** (By Dominguez), Honoring Dr. Barney Graham for his role in developing COVID-19 vaccines.

To Resolutions Calendars.

**HR 160** (By Dominguez), Honoring Dr. Bill Gruber for his role in developing COVID-19 vaccines.

To Resolutions Calendars.

**HR 161** (By Herrero), Congratulating Bellanira Flores-Arias on her selection as the 2021 Teacher of the Year at Robstown Early College High School in the Robstown Independent School District.

To Resolutions Calendars.

#### **SIGNED BY THE SPEAKER**

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

**Senate List No. 3**

**SB 7**

**Senate List No. 4**

**SB 1, SB 4**

**Senate List No. 5**

**SB 6, SB 15**

#### **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, September 1, 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 20**                                      Cain                                      SPONSOR: Hughes  
Relating to censorship of or certain other interference with digital expression, including expression on social media platforms or through electronic mail messages.  
(Amended)

**HCR 9**                                      Stephenson                                      SPONSOR: Kolkhorst  
Commemorating the dedication of a Texas Historical Marker at the site of the Wharton Training School in Wharton.

**HCR 10**                                      Craddick                                      SPONSOR: Seliger  
Congratulating James M. Alsup for receiving the West Texan by Nature Award from the Sibley Nature Center.

**HCR 11**                                      Craddick                                      SPONSOR: Campbell  
In memory of Katharyn Carterette Bock of New Braunfels.

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

**SB 6**                                      (26 Yeas, 5 Nays)

**SB 15**                                      (29 Yeas, 2 Nays)

THE SENATE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

**SB 1**                                      (18 Yeas, 13 Nays)

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Wednesday, September 1, 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:

**HB 7** Landgraf SPONSOR: Birdwell  
Relating to the storage or disposal of high-level radioactive waste.  
(Amended)

**HB 9** Bonnen SPONSOR: Nelson  
Relating to making supplemental appropriations relating to border security and  
giving direction regarding those appropriations.

**HCR 12** Craddick SPONSOR: Seliger  
Commemorating the 125th anniversary of the founding of St. Ann's Catholic  
Church in Midland.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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## APPENDIX

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### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**August 31**

Public Education - **HB 233, SB 3, SB 9**



# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

SEVENTH DAY (CONTINUED) — THURSDAY, SEPTEMBER 2, 2021

The house met at 1:03 p.m. and was called to order by the speaker.

The invocation was offered by Representative Frank as follows:

God, we praise you as the one and only God, the creator of everything we see and everyone we know. Father, we know that we are fallen people, and we pray that you would forgive us where we don't show love to other people as you have commanded us to do. We pray that we would show forgiveness to others that we seek for ourselves. We thank you for the unbelievable blessings you have bestowed on our state, our country, and our planet. Despite our bounty, I spend more time looking at what I don't have than what I do. Our country has been blessed beyond measure, yet never have so many people had so much and thought they had so little. Please help me and help us be a more thankful people.

Finally, you have commanded us to love God and love others. Help us all feel your presence and know you more closely. Help us to view others with charity in our hearts, to see them as you see them, to make large their strengths and small their failings. Help me to give grace to others just as I ask you to give grace to me. It's in the life-giving name of your son, Jesus, that I pray. Amen.

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

### **LEAVES OF ABSENCE GRANTED**

The following member was granted leave of absence for today and the remainder of the week because of a death in the family:

Collier on motion of Neave.

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

Anchia on motion of C. Turner.

Herrero on motion of Guillen.

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

Canales on motion of Guillen.

Coleman on motion of Hunter.

### 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, House List No. 1).

### RESOLUTIONS REFERRED TO COMMITTEES

Without objection, 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.)

### MOTION IN WRITING RULES SUSPENDED

Representative Guillen offered the following motion in writing:

Mr. Speaker:

I move to suspend all necessary rules to allow the chair of the Resolutions Calendars Committee to prepare and distribute a Suspension Congratulatory and Memorial Resolutions Calendar to be considered later today at a time to be determined by the speaker.

Guillen

The motion was read and prevailed.

### HB 20 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Cain called up with senate amendments for consideration at this time,

**HB 20**, A bill to be entitled An Act relating to censorship of or certain other interference with digital expression, including expression on social media platforms or through electronic mail messages.

Representative Cain moved to concur in the senate amendments to **HB 20**.

The motion to concur in the senate amendments to **HB 20** prevailed by (Record 141): 78 Yeas, 42 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Lemman; Lozano; 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; Wilson.

Nays — Allen; Bernal; Bowers; Bucy; Capriglione; Cole; Cortez; Davis; Dominguez; Dutton; Fierro; Geren; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; González, M.; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Walle; White.

### STATEMENTS OF VOTE

When Record No. 141 was taken, I was absent. I would have voted no.

Crockett

When Record No. 141 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 141 was taken, I was absent. I would have voted no.

Martinez

When Record No. 141 was taken, I was absent. I would have voted no.

Romero

When Record No. 141 was taken, I was temporarily out of the chamber. I would have voted yes.

White

### Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 20** (senate committee report) in SECTION 7 of the bill, by striking added Section 143A.001(1), Civil Practice and Remedies Code (page 5, lines 1-6), and substituting the following:

(1) "Censor" means to block, ban, remove, deplatform, demonetize, de-boost, restrict, deny equal access or visibility to, or otherwise discriminate against expression.

### GENERAL STATE CALENDAR

#### SENATE BILLS

#### SECOND READING

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

**SB 3 ON SECOND READING****(Huberty, Toth, Metcalf, White, et al. - House Sponsors)**

**SB 3**, A bill to be entitled An Act relating to civics training programs for certain public school social studies teachers and principals, parental access to certain learning management systems, and certain curriculum in public schools, including certain instructional requirements and prohibitions.

**Amendment No. 1**

Representative Huberty offered the following amendment to **SB 3**:

Amend **SB 3** (house committee report) as follows:

(1) On page 6, line 2, strike "particular current event or".

(2) On page 6, lines 5 through 7, strike ", to the best of the teacher's ability, strive to explore that topic from diverse and contending perspectives without giving deference to any one perspective" and substitute "explore that topic objectively and in a manner free from political bias".

(3) On page 7, lines 14 and 15, strike "for actions committed in the past" and substitute ", blame, or guilt for actions committed".

(4) On page 7, strike lines 16 through 18 and renumber subsequent subparagraphs accordingly.

(5) On page 8, line 12, strike "or".

(6) On page 8, line 18, between "advocacy" and the underlined period, insert the following:

; or

(3) a program that prepares the student for participation and leadership in this country's democratic process at the federal, state, or local level through the simulation of a governmental process, including the development of public policy

(7) Strike page 8, line 24, through page 9, line 1, and substitute the following appropriately lettered subsection:

( ) A school district or open-enrollment charter school may not implement, interpret, or enforce any rule in a manner that would result in the punishment of a student for reasonably discussing the concepts described by Subsection (a)(4) in school or during a school-sponsored activity or have a chilling effect on reasonable student discussions involving those concepts in school or during a school-sponsored activity.

(8) On page 9, between lines 4 and 5, insert the following appropriately lettered subsection:

( ) This section does not create a private cause of action against a teacher, administrator, or other employee of a school district or open-enrollment charter school. A school district or open-enrollment charter school may take appropriate action involving the employment of any teacher, administrator, or other employee based on the individual's compliance with state and federal laws and district policies.

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

SECTION \_\_\_\_\_. During the revision of the essential knowledge and skills for the social studies curriculum beginning in 2021 and scheduled to conclude in or around 2023, the State Board of Education may not use the removal by this Act of documents, speeches, historical figures, and other knowledge and skills from specific statutory reference in Section 28.002(h-2), Education Code, as added by **HB 3979**, Acts of the 87th Legislature, Regular Session, 2021, as a reason for the removal or noninclusion of those documents, speeches, historical figures, or other knowledge and skills from the essential knowledge and skills for the social studies curriculum, including any essential knowledge and skills that require an understanding of:

(1) the fundamental moral, political, and intellectual foundations of the American experiment in self-government;

(2) the history, qualities, traditions, and features of civic engagement in the United States;

(3) the history of Native Americans;

(4) the structure, function, and processes of government institutions at the federal, state, and local levels;

(5) the founding documents of the United States, including:

(A) the Declaration of Independence;

(B) the United States Constitution; and

(C) the Federalist Papers;

(6) the contributions of Frederick Douglass;

(7) the Fugitive Slave Acts of 1793 and 1850;

(8) the Indian Removal Act;

(9) the political organizations that promoted the Chicano movement;

(10) the impact of the women's suffrage and equal rights movements;

(11) the history of white supremacy, including the institution of slavery, the eugenics movement, and the Ku Klux Klan, and the ways in which it is morally wrong;

(12) the history and importance of the civil rights movement, including the following documents:

(A) Martin Luther King Jr.'s "Letter from a Birmingham Jail" and "I Have a Dream" speech;

(B) the federal Civil Rights Act of 1964 (42 U.S.C. Section 2000a et seq.);

(C) the United States Supreme Court's decision in *Brown v. Board of Education* (1954);

(D) the Emancipation Proclamation;

(E) the Thirteenth, Fourteenth, and Fifteenth Amendments to the United States Constitution;

(F) the life and work of Cesar Chavez; and

(G) the life and work of Dolores Huerta;

(13) the history and importance of the women's suffrage movement, including the following documents:

(A) the federal Voting Rights Act of 1965 (52 U.S.C. Section 10101 et seq.);

(B) the Fifteenth, Nineteenth, and Twenty-Sixth Amendments to the United States Constitution;

(C) the role of Abigail Adams during the American Revolution;  
and

(D) the works of Susan B. Anthony;

(14) the life and works of Dr. Hector P. Garcia;

(15) the League of United Latin American Citizens; and

(16) the United States Supreme Court's decision in *Hernandez v. Texas* (1954).

### SB 3 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE CASON: Representative Huberty, would you say that the intent of this legislation is to not only prohibit the instruction of critical race theory and its components to our children in schools but to also prohibit the instruction to our teachers and school administrators?

REPRESENTATIVE HUBERTY: I believe that's accurate.

CASON: Does the legislation prohibit our school board members from being instructed in critical race theory and its components by TASB?

HUBERTY: It does not have that in here at this particular time. We're not talking about school board members at this particular time. They do go through training, absolutely. This deals with K-12 education at this particular time, specifically the students and what the teachers can't teach. The curriculum for a school board member, for those of us who are school board members, deals more with policy and deals more with issues of the legislature. We pass laws on to them of what their duties and fiduciary responsibilities are. If a school board member is involved in deciding what's being taught in a particular classroom, they shouldn't be a school board member.

CASON: Is there any way, as this bill is currently written, that this legislation allows critical race theory in our public schools in any shape or form?

HUBERTY: Critical race theory is prohibited under this bill.

### REMARKS ORDERED PRINTED

Representative Cason moved to print remarks between Representative Huberty and Representative Cason on **SB 3**.

The motion prevailed.

Amendment No. 1 was adopted.

### Amendment No. 2

Representative Huberty offered the following amendment to **SB 3**:

Amend **SB 3** (house committee report) as follows:

(1) On page 1, line 9, strike "Section 21.4555" and substitute "Sections 21.4555 and 21.4556".

(2) On page 3, between lines 13 and 14, insert the following:

Sec. 21.4556. CIVICS TRAINING PROGRAM ADVISORY BOARD. (a) The commissioner shall establish an advisory board to advise the commissioner in developing the civics training programs under Section 21.4555.

(b) The advisory board is composed of nine members, consisting of:

(1) four members appointed by the speaker of the house;

(2) four members appointed by the lieutenant governor; and

(3) one member appointed by the governor.

(c) Each member must be a current or former educator with at least 10 years of experience.

(d) The member appointed by the governor is the chair of the advisory board.

(e) Members are not entitled to reimbursement for travel or other expenses.

(f) The advisory board is not subject to Chapter 551 or 552, Government Code.

(g) Chapter 2110, Government Code, does not apply to the advisory board.

(Harris in the chair)

### **Amendment No. 3**

Representative M. González offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Huberty to **SB 3** on page 1 of the amendment as follows:

(1) Strike lines 10 through 16 and substitute the following:

(b) The advisory board is composed of nine members appointed by the commissioner.

(2) Strike lines 19 through 20 and reletter the subdivisions accordingly.

Amendment No. 3 was adopted.

Amendment No. 2, as amended, was adopted.

### **Amendment No. 4**

Representative Goodwin offered the following amendment to **SB 3**:

Amend **SB 3** (house committee report) as follows:

(1) Strike page 5, line 27, through page 6, line 24, and substitute "grade 12, a teacher, administrator, or other employee of a".

(2) On page 6, line 27, strike "(A)" and substitute "(1)".

(3) On page 7, line 2, strike "(i)" and substitute "(A)".

(4) On page 7, line 4, strike "(ii)" and substitute "(B)".

(5) On page 7, line 7, strike "(iii)" and substitute "(C)".

(6) On page 7, line 10, strike "(iv)" and substitute "(D)".

(7) On page 7, line 13, strike "(v)" and substitute "(E)".

(8) On page 7, line 16, strike "(vi)" and substitute "(F)".

(9) On page 7, line 19, strike "(vii)" and substitute "(G)".

(10) On page 7, line 22, strike "(viii)" and substitute "(H)".

(11) On page 7, line 25, strike "(ix)" and substitute "(I)".

(12) On page 8, line 3, strike "(B)" and substitute "(2)".

(13) On page 8, line 6, strike "Paragraph (A)" and substitute "Subdivision (1)".

(14) On page 8, line 7, strike "(C)" and substitute "(3)".

(15) On page 8, strike lines 8 through 18 and reletter subsequent subsections and cross-references to those subsections accordingly.

(16) On page 8, line 23, strike "(a)(4)(A)" and substitute "(a)(1)".

(17) On page 8, line 27, strike "(a)(4)" and substitute "(a)".

A record vote was requested by Representative Goodwin.

Amendment No. 4 failed of adoption by (Record 142): 42 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Bernal; Bowers; Bucy; Cole; Cortez; Crockett; Davis; Dominguez; Fierro; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Frank; Frullo; Gates; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; 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; Wilson.

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

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; González, J.; Hunter; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Noble; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry; Walle; White.

### STATEMENTS OF VOTE

When Record No. 142 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 142 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 142 was taken, I was absent. I would have voted yes.

Martinez



When Record No. 142 was taken, I was temporarily out of the chamber. I would have voted no.

White

**Amendment No. 5**

Representative Hinojosa offered the following amendment to **SB 3**:

Amend **SB 3** (house committee report) as follows:

(1) On page 6, strike lines 11 through 16, and renumber subsections accordingly.

A record vote was requested by Representative Cain.

Amendment No. 5 failed of adoption by (Record 143): 43 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Bernal; Bowers; Bucy; Cole; Cortez; Crockett; Davis; Dominguez; Fierro; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lozano; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Frank; Frullo; Gates; Geren; Goldman; Harless; 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; Wilson.

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

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; González, J.; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry; Walle; White.

**STATEMENTS OF VOTE**

When Record No. 143 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 143 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 143 was taken, I was temporarily out of the house chamber. I would have voted no.

White

**Amendment No. 6**

Representative Patterson offered the following amendment to **SB 3**:

Amend **SB 3** (house committee report) on page 6, line 14, between the underlined semicolon and "or", by inserting "if the student directly participates in the lobbying for the legislation".

A record vote was requested by Representative Cain.

Amendment No. 6 failed of adoption by (Record 144): 49 Yeas, 71 Nays, 2 Present, not voting.

Yeas — Allen; Bernal; Bowers; Bucy; Cole; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; González, M.; Goodwin; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Oliverson; Ordaz Perez; Ortega; Patterson; Perez; Reynolds; Rose; Rosenthal; Schaefer; Shaheen; Spiller; Stephenson; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Wilson; Wu; Zwiener.

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

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

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; González, J.; Guerra; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry; Walle; White.

**STATEMENTS OF VOTE**

When Record No. 144 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 144 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 144 was taken, I was shown voting yes. I intended to vote no.

Oliverson

When Record No. 144 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 144 was taken, I was shown voting yes. I intended to vote no.

Spiller

When Record No. 144 was taken, I was temporarily out of the chamber. I would have voted yes.

White

### Amendment No. 7

Representative Goodwin offered the following amendment to **SB 3**:

Amend **SB 3** (house committee report) as follows:

(1) On page 6, line 16, immediately following the underlined semicolon, insert "or".

(2) On page 6, line 20, strike "or" and substitute "and".

(3) On page 6, strike lines 21 through 23.

A record vote was requested by Representative Middleton.

Amendment No. 7 failed of adoption by (Record 145): 41 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Bernal; Bowers; Bucy; Cole; Cortez; Crockett; Davis; Dominguez; Fierro; González, M.; Goodwin; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lucio; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Frank; Frullo; Gates; Geren; Goldman; Harless; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; 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; Wilson.

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

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; González, J.; Guerra; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry; Walle; White.

### STATEMENTS OF VOTE

When Record No. 145 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 145 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 145 was taken, I was temporarily out of the house chamber. I would have voted no.

White

(Speaker in the chair)

#### Amendment No. 8

Representative Allen offered the following amendment to **SB 3**:

Amend **SB 3** (house committee printing) on page 8 by striking lines 8 through 18 and substituting the following appropriately lettered subsection:

( ) Subsection (a)(3) does not apply to:

(1) a student's participation in:

(A) community charitable projects, such as building community gardens, volunteering at local food banks, or other service projects; or

(B) an internship or practicum:

(i) for which the student receives course credit under the P-TECH program established under Section 29.553; and

(ii) that does not involve the student directly engaging in lobbying, social policy advocacy, or public policy advocacy; or

(2) a grade or course credit, including extra credit, awarded for a student's communication with an elected official regarding an issue of the student's choosing, including communication by phone, in writing, and by e-mail.

Amendment No. 8 failed of adoption. (White recorded voting no.)

#### Amendment No. 9

Representative M. González offered the following amendment to **SB 3**:

Amend **SB 3** (house committee printing) as follows:

(1) On page 5, lines 25 and 26, strike ", including an innovative course,".

(2) On page 9, between lines 4 and 5, insert the following appropriately lettered subsection:

( ) This section does not apply to:

(1) an innovative course; or

(2) a course in ethnic or cultural studies.

A record vote was requested by Representative Neave.

Amendment No. 9 failed of adoption by (Record 146): 42 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Allen; Bernal; Bowers; Bucy; Cole; Cortez; Crockett; Davis; Dominguez; Fierro; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Longoria; Lozano; Lucio; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bales; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; 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; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; González, J.; Hunter; Johnson, J.D.; Larson; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry; Walle; White.

### STATEMENTS OF VOTE

When Record No. 146 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 146 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 146 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 146 was taken, I was temporarily out of the house chamber. I would have voted no.

White

### Amendment No. 10

Representative Bernal offered the following amendment to **SB 3**:

Amend **SB 3** (house committee report) on page 9, between lines 1 and 2, by inserting the following appropriately lettered subsection and relettering subsequent subsections accordingly:

( ) This section may not be construed in a manner that would prevent teachers, administrators, or other employees of a school district, open-enrollment charter school, or state agency from using bullying harassment prevention and

mediation strategies, including strategies adopted in school district bullying policies under Section 37.0832(c), to address specific instances or school-wide cultures of bullying or harassment based on or targeting a student because of that student's:

(1) actual or perceived race, color, national origin, ethnicity, gender identity, gender expression, disability status, or sexual orientation; or

(2) association with a person with one or more of the actual or perceived characteristics described by Subdivision (1).

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

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

Amendment No. 10 was withdrawn.

#### **Amendment No. 11**

Representatives Patterson and Shaheen offered the following amendment to **SB 3**:

Amend **SB 3** (house committee report) on page 6, line 14, between "level" and the underlined semicolon, by inserting ", if the student's duties involve directly or indirectly attempting to influence social or public policy or the outcome of legislation".

Amendment No. 11 was adopted.

#### **Amendment No. 12**

Representative VanDeaver offered the following amendment to **SB 3**:

Amend **SB 3** (house committee report) on page 8, line 15, between "under" and "the P-TECH program", by inserting "a career and technology education program or under".

Amendment No. 12 was adopted.

#### **Amendment No. 13**

Representative VanDeaver offered the following amendment to **SB 3**:

Amend **SB 3** (house committee report) on page 9, between lines 4 and 5, by adding the following appropriately lettered subsection:

( ) Nothing in this section may be construed as prohibiting a teacher employed by a school district or open-enrollment charter school from directing a classroom activity that involves students communicating with an elected official so long as the district, school, or teacher does not influence the content of a student's communication.

Amendment No. 13 was adopted.

A record vote was requested by Representative Huberty.

**SB 3**, as amended, was passed to third reading by (Record 147): 81 Yeas, 43 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; 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; Lozano; 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; Bernal; Bowers; Bucy; Cole; Cortez; Crockett; Davis; Dominguez; Fierro; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Reynolds; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; González, J.; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry.

### STATEMENTS OF VOTE

When Record No. 147 was taken, I was absent. I would have voted no.

Beckley

When Record No. 147 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 147 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 147 was taken, I was absent. I would have voted no.

Martinez

When Record No. 147 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 147 was taken, I was in the house but away from my desk. I would have voted no.

Morales Shaw

When Record No. 147 was taken, I was absent. I would have voted no.

Rodriguez

### REASONS FOR VOTE

Representative Beckley submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocol or procedures to address the recent surge in the spread of COVID on the house floor and the Capitol buildings in general. Several members have tested positive and continue to put the rest of the legislative body at risk, whether they are voting from the speaker's chambers or directly from the house floor. Until the issue is addressed and safety measures are put in place to protect members of the Texas Legislature, I will not be present on the floor, but have included my statement on **SB 3**.

Truth in education is what brings us together to heal the divides of history. Most recently, in Texas and across the country, there has been a stark pushback when it comes to conversations around race, class, gender, and our true history in classrooms. Educators and school support personnel across the state are deeply concerned and disappointed that the legislature is taking up yet another classroom censorship bill in an effort to prevent Critical Race Theory (CRT) and discussions of diversity, equality, and inclusion, despite repeatedly acknowledging that CRT is not part of the curriculum in Texas' K-12 public schools.

**SB 3** would require the commissioner of education to create a civics training program for teachers and administrators and to establish the grade levels at which a teacher provides instruction to be eligible to participate in that training program. School districts and charters would need to have at least one teacher and administrator from each campus that includes an eligible course attend the training. The bill also identifies items that the State Board of Education must include in the Texas Essential Knowledge and Skills (TEKS) related to civic knowledge while removing other items. **SB 3** lists several things that teachers cannot be compelled to do, and that schools or teachers cannot make part of social studies curriculum.

Texas schools are already dealing with the consequences of the passage of **HB 3979**. We have seen canceled civics programs and attacks on school administrators and board members who dare to discuss difficult topics such as racism. The bill's broad language can be interpreted in ways that limit the learning, diversity, and inclusion efforts already underway in schools across Texas. Teachers should be encouraged to discuss current events in social studies courses. Students should be encouraged to participate in activities and organizations that promote civic engagement for course credit. Schools should be encouraged to provide race and gender diversity trainings for teachers and administrators. That is how we build a healthy and more equitable democracy now and for our future. **SB 3** does the opposite.

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

**SB 3** is an unfortunate consequence of radical, right-wing discourse surrounding race and diversity in America. In a state as diverse as Texas, with a history built on racial violence and discrimination, where a young Latina from



Oak Cliff can hope to rise and serve her community as a state representative, it is imperative that every single child in a Texas school be taught Texas' and America's true history and the tangible impacts of public policy. **SB 3** is a complete whitewashing of history and civics, and does our schoolchildren and teachers an immense disservice. Had I been present, I would have voted no.

**SB 9 - RULES SUSPENDED**  
**HOUSE SPONSOR AUTHORIZED**

Representative Dutton moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Perez as a house sponsor to **SB 9**.

The motion prevailed.

**CSSB 9 ON SECOND READING**  
**(Dutton and Anchia - House Sponsors)**

**CSSB 9**, A bill to be entitled An Act relating to public school instruction and materials regarding the prevention of child abuse, family violence, and dating violence and the adoption of public school policies to prevent dating violence.

**CSSB 9 - REMARKS**

**REPRESENTATIVE HULL:** This version of the bill adds this curriculum to the statute under the school health advisory council and health education instruction rather than as part of the required curriculum statute. Is that correct?

**REPRESENTATIVE DUTTON:** That's correct.

**HULL:** And is it accurate to say that adding instruction regarding child abuse, family violence, and dating violence to this statute rather than as required curriculum is intended to allow for more community input in the development of this curriculum?

**DUTTON:** Exactly, and that's why we have the SHAC committees, which is intended to secure input from the people in the community at the schools.

**HULL:** Additionally, this would not be in the required curriculum. If a parent were to choose to opt their child out of instruction, the child would not have to do an alternate assignment but would entirely opt out just as they would with sex ed. Is that correct?

**DUTTON:** That is also correct.

**HULL:** And is it true that SHACs must hold two public meetings which, thanks to legislation passed during the regular session, now involve more transparency, and then make recommendations to the school board on curriculum materials for instruction on these subjects, but that the school board could choose to opt out of providing this instruction entirely if they were to vote in a public meeting to do so?

**DUTTON:** That's true. In fact, most of that was covered in a bill we also passed during the last session.

HULL: For districts that choose to provide this instruction, all instructional materials selected for use by the school board at the recommendation of the SHAC on the subject must be made available for review by parents and community members just as with sex education materials. Is that correct?

DUTTON: That is correct. That's what the SHAC committees do.

HULL: And before each school year, the district must provide a detailed written notice about this instruction, which includes a statement about the parents' rights to review the curriculum materials, right to remove their student from receiving this instruction, and information on the grievance process for violations of this statute. Is that correct?

DUTTON: That is correct also.

HULL: And finally, the district must obtain written consent from the parents for their student to participate, making this an opt-in program rather than an opt-out. Is that correct?

DUTTON: That is also correct.

### REMARKS ORDERED PRINTED

Representative Hull moved to print remarks between Representative Dutton and Representative Hull on **CSSB 9**.

The motion prevailed.

#### Amendment No. 1

Representative Dutton offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) as follows:

(1) On page 3, line 20, between "violence" and the period, insert ", provided that the local school health advisory council's recommendations under this subdivision do not conflict with the essential knowledge and skills developed by the State Board of Education under this subchapter

(2) On page 4, line 25, strike "and instruction".

(3) On page 6, line 10, strike "section" and substitute, "subchapter, including the essential knowledge and skills addressing these topics developed by the State Board of Education".

Amendment No. 1 was adopted.

#### Amendment No. 2

Representative Shaheen offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee printing) as follows:

(1) On page 3, lines 19 and 20, strike "and dating violence" and substitute "dating violence, and sex trafficking, including likely warning signs that a child may be at risk for sex trafficking".

(2) Strike "and dating violence" and substitute "dating violence, and sex trafficking" in each of the following places it appears:

(A) page 3, lines 23 and 24;

(B) page 4, line 19;

- (C) page 4, line 26;
- (D) page 5, line 5;
- (E) page 5, line 22;
- (F) page 5, line 26;
- (G) page 6, line 9;
- (H) page 6, line 15;
- (I) page 6, line 20;
- (J) page 6, line 23;
- (K) page 7, line 3;
- (L) page 7, line 11;
- (M) page 7, line 17;
- (N) page 7, lines 21 and 22; and
- (O) page 8, line 3.

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Schaefer offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) on page 8, line 23, between "violence" and the underlined semicolon, by inserting ", including a procedure for immediately notifying the parent or guardian of a student about a report received by the district identifying the student as an alleged victim or perpetrator of dating violence".

Amendment No. 3 was adopted.

**CSSB 9**, as amended, was passed to third reading.

### **HB 7 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

Representative Landgraf called up with senate amendments for consideration at this time,

**HB 7**, A bill to be entitled An Act relating to the storage or disposal of high-level radioactive waste.

### **HB 7 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE GOODWIN: I would like to ask a few questions to make clear the legislative intent of **HB 7**. The intent of **HB 7** is to prevent the disposal and storage of high-level radioactive waste in Texas. This bill, if it goes into effect immediately with 100 votes, sends a strong message to the Nuclear Regulatory Commission as they are considering an application before them. Is that correct?

REPRESENTATIVE LANDGRAF: Yes. The intent behind **HB 7** is very clear. And as I've stated a couple of times on this floor and in our committee hearings, Representative Goodwin, the clear legislative intent behind **HB 7** is to ban the storage and disposal of high-level radioactive waste, including spent nuclear fuel, in the State of Texas.

GOODWIN: So there is an application before the NRC, the Nuclear Regulatory Commission, and Texas would like to oppose that ban. Is that correct?

LANDGRAF: I think by enacting **HB 7** and with the intent of **HB 7** being to ban the storage and disposal of high-level radioactive waste in Texas, that would send a message to the Nuclear Regulatory Commission that the State of Texas does not consent to the storage or disposal of that type of waste.

GOODWIN: Okay, thank you. I think I misspoke when I asked the question. I said "ban." I meant that Texas wants the NRC to deny the application. The application before NRC calls for the independent storage of spent nuclear fuel, high-level radioactive waste, and reactor-related greater than Class C waste. Is that correct?

LANDGRAF: As far as the application? Well, that's not addressed in this legislation, what the contents of the application are. But based on the reports that I've received, that is correct.

GOODWIN: When you define high-level radioactive waste as being inclusive of spent nuclear fuel in Section 1, is it your intent everywhere in the bill that the words "high-level radioactive waste" appear, that it continues to include spent nuclear fuel as part of that definition?

LANDGRAF: That's absolutely the intent, and the definitions in that section of the bill are crafted to reflect that.

GOODWIN: Does Section 2 direct TCEQ to not issue permits for the construction or operation of any site that would dispose of high-level radioactive waste, including spent nuclear waste?

LANDGRAF: There is a section in the bill, that's correct, that would prohibit TCEQ from issuing certain permits under various statutes to any entity or any licensee that would be storing and/or disposing of high-level radioactive waste at a facility in violation of **HB 7**.

GOODWIN: This bill does not directly deal with the issue of greater than Class C or, more specifically, the reactor-related greater than Class C waste, correct?

LANDGRAF: This bill, as was made abundantly clear, deals strictly with high-level radioactive waste, including spent nuclear fuel.

GOODWIN: But when your bill instructs TCEQ to not issue any permit that would allow the proposed consolidated storage facility to be constructed or operate in Texas, in effect, that facility could not bring in reactor-related greater than Class C waste, correct?

LANDGRAF: I suppose the bill could be interpreted in that way. But in terms of if you're asking me to help read some legislative intent, we are very clear that this deals specifically with high-level radioactive waste, including spent nuclear fuel, as defined under federal law.

GOODWIN: So it's correct to say that since the application by Interim Storage Partners is asking for a permit to license nuclear spent fuel and reactor-related greater than Class C, TCEQ is not allowed to issue any of the permits that would allow the facility to operate in Texas for these waste streams.

LANDGRAF: I want to be very careful. This bill, as we talked about, is very specific to banning the storage and disposal of high-level radioactive waste, including spent nuclear fuel. You have brought up the application several times. There's certainly—if the license is issued by the NRC, which we expect as early as September 13, this bill, particularly if it's enacted and takes immediate effect, would address parts of the license that is being applied for. But that license is independent of this bill itself. This bill is designed to cover multiple situations, not to apply to a single license, although it would have some applicability there.

GOODWIN: I had heard you say beforehand that the reason for getting it into law immediately was because of this application that would be determined on September 13. Is that not correct?

LANDGRAF: Yes. Based on the NRC's internal timeline, the license could be issued as soon as September 13. That's correct.

Representative Landgraf moved to concur in the senate amendments to **HB 7**.

The motion to concur in the senate amendments to **HB 7** prevailed by (Record 148): 119 Yeas, 3 Nays, 1 Present, not voting.

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

Nays — Davis; Perez; Thompson, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; González, J.; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry; Walle; Zwiener.

### STATEMENTS OF VOTE

When Record No. 148 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 148 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 148 was taken, I was in the house but away from my desk. I would have voted yes.

Zwiener

#### Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 7** (senate committee printing) by striking page 2, lines 1 through 6, and substituting the following:

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect December 5, 2021.

### GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

#### CSHB 233 ON SECOND READING (by Huberty)

**CSHB 233**, A bill to be entitled An Act relating to providing accelerated instruction for public school students who fail to achieve satisfactory performance on certain assessment instruments.

#### Amendment No. 1

Representative Huberty offered the following amendment to **CSHB 233**:

Amend **CSHB 233** (house committee report) as follows:

(1) On page 1, lines 8 and 9, strike "Subsections (a-1), (a-4), and (f-4) and adding Subsections (a-7)" and substitute "Subsections (a), (a-1), (a-4), and (f-4) and adding Subsections (a-7), (f-6), (i-1),".

(2) On page 1, between lines 9 and 10, insert the following:

(a) A school district shall establish an accelerated learning committee described by Subsection (c) for each student who does not perform satisfactorily on:

(1) the third grade mathematics or reading assessment instrument under Section 39.023; or

(2) the fourth, fifth, sixth, seventh, or eighth grade mathematics or reading assessment instrument under Section 39.023 in the school year following a school year in which the student did not perform satisfactorily in the same subject on the assessment instrument for grades four through eight; ~~or~~

~~[(3) the eighth grade mathematics or reading assessment instrument under Section 39.023].~~

(3) On page 3, strike lines 6 through 11 and substitute the following:

(f-4) If a student ~~[who]~~ fails to perform satisfactorily on an assessment instrument ~~[specified]~~ under Section 39.023 for grades four through eight in the same subject in the school year following a school year in which an accelerated learning committee was established under Subsection (a) ~~[Subsection (a) fails in the subsequent school year to perform satisfactorily on an assessment instrument in the same subject]~~, the superintendent of the district, or the superintendent's designee, shall meet with the student's accelerated learning committee to:

(4) On page 3, between lines 21 and 22, insert the following:

(f-6) If a student in a homebound instructional arrangement is unable to participate in an accelerated instruction program due to the nature of the student's medical condition, the student's admission, review, and dismissal committee, if the student receives special education services under Subchapter A, Chapter 29, or the committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), if the student does not receive special education services under Subchapter A, Chapter 29, may determine that the student will be provided the accelerated instruction when the student returns to campus from the homebound setting. If the student's medical condition prevents the student from returning to campus during the current school year, the school district is not required to provide the accelerated instruction to the student during the subsequent school year.

(i-1) The accelerated instruction plan developed by a student's admission, review, and dismissal committee under Subsection (i) is not considered to be part of the student's individualized education program and is not subject to the requirements of Section 29.005 or 20 U.S.C. Section 1414(d) relating to the scheduling and conducting of an admission, review, and dismissal committee meeting. A parent of a student with an individualized education program who intends to contest the content or implementation of the plan must follow the grievance policy adopted under Subsection (f-3).

Amendment No. 1 was adopted.

## **Amendment No. 2**

Representatives K. Bell, VanDeaver, K. King, Allison, Dutton, Huberty, Buckley, Lozano, and M. González offered the following amendment to CSHB 233:

Amend CSHB 233 (house committee printing) on page 3, between lines 5 and 6, by adding the following appropriately lettered subsection and renumbering subsequent subsections accordingly:

( ) A parent or guardian of a student who is provided supplemental instruction under Section (a-1)(2) by the school district may modify the supplemental instruction requirements for the parent's or guardian's particular student, including by lessening or removing certain requirements described by Subsection (a-4), by submitting a request for the modification to the district. A district may not encourage or otherwise direct a parent or guardian to act under

this subsection in a manner that allows the district to avoid providing the parent's or guardian's student with a benefit from supplemental instruction included in the required instruction under Subsection (a-4).

Amendment No. 2 was adopted.

**CSHB 233**, as amended, was passed to engrossment.

**HB 200 ON SECOND READING**  
**(by Landgraf)**

**HB 200**, A bill to be entitled An Act relating to the prohibition on the transportation, storage, and disposal of high-level radioactive waste in certain areas.

Representative Landgraf moved to postpone consideration of **HB 200** until 10 a.m. Sunday, September 26.

The motion prevailed.

**ADJOURNMENT**

Without objection, the chair announced that the house would stand adjourned until 4:35 p.m. today.

The house accordingly, at 4:24 p.m., adjourned until 4:35 p.m. today.

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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**

**HR 162** (By Davis), Congratulating James McCarley on his retirement from McCarley Consultants.

To Resolutions Calendars.

**HR 163** (By Vasut), In memory of Anthony Standley of Oyster Creek.

To Resolutions Calendars.

**HR 164** (By Paul), Congratulating the Clear Lake High School Lake Robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.

To Resolutions Calendars.

**HR 165** (By Paul), Congratulating the Clear Brook High School Astrobots robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.

To Resolutions Calendars.



**HR 166** (By Paul), Congratulating the Westbrook Intermediate School Flaming Phoenix robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.

To Resolutions Calendars.

**HR 167** (By Paul), Congratulating the Westbrook Intermediate Rock-it-Bots robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.

To Resolutions Calendars.

**HR 168** (By Paul), Congratulating the North Pointe Elementary School ROCK-IT-BOTS robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.

To Resolutions Calendars.

**HR 169** (By Goldman), Congratulating Vincent Hancock of Benbrook on winning a gold medal in skeet shooting at the Summer Olympic Games in Tokyo.

To Resolutions Calendars.

**HR 170** (By Goldman), Congratulating Jose A. "Joe" Orobio on his retirement from the Texas Comptroller of Public Accounts.

To Resolutions Calendars.

**HR 171** (By Paddie), In memory of Michael Luther Walker of Jefferson.

To Resolutions Calendars.

**HR 172** (By Shine), In memory of Sergeant Christopher Ray Wilson of the Texas Parks and Wildlife Department.

To Resolutions Calendars.

**HR 173** (By A. Johnson), Commending David Leebron for his service as President of Rice University and extending sincere best wishes for the future.

To Resolutions Calendars.

**HR 174** (By Jetton), Congratulating Irfan Motiwala on his 50th birthday.

To Resolutions Calendars.

**HR 175** (By Crockett), Congratulating the Reverend Albert Kinder Haynes Sr. of Bethany Missionary Baptist Church in Dallas on his half century of service in the ministry.

To Resolutions Calendars.

**HR 176** (By Crockett), Paying tribute to Officer Mitchell Aaron Penton of the Dallas Police Department and commemorating his posthumous receipt of the Star of Texas Award.

To Resolutions Calendars.

**HR 177** (By Dutton), In memory of William Walter Davis Jr. of Houston.

To Resolutions Calendars.

**HR 178** (By A. Johnson), Commending Walton-Gray Martin for his service as a legislative aid and extending sincerest best wishes for continued success.

To Resolutions Calendars.

**HR 179** (By Zwiener), Commending the Central Texas Veterans Service Organization Alliance for its service during the COVID-19 pandemic and the February 2021 winter storm.

To Resolutions Calendars.

**HR 180** (By Zwiener), Commemorating National Hispanic-Serving Institutions Week in September 2021.

To Resolutions Calendars.

**HR 181** (By Zwiener), Commemorating the reopening of the Calaboose African American History Museum in San Marcos.

To Resolutions Calendars.

**HR 182** (By A. Johnson), Commending Robert Charles Gonzalez for his service as deputy legislative director and extending sincerest best wishes for continued success.

To Resolutions Calendars.

**HR 183** (By Zwiener), In memory of Sharon Ann Thompson of Kyle.

To Resolutions Calendars.

**HR 184** (By A. Johnson), Commending Jacob Pesikoff for his service as a legislative intern and extending sincerest best wishes for continued success.

To Resolutions Calendars.

**HR 185** (By A. Johnson), Commending Caitlin Rowley for her service as a legislative aide and extending sincerest best wishes for continued success.

To Resolutions Calendars.

**HR 186** (By Jetton), Congratulating Jose Flores on his service with the Fort Bend County Constable's Office, Precinct 3.

To Resolutions Calendars.

**HR 187** (By Paddie), In memory of Michael Shane Capps of Carthage.

To Resolutions Calendars.

**HR 188** (By J. González), In memory of Kate Garrison of Collin County.

To Resolutions Calendars.

**HR 189** (By Ordaz Perez), In memory of Ralph T. Cloud of El Paso.

To Resolutions Calendars.

**HR 190** (By Button), Commemorating the 2021 Garland Labor Day Parade.

To Resolutions Calendars.

**HR 191** (By Neave), Honoring the Brotherhood for the Fallen.

To Resolutions Calendars.

**HR 192** (By Lambert), Commending Natura Resources, LLC, Abilene Christian University, and NEXTRA for their work on the proposed molten salt research reactor at Abilene Christian University.

To Resolutions Calendars.

**HR 193** (By Crockett), Honoring Nicholas Granados of the Dallas Fire-Rescue Department on his receipt of a 2021 Star of Texas Award.  
To Resolutions Calendars.

**HR 194** (By Crockett), Congratulating Mable L. Armstrong on her 80th birthday.  
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. 1**

**HB 9, HCR 9, HCR 10, HCR 11, HCR 12**

**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  
Thursday, September 2, 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:

**SB 91** Bettencourt

Relating to a temporary reduction in the maximum compressed tax rate of a school district and the form of the ballot proposition to be used in an election to approve a tax rate adopted by a school district that exceeds the district's voter-approval tax rate; making an appropriation.

Respectfully,  
Patsy Spaw  
Secretary of the Senate



# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## PROCEEDINGS

EIGHTH DAY — THURSDAY, SEPTEMBER 2, 2021

The house met at 4:42 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 149).

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

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry.

### LEAVES OF ABSENCE GRANTED

On motion of Representative Metcalf and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

### GENERAL STATE CALENDAR

#### SENATE BILLS

#### THIRD READING

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

**SB 3 ON THIRD READING****(Huberty, Toth, Metcalf, White, et al. - House Sponsors)**

**SB 3**, A bill to be entitled An Act relating to civics training programs for certain public school social studies teachers and principals, parental access to certain learning management systems, and certain curriculum in public schools, including certain instructional requirements and prohibitions.

**SB 3** was passed by (Record 150): 84 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Dutton; 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; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Reynolds; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Bernal; Bowers; Bucy; Cole; Cortez; Dominguez; Fierro; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, T.; Larson; Longoria; Lucio; Minjarez; Moody; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry.

**STATEMENTS OF VOTE**

When Record No. 150 was taken, I was absent. I would have voted no.

Beckley

When Record No. 150 was taken, I was excused because of personal business. I would have voted no.

Canales

When Record No. 150 was taken, I was shown voting yes. I intended to vote no.

Crockett

When Record No. 150 was taken, I was shown voting yes. I intended to vote no.

Davis

When Record No. 150 was taken, I was absent. I would have voted no.

Gervin-Hawkins

When Record No. 150 was taken, I was absent. I would have voted no.

Martinez

When Record No. 150 was taken, I was absent. I would have voted no.

Martinez Fischer

When Record No. 150 was taken, I was absent. I would have voted no.

C. Morales

When Record No. 150 was taken, my vote failed to register. I would have voted no.

Morales Shaw

When Record No. 150 was taken, I was shown voting yes. I intended to vote no.

Reynolds

When Record No. 150 was taken, I was absent. I would have voted no.

Rodriguez

When Record No. 150 was taken, I was absent. I would have voted no.

Romero

### REASONS FOR VOTE

Representative Beckley submitted the following reason for vote to be printed in the journal:

The Texas House of Representatives currently has no safety protocol or procedures to address the recent surge in the spread of COVID on the house floor and the Capitol buildings in general. Several members have tested positive and continue to put the rest of the legislative body at risk, whether they are voting from the speaker's chambers or directly from the house floor. Until the issue is addressed and safety measures are put in place to protect members of the Texas Legislature, I will not be present on the floor, but have included my statement on **SB 3**.

Truth in education is what brings us together to heal the divides of history. Most recently, in Texas and across the country, there has been a stark pushback when it comes to conversations around race, class, gender, and our true history in classrooms. Educators and school support personnel across the state are deeply concerned and disappointed that the legislature is taking up yet another classroom censorship bill in an effort to prevent Critical Race Theory (CRT) and discussions of diversity, equality, and inclusion, despite repeatedly acknowledging that CRT is not part of the curriculum in Texas' K-12 public schools.

**SB 3** would require the commissioner of education to create a civics training program for teachers and administrators and to establish the grade levels at which a teacher provides instruction to be eligible to participate in that training program.

School districts and charters would need to have at least one teacher and administrator from each campus that includes an eligible course attend the training. The bill also identifies items that the State Board of Education must include in the Texas Essential Knowledge and Skills (TEKS) related to civic knowledge while removing other items. **SB 3** lists several things that teachers cannot be compelled to do, and that schools or teachers cannot make part of social studies curriculum.

Texas schools are already dealing with the consequences of the passage of **HB 3979**. We have seen canceled civics programs and attacks on school administrators and board members who dare to discuss difficult topics such as racism. The bill's broad language can be interpreted in ways that limit the learning, diversity, and inclusion efforts already underway in schools across Texas. Teachers should be encouraged to discuss current events in social studies courses. Students should be encouraged to participate in activities and organizations that promote civic engagement for course credit. Schools should be encouraged to provide race and gender diversity trainings for teachers and administrators. That is how we build a healthy and more equitable democracy now and for our future. **SB 3** does the opposite.

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

**SB 3** is an unfortunate consequence of radical, right-wing discourse surrounding race and diversity in America. In a state as diverse as Texas, with a history built on racial violence and discrimination, where a young Latina from Oak Cliff can hope to rise and serve her community as a state representative, it is imperative that every single child in a Texas school be taught Texas', and America's, true history and the tangible impacts of public policy. **SB 3** is a complete whitewashing of history and civics and does our schoolchildren and teachers an immense disservice. Had I been present, I would have voted no.

**SB 9 ON THIRD READING**  
**(Dutton and Anchia - House Sponsors)**

**SB 9**, A bill to be entitled An Act relating to public school instruction and materials regarding the prevention of child abuse, family violence, and dating violence and the adoption of public school policies to prevent dating violence.

**SB 9** was passed by (Record 151): 94 Yeas, 26 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Fierro; Frullo; Gates; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lozano; Lucio; Meyer; Minjarez; Moody; Morales, E.; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Paddie; Parker; Perez; Price; Raney; Rogers; Rose;



Rosenthal; Schofield; Shaheen; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Wu; Zwiener.

Nays — Bell, C.; Biedermann; Burns; Cain; Harris; Hefner; Hull; Krause; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Patterson; Paul; Sanford; Schaefer; Slaton; Slawson; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Allen; Beckley; Campos; Crockett; Deshotel; Frank; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Ramos; Raymond; Reynolds; Rodriguez; Romero; Sherman; Thierry; Walle.

### STATEMENTS OF VOTE

When Record No. 151 was taken, I was in the house but away from my desk. I would have voted yes.

Allen

When Record No. 151 was taken, I was excused because of personal business. I would have voted yes.

Canales

When Record No. 151 was taken, my vote failed to register. I would have voted no.

Frank

When Record No. 151 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 151 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 151 was taken, I was absent. I would have voted yes.

Martinez Fischer

When Record No. 151 was taken, I was absent. I would have voted yes.

C. Morales

When Record No. 151 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 151 was taken, I was absent. I would have voted yes.

Rodriguez

When Record No. 151 was taken, I was absent. I would have voted yes.

Romero

When Record No. 151 was taken, I was shown voting yes. I intended to vote no.

Shaheen

(Morales Shaw now present)

**REMARKS ORDERED PRINTED**

Representative Goodwin moved to print remarks between Representative Landgraf and Representative Goodwin on **HB 7** on the previous legislative day.

The motion prevailed.

**GENERAL STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

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

**HB 5 ON THIRD READING  
(by Bonnen, et al.)**

**HB 5**, A bill to be entitled An Act relating to making supplemental appropriations and giving direction regarding appropriations.

**Amendment No. 1**

Representative Bonnen offered the following amendment to **HB 5**:

Amend **HB 5** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: TEXAS ANTI-GANG CENTER. The amount of \$180,000,000 is appropriated from the General Revenue Fund to the Trusteed Programs within the Office of the Governor for the state fiscal year beginning September 1, 2021, for the purpose of supporting the work of Texas Anti-Gang Center programs in municipalities with a population of more than 500,000 according to the most recent federal decennial census. Unexpended balances remaining for the purpose described by this section for the state fiscal year beginning September 1, 2021, are appropriated for the same purposes for the state fiscal year beginning September 1, 2022.

**Amendment No. 1 - Point of Order**

Representative S. Thompson raised a point of order against further consideration of Amendment No. 1 under Rule 6, Section 16(f), of the House Rules and the calendar rule governing consideration of **HB 5** on the grounds that the amendment does not comply with the rule. The point of order was withdrawn.

**HB 5 - RULES SUSPENDED**

Representative Bonnen moved to suspend the calendar rule governing consideration of **HB 5**.

The motion prevailed.

Amendment No. 1 was adopted.

**HB 5**, as amended, was passed by (Record 152): 125 Yeas, 0 Nays, 1 Present, not voting.

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

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry.

The chair stated that **HB 5** was passed subject to the provisions of Article III, Section 49a, of the Texas Constitution.

#### STATEMENTS OF VOTE

When Record No. 152 was taken, I was excused because of personal business. I would have voted yes.

Canales

When Record No. 152 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 152 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 152 was taken, I was absent. I would have voted yes.

Martinez Fischer

When Record No. 152 was taken, I was absent. I would have voted yes.

C. Morales

When Record No. 152 was taken, I was absent. I would have voted yes.

Rodriguez

When Record No. 152 was taken, I was absent. I would have voted yes.

Romero

**HB 5 - RULES SUSPENDED**

Representative Bonnen moved to suspend Rule 2, Section 1(a)(9), of the House Rules to permit **HB 5** to be sent to the senate in the form of engrossed riders in lieu of a full engrossment.

The motion prevailed.

**HB 233 ON THIRD READING**  
**(by Huberty)**

**HB 233**, A bill to be entitled An Act relating to providing accelerated instruction for public school students who fail to achieve satisfactory performance on certain assessment instruments.

**HB 233** was passed by (Record 153): 124 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Canales; Coleman; Collier; Herrero.

Absent — Beckley; Campos; Crockett; Deshotel; Gervin-Hawkins; Johnson, J.D.; Lopez; Martinez; Martinez Fischer; Meza; Morales, C.; Ramos; Raymond; Rodriguez; Romero; Sherman; Thierry; Walle.

**STATEMENTS OF VOTE**

When Record No. 153 was taken, I was absent. I would have voted yes.

Gervin-Hawkins

When Record No. 153 was taken, I was absent. I would have voted yes.

Martinez

When Record No. 153 was taken, I was absent. I would have voted yes.

Martinez Fischer

When Record No. 153 was taken, I was absent. I would have voted yes.

C. Morales

When Record No. 153 was taken, I was absent. I would have voted yes.

Rodriguez

When Record No. 153 was taken, I was absent. I would have voted yes.

Romero

### **HB 233 - RULES SUSPENDED**

Representative Bonnen moved to suspend Rule 2, Section 1(a)(9), of the House Rules to permit **HB 233** to be sent to the senate in the form of engrossed riders in lieu of a full engrossment.

The motion prevailed.

(Guillen in the chair)

### **CONGRATULATORY AND MEMORIAL CALENDAR**

The following congratulatory resolutions were laid before the house:

**HR 105** (by Fierro), Congratulating Erica Marin on her appointment as director of the El Paso Museum of History.

**HR 108** (by Kacal), Commending the McLennan Community College baseball team on winning the 2021 Junior College World Series.

**HR 109** (by Kacal), Congratulating McLennan Community College baseball coach Mitch Thompson on his selection as the NJCAA Division I Coach of the Year.

**HR 111** (by Price), Commemorating the 50th anniversary of Los Barrios de Amarillo.

**HR 112** (by Price), Congratulating Jennifer Sims on her retirement as deputy commissioner at the Texas Department of State Health Services.

**HR 113** (by P. King), Congratulating Dakota Stroud of the Weatherford Fire Department on his receipt of a Medal of Valor and Citation Bar.

**HR 117** (by Geren), Commemorating the release of the motion picture 12 Mighty Orphans, filmed in Fort Worth.

**HR 119** (by White), Congratulating the Livingston 10U All-Stars baseball team on winning the state championship in the 2021 Dixie Youth Baseball playoffs.

**HR 121** (by Hull), Honoring the BIZPAC organization and its leaders, Joseph L. Trahan, Dr. Elias Jackson, and Mark Goloby.

**HR 122** (by Cole), Congratulating Texas Terry of Lexington on winning the 2021 U.S. Kids Golf World Championship in the under-eight division.

**HR 124** (by Davis), Congratulating television sportscaster Dale Hansen on his retirement from WFAA in Dallas.

**HR 125** (by Harris), Commending Jac Darsnek for preserving Texas history through his Traces of Texas online photography project.

**HR 128** (by Vasut), Congratulating Honorable Marc Holder on his retirement from Brazoria County Court at Law No. 2.

**HR 129** (by Vasut), Congratulating the Honorable Judge K. Randall Hufstetler on his retirement from the 300th Judicial District Court.

**HR 130** (by Vasut), Congratulating the Honorable Judge Terri Tipton Holder on her retirement as judge of the 149th District Court.

**HR 131** (by White), Commending Officer William McKeon Jr. on his receipt of a Star of Texas Award.

**HR 136** (by Longoria), Commemorating the William "Billy" Leo Foundation BBQ Cookoff in La Joya.

**HR 138** (by Morrison), Congratulating Morgan O'Connor, Kelly Schaar, and Bridey Greeson of the Dunn O'Connor River Ranch on their receipt of a Lone Star Land Steward Award from the Texas Parks and Wildlife Department.

**HR 139** (by Morrison), Honoring Claud B. Jacobs for his community service.

**HR 140** (by Morrison), Congratulating Dr. Speck Phillips of Victoria on his 100th birthday.

**HR 142** (by Morrison), Congratulating Dr. Larry Riedel of Victoria on his 92nd birthday.

**HR 143** (by Morrison), Congratulating Presbyterian Day School in Victoria on its 75th anniversary.

**HR 144** (by Morrison), Congratulating Our Lady of the Gulf Catholic School on its 25th anniversary.

**HR 145** (by Morrison), Congratulating Dr. Felix F. Regueira on his retirement.

**HR 149** (by Herrero), Congratulating the one-act play team from Tuloso-Midway High School in Corpus Christi on winning the 2021 UIL 4A state championship.

**HR 150** (by Martinez), Congratulating Colonel Carlos Tamez on his retirement as commander of the 3rd Medical Training Brigade at Joint Base San Antonio.

**HR 151** (by Fierro), Commending El Paso City Council member Cecilia Lizarraga for her leadership during the COVID-19 pandemic.

**HR 152** (by Fierro), Commending El Paso City Council member Isabel Salcido for her leadership during the COVID-19 pandemic.

**HR 153** (by Fierro), Commending El Paso City Council Representative Peter Svarzbein for his leadership during the COVID-19 pandemic.

**HR 154** (by Fierro), Commending El Paso County Commissioner Carl L. Robinson for his leadership during the COVID-19 pandemic.

**HR 155** (by Fierro), Commending El Paso County Commissioner David Stout for his leadership during the COVID-19 pandemic.

**HR 156** (by Fierro), Commending El Paso County Commissioner Carlos Leon for his leadership during the COVID-19 pandemic.

**HR 157** (by Fierro), Commending El Paso County Judge Ricardo A. Samaniego for his leadership during the COVID-19 pandemic.

**HR 158** (by Price), Congratulating Ray Cogburn of Amarillo on his retirement as executive director of Region 16 Education Service Center.

**HR 159** (by Dominguez), Honoring Dr. Barney Graham for his role in developing COVID-19 vaccines.

**HR 160** (by Dominguez), Honoring Dr. Bill Gruber for his role in developing COVID-19 vaccines.

**HR 161** (by Herrero), Congratulating Bellanira Flores-Arias on her selection as the 2021 Teacher of the Year at Robstown Early College High School in the Robstown Independent School District.

**HR 162** (by Davis), Congratulating James McCarley on his retirement from McCarley Consultants.

**HR 164** (by Paul), Congratulating the Clear Lake High School Lake Robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.

**HR 165** (by Paul), Congratulating the Clear Brook High School Astrobots robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.

**HR 166** (by Paul), Congratulating the Westbrook Intermediate School Flaming Phoenix robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.

**HR 167** (by Paul), Congratulating the Westbrook Intermediate Rock-it-Bots robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.

**HR 168** (by Paul), Congratulating the North Pointe Elementary School ROCK-IT-BOTS robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.

**HR 169** (by Goldman), Congratulating Vincent Hancock of Benbrook on winning a gold medal in skeet shooting at the Summer Olympic Games in Tokyo.

**HR 170** (by Goldman), Congratulating Jose A. "Joe" Orobio on his retirement from the Texas Comptroller of Public Accounts.

**HR 173** (by A. Johnson), Commending David Leebron for his service as President of Rice University and extending sincere best wishes for the future.

**HR 174** (by Jetton), Congratulating Irfan Motiwala on his 50th birthday.

**HR 175** (by Crockett), Congratulating the Reverend Albert Kinder Haynes Sr. of Bethany Missionary Baptist Church in Dallas on his half century of service in the ministry.

**HR 176** (by Crockett), Paying tribute to Officer Mitchell Aaron Penton of the Dallas Police Department and commemorating his posthumous receipt of the Star of Texas Award.

**HR 178** (by A. Johnson), Commending Walton-Gray Martin for his service as a legislative aid and extending sincerest best wishes for continued success.

**HR 179** (by Zwiener), Commending the Central Texas Veterans Service Organization Alliance for its service during the COVID-19 pandemic and the February 2021 winter storm.

**HR 180** (by Zwiener), Commemorating National Hispanic-Serving Institutions Week in September 2021.

**HR 181** (by Zwiener), Commemorating the reopening of the Calaboose African American History Museum in San Marcos.

**HR 182** (by A. Johnson), Commending Robert Charles Gonzalez for his service as deputy legislative director and extending sincerest best wishes for continued success.

**HR 184** (by A. Johnson), Commending Jacob Pesikoff for his service as a legislative intern and extending sincerest best wishes for continued success.

**HR 185** (by A. Johnson), Commending Caitlin Rowley for her service as a legislative aide and extending sincerest best wishes for continued success.

**HR 186** (by Jetton), Congratulating Jose Flores on his service with the Fort Bend County Constable's Office, Precinct 3.

**HR 190** (by Button), Commemorating the 2021 Garland Labor Day Parade.

**HR 191** (by Neave), Honoring the Brotherhood for the Fallen.

**HR 192** (by Lambert), Commending Natura Resources, LLC, Abilene Christian University, and NEXTRA for their work on the proposed molten salt research reactor at Abilene Christian University.

**HR 193** (by Crockett), Honoring Nicholas Granados of the Dallas Fire-Rescue Department on his receipt of a 2021 Star of Texas Award.

**HR 194** (by Crockett), Congratulating Mable L. Armstrong on her 80th birthday.

The resolutions were adopted.

The following memorial resolutions were laid before the house:

**HR 104** (by Fierro), In memory of Vietnam War correspondent and author Joe Galloway.



**HR 106** (by Cook), In memory of former state representative Toby Ray Goodman of Mansfield.

**HR 107** (by Holland), In memory of Shirley Smith Shoquist of Rockwall.

**HR 110** (by Price), In memory of Joseph Harold Pool of Amarillo.

**HR 114** (by Holland), In memory of Kenneth Duncan Dickson of Rockwall.

**HR 115** (by Middleton), In memory of Jesse C. Turrubiate of La Marque.

**HR 116** (by Middleton), In memory of Vincent Michael Robins of Mont Belvieu.

**HR 118** (by White), In memory of retired game warden James Lovett of Bay City.

**HR 120** (by White), In memory of George W. Atteberry of Woodville.

**HR 126** (by Vasut), In memory of James William Kellogg Jr.

**HR 127** (by Vasut), In memory of former Quintana mayor Deborah Estelle Alongis.

**HR 134** (by T. King, Raymond, and Guillen), In memory of U.S. Marine Lance Corporal David Lee Espinoza of Laredo.

**HR 137** (by K. Bell), In memory of Thomas Rice Winkelvoss of Mabank.

**HR 141** (by Morrison), In memory of Kelly Janette Raley Franklin of Victoria.

**HR 146** (by Herrero), In memory of Joaquin Villarreal III of Robstown.

**HR 147** (by Herrero), In memory of Magdalena Sanchez Zapata.

**HR 148** (by Herrero), In memory of Felipe Salazar Jr. of Robstown.

**HR 163** (by Vasut), In memory of Anthony Standley of Oyster Creek.

**HR 171** (by Paddie), In memory of Michael Luther Walker of Jefferson.

**HR 172** (by Shine), In memory of Sergeant Christopher Ray Wilson of the Texas Parks and Wildlife Department.

**HR 177** (by Dutton), In memory of William Walter Davis Jr. of Houston.

**HR 183** (by Zwiener), In memory of Sharon Ann Thompson of Kyle.

**HR 187** (by Paddie), In memory of Michael Shane Capps of Carthage.

**HR 188** (by J. González), In memory of Kate Garrison of Collin County.

**HR 189** (by Ordaz Perez), In memory of Ralph T. Cloud of El Paso.

The resolutions were unanimously adopted by a rising vote.

#### **NAMES ADDED**

On motion of Representative Davis, the names of all the members of the house were added to **HR 124** as signers thereof.

On motion of Representative T. King, the names of all the members of the house were added to **HR 134** as signers thereof.

(Speaker in the chair)

#### **HOUSE AT EASE**

At 5:58 p.m., the chair announced that the house would stand at ease until 7 p.m. today.

The chair called the house to order at 7:43 p.m.

#### **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. 2).

#### **HOUSE AT EASE**

At 7:43 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 8:19 p.m.

#### **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. 6).

#### **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).

#### **PROVIDING FOR ADJOURNMENT SINE DIE**

At 8:21 p.m., Representative Holland moved that, at the conclusion of the receiving of messages from the senate and the signing of bills and resolutions, the house stand adjourned sine die in memory of Kenneth Dickson of Rockwall.

The motion prevailed.

#### **HOUSE AT EASE**

At 8:21 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 8:40 p.m.

#### **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. 3).

#### **ADJOURNMENT SINE DIE**

In accordance with a previous motion, Speaker Phelan, at 8:40 p.m., pronounced the House of Representatives of the Second Called Session of the Eighty-Seventh Legislature adjourned sine die.

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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:

**House List No. 2**

**HB 7, HB 20**

**House List No. 3**

**HB 5**

**Senate List No. 6**

**SB 3, SB 9**

**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

Thursday, September 2, 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:

**HB 5** Bonnen SPONSOR: Nelson  
Relating to making supplemental appropriations and giving direction regarding appropriations.

**SB 97** Bettencourt  
Relating to processes to address election irregularities; providing a civil penalty.

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

**SB 3** (18 Yeas, 13 Nays)

**SB 9** (31 Yeas, 0 Nays)

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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**APPENDIX**

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**ENROLLED****September 1 - HCR 9, HCR 10, HCR 11****September 2 - HB 5, HB 7, HB 9, HB 20, HCR 12****SENT TO THE GOVERNOR****September 3 - HB 7, HB 20, HCR 9, HCR 10, HCR 11, HCR 12****September 8 - HB 5, HB 9****SENT TO THE COMPTROLLER****September 3 - HB 5, HB 9****SIGNED BY THE GOVERNOR****September 9 - HB 7, HB 20****September 17 - HB 5, HB 9, HCR 9, HCR 10, HCR 11, HCR 12**

# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## SUPPLEMENT

THIRD DAY (CONTINUED) — THURSDAY, AUGUST 26, 2021

### **CSSB 1 DEBATE - SECOND READING**

**(Murr, Lozano, Clardy, White, Jetton, et. al. - House Sponsors)**

**CSSB 1**, A bill to be An Act relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.

REPRESENTATIVE MURR: It's a privilege to be able to be in front of all of you today. I want to give you a brief perspective of some of the history of election law in Texas simply to provide this in context. In 1975, Texas passed mail-in voter registration. In 1987, Texas was one of the first states to implement early voting, which allows voters to vote in advance of Election Day at locations other than the precinct polling place. Before 1987, Texans only voted on Election Day. In 1991, two years before Congress passed the National Voter Registration Act, Texas passed its own motor voter law requiring that voter registration be offered at DMV sites. And in 1997, Texas ensured that voting machines be accessible to voters with disabilities so that they may vote privately and independently. The point that I make to you today is that Texas has consistently reviewed its election law policy over time, making changes and updates as needed. **CSSB 1** continues this process.

Now, while we generally have a couple of years between legislative sessions, we presently are only a couple of months away from our regular session, and this issue is fresh in everyone's mind. This bill today picks up where the house left off, and you will find that it contains many provisions that have previously passed the house during the regular session. Importantly, as I noted previously during both the first and the second called sessions during committee hearings, it contains language offered by both republicans and democrats, both senators and representatives, during that process. It demonstrates that all viewpoints have been and are being considered regardless of party affiliation in an effort to draft sound and thoughtful election policy.

Before I yield for any questions, I'll simply highlight, on page 2, the express legislative intent that we have in the bill: "It is the intent of the legislature that the application of this code and the conduct of elections be uniform and consistent throughout this state to reduce the likelihood of fraud in the conduct of elections, protect the secrecy of the ballot, promote voter access, and ensure that all legally cast ballots are counted" so that Texans can remain confident in a reliable election system. Now, I've heard from and engaged with constituents, stakeholders, and fellow members over the course of both called sessions. I respect every person's and every group's perspective, and I believe that some of the thoughts and

concerns have been incorporated in a prefiled amendment that I filed yesterday. To keep it succinct, this is serious and thoughtful legislation, and I look forward to debating my fellow members on the floor of the house and reviewing and discussing any amendments today.

REPRESENTATIVE SHAHEEN: Chairman Murr, is this the bill that caused the Texas House democrats to leave the State of Texas and go to Washington, D.C.?

MURR: This is similar language—almost identical language—that was filed during the first called session—

SHAHEEN: And while they were in Washington, D.C., did they challenge the integrity of members? Accusations of racism, voter suppression—were those made during their trip to D.C. with regard to this type of legislation?

MURR: I'm not particularly advised to comments that were made outside the state.

SPEAKER PHELAN: Mr. Shaheen, please confine your comments to the bill.

SHAHEEN: With respect to this bill, Chairman Murr, did you ever have the intent to disenfranchise any minority groups in the State of Texas, suppress the vote of any minority group?

MURR: No.

SHAHEEN: Does that include individuals that are Middle Eastern like me, Asian American like Jacey Jetton, from Mexico like Mr. Lozano, or African American like Mr. White?

MURR: I would assume that is correct. Yes, sir.

SHAHEEN: During the committee hearing that I was a part of, do you recall the dialogue that I had with several members that opposed the legislation with respect to the 24-hour provision versus what's in here which is a 16-hour provision for each day of early voting to be able to vote?

MURR: Yes, I recall the dialogue that you had with multiple witnesses during the committee hearing.

SHAHEEN: Do you recall that those individuals that oppose this bill referenced not having 24 hours of voting as voter suppression?

MURR: Yes, I believe that point was made by some witnesses.

SHAHEEN: And then after those points were made, do you recall me asking those individuals to apply that standard to the 254 counties throughout the State of Texas that before last year had not had 24-hour voting and essentially for most of the time will have 7 a.m. to 7 p.m. voting?

MURR: Yes, and I think the point was made both by members like yourself as well as a resource witness for the Texas secretary of state that pointed out that in Texas, the concept of a 24-hour voting period was not necessarily applied to many jurisdictions at all and was a fairly novel idea.

SHAHEEN: So with respect to this idea that not having 24 hours of voting in a day is voter suppression, they refused to apply that to the 254 counties in the State of Texas. Did they also refuse to apply that standard to different states in the United States?

MURR: I believe there may have been some testimony about what other states do, and I'm not advised to the status of other states and the applicability of any 24-hour voting period.

SHAHEEN: I am, and I can tell you there are few, if any, other states that have 24-hour voting. There are some states actually that have no early voting, and yet they refuse to apply that same standard. Is it true, Chairman Murr, that your piece of legislation—on pages 7, 8, and 9, as we've discussed—provides 16 hours of voting from 6 a.m. to 10 p.m.?

MURR: Yes, you could characterize it as providing flexibility for the local jurisdiction to identify appropriate hours with a start time and a stop time—a start time being 6 a.m. and an ending time being 10 p.m. at night during weekday early voting dates.

SHAHEEN: And if you do the math of the early voting days as well as Election Day, is that not over 170 hours of available voting?

MURR: Representative Shaheen, I'm an Aggie, so I can only count on my fingers and toes. So I will defer to you on the math but that sounds accurate.

SHAHEEN: There was also quite a bit of discussion with respect to poll watchers. Does the legislation not, on page 11, allow an election judge to call law enforcement at their request that a poll watcher be removed if the poll watcher is disrupting the peace or violating any type of statute?

MURR: That is correct, Representative Shaheen. And in addition to that, under current law there's not a restriction for law enforcement to be contacted for those scenarios to exist even today.

SHAHEEN: And with respect to poll watchers and the concern about them disrupting the process, is it not true that on page 12, poll watchers must take an oath swearing to not disrupt the voting process or harass voters?

MURR: That is correct. The legislation prescribes an express oath that a poll watcher must take as part of the process of being a poll watcher and being appointed by an appointing authority to represent them, essentially, as their eyes and ears at a voting location.

SHAHEEN: And didn't you also point out during the discussion of this topic that current statute forbids a poll watcher from interfering with the process of a voter going through the process of voting?

MURR: Actually, current law—this was brought up several times during committee discussion and the process of listening to witnesses. Under current law, Section 33.057 prohibits a poll watcher from being "present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person

of the voter's choice." In addition, Section 33.058 of current law restricts the ability of a watcher to "converse with an election officer" and prohibits them from conversing "with a voter" or communicating "in any manner with a voter."

SHAHEEN: Thank you for that. So let's talk about the actual process for mail-in ballots. There was a lot of discussion on that topic during the committee hearing. Can you give us an overview of some of the changes that were made with respect to mail-in ballots—the application process and changes that were made there?

MURR: Yes, sir. Presently in the State of Texas, if you vote in person, whether it's early voting or on Election Day, Texas requires that you provide some form of identification. We've heard lots of discussion about what that is, and that includes a Texas driver's license or another identification that's issued by the State of Texas for you or the last four digits of your social security number. So this legislation applies those same requirements to the process of mail-in ballots. So if you apply to vote by mail, you are also being required to supply one of those identifying numbers as part of that process.

SHAHEEN: So you're saying for a mail-in ballot they can either provide their driver's license number or the last four digits of their social security number?

MURR: Or they can provide a statement that they have not been issued a number. In addition to the driver's license number, they can provide a personal identification card that's been issued by the Department of Public Safety, and that would have a number on it as well.

SHAHEEN: So you're saying if they don't have a driver's license and they don't have a social security number, that they can just make a statement as such?

MURR: Yes, sir. That is correct. That's current law for in-person voting, and this legislation would provide those same parameters to voting by mail. And then I would also point out that voting by mail is not available to all voters. Texas law actually has eligibility requirements for that.

SHAHEEN: Can you remind us what those are?

MURR: To be eligible to vote early by mail in Texas, you must be 65 years of age or older, be sick or disabled, be out of the county on Election Day and during the period of early voting, or be confined in jail but otherwise eligible.

SHAHEEN: Are there certain cases where an individual can even use an expired driver's license?

MURR: That is correct. Current law allows for you to use an expired driver's license, and in the bill, express language also incorporates that fact.

SHAHEEN: So in summary, because we've all heard from Texas House democrats in D.C. that this bill made it harder to go through the mail-in process, but what I'm hearing you're saying is that they simply need to either provide a driver's license number or the last four digits of their social security number. If they don't have either of those, they can just state that they don't. Or in some circumstances, they can even use an expired driver's license.



MURR: That is correct. And during the committee hearing on this bill—which you are on the committee and you heard from hundreds of witnesses—and we've also seen come out of the senate, there is cure language to correct a defect on your mail-in ballot that's contained in the bill that you have before us. And also I'll speak to that a little later with a perfecting amendment as well.

SHAHEEN: Okay. So tell us a little bit more. So you're saying that individuals have an opportunity to correct a mail-in ballot if there's defects? What kind of defects are you talking about?

MURR: Well, for example, if they send in a mail-in ballot and it doesn't meet the requirements so that it can be properly considered, the early voting clerk can actually return that and contact them and let them know that they can come in and correct the application or cancel the application and vote in person. So the point made here is—and also with the perfecting amendment—that we wanted to make sure that if somebody had an error or a mistake, we want that vote validly counted but we want to make sure that they have ample opportunity to correct what error occurred.

SHAHEEN: So literally somebody can make a correction after the fact. This legislation allows that.

MURR: As long as it's been determined that there is sufficient time to do so before the end of the voting period. Yes, sir.

SHAHEEN: Okay. It sounds like there's a lot of provisions that make it actually easier to vote, contrary to what we've heard. Contrary to what we've heard—there's been accusations about partisanship and the like—but is it true that there are significant portions of this legislation that are written by both parties?

MURR: Yes, and as I explained in my layout, consideration has been given to all members of both the house and the senate for good policy ideas, and you will see some of those in the form of language that's been contained in the document that we have before the body today. And to your point, yes, that contains proposed amendments that were adopted by republicans and democrats during the regular session in the course of discussing an election integrity and security bill.

SHAHEEN: And there's a lot of false accusations made about members of this body and, quite frankly, you. Have you had an open door to any member of this body to discuss this bill and listen to their ideas?

MURR: Yes, sir. I have repeatedly indicated to my colleagues that my door is open. My phone is available. I'm always happy to sit down and listen to their concerns, try to answer their questions, along with any constituent or stakeholder groups that they may have that are also visiting with them about this important issue.

SHAHEEN: One of the things that I noticed is that there was former language around "purity of the ballot box" that was removed. Was that an amendment by Mr. Johnson?

MURR: During the regular session, there was discussion on a similar piece of legislation that did contain a similar provision, and at that point in time, Representative Jarvis Johnson offered a floor amendment to remove that language. And so the language following his amendment has actually been incorporated into the document that we have before us today.

SHAHEEN: Was there also an amendment with respect to the right for a defendant to be instructed regarding how a felony conviction will impact the defendant's right to vote?

MURR: Yes, that is correct, and that is contained in the **CSSB 1** that's before us today.

SHAHEEN: And based on my reading, that was an amendment by Mr. Bucy. Is that correct?

MURR: That is my recollection as well. Yes, sir.

SHAHEEN: Was there also an amendment to this piece of legislation by Ms. Gervin-Hawkins that gives a voter the opportunity to correct a defect in a mail-in ballot like we were just talking about with some of those provisions that we just discussed? Was that actually from Ms. Gervin-Hawkins?

MURR: Yes, as I identified earlier, we worked hard to pay attention to good ideas regardless of where they originated from this year, and a lot of those ideas percolated to the top during the regular session, and those components were placed into **CSSB 1** that we have before us today.

SHAHEEN: Was there also an amendment, I believe from Mr. Turner, that requires registrars to coordinate to update the address of a voter if they move to another county?

MURR: Yes, that is correct.

SHAHEEN: So there have been multiple amendments to this bill by both parties, including the party that left the State of Texas and accused us of voter suppression and racism. Yet you have amendments from several of those individuals, a lot of their language, in this piece of legislation. Is that correct?

MURR: Yes, and I'll simply clarify. You mentioned amendments. Those aren't floor amendments that we're considering today. Those were proposed floor amendments on past legislation that we used as a basis to craft the policy discussion document piece that we have today called **CSSB 1**.

SHAHEEN: They went through the bipartisan process that we've always exhibited on this floor when any member can either go to the bill author or he can go on the floor and offer an amendment. That process was respected for both parties. Is that correct?

MURR: Yes, I believe so. That is correct.

SHAHEEN: What about the idea—there was a change recommended and it looks like it got into the piece of legislation—from Mr. Vo that extends protections afforded to workers that allows those who wish to vote to take off work without any retaliation from employers? Is that in this piece of legislation as well?

MURR: Yes, sir. And if I may explain, current Texas law actually provides protections for an employee to take off from work on Election Day. And Representative Vo's amendment that was made during previous legislation during the regular session is incorporated into the **CSSB 1** language that you have before us today to afford that protection during the entire early voting period. So if this passes, no longer will an employee simply be protected on Election Day, but the employee would have those protections from his or her employer during the entire two weeks of early voting to be able to take off work and go vote.

SHAHEEN: So based on the provisions that I've talked about, based on the provisions that came from the Democratic Party, and there's been other provisions, it sounds like, how is this bill suppressing the vote?

MURR: I do not believe that this bill suppresses votes.

SHAHEEN: I don't think it does either. Mr. Murr, I know this has been a challenging time for you. It has been a challenging time for all of us. I really appreciate all the work that you did, the respect, the openness. I'll be voting for this bill. I'm the grandson of immigrants. I would never, obviously, suppress my own vote. This bill doesn't do that. Those are falsehoods, and I'm looking forward to voting for your bill. Thank you for all your work, Mr. Chairman. You've done a stellar job.

REPRESENTATIVE C. TURNER: I have several questions. Your bill includes the word "fraud" several times, including in the caption and in the bill's legislative findings section. Could you detail for the body how many instances of election fraud occurred in the 2020 election in the State of Texas?

MURR: I don't have that information in front of me, although I do know that there were resource witnesses from both the Texas Secretary of State and the Office of the Attorney General during the committee hearing that may have been asked those questions. But the focus of this bill is forward-looking. And if you'll notice, when we talk about fraud, at least in portions of that that you reference, it has to do with the likelihood of fraud.

C. TURNER: Okay, but you're not able to identify how many instances of fraud may have occurred in 2020?

MURR: No, sir, and I don't necessarily believe that fraud is a condition precedent for implementing good policy.

C. TURNER: So the director of the Secretary of State Elections Division I think you just referred to stated in committee testimony during the regular session that in 2020, "Texas had an election that was smooth and secure." Do you agree with that assessment?

MURR: I agree with that assessment, as I have stated in the past during committee hearings, yes.

C. TURNER: Okay. Now, let me go back to fraud. Have you read about or been briefed at any time about the results of Attorney General Ken Paxton's election fraud investigation efforts in the 2020 election?

MURR: Only what I overheard during the committee hearing process from witnesses and questions asked of the resource witness from the Office of the Attorney General.

C. TURNER: So you haven't met with General Paxton or his staff about those findings?

MURR: About those findings? No, sir, I have not.

C. TURNER: Have you met about other things?

MURR: Only in response to specific questions that I have asked, which were very narrow in scope. I have not touched upon any discussion about that process that they undertook in 2020.

C. TURNER: Are you aware that the AG's office—this has been publicly reported, I believe, in the *Houston Chronicle*—that the AG's office spent 22,000 staff hours on those so-called voter fraud investigation efforts in 2020?

MURR: I may have observed that article, but I will take your word for it that that is the statement made in the article.

C. TURNER: So the attorney general's office didn't bring any data to you with respect to their 22,000-staff-hour investigation?

MURR: Not to my knowledge. No, sir.

C. TURNER: Were you aware that they increased the staff number of their voter integrity unit to 17, which is a total of an additional eight employees, nearly doubling in size? Were you aware of that?

MURR: I was aware of that following questions during the committee hearing process of the resource witness for the Office of the Attorney General, yes.

C. TURNER: And do you know how many prosecutions were made as a result of all that extra staff and staff hours?

MURR: I believe that also arose during the committee hearing process. Off the top of my head, I don't have that in notes in front of me.

C. TURNER: I'll represent that it was a total of four prosecutions to date. Does that sound right?

MURR: I would not disagree with you.

C. TURNER: And so is it correct that there were, when they looked at instances of so-called fraud, that they, in fact, found 16 total instances? Again, this is not prosecutions, just instances of fraud they've identified, each having to do with a voter listing an incorrect address on a voter registration form. Is that accurate?

MURR: I don't recall that specificity. I will tell you there was some discussion between the difference in the number of individuals versus the number of counts that were raised against them in various different cases. So I have to take your word for it. I don't know, Mr. Turner.

C. TURNER: Okay. So with respect to your bill, did you or did the committee at any point do any sort of impact analysis, specifically a racial impact analysis and how this bill could impact voters of color, specifically African American and Hispanic voters in the State of Texas?

MURR: No, sir.

C. TURNER: There was no impact study done?

MURR: No. I was asked that repeatedly during committee by members of the committee and my answer remains the same—no.

C. TURNER: Why was no study conducted?

MURR: I don't know that a study is required, but I'm not aware of any disproportionate impact studies that are currently in existence. Nobody's made me aware, although I've implored my fellow members to share any information that they may have that may be helpful during this process.

C. TURNER: But you didn't make any attempt to initiate such a study to ensure that there would not be a disparate impact?

MURR: I did not make an attempt to initiate a study. No, sir.

C. TURNER: In the regular session, you'll recall, I think, that there was a lot of discussion about the conference committee report on **SB 7** and some specific provisions that were added into that bill in the conference committee report at the very end of the session, specifically a provision relating to overturning elections and another provision that limited Sunday early voting hours that was widely seen as an attempt to target "souls to the polls" programs that a lot of churches run. Do you recall those provisions?

MURR: I certainly do recall the discussion and I recall hearing about those provisions. Yes, sir.

C. TURNER: Okay. And are those provisions in this bill today?

MURR: No, sir. And if I may expand upon that just a little bit, there are prescribed start and end times during Sundays that you will find in this bill. But I understand that no one has raised any objections that that would impact "souls to the polls." In addition to that, specific language about the judicial overturning of elections without considering or determining how individual voters voted is not contained in the legislation before the body today.

C. TURNER: Okay, thank you. So back to those provisions, have we established where those provisions came from in **SB 7**? And I ask that because I've never heard a definitive answer as to where those provisions came from. In fact, in a press conference on July 21, the lieutenant governor said that the senate—he said very definitively the senate did not put that in there. So do we know where those provisions originated from?

MURR: I do not know where those originated from. And Chairman Turner, I also wasn't part of that process. I wasn't part of the committee at that time, and so I have no background knowledge or idea.

C. TURNER: I understand. The reason I ask is I think it remains a great concern to a lot of people how those provisions got into the committee report on **SB 7** to begin with, especially since no one has to date, three months later, claimed any ownership of those provisions. So my question is, how can the body be assured that the provisions of **CSSB 1** that we have before us today were not authored or constructed by the same folks who put in those provisions in **SB 7** that no one's willing to claim credit for?

MURR: How can the body be assured of that today? I think the body can pass a good piece of legislation off the house floor and the senate can concur with it.

C. TURNER: Okay, so we don't know for sure, then, if whoever put in the provisions relating to "souls to the polls" and overturning elections in **SB 7**—we don't know for sure that those people were not involved in writing **CSSB 1**?

MURR: I played a role in drafting **CSSB 1** that you have before you, and I can tell you that those provisions are not contained in this document, and I have no desire for those provisions to be contained in this document. And you ask how can we have assurance that they won't show up later and I say that one really strong way to do that is for us to not have a conference committee. We pass quality legislation off of the house floor, and it goes to the other chamber, and the other chamber could concur. And that's one method in which you would have assurance that there wouldn't be any changes made in a conference committee.

C. TURNER: Right, and I think my concern right now is simply that—if those provisions were written by folks who also had a hand in writing this bill that we have before us today, my question is if that at some point was proven to be the case. And it may not be but it sounds like we don't have the answer to that information right now.

MURR: Well, let me make another distinction, if I may interrupt. I'm now part of this process as the sponsor, and I wasn't part of that process previously. And so you have an assurance from myself, the sponsor, that I have no interest in seeing those provisions show up in any bill.

C. TURNER: If it turned out later that there was a connection between people that helped write those provisions and helped write this bill, do you think that would undermine the integrity of this bill?

MURR: I'm not advised, Mr. Turner, as to whether that would. But I can tell you based on this bill and my hands-on experience in being the sponsor of this bill, I'm confident that we're not going to have those provisions in this bill.

REPRESENTATIVE BUCY: Just to follow up on that final point, we've seen some amendments that would counter that and would attack "souls to the polls" hours today. Can we take from your dialogue you just had that you will oppose any amendment that would restrict the hours of "souls to the polls"?

MURR: May I provide a little background information in context for our colleagues that are listening? So in the legislation that you have before us today, it expands the hours from five hours to a minimum of six hours on Sundays—there

is a Sunday in between the two weeks of early voting—and it also puts a start time of 9 a.m. and an end time of 10 p.m. for the local jurisdiction to determine when the best hours would be. And I provide that for context.

BUCY: I just want to make sure you will oppose any amendment that would raise that start time on a Sunday to, let's say, noon, as we've seen amendments filed to that today.

MURR: I believe that a start time of 9 a.m. and an end time of 10 p.m. with flexibility for local jurisdiction, as crafted before you today, is the best policy to consider.

BUCY: Let me ask a couple of quick questions. I know we've got a limited amount of time. Under current law, local counties get to decide voting hours during early voting. Are there any restrictions to those hours under current law?

MURR: Under current law, it states, for example, for many counties that a minimum of at least eight hours needs to be made available, for example, during weekdays.

BUCY: But it doesn't set what hours those can be.

MURR: That is correct. There is not an express prohibition against more than eight hours.

BUCY: So counties can set their own hours within the 24-hour realm as they choose under current law. Does this bill take us backward on the hours that a county can choose to serve?

MURR: No. Actually, it guarantees additional hours that would be available as minimum hours.

BUCY: That's minimum hours. I'm talking about maximum hours. Right now, a county, as we've seen done, can have voting up to 24 hours during the early voting period. We've had questions from our colleague. Does this bill—what are the parameters in this bill during early voting for hours that can be voted?

MURR: You've got several points that you make there. Let me try to address one, and if I didn't answer it correctly, please ask me again. You mentioned about the 24 hours. I point out—and Representative Bucy, as a member of the committee that heard this legislation both during the first and the second called sessions—that you heard resource witnesses from the Texas Secretary of State explain that the concept of 24-hour voting or more than the eight hours that was minimally required under current statute was a novel idea that was applied by a jurisdiction during the 2020 pandemic but has not happened in the past across the state.

BUCY: But it's allowed under current law to do so.

MURR: It is not prohibited under current law.

BUCY: So we've had people have access to 24-hour voting, and this bill will do what to those hours? What are the parameters?

MURR: This bill prescribes a start time and an end time during the early voting period, which is two weeks and the weekend in between.

BUCY: Well, and I appreciate your history, because we've all heard celebration about how Texas has such early voting. My point in these questions is, under this bill—correct me if I'm wrong—the maximum of time allowed is 16 hours in a day for early voting. Is that correct?

MURR: For each weekday during early voting, that is correct.

BUCY: It's 16 hours, and current law allows up to 24. So we are regressing access by one-third of the early voting period. So as I've heard our colleagues celebrate our early voting period, it should be noted that this bill will take away one-third of that early voting period. I have one other question for you. One of the goals you set out is uniform and consistent across the state. What are the minimum voting hours in this state under this bill if it becomes law?

MURR: The minimum voting hours that are based in here are it would be a minimum of nine hours with a window of 6 a.m. to 10 p.m. during weekdays, on Saturdays from 6 a.m. to 10 p.m., and on Sundays from 9 a.m. to 10 p.m. with minimum hours of five hours.

BUCY: Is that true for all 254 counties?

MURR: No, sir, that is not. Current law actually prescribes a breakdown based on the population size of counties and even a little further with jurisdictions where there are less than 1,000 registered voters. And I know that you're aware of that. Because oftentimes, that is based on the availability of poll workers, many of which are volunteers. And each jurisdiction has some flexibility to design in this because the state sets some guidelines for that, but also, there's some deference given to local jurisdictions to design that around the needs and wants of their local constituents.

BUCY: My concern is in a bill that's aimed to have uniformity, we're not solving that problem, and our rural voters are not being guaranteed the same minimum of access to the ballot box as our urban and suburban voters if this bill becomes law.

MURR: I disagree with that conclusion. I don't think that we've heard witnesses in rural areas say that they have a limitation of access to the ballot box during their two weeks of early voting, the weekend during early voting, and the Election Day of 7 a.m. to 7 p.m.

BUCY: Whether we heard it or not, this law as written would have different minimum hours for our smaller counties, thus not inherently guaranteeing them the same hours of access that we give our urban and suburban counties.

MURR: Current law already prescribes that in the State of Texas.

BUCY: It already prescribes that you can give smaller counties less access. I'm just saying in a bill that's designed to create uniformity, this is an area where we are missing that.

MURR: No, I would assert that—I'm sorry.



BUCY: I'm just saying if we bring an amendment, would you consider creating that uniformity across the board?

MURR: No, sir, I would not. I believe the bill tracks the current framework that we put in place.

REPRESENTATIVE DUTTON: Let me start by thanking you for meeting with me. I think we met in my office for a couple of hours to talk about **CSSB 1**. Let me ask you, when you laid out the bill, one of the purposes that was not in the bill was about increasing access to voting, and one of the purposes ought to be to increase voter turnout in Texas. Are you aware of where Texas ranked in all 50 states in terms of voter turnout?

MURR: No, sir, Chairman Dutton. I am not.

DUTTON: Well, I've heard that we were 45th out of 50 states in terms of voter turnout during the last election. And it seems to me one of the purposes in the bill ought to be to increase voter turnout. Would you agree with me?

MURR: I would say inherently in a democracy such as ours, we yearn to have every person that has a constitutional right to vote to exercise that right, yes.

DUTTON: That's right. And so you wouldn't mind if we amended so that the purpose actually would envelop that.

MURR: I can find numerous instances contained in the provisions of **CSSB 1** before you today that I believe improve voter access. And in the legislative intent that we talk about, we actually talk about promoting voter access.

DUTTON: Yes, but what I'm getting at is the purpose of the bill when you laid it out and you talked about the individual things that involve the purpose. That's one of the things that's excluded. It's not included in the bill as such. As you said, in a democracy, we ought to have everybody voting. And certainly, if Texas is 45th in voter turnout, we ought to be thinking about that in terms of trying to improve that. Wouldn't you agree with me that one of the purposes ought to be to increase voter turnout in Texas? Where you have created in the bill—you say access to voting—more access, we ought to make sure that the purpose at least follows that.

MURR: I think I understand where you're going with it, but I go back to our legislative intent of promoting voter access, and I believe multiple provisions here do that. Just because folks have rights, we don't always see them choose to exercise their rights. And I understand that as well. That could be frustrating for our friends and neighbors because they decline to participate in the process.

DUTTON: Right, but we ought to be encouraging. We can increase the number of hours without an increase in voter turnout. And what I'm getting at is while we increase the access or while we do something about that in the bill, what we don't do is about, in terms of the purpose, is increasing the number of voter turnout in Texas.

MURR: Chairman Dutton, that makes me think of a phrase that my grandmother used to tell me, and it's common to all of us. It's that you can lead a horse to water but you can't make it drink. The concept is the same. Just because folks have the right to vote doesn't mean that we can force them to vote.

DUTTON: But you can encourage them to drink. You can give them salt or something and they'll go drink. It's the point that my grandfather used to say, too, and I heard that. But I just wondered if the purpose—if democracy revolves around all of us participating, we should be involved in trying to make sure that people actually participate in the democracy by increasing the voter turnout. And that's all I'm suggesting.

MURR: And I hear you, and I think that that's something that individually you and I take on that task to encourage our fellow neighbors and friends and family members to participate. But I don't necessarily believe that that is the state's responsibility to actively force everyone to go vote.

DUTTON: No, no, I don't mean force. I mean just do something that's created that helps people access their right to vote. And while you increase the access, as you said, what we don't do, on the other hand, at least in the purpose of the bill, is suggest or encourage people to go out to vote.

MURR: And there's a fine line there between the state suggesting, encouraging, or forcing folks to exercise their right to vote and folks individually choosing to do so. That's a choice issue that we have, and I understand that. I guess where you're going with it is perhaps the state becoming some active player in requiring or forcing or encouraging folks to go vote versus us having a system in place and folks choosing to participate in that election system.

DUTTON: Well, actually, what I'm talking about is just in the purpose itself, as you laid out, that's in the bill. If we could put in there trying to increase the voter turnout, I think that's what I'm getting at.

MURR: I understand and I'm happy to have dialogue with you on that, although I'm not necessarily in agreement right at this moment.

REPRESENTATIVE DAVIS: Chairman Murr, you talked about, in the discussion with Representative Bucy, about the intent to allow local control or local considerations to help define what the actual hours would be for voting. And I just want to make sure that I heard that right because from a legislative standpoint, we've been usurping local authority. And so is it your intent in this bill that we would not usurp the local authority and, in fact, allow the local elections administrators to define what the hours should be for that particular location?

MURR: To answer your question, this legislation builds upon existing statute. Existing statute prescribes a minimum number of hours during the day during the early voting period in which a local jurisdiction must have elections available for folks who choose to vote early in person. In addition to that, this bill provides a start time and an end time and then provides a flexibility for that jurisdiction to choose what time frame will work best for their jurisdiction. I think what you're

finding is we're building upon existing law that the state has already put in place. And that policy has been to provide some consistency because we understand how it's going to be across the board but at the same time with some flexibility at the local level to figure out what works best for the voters that want to show up to vote as well as the availability of poll volunteers.

DAVIS: And so let me restate my question. I need a yes or no, please. Based on your conversation with Representative Bucy, you said you're building on existing law but that you have allowed the local jurisdictions to define what's appropriate for their area. So my question is whether or not it is your intent that this legislation would always allow for local jurisdictions to define the appropriate hours and processes for their jurisdictions as it relates to setting the framework for early voting.

MURR: Yes, it is my intent to allow this piece of legislation to provide local jurisdictions the ability to determine the hours within the framework that is in the proposed bill provided by the legislature.

DAVIS: And my last question is a follow-up to that. As it relates to this discussion with local jurisdictions, do you envision or do you see where we might come back as a legislature and attempt to usurp the authority that you've given the local jurisdictions? Because we've had bills like that. I just want to make sure that it is your intent that that will not happen in this legislation.

MURR: Representative Davis, I can't speak to future legislatures.

DAVIS: No, I mean this session, this legislature.

MURR: This legislature? I do not believe that there is an intent to come back and modify things. But I will point out, as I did in my layout, that the State of Texas constantly reviews the election laws that it has to determine what works and what doesn't work amongst changing dynamics that we have. So I always think that it is the intent of the legislature to consistently and constantly review policy that it has put in place to see if it's working well or if it needs to be modified, changed, or updated.

DAVIS: And there's no question that we have that ability and we do that. I just want to make sure that as we move forward in this legislation, it is your intent that that would not happen in this bill today.

MURR: It is not my intent for that to happen today. That is correct.

REPRESENTATIVE WALLE: I just want to go back to some of the provisions of the bill—the plain meaning, particularly, of some of the language on prohibition of drive-thru voting. Are you familiar with the drive-thru voting component of it?

MURR: Yes.

WALLE: In this bill—are we prohibiting drive-thru voting in this bill?

MURR: I hate to ask you a question, but just for purposes of clarification, when you talk about drive-thru voting, are you talking about current, lawful, curbside voting that's allowed by state and federal law?

WALLE: What I'm talking about particularly is particularly in the structure part. What we did in Harris County was that in response to COVID, the county tried to make it simple so that folks who had a fear of contracting the virus had an opportunity to use a temporary structure to be able to vote. Are you aware of that?

MURR: I am aware of that and there was testimony during the hearings that spoke to that topic.

WALLE: Because in the bill, it talks about structures and it prohibits temporary structures. Is that correct?

MURR: That is correct. Do you have a specific provision that you want to point to just to make sure I'm on the same page?

WALLE: On page 10, Section 3.12(b), it talks about "a polling place established under this section may be located, subject to Subsection (d), at any place in the territory served by the early voting clerk and may be located inside any building," and then it strikes "stationary structure." Are we trying to prohibit a particular polling location that may have set up a tent next to the county building? Because I think this is the county building is my understanding.

MURR: Section 3.11 relates, essentially, and if you talk to the secretary of state, relates to the clerk's office during early voting. Section 3.12 relates to any other voting location during early voting. The purpose here is to explain that voting needs to occur inside the building. If you go back to the premise, the policy argument behind it is we heard several folks speak about the constitutional right to vote and how we hold that as very important. Protecting the secrecy of your ballot and providing you a place to do that in private is very important. When you locate that process outside of a secure place where it's not necessarily available to you, then there's a potential that your ability to vote is not in private and may be compromised. And so that's the purpose. Just to clarify, because I certainly don't want to be coy with you, this bill explains that the right to vote from your motor vehicle exists under the current rights prescribed for curbside voting. And curbside voting is limited to those that are eligible to vote for curbside voting, but it's not provided to all persons, and this bill doesn't expand upon that.

WALLE: Right, but I think the effect of what we did in Harris County with this bill—particularly for folks that had a credible fear of contracting the virus—was that they were allowed to vote in their car, very conveniently, so that they wouldn't contract the virus. Because part of the impetus for what we did in Harris County was that we were trying to protect public safety. And one of the reasons we expanded curbside voting, expanded 24-hour voting, and allowed folks to have an opportunity to have particularly just the mail ballot application be sent to voters was to allow folks easier access to the franchise during a pandemic. Were you aware of that? Is that your understanding?

MURR: I'm aware of that. And I think you've got two topics here—if you want me to talk about curbside voting or if you want me to talk about the application to vote by mail.

WALLE: I'm talking about all of it, but it pertains to curbside voting because what's happened in Harris County was that we did some, to use your terms, some novel, creative ways to access the ballot. But this bill now prohibits it by prohibiting drive-thru voting and 24-hour voting and temporary early voting locations that are not located inside a building. I'm just trying to make sure that we understand that and the public understands what's going to happen with this bill once it is implemented.

MURR: I will clarify for you that this bill provides that a person can vote from their automobile, pursuant to Section 64.009, if they're "physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health," which is what we currently use as curbside voting. So it doesn't touch that, and it's also protected by federal law. But it doesn't expand upon the ability for you to vote from an automobile if you don't meet the criteria of current curbside voting, which I get that maybe that was a novel approach that was tried in Harris County. It's not expansive to include that for every person. They still need to meet that criteria of 64.009.

WALLE: Got it. I want to turn to page 37 of the bill as it relates to "Unlawful Solicitation And Distribution Of An Application To Vote By Mail." So in the bill, would you say that we are creating a new criminal offense in this section?

MURR: Yes.

WALLE: And would that be a state jail felony?

MURR: Yes.

WALLE: In the bill, it talks about in Section (a), a "public official." An elections administrator—not to be coy with you—but an elections administrator would be a public official, is that correct?

MURR: I'm going to clarify that. I have a perfecting amendment in a minute that actually brings that term in because a public official may not necessarily include a nonelected elections administrator, and so my perfecting amendment would include that in the definition. Assuming that the perfecting amendment later is considered and adopted, then the answer would be yes, this provision would apply to a public official or an elections official.

WALLE: Okay, with that in mind, just using—without your perfecting amendment—a "public official" now, if they choose to send or solicit the submission of an application to vote by mail from any person that did not request it, if they should choose at their discretion to send not the ballot but just the application to vote by mail, that would be an offense and up to a state jail felony. Is that correct?

MURR: That is correct. The language here expressly states that they're not supposed to send it to someone who didn't request it. Now, alternatively, the policy goal here—and I've explained this in committee—is our system is designed upon activity by the voter. The voter has to request it. Therefore, the voter is watching for what's coming in the mail and paying attention to that important piece of mail, that application to vote by mail.

WALLE: But in this section, we are creating a new criminal penalty up to a state jail felony for a public official who sends this application unsolicited to a voter.

MURR: That is correct. Yes, sir, that is correct.

WALLE: Okay.

MURR: The policy goal there—Texas, it's policy is passive. A voter has to request that application to vote by mail. We are not an active or proactive state policy of distributing all those to everyone all the time. So that's what this is following.

WALLE: Could you explain that a little further, because I'm trying to understand why we would make a policy decision to make it a state jail felony to encourage folks to, for all intents and purposes, participate in a franchise—anybody, any Texan, whether they're democrat, republican, or independent, disabled. Why would we do that?

MURR: Some of the testimony that we heard during the committee hearing process, as well as input from stakeholders and individuals, raised concerns that if a potential voter is not aware of the document that's headed their way, then—and I go back to our legislative intent—you have a scenario where you could have the likelihood of fraud because that application to vote by mail has been sent out and they're not aware of it. We all know that outside the ballot zone where you vote, you're going to have paperwork that's coming and going. And so at the end of the day, the policy is for it to be a passive system.

WALLE: You said likelihood of fraud. That was a key word for me. What do you mean by likelihood of fraud? Are we implying that because somebody gets an unsolicited application that there's going to be a likelihood of fraud?

MURR: No, I'm going back to the legislative intent where we talk about the purpose is to reduce the likelihood of fraud. And when you vote in person—

WALLE: What would be the likelihood of fraud?

MURR: If I may, when you vote in person and you go in person and you vote, your ballot never leaves the voting location. When you vote by mail, first you're going to have an application to vote by mail with potentially confidential information that's going to be returned and then your ballot by mail is going to be sent out and it's also going to be returned. Because that ballot is unaccompanied, compared to a scenario where you go to a polling location and your ballot is, there is a potential, as we've heard input from folks, that there could be a likelihood of fraud. So efforts made to ensure that our policy protects against that, those work to ensure security in the overall system.

WALLE: What I'm trying to understand, though, is this is just the application itself, not the actual ballot.

MURR: That is correct. Yes, sir.

WALLE: So where in that process—with an elected or appointed or future appointed official, public official, do we not trust that person, usually a person that's a career official, to just send the application itself to the voter? It's not the ballot itself. It's just the application for them to have the opportunity to get the ballot. Where in that process is there a likelihood of fraud being committed?

MURR: I believe I've answered that. That is the fact that unlike voting in person, where your ballot is contained in the environment that we hold sacrosanct, voting by mail and thus your application to vote by mail includes personal information. And it also has to do with your ability to exercise your right to vote. It should be initiated by the voter. That's the policy goal.

WALLE: Since the inception and up till now, has there—I'm with you, that is sacred. That right to vote, the secrecy that's being in a booth and having that opportunity to vote is sacred. But it's just as important for somebody that's maybe a senior, maybe a veteran, maybe disabled to have that same opportunity in their home to have that ability to at least just receive the actual ballot application—let alone the actual ballot but just the application itself.

MURR: They have the right to receive that application as soon as they request it.

WALLE: Okay. And then on the following page, on page 38, Section 276.017, Unlawful Distribution of Early Voting Ballots and Balloting Materials, we're also making it, and I'll just read it verbatim: "The early voting clerk or other election official commits an offense if the clerk or official knowingly mails or otherwise provides an early voting ballot by mail or other early voting by mail ballot materials to a person who the clerk or official knows did not submit an application for a ballot to be voted by mail under Section 84.001." In the section right under that, that is creating "an offense under this section is a Class A misdemeanor." Is that your intent in that bill as well, creating another Class A misdemeanor on this offense?

MURR: Yes, sir, you have read it correctly. And yes, it does create the new criminal offense.

WALLE: Okay.

MURR: That criminal offense is of no concern if the early voting clerk or other election official follows the law and does their job. It has a "knowingly" requirement, so they have to know.

WALLE: But you're also creating another penalty for election officials who send out early voting materials, balloting materials as well.

MURR: That is correct. To someone who didn't request it, that is correct.

REPRESENTATIVE ANCHIA: I just wanted to run through a few questions and really kind of follow up on what Representative Walle was discussing with respect to voters in Harris County who had used the drive-thru vote centers in the 2020 election. Do you recall that the Harris County elections administrator testified before the committee during a hearing on **SB 7** and **HB 6** that

approximately 53 percent of the votes cast at the 10 drive-thru sites available during the 2020 election were by people of color? Are you familiar with that data point?

MURR: I was not present during the testimony during the regular session of the committee hearings, so I will defer to you and am assuming that that data point is accurate.

ANCHIA: Of the 127,000 voters, republicans and democrats, who cast ballots via the drive-thru centers in the 2020 general election, keeping in mind that we were in the middle of the deadliest pandemic in a hundred years, 53 percent were voters of color. So it's approximately 67,310 people. Why is that method of voting—why does that increase the likelihood of fraud in your view or does it increase the likelihood of fraud in your view?

MURR: In order to answer your question, I'll point to some of the testimony that we heard from witnesses during both the first called and the second called session committee hearings talking about the fact—and you heard us earlier talking about the sanctity of our ability to go into a private space in the polling location and cast our ballot in private. Once you remove yourself from that polling location and now you are in a more public area—for example, in an automobile, perhaps surrounded by other people—your ability to cast your ballot in private is not as easy to do.

ANCHIA: How many voters complained that they were concerned about the secrecy of their ballot when using this process?

MURR: I don't have a number in front of me, but we did hear some witness testimony that exhibited some concerns about that process.

ANCHIA: From the voters themselves?

MURR: I don't know. I don't know if they were voters that tried to use that process or not.

ANCHIA: In others words, did the voters ever complain about their secrecy being infringed upon or were there third parties that said, well, this is a concern?

MURR: I am not advised.

ANCHIA: Okay, but you refer to the testimony from both during the first regular session that you admittedly said you did not sit in on and also the special session. Is that right?

MURR: The regular session I did not participate in. The first called and the second called session committee hearing testimony, yes, I did participate in.

ANCHIA: Why would we be punishing local elected officials during the deadliest pandemic in a hundred years for using these drive-thru vote centers? Why would we be punishing them with penalty enhancements?

MURR: I do not view it as a punishment. I do believe that efforts were made, perhaps with good intentions, to skillfully and artfully interpret the Election Code to try and arrive at methods that they could then apply during a pandemic scenario. I understand that.



ANCHIA: And you believe it was in good faith to mitigate the spread of a deadly virus?

MURR: I have never encouraged that it was in bad faith.

ANCHIA: Okay, so back to my original question. How does that increase the likelihood of fraud, which is the language that you used and, I think, the language in the bill?

MURR: And as I just mentioned to you, the moment that you have the activity of voting occurring outside the polling location—which, as you well know, the Election Code spends a great deal of language providing the safety, security, and privacy that we all yearn for when we're making our decisions—that becomes more of an open process.

ANCHIA: But you're not aware of any instances, as you just testified, where their secrecy was adversely affected, where a voter said they were worried about the secrecy of their ballot, or of cases of fraud specifically with this method of voting?

MURR: Mr. Anchia, I'm just not advised.

ANCHIA: But you're unaware?

MURR: I'm unaware at this time, yes.

ANCHIA: Penalty enhancements are usually designed to achieve a deterrent effect. What are we trying to deter here other than, as you said, local elected officials in the middle of a deadly pandemic trying to facilitate exercise of the franchise while at the same time keeping people safe? What are we trying to deter by penalty enhancements?

MURR: By penalty enhancements? Okay, you have two parts there. The steps that they took during the pandemic, for example, were not steps that were taken statewide in various different jurisdictions—we'll call them counties. So that's one part of your question there, and I go back to the concept of uniformity and consistency across the state. As a voter you prefer to see some standardized or equal treatment of the voting process across those jurisdictional lines, and that's up to a policy decision by the state to do. On a separate—

ANCHIA: Are 254 counties equal? Are they made equally geographically, population wise?

MURR: I've never said that they're all equal. I'm not going to say that Dallas County and Harris County and the rural counties out west are all equal. I understand that concept.

ANCHIA: But you feel that a sparsely populated county that may have 100 people or 200 or 300 people should be treated the same as a county with three million people?

MURR: They should have an expectation of uniformity in the application of the Election Code.

ANCHIA: And how does that equal treatment of different circumstances, especially during a pandemic, further the policy goal of reducing the likelihood of fraud?

MURR: You ask a broad question. I'll go back to consistent application and uniform application of our Election Code.

ANCHIA: How does that uniformity—because you're making a policy choice here. You're saying, hey, uniformity is important, despite the fact that we know that counties are completely different. Uniformity is important and we want to impose that uniformity despite the difference in counties. How does that achieve the policy end, which you've articulated that is the goal of the bill, in reducing the likelihood of fraud?

MURR: And reducing the likelihood of fraud is not the only policy goal that's articulated in the bill. And I know you're focused on that.

ANCHIA: Okay, but help with that one specifically?

MURR: I understand that, but I'm also going to remind you that it also contains language regarding the protection of the secrecy of the ballot and promoting voter access to ensure that all legally cast ballots are counted. So when we talk about—

ANCHIA: How does it promote voter access?

MURR: When we talk about voting from vehicles, I think a lot of effort and focus is given to protecting the secrecy of the ballot, which is what I was speaking to earlier.

ANCHIA: But you also said that there were no instances that you were aware of of a voter who said that the secrecy of their ballot was somehow impacted by this motor voting, right? You said there may have been third parties who suggested that but never a voter who complained to you or to the committee.

MURR: I didn't say one way or another. I'm just not aware of that information.

ANCHIA: Okay, so you're unaware. So how does banning this during a terrible pandemic further either the likelihood of fraud goal, the access to the ballot goal, or the secrecy of the ballot goal?

MURR: So you go and you say "ban." This is an emphasis on what was understood to be current law prior to the pandemic. So prior to the pandemic, everybody's expectation was the ability to vote curbside from your automobile under current law, which is also protected by federal law, that was expounded upon by interpretations of one or more local jurisdictions. This simply comes back and explains that that's not how the Election Code has operated in Texas.

ANCHIA: And where is that interpretation that this activity was prohibited? Where is that interpretation? Where is that found?

MURR: Because the only place in the Election Code that I'm aware of that speaks to the ability to vote from your motor vehicle expressly is Section 64.009, and that has to do with what we refer to as our curbside voting, and it actually has a reason that you have to exhibit for that. It's not universal in nature.

ANCHIA: So back to my original question. The three precepts, I guess, or the policy goals that you're trying to achieve in this bill are secrecy; reducing, what you said, the likelihood of fraud; or access to the ballot. How does this policy decision that you're making further those goals?

MURR: Okay, just to be clear, because I've tried to answer your questions, can you hone in specifically, what are we visiting about?

ANCHIA: I apologize—what Harris County did with respect to these drive-thru voting modes that you are seeking to prohibit the use of on a go-forward basis.

MURR: Yes, so I will articulate—well, let me generically refer to that concept as universal voting from your vehicle, for purposes of that, or universal curbside voting.

ANCHIA: Well, at the very least we could narrow it and say during a pandemic—when it was used.

MURR: Universal curbside voting—I believe that we heard testimony and I articulate to you today that it protects the secrecy of the ballot to say that we're not here to let every person vote from your car when you're perfectly able to go into a secure polling location and vote in the framework that we set up for a secure ballot. We provide the voter access for the folks who have trouble actually leaving their cars, so we currently have that framework. And then if you're going to have folks that utilize some type of universal curbside voting—the ability to know whether or not that is subject to abuse, I don't know. We didn't hear a lot of testimony on that.

ANCHIA: Is that secrecy of concern with respect to drive-thru voting that is currently permitted under the law?

MURR: I wasn't aware and I didn't hear witness testimony speak directly to that. Typically, it was more on the topic of the universal curbside voting that you have mentioned in your questioning.

ANCHIA: So you're unaware of any voters who are concerned about the secrecy of their ballots in the Harris County model, what you might call universal, and you haven't heard any concerns about secrecy with respect to traditional curbside voting. Is that a fair statement?

MURR: I'm just not advised, so that's a fair statement.

ANCHIA: You talked about how Texas has been a leader in access to the franchise in the past at the beginning of your layout. Can you recount the different things that we have in Texas law and the dates when they were adopted?

MURR: This is just a snapshot, so please don't think this is inclusive.

ANCHIA: I'll stipulate that it's a non-exhaustive list.

MURR: Thank you. In 1975, Texas passed mail-in voter registration.

ANCHIA: What was the year?

MURR: That was 1975. In 1987, Texas implemented early voting.

ANCHIA: In '87?

MURR: In 1987, and that's what we talk about when we speak to the two weeks of early voting that we are accustomed to, along with the weekend of early voting. Prior to that, it was just Election Day. In 1991, Texas passed what was referred to as a motor voter law requiring that voter registration be offered at what we now call DMV locations. And in 1997, Texas ensured that voting machines be accessible to voters with disabilities.

ANCHIA: Disabilities?

MURR: Yes, sir. And those are just examples, but they're certainly not an exhaustive list.

ANCHIA: And they're laudable examples of expanding access to the franchise, right?

MURR: Pointing to efforts by this body made for the benefit of the voters of the State of Texas.

[Amendment No. 1 by Anchia was laid before the house.]

ANCHIA: I do appreciate the opportunity to share ideas and experiences about policy goals with Chairman Murr. This amendment is very straightforward. It's very simple. It will preserve the freedom to vote for millions of Texans. It will allow local elections administrators to employ strategies during the deadliest pandemic in a hundred years to maintain public health and at the same time protect access to the franchise for people who are worried about contracting COVID.

Members, I am convinced that because our elections were safe, secure, and successful, that we are not here really to deal with, what I might term, the pretext of the policy goals of incidents of fraud or likelihood of fraud. The bill author was unable to point to any. The prior bill authors were unable to point to any. And in fact, we know that the likelihood of fraud in a Texas election is a rounding error of a rounding error—maybe even of another rounding error. It is so infinitesimal so as to be a lower percentage than even being struck by lightning. Yet the governor declared it an emergency item. We had a first special session. We're now in a second special session. And why?

During the regular session, I pointed out and drew a direct line between why we are here today and the big lie that was offered by our ex-president who said that the election was stolen from him despite no evidence, on the contrary, who suggested that African Americans and Latinos in urban areas had somehow committed fraud so as to deny him a second term—never taking any personal responsibility for why he actually lost the election. And it was suggested again that republicans need to stop the steal. That language led to an insurrection against the citadel of democracy, our U.S. Capitol—where I got to spend a lot of time with my colleagues trying to defend the very delicate democracy that we have—an insurrection where the vice president was to be lynched, where members of Congress fled for their lives, republicans and democrats, and where the peaceful transfer of power that has been a hallmark of our democracy was threatened. And in fact, now we are learning that it was an attempted coup that

was only stopped by members of the military who refused to go along with this big lie—members of our military who were brave patriots; who believed in this country, believed in the sanctity of elections, and believed in the rule of law; who would not bend their knee to any politician who tried to offer the big lie as a pretext for taking away people's voting rights, for overturning an election, for overturning the peaceful transfer of power. And I can draw a straight line from that to the bills that have been filed all over the United States to try to make it harder to vote.

And I'm sorry that when we talk about discriminatory impact it bothers people. Those are not my words. Those are the words of independent federal judges across this country when they've seen what this legislature has done to voting rights over the last 10 years. And I was really happy to hear from the chairman that Texas over and over and over again has tried to expand the franchise, keeping in mind that we have not had a pluralistic democracy for most of our country's history. It was not until 1965 when President Johnson, a Texan, signed the Voting Rights Act that we had full participation in this democracy. And it is now the same people who were empowered by that Voting Rights Act who are having to stand up for democracy at this moment. Because as much as you might decry our need to go to Washington and really beg for federal protection, I will let you know that while in 1975, as Chairman Murr said, in 1987, in 1991, and in 1997, there were expansions of the franchise in Texas—that's not when the current party in power was in power, was it? And that's just the facts. We had the Voting Rights Act in 1965, and we started to expand the franchise in 1975, 1987, 1991, and 1997. Things don't just happen; people make them happen. I want to remind you—since we were reminded of that good history on voting rights—I want to remind you of recent history since republicans have been in control. And this is not old-timey sort of Bull Connor hoses and dogs. This is contemporary. This is digital.

Many of you have been in the legislature during these times—like in 2012, when the judges in *Texas v. Holder* on redistricting said: In rejecting the argument from the state attorneys, the court said the maps adopted by the legislature had the effect of denying or abridging "the right to vote on account of race, color, or membership in a language minority group" in violation of the Voting Rights Act. In *Texas v. Holder* on photo ID, on August 30, 2012, the judges said: "A law that forces poorer citizens to choose between their wages and their franchise unquestionably denies or abridges their right to vote," the opinion said, adding that the law was intentionally, not accidentally, intentionally discriminatory. So because the author has offered up this history of expanding the franchise in his bill layout, I think it is also important to remind the body of the recent history of restricting the franchise. Like on October 9, 2014, in the *Veasey v. Perry* case also related to photo ID: "The Court holds that **SB 14** creates an unconstitutional burden on the right to vote [and] has an impermissible discriminatory effect." In *Perez v. Abbott* on redistricting, on March 10, 2017: Plaintiffs have established a Section 2 violation and the "desire for partisan advantage . . . leads a legislature to select 'a course of action at least

in part "because of," not merely "in spite of," its adverse effects upon an identifiable group.'" In *Perez v. Abbott*, redistricting 2017: There was "intentional discrimination." And I could go on and on and on.

So it is against that backdrop, members, that we find ourselves today—against the backdrop of the big lie and against the backdrop of recent history of this legislature. The record of this legislature, and I know people sort of bristle at certain terms that are used, so I'll just say that has been intentionally discriminatory. And so, members, this bill—there's no reason for this bill and no reason why we had to come back and no reason why you had to be here. This is all about furtherance of the big lie. And I want you to think for a minute. With no examples of voter fraud, are the principles that are being offered by this bill—do they hold up to scrutiny? Is that uniformity pretext? Does that hold up to scrutiny? Does the incidence of fraud, which is a rounding error of a rounding error, hold up to scrutiny? And does that expansion of the franchise hold up to any scrutiny? And I would say no, members. I would say no.

REPRESENTATIVE HINOJOSA: You spoke very eloquently about the disproportionate impact of this legislation and prior acts of this body. When you speak about the disproportionate impact, are you talking about a disproportionate impact on people of color?

ANCHIA: Specifically, courts have pointed out over and over and over again intentional discrimination against African Americans, intentional discrimination against Latinos, intentional discrimination against people of color. These are not my words. These are three federal courts across this country making 10 findings of that intentional discrimination.

HINOJOSA: Intentional discrimination against people of a certain race, is that racism?

ANCHIA: Those words, "intentional discrimination," I think can be fairly characterized in that manner.

SPEAKER: We can talk about racial impacts of this legislation without accusing members of this body of being racist.

HINOJOSA: Respectfully, I'm not accusing members of this body. I'm talking about an act. Chairman Anchia, when there is an act that is intentionally discriminatory against people of a certain race, is that racism?

ANCHIA: I think when you are acting in a way that is intentionally discriminatory, and I will use the language of courts that have, since I've been a member of the legislature—in *Veasey v. Abbott*, with respect to strict photo ID that was ultimately overturned, they said that the legislature "knowingly plac[ed] additional burdens on a disproportionate number of Hispanic and African American voters." And I think that's pretty clear.

REPRESENTATIVE WU: Early on in the beginning of this layout, the bill author talked a lot about the different times this legislature and this state have expanded voting hours, early voting, and all those different types of things, right?

ANCHIA: Yes, I think the bill author talked about expansion of the franchise in 1975, 1987, 1991, and 1997. And what I tried to contrast there was efforts to restrict the franchise during the last decade alone.

WU: Those were all things that were done during democratic administrations, right?

ANCHIA: It is my recollection. There may have been a republican governor that served but usually a legislature that was democratically controlled.

WU: And the bill author talked a lot about—

ANCHIA: Can I add one more thing, Representative Wu? Voting rights never were partisan. I mean, this is such a recent phenomenon. The last time the Voting Rights Act was reauthorized, it passed 98-0 in the U.S. Senate. It passed with broad bipartisan support and under a Texan, a republican Texas president, George W. Bush. It has never been partisan up until the last decade, and I don't understand it.

WU: I don't understand it either. The bill author laid out—there are provisions in this bill that were offered by democrats that would do something to help make this bill better. Correct?

ANCHIA: Yes, that was the chair's layout. I'm unaware of the specific provisions but I will take his word for it.

WU: But just because there are individual provisions in this bill that are good, that does not mean there aren't some really bad provisions that it's trying to hide.

ANCHIA: Of course.

WU: Does a piece of legislation, does a law, need to specifically outline intentional racial discrimination for it to have a discriminatory effect?

ANCHIA: It never says in the bill—and I have a copy of the bill with me—it never says in the bill, this bill is designed to discriminate against people of color. It never says that. In none of the bills that have been struck down by federal courts did it ever say that. So I always find it curious when proponents of the bill say, well, find one place where it says "voter suppression" in the bill. It never does.

WU: That's the point, isn't it?

ANCHIA: It never does.

WU: Isn't that the point?

ANCHIA: That's the whole point. That's the whole point. And when we don't, especially in light of that history that I detailed, when we don't talk about or when we don't engage in any sort of analysis related to potential discriminatory effect, we leave it to the courts to find those things, and they found it on 10 different occasions. And that's why they overturned the strict photo ID bill. That's why they overturned the gerrymandered lines of 2011. And I think it's a damning record.

WU: Earlier on, you talked about—you gave us all these quotes about how this body intentionally and directly placed restrictions on minority groups, on minority racial groups, on minority language groups. That wasn't you saying that, right?

ANCHIA: No, I didn't make that up.

WU: That wasn't me saying it.

ANCHIA: No.

WU: Who said those things?

ANCHIA: Federal judges—republican appointees and democratic appointees, including a three-judge panel in San Antonio that had two republican appointees and one democratic appointee.

WU: Thank you, Mr. Anchia.

ANCHIA: And I would add just one more thing, Representative Wu, in response to your question. I'm sorry that some people get triggered when you talk about intentional discrimination. People get upset about that. But one need only read these court opinions, and court opinions shouldn't really trigger anybody. I mean, the bottom line is that is the record. So when people come up here and say that this bill is really about "A," and then you ask them, like, okay, it's about the incidents of fraud, where are the examples? And they say, well, I'm not advised. In light of this history, you should take a negative inference. I do. If this isn't about expanding access to the franchise, if this is not about the already very low incidence of fraud and where you are not advised of any examples, if it's not the secrecy of the ballot box because no voter has complained, then my inference is well, it may be about the same stuff that those other bills were about. And that's why I think that it's relevant to discuss today.

REPRESENTATIVE TINDERHOLT: Several times you've said the intent of the bill is not valid. You mentioned something about there isn't fraud. I heard you several times during this discussion say, "not my words but somebody else's." And I also heard that dialogue between you and Representative Wu. But I want to remind the body of some things you said in 2011 that were specifically your words.

ANCHIA: Oh, I've been waiting for this moment for a long time.

TINDERHOLT: I bet you can't wait for this. The "type of voter fraud that we've seen most prevalently in the State of Texas" is mail-in ballots. "Seventy percent of all the prosecutions by the attorney general [are] mail-in ballots"—and you kept going on. And then you said, we "will be reading about mail-in ballot fraud, mail-in ballot fraud, [and] mail-in ballot fraud." These are all your words. You also asked why no one is doing—

ANCHIA: Can I offer you some context?

TINDERHOLT: You also asked—well, I read about the whole context here. It's right here. And so my point is—



ANCHIA: No, no. It's not a question, so I'd like to offer you some context. Because in that video—

TINDERHOLT: Well, I read the context, and you're validating that there is indeed fraud in Texas, and here you're trying to tell the body that there isn't. And I think that it's disingenuous, and it's really unethical for you—

ANCHIA: Well, let me tell you what is disingenuous, sir.

TINDERHOLT: That's disingenuous.

ANCHIA: When you take a speech—

TINDERHOLT: It wasn't a speech. It was a dialogue.

ANCHIA: —that was 14 years ago on this very mic and you boil it down to, I don't know, a dozen words and you take those words to try to prove your point. Let me give you the context behind that because I think that was intentionally misleading. One, mail-in ballot fraud even then was rare and a rounding error of a rounding error. What was exempted from that speech—

TINDERHOLT: You said 70 percent of all the prosecutions the attorney general had done are mail-in ballots. And you repeated yourself, in your own words, three times.

ANCHIA: Seventy percent—I'd like to finish my answer, please. Seventy percent of one is still one. Seventy percent of 10 is seven, okay? And that was over a period of time. What you need to understand about that context is the strict photo ID law, just like the law that is being offered today, was offered with no evidence of impersonation. The only evidence that we had, albeit miniscule, was in mail-in ballots. And it was miniscule. So what was—

TINDERHOLT: Representative Anchia, I disagree. I read the whole dialogue. I read the entire dialogue.

ANCHIA: I'd like to answer your question. I'd like to—

TINDERHOLT: I disagree. I'm going to go sit down and let you explain to everybody—

ANCHIA: You can disagree but I'd like to answer your question. And you're not permitting me to answer.

TINDERHOLT: I'll let you explain to everybody.

ANCHIA: You're overtalking me and you're not asking questions. So I'm going to answer your question now that you've walked off the mic, and I'm going to look right at you. And so you have to understand four concepts. One, voter fraud in Texas then and now is virtually nonexistent. Where there have been incidences, these rounding errors, it has been in mail-in fraud. This bill is not about photo ID, which was offered up in the videos that were selectively excerpted. And the parts that were taken out of that video, very conveniently when you only focused on 14 words, was where I said voter fraud was virtually nonexistent then. It's virtually nonexistent now. And it is intellectually dishonest for people to try and take 14 words out of a broader speech and try to prove their

point with it. That is intellectually dishonest. It may be okay for Twitter. You might get some likes, and that's okay. But when you take out the parts of the speech that say there's no material voter fraud in the State of Texas and where I say I know that this bill is not about voter fraud in the State of Texas and you excerpt that and only take the part that is favorable to your position out of context, I think that's unfair. So I'm glad. I'm really glad that Representative Tinderholt asked me about that in the form of a question so I was able to provide that context because that was really not intellectually honest.

WU: One of the things the bill sponsor said was a lot of these provisions were put into place—that the election judges and people did—were put in place because of the pandemic. Do you remember hearing that?

ANCHIA: Yes, absolutely. I pointed that out, too—worst pandemic in a hundred years.

WU: Is the pandemic over?

ANCHIA: No, it's not over. We're going to have elections in November.

WU: Are hospitalizations as high as they have ever been right now?

ANCHIA: Yes.

MURR: Members, I respectfully oppose this amendment. As you well know, this amendment removes the enacting clause and kills the bill. That's the practical intent of the amendment. You've heard the layout for over an hour. We've talked about the policy for several months. It has been something that has been cognizant in all your minds. So I'll be succinct because there's a lot of folks talking today, but I simply oppose the amendment.

WU: I did not have a chance to ask questions during the main debate because of the long line, but I have a question. Since the amendment striking the enacting clause opens the entire bill up for questions, I have a question about some of the provisions on page 37.

MURR: Page 37? Yes, sir.

WU: As discussed earlier with Representative Walle, this is a provision that creates a new felony-level criminal penalty, correct?

MURR: So on page 36 and 37?

WU: I'm just referring to the parts on 37, starting with line 3.

MURR: Give me just a moment to flip over there so that you and I are on the same page literally and figuratively speaking.

WU: And while you are doing that, it's my understanding that you practice criminal law, right?

MURR: Yes.

WU: Okay, so I want to make sure I'm not going to be talking over your head or anything.

MURR: Well, that remains to be seen.

WU: So again, this is the creation of a felony-level criminal penalty, one that did not exist prior to this legislation.

MURR: That is correct. And you are referring to the section regarding vote harvesting, just for the clarification of the body, right?

WU: No, this is the—page 37.

MURR: Oh, "Unlawful Solicitation And Distribution Of An Application To Vote By Mail"—yes.

WU: Thank you. What is a public official? Who is a public official?

MURR: It is not a defined term.

WU: Am I a public official?

MURR: I would believe so.

WU: Is everyone in this body a public official?

MURR: Generally speaking, I think the common terminology and the common definition would include an elected official. Yes.

WU: What does it mean when it says—when do I act in an official capacity as a state representative?

MURR: I assume in the service or exercise of your duties on behalf of the State of Texas.

WU: So there's not a—I don't punch in a clock or anything. Like, there's not a time when I put on a badge that says state official or not state official. I assume that it would be fair to say that when I'm doing a campaign event, I'm not acting in a official capacity. But let's say I'm having a town hall. Am I in official capacity then?

MURR: I don't know that I'm the best person to make that determination.

WU: Well, this is your legislation.

MURR: I'm going to point to the top of page 38 where it talks about being engaged "while acting in the official's capacity as a candidate for a public elective office." So you have to tell me, is a town hall a scenario in which you were a candidate or a scenario in which you are currently serving in office?

WU: No, I'm currently serving right now. I'm a currently elected state representative. I'm asking you, under the definition of this bill that you are carrying, if I'm having a town hall, am I acting in official capacity?

MURR: I would believe that to be true.

WU: Okay. If I'm walking around town and somebody approaches me and says, "Hey, you're state Representative Gene Wu, aren't you?" And I say, "Yes, I am. How can I help you?" Am I acting in official capacity?

MURR: Your fact pattern tells me that that is just simply an identification of your person as serving in office not necessarily acting. So you've got to tell me what the conduct is that you are engaged in besides walking around.

WU: Sure, the person says, "Hey, can you help me with my problem?" And I say, "Let me hear about it."

MURR: Then perhaps you are in your role as a public official.

WU: Okay, but you're not sure?

MURR: No, I'm telling you when you say you walk around and they identify you, you're not necessarily engaged in that. But if they are going to have a conversation about something that relates to the duties of your office or you are assisting them with constituent services, then I would interpret that to mean that that is engaging as a public official.

WU: So on line 7, you say "solicits the submission of an application." What does the word "solicit" mean in respect to this particular criminal penalty?

MURR: I would assume that it would adopt the plain meaning of the term "solicit," which means that you'd actually take action to—I'm going through a mental dictionary here. "Solicit" means the act or conduct of actually reaching out to another person versus a passive or non-proactive scenario.

WU: So if I'm having a state representative town hall and I tell people, "Hey, don't forget. There's a pandemic going on. Make sure you apply to vote by mail."—that would seem to run in violation of your statute that you're proposing.

MURR: Did you provide them an application to vote by mail?

WU: No. It says "solicits the submission of an application to vote by mail."

MURR: I don't believe that your fact pattern fits the terms that are provided in line 7 of page 37.

WU: You just told me that the term "solicit," by your definition, means a person-to-person engagement to request them to do something. And I said I am going out to my constituents during a town hall where I'm acting as state representative and I'm asking them, telling them, requesting them, soliciting them to turn in an application to vote by mail.

MURR: I believe that the act of soliciting involves the presence of the application to vote by mail.

WU: I'm sorry?

MURR: I believe that in your fact pattern the act of soliciting would need to involve the physical presence of the application to vote by mail.

WU: That's not what the word "solicit" means.

MURR: I understand, but you are asking me a question and I am giving you a response.

WU: So if I'm at a town hall and I talk about how we voted on a voting bill and how your right to vote is really important and I have a stack of vote by mail cards sitting on a table, is that a crime?

MURR: I do not believe that is a criminal offense, no.

WU: And what if I say, "Hey, there's a stack of vote by mail cards right there, right there on that table. Pick one up right now."? Did I just commit a crime?

MURR: So I will point out to you that Subsection (e), line 25, states that it does not apply if the public official "provided general information about voting by mail, the vote by mail process, or the timelines associated with voting" or to vote in person.

WU: I've done none of those things. I am very directly telling my constituents, "See that pile of vote by mail cards? Pick it up right now. Fill it out." Is that a crime?

MURR: I do not think that's crime. No, sir.

WU: What if instead of having the vote by mail cards on a table, what if I am state Representative Gene Wu having a great discussion with my voters, with my constituents, and I say, "Here in my hand is a vote by mail card. I want you to take this card out of my hand and fill it out."—as many of us in this body have already done in election after election. Is that a crime now?

MURR: I have to assume that you are running for reelection as a candidate for office.

WU: No, sir.

MURR: And I want to say that it is not a crime under Subsection (e) of this bill, which flows over to the next page.

WU: No, sir. This is a state official at a state representative town hall. There's no campaigning here. I've not told anyone that I'm up for reelection. I've not told anyone I'm even running for reelection. I'm saying, "Here is a card out of my hand. Go vote."

MURR: You didn't ask a question.

WU: Is that a crime under this bill?

MURR: And I have said, no, that is not a crime, Mr. Wu.

WU: And earlier I asked you if you were a criminal defense attorney and you said yes. And one of the points of criminal law that is very important that I'm hoping you understand—I assume you understand—is that criminal statutes, more than civil statutes, need specificity. I hope I said that right. And it needs to be specific about what is and is not a violation. And throughout my questions with you over these many questions, you've kind of—you're not sure. You have to have some people come tell you or make suggestions. How is the public, how are we as the membership, how are we as state officials under this supposed to interpret this law while we're out? Isn't this, the way it's written, a little bit vague?

MURR: No, I don't reach the conclusion that you are asserting.

REPRESENTATIVE LOZANO: I had to get up here and speak about this because of the mention by Representative Anchia of this being about the big lie and that there were no examples of voter fraud. He brought up Bull Connor and fire hoses, which I learned in 7th grade were democrats. But I want to talk to you

about the allegation that there are no examples of voter fraud because I was here in the first special session in a 24-hour committee hearing. I missed my kids' baseball games and my daughter's volleyball games. I heard hundreds of witnesses testify. And if he had been here, if it was that important to him, he would have seen that. But he wasn't.

One of the things we heard from a witness was that in the 2020 election, there were people that were deceased who somehow applied to vote by mail. [These are] pictures—copies of those ballots and then some that were forged, as well. The way this person was caught was because of a law written in 2003 by Representative Steve Wolens, a democrat and a brilliant lawyer. Most will say that he was one of the most brilliant lawyers that has ever served in this chamber. In that committee hearing for **HB 54**, there was not one single person that registered against. That bill was the most significant election reform up until this bill. So this is not because of the 2020 election. This has been going on for a long time. This has been reformed by democrats. And so I need to point out that incredible fact that Steve Wolens has not one single racist bone in his body. That Steve Wolens, in response to his request—and I asked in a press conference in the first special session that every member of the press be fair because they wield an incredible amount of influence over our electorate. Their coverage, accurate and in depth, is vital to the integrity of our democracy. I talked about the following articles I'm going to mention that were a result of Steve Wolens' investigation and what he did.

In Dallas, in the *Dallas Morning News*, a very good, brilliant writer, Gromer Jeffers, wrote in an opinion piece that Texas needs tougher laws to reel in mail-in vote fraud. He quoted Mike Rawlings, former mayor of Dallas, and Eric Johnson, our state representative at the time who is now mayor of Dallas, as saying, "We ask that you devote additional resources to verify the integrity of each mail-in ballot in Dallas. We look forward to hearing from you soon." Gromer Jeffers said, "A plan is what's needed to root out possible crimes, as well as encourage more voter participation. Lawmakers, elections experts, and law enforcement officials, as they did 14 years ago, should develop new policies to stamp out corruption, even if it costs money and resources. Voter fraud, even with mail-in ballots, does not occur on a large scale." That's nothing that has ever been proven. "But in low-turnout elections, stealing just a few votes can be the difference between winning and losing." Steve Wolens was quoted as saying, "You have to have a conversation in order to prevent coercion and fraud. Then you tailor-make a new law that deals with abuse."

NPR reported in 2015 on their *Morning Edition* of July 7, 2015—NPR, for the press to hear and to look it up; it's easy on Google—that in the Rio Grande Valley, some campaign workers are paid to harvest votes. NPR is not Fox News. The title of their show was "In the Rio Grande Valley, Some Campaign Workers Are Paid To Harvest Votes." It said: "A new FBI anti-corruption task force is trying to clean up the Rio Grande Valley of Texas. According to the Justice Department, in 2013,"—which was under President Obama—"more public officials were convicted for corruption in South Texas than in any other region of the country. One of the practices the task force is looking at is vote-stealing. . . .

In recent years, losing candidates in local elections began to challenge vote harvesting by *politiqueras* in the Rio Grande Valley, and they shared their investigations with authorities. After the 2012 election cycle, the Justice Department and the Texas attorney general's office filed charges."

In Dallas, in the *Dallas Observer*, June 21, 2018—press, please hear this. In "Dallas Man Pleads Guilty in 2017 West Dallas Voter Fraud Investigation," the DA, Faith Johnson, said, "This is the first of many milestones in the ongoing investigation into voter fraud in Dallas County. We must protect the process so that all citizens may have confidence in the system." [The article continues:] "A Dallas County grand jury indicted Hernandez last spring as part of an investigation into voter fraud in Dallas' May 2017 municipal elections. Investigators in the case believed Hernandez was responsible for at least one tainted ballot turned in to the Dallas County Elections Department during the District 6 City Council election between Omar Narvaez and Monica Alonzo. The ballot was signed 'Jose Rodriguez,' the alias attached to more than 700 ballots sequestered by a Dallas County judge" in the May 6 election.

So the way they knew he was tied to 700 ballots is because of Steve Wolens' law that passed unanimously by bipartisan methods in 2003. And so, members, I could tell you about the hearings in 2003 on that bill, which had some pretty incredible quotes by democrats in committee. I'm going to hold off on quoting verbatim what the democrats said in committee, which, in my opinion, they should be joint authors on this bill as a result of their statements. But I've done an incredible amount of research, and I just want to be clear and set the record clear that this is not about 2020. This has been going on, being done, since the state and the country had election reforms.

ANCHIA: I want to start off by just asking you about a statement you made at the beginning where you suggested that I might not care about voting rights.

LOZANO: Well, you weren't here, Chairman. I'm sorry.

ANCHIA: But you said if you care about voting rights, you would have been here.

LOZANO: Because you made a lot of misstatements.

ANCHIA: Well, hold on. Hold on.

LOZANO: You would have not made those statements had you learned.

ANCHIA: Let me ask you about that intent. Let me just finish my question. Do you believe I don't care about voting rights? Since you called into question—

LOZANO: I said I think you could care a little more and you should have been here.

ANCHIA: Do you think my being Washington, D.C.—

LOZANO: I don't even want to go there.

ANCHIA: Do you think my being Washington, D.C. and meeting with members of the executive branch and legislative branch on voting rights suggested that I cared any more or less about voting rights than you do?

LOZANO: I think you knew, as everyone in the country knows, that the United States Senate went home and there was going to be nothing accomplished in Washington.

ANCHIA: Can you tell me the meetings that I had and how you—

LOZANO: Did you know the United States Senate went home?

ANCHIA: —and how you were inferring that that somehow suggests that I don't care about voting rights?

LOZANO: If you cared more, you would have been here in the special session.

SPEAKER: Members, let's please confine our remarks to the amendment.

ANCHIA: Well, I would submit to you just that maybe you don't know. Maybe you don't know how much I care about voting rights.

LOZANO: I'm just going to tell you you weren't here.

ANCHIA: Now, I want to ask you about the statements you made because you took some isolated instances and you talked about Steve Wolens. What district did Steve Wolens represent?

LOZANO: It was in Dallas.

ANCHIA: In which district?

LOZANO: The number I don't know, sir.

ANCHIA: Which part of Dallas?

LOZANO: I have no idea which specific part, but I hope that some of the voters that they—

ANCHIA: Do you know who succeeded Steve Wolens and was endorsed by Steve Wolens?

LOZANO: I didn't look at that part of the research.

ANCHIA: That would be me. So I succeeded Steve Wolens—

LOZANO: Well, then, why aren't you on this bill?

ANCHIA: —with his support and endorsement. My point is—

LOZANO: Will you joint author this bill?

ANCHIA: My point is that the bill you're referring to that Steve passed with bipartisan support, broad bipartisan support, you've given us examples of how that bill worked, have you not?

LOZANO: Exactly.

ANCHIA: Okay. And so because that bill is in place and according to you is working—and in fact, I've authored a bipartisan bill with Dr. Oliverson related to mail-in ballots just two sessions, maybe three sessions ago.

LOZANO: Are you going to have a disparate impact with your bill?



ANCHIA: Unfortunately, it wasn't in place long enough before it was overturned by the majority in this legislature. But let me just ask you, since I can ask you some questions from back here. Is it your contention that the bill that was passed by my predecessor in office, who I have a very good relationship with, is working?

LOZANO: Definitely. And I will add to that, he did not disenfranchise minority voters with it.

ANCHIA: Correct, because it was a bipartisan bill that was done well—

LOZANO: Election integrity reform did not have disparate impact.

ANCHIA: —that, in fact, I support. I support. And in fact, I urged him to deal with that.

LOZANO: In fact, early voting went up.

ANCHIA: All the cases that you are discussing were prosecuted under that bill, right?

LOZANO: Absolutely. And you weren't here, but I'm sure you would have voted for it.

ANCHIA: How does this bill improve that bill? Can you point to provisions in this bill that improve Steve Wolens' bill?

LOZANO: Absolutely. So Steve Wolens, as you know, I'm sure you know—

ANCHIA: I mean code sections in this bill. Can you point to them?

LOZANO: You said improving on Steve Wolens' bill. So Steve Wolens—

ANCHIA: So what about this bill, though? This bill?

LOZANO: Okay, one of the things that did not exist before Steve Wolens' bill was that he required people to sign the carrier envelope if they assisted someone to vote.

ANCHIA: Great.

LOZANO: Signatures are important, right?

ANCHIA: Yes, no question.

LOZANO: Absolutely. Do you agree that we should verify who we are before we vote?

ANCHIA: Yes.

LOZANO: What? Let me ask you again.

ANCHIA: If you've been paying attention at all to my legislative career, you'd know that that has always been my position.

LOZANO: I've got 175,000 voters. I can't possibly look at you and follow you.

ANCHIA: I'm just going to try to come back to the question, which is, direct you back to this bill and tell me how it improves upon that bill.

LOZANO: Since you agree that we should verify who we are before we vote, this bill applies the same standard from in-person voting to mail-in voting.

ANCHIA: Can you point me to that section of the bill?

LOZANO: I'll just tell you. That section is the one that says that if you vote by mail, you have to put your social or your driver's license number on that. Because as you can see, as what I mentioned earlier—

ANCHIA: But what happens if you do not—

LOZANO: Let me finish my answer, please. As you can see whenever you—

ANCHIA: What happens if you—

LOZANO: As I mentioned earlier, there are—

ANCHIA: I'm familiar with that code section, but what happens in the case where you have—

LOZANO: If you would have known, there are ballots that have—just in the 2020 election—that have been forged by signatures. How does a dead person—

ANCHIA: Was that person prosecuted?

LOZANO: How does a dead person apply to vote by mail?

ANCHIA: Was that prosecuted?

LOZANO: Somebody forged their signature, right? Obviously.

ANCHIA: Was that prosecuted?

LOZANO: And so these are the things that this bill addresses.

ANCHIA: In the section that you did not specifically name but you alluded to, I want to ask you about that. If a person registers with their social security number but then when asked to verify on their ballot application they put down their voter number or their driver's license, under this bill, that ballot would be thrown out, correct? Or could be challenged?

LOZANO: Yes.

ANCHIA: Okay. Do you think that that's a problem?

LOZANO: Okay, so right now—

ANCHIA: No, no, no, no, no. Do you think that's a problem that if someone did not remember when they registered to vote whether they used their driver's license or social security number and they put the other number down on the carrier envelope, that that should be thrown out?

LOZANO: Either number should work, in my opinion.

ANCHIA: What's that?

LOZANO: Either number should work.

ANCHIA: Is the bill written that way today?

LOZANO: Honestly, I think there might be amendments that address that.

ANCHIA: But is it written that way today?

LOZANO: I support an amendment that fixes that, but as I've seen it now, it does not.

ANCHIA: Okay, so it does not, and I think that's the correct analysis. So the code section that you actually suggested was an improvement on the prior bill, which I wholeheartedly accept, actually—

LOZANO: You do think—

ANCHIA: Hold on, hold on, hold on.

LOZANO: You do think it's an improvement?

ANCHIA: Please. Please, J.M. Please, Chairman González.

LOZANO: It's Lozano.

ANCHIA: Oh, sorry, Lozano.

LOZANO: It's okay. We all look the same.

ANCHIA: Certainly, certainly do. So Chairman Lozano—and I apologize for calling you Chairman González.

LOZANO: It's okay.

ANCHIA: I apologize.

LOZANO: I forgive you.

ANCHIA: Thank you. So Chairman Lozano, was there an improvement? Do you consider that code section that you alluded to an improvement on the 2003 bill as currently written, when people's votes can be thrown out?

LOZANO: You just said it did, and I agree with you. It does improve on that.

ANCHIA: Okay, so you believe that the current code section, that it would allow for a person's mail-in ballot to be thrown out, improves on the 2003 bill?

LOZANO: You just said it improves on it.

ANCHIA: I asked.

LOZANO: I agree it does.

ANCHIA: So you think the fact that ballots can now be challenged and thrown out because of an incorrect number is a good thing?

LOZANO: Look, we need to verify that people are who they are before they vote.

ANCHIA: Stipulated, stipulated. But do you believe that this part of the bill that you pointed to as an improvement—where hundreds of thousands of Texans who may not have remembered when they registered if they registered with their driver's license number or social security and they put the wrong number down even if they are who they say they are—that that is an improvement in the bill?

LOZANO: Yes, and I think—

ANCHIA: Okay. So I will take you at your word that you believe—

LOZANO: We're going to fix that part, but they need to verify who they are with either their driver's license number or their social security number just like you do when you vote in person. You have to verify your identity.

ANCHIA: And if you use the wrong number, you think it's okay for that ballot to be thrown out?

LOZANO: As long as they use a number on their ballot. Now, we need to clean that up, in my opinion, in an amendment.

ANCHIA: I think you have well-stated your intent.

REPRESENTATIVE SCHOFIELD: Mr. Lozano, I would like to build on your conversation with Mr. Anchia. First of all, let's start at the end. Am I not correct that in this bill a voter whose mail ballot is rejected would be able to cure?

LOZANO: Yes.

SCHOFIELD: So should somebody write their social security number down wrong, the county could then contact them, and then they have an opportunity to cure and they would still vote. Is that correct?

LOZANO: That's in the bill, absolutely.

SCHOFIELD: But if someone's out there trying to cheat hundreds of mail ballots, the odds that they're going to get correct social security or driver's licenses to put those in and counter the votes of hundreds of real Texans is very unlikely. Is that not true?

LOZANO: Absolutely.

SCHOFIELD: I appreciate that. It was said earlier, and I think someone slipped it in, that drive-thru voting is currently legal. Are you aware that the only curbside voting that is legal in Texas is for disabled voters who'd prefer to use that to get to the polls?

LOZANO: That's correct.

SCHOFIELD: Are you aware of the testimony during the regular session in the Elections Committee that in the drive-thru voting that was instituted in Harris County and was used repeatedly, when they would hand the tablet to the voter, the voter would then turn and hand it to the activist that brought them and they would vote the ballot?

LOZANO: I had not heard of that.

SCHOFIELD: So I just want to make very sure, because a lot of what's being said today is legitimate debate, a lot is political theater, and some of it is for the judges. I want to draw the judges' attention to the testimony that there was a repeated pattern of getting the tablet from the rightful voter and having someone else vote it. And that is the reason why we oppose having drive-thru voting, because it is a recipe for fraud. Is that your understanding?

LOZANO: Yes.

SCHOFIELD: Secondly, we heard—I'm trying to remember if you were at the hearing. But do you recall the testimony from the regular session about the persistent misuse of provisions in Texas election law that are designed to protect the disabled and people were using those for vote harvesting? Did you hear any of that?

LOZANO: Yes.

SCHOFIELD: Do you remember the testimony that a woman went to vote, she gets glommed onto by somebody who has been doing this all day in the parking lot, takes her in to vote, takes her in the machine, casts the vote, and then, if you remember the testimony, she said, "When do I get to vote?" And the answer is, "You just did." And these ballot harvesters were stealing people's votes all day every day during early voting and on Election Day. Do you remember that testimony?

LOZANO: Yes, I do.

SCHOFIELD: Do you also remember the testimony from Harris County that when people say what's wrong with just sending out lots of mail ballot applications—well, first of all, are you aware that there are only three categories of people that can vote by mail in Texas? People who are over 65, people who are disabled, and people who are going to be out of state on Election Day. Are you aware of that?

LOZANO: Yes.

SCHOFIELD: And are you aware that in Harris County, they wanted to just mail out applications to everybody, including people who could not legally vote and would be enticed to vote illegally if they cast those ballots? Do you recall that?

LOZANO: Yes.

SCHOFIELD: Do you also recall that because of COVID, many people returned applications and then decided they wanted to vote, and under our law, they had to bring their ballot back, and those ballots were not being canceled, were being put in boxes, and never showed up on the logs, and that there were boxes and boxes and boxes of blank mail ballots that could be voted by anybody that were not accounted for? Do you remember that?

LOZANO: Yes, I do.

SCHOFIELD: Is that a reason why we would not want willy-nilly mailing of applications and mail ballots for people that don't qualify for them or who did not ask for them?

LOZANO: Absolutely.

ANCHIA: I'm grateful for the banter and repartee with Chairman Lozano. I apologize for misstating your name. It really was an oversight on my part, probably a senior moment. What I do take issue with is really the policy where we have a bill that has been working since 2003 that I think Chairman Lozano made the case for. It was a bipartisan bill. There was no testimony to suggest that there was going to be a discriminatory impact in that bill. And guess what? It

leads to prosecutions in those very small cases—as I said at the beginning, I think it was mischaracterized later—those very small cases, those rounding error of a rounding error, where we do find fraud. And I said that at the outset of my comments, but it's not material based on the legal votes that are cast. And so it was his position that it is a good policy result for someone who has identified themselves with two different numbers, their driver's license number when they first registered—and I don't know how many of you, do you remember if you used your driver's license number or your social security number when you first registered years and years ago? I would submit to you that many of us don't, so that when you offered up your mail-in ballot and marked the carrier envelope with maybe the second identifying number that you didn't use initially, that your ballot could be challenged and thrown out, even with a cure—even with cure.

Even if that exists, why are we adopting a policy that would de facto allow that ballot to be challenged? I don't want my ballot to be challenged because I use my driver's license in one occasion and then I properly identified myself with the social security number. I have identified myself in both instances. Why is the assumption that somebody—your neighbor, somebody you don't know—can say your vote does not count even though you have correctly identified yourself twice with two discrete identifying numbers? Somebody can walk up to you and say, nope, your ballot's thrown out. Why is that the assumption of this bill? The assumption should be just the opposite, that your ballot is a valid ballot. It is a correct identifying number, and you have to prove that your ballot should not count. This bill flips it on its head. And I think, unlike Chairman Lozano who suggested that it was a good result and an improvement on the bill, I think it is not.

I think that provision itself is rife for abuse by people who will affirmatively challenge senior citizens and the disabled who just made the grave error of not remembering whether they used their social security number or their driver's license when they registered to vote maybe half a century ago. And that's just bad policy. That's what I was trying to point out, yet Chairman Lozano points to that provision as an improvement. I think I just have a fundamental policy disagreement with him. I don't think that's an improvement. And in fact, when this has been analyzed by independent media, they pointed out that this could be hundreds of thousands or even millions of ballots that would be challengeable. And why is that the presumption when we know the incidence is a rounding error of a rounding error? Where the author himself said, "I am not advised." And where we know that the existing bill, I think, as was eloquently discussed by Chairman Lozano, is working. Why do we want to change that standard? I think it's bad policy, and I'm proud to say it up here. And I was happy to have that policy discussion because if that is the one way that there is an improvement on the law that had broad bipartisan support, that was already in place, that is causing these prosecutions—I don't see that as an improvement at all.

BUCY: Chairman, just a quick question. We just heard a dialogue between two of our colleagues back and forth talking about testimony in committee that they acknowledged they had heard. Has any of that dialogue, that you know of, around drive-thru voting turned into any convictions or is this just sharing tinfoil hat accusations on the floor of the house?

ANCHIA: Look, people say a lot. I've sat through—because I really care about voting rights even when I haven't been on committees—I've sat through and I served on the Elections Committee for six years, and people would come up with the most outlandish accusations that never resulted in any further actions. And the secretary of state has data on this where they get concerns about irregularities. They have to filter through a lot of it. And if they find something actionable, they turn it over to the attorney general, and it's usually just a tiny little sliver of a percentage. And more often than not, it is anecdote unsupported by facts, accusations unsupported by evidence. So you hear that over and over and over again. And I am unaware that any of the information that was offered up from the back mic was offered up with any facts at all.

BUCY: I think it was not and I would have loved to ask for any proof of it but I guess our time was expired.

ANCHIA: Proof is pretty thin, I would say. Proof is pretty thin. So members, we've been on this amendment for a long time. I would say if you think as Representative Lozano does that the 2003 bill is working, if you think that prosecutions in those very limited cases—those rounding error of a rounding error cases—is working, and you think it is bad policy for us to be throwing out ballots just because somebody didn't remember whether they put down their social security number or their driver's license when they first registered decades ago, then please support this amendment.

[Amendment No. 1 failed of adoption by Record No. 10.]

[Amendment No. 2 by Murr was laid before the house.]

MURR: This is a perfecting amendment that I actually filed yesterday evening, and I also sent out a memorandum that I typed up to try to give you some in depth explanation. I'm happy to go through it really quickly. I know that there may be some questions on it. There are multiple parts to it, so I'm going to refer to them by each identified part.

On page 1, it replaces the term "strictly construe" with the word "interpret." Number (2), it actually reduces the amount of information that must be supplied by the person registering to vote. Specifically, it excludes information relating to their name, date of birth, and residence address, as well as a statement of the agent's relationship if there's an agent, and a city or county of former residence. Number (3) actually strikes the word "original." This relates to the fact that when a voter no longer resides in a county where the voter is registered, the amendment would require the registrar to forward a voter's application, not the original application, to the registrar of the county in which the voter now resides. On page 4, it's a drafting change to make the sentence read with clarity by deleting the word "either." Number (5) requires the secretary of state to adopt rules and create

a checklist for the opening and closing of a polling place. So that expands it from a closing of a polling place to an opening of a polling place checklist. And that also applies to number (6), as well. They work in tandem. Number (7) on page 1 of the amendment replaces the language to more appropriately balance a watcher's ability to observe polling place activities with the election judge's ability to maintain order within a polling place. Number (8) is a new addition to Article 4 of the bill. It adds language to make clear that a reference to Chapter 33 of the Election Code "to an early voting ballot board includes a signature verification committee."

If you go to page 2, number (9) revises the penalty for an election officer who intentionally or knowingly refuses to accept a poll watcher for service when required to do so from a Class B misdemeanor to a Class A misdemeanor. This was heard repeatedly in testimony in which witnesses reminded us that current law under Section 33.061, in which obstructing a poll watcher is a Class A misdemeanor, is comparable and therefore should be punished in a comparable fashion. Essentially, I would chart that up to a drafting error on the part of the bill sponsor, myself. Number (10) provides conforming changes to align with the **SB 1** engrossed version of Section 4.03 to include a number from an election identification certificate to the forms of identification that may be submitted by a voter when applying for an early voting ballot application. Along those same lines, numbers (11), (12), and (13) also apply to these same provisions.

Number (14) in this amendment expands the reasons that an applicant desiring to cancel the person's application for a ballot to be voted by mail to include "they received notice of a defect" from either the signature verification committee or the early voting ballot board. Number (15) of the changes relates to Section 86.001 of the "Reviewing Application And Providing Ballot" section of the Election Code to conform to **SB 1** engrossed language. That information identifies "the same voter identified on the applicant's application"—which, according to the secretary of state and other members, is a broader term and respectfully identifies a remedy that was brought up in both hearings in July and August. Number (16) accompanies that same revision. Number (17) provides conforming changes to align with the **SB 1** engrossed version of Sections 4.08 and 4.09 to include a number from an election identification certificate to the forms of identification that may be submitted by a voter when applying for an early voting ballot application. Those same changes are reflected in number (18) of this amendment. Number (19) adds a new section to Article 5 providing that an online tool used in Section 86.015 of the Election Code must "allow a voter to add or correct" the identification number that they have that they might be using to vote by mail. Number (20) references Section 5.09, which includes the opportunity to correct a defect and clarifies that a voter can correct the identification number. Conforming changes are also reflected in numbers (21) and (22).

Number (23) applies to Section 5.09 to make notices to cure by mail mandatory if the signature verification committee determines that "it would be possible for the voter to correct the defect and return" it in time. Or, if the committee determines "that it would not be possible for the voter to correct and



return" it, the committee may—that's permissive—"may notify the voter . . . via telephone or e-mail and inform the voter" that he or she may request to have the "application to vote by mail canceled . . . or come to the early voting clerk's office in person . . . to correct the defect." There are conforming changes with that change in Sections (24) and (25). Number (26) corrects a mismatching numbers issue that we recently talked about, and we heard that this remedy with this proper language should address concerns raised during the committee hearing. Those changes are also reflected in number (27). Number (28) affects Section 5.10 and removes a requirement that the early voting ballot board requests from DPS any signature of the voter that DPS has on file and allows the board to compare the signature of the voter that the voter submits with any known signature of the voter. Conforming changes are also present as numbers (29) and (30). Number (31) also reflects similar language to clarify that a voter can correct the identification number with the early voting ballot board. And you see conforming changes with numbers (32) and (33).

Number (34) makes notice to cure by mail mandatory. Just as you heard earlier when I referenced the signature verification committee, this one should apply to the early voting ballot board. So I will have an amendment to the amendment momentarily that would correct that drafting error. Conforming changes exist as numbers (35) and (36). Number (37) applies to Section 6.03 and removes certain language regarding physical disability from the oath required of those providing assistance to voters. And I understand that is a change that was requested by disability advocates. Number (38) applies to Article 6, an amendment that would add a requirement that the secretary of state "conduct a study regarding the implementation of education programs . . . to help voters with disabilities understand how to use voting systems used in this state." And you will find that language to be in the **SB 1** engrossed version as Section 5.07, offered by Senator Zaffirini. Number (39) of our amendment replaces the definitions of "vote harvesting" with senate versions of the definitions of "benefit" and "vote harvesting services." Number (40) alters the circumstances to which the vote harvesting section does not apply.

Number (41) clarifies that the provision applies to both an elected official and an election official, which we were visiting about earlier when we were laying out the bill. Number (42) adds a knowing requirement to the offense of perjury in connection with certain election procedures. Number (43) is a recommendation of the drafters to add the effective date for the Code of Criminal Procedure to be September 1, 2021. Number (44) repeals a section of the code that was referenced in the **SB 1** engrossed version that arrived from the senate. That has to do with the partial count of electronic voting system ballots by general custodians. It states that "the secretary of state at any time may waive or reinstate the requirements of this section for a particular political subdivision." And with a brief explanation of those, I'm happy to answer any questions.

C. TURNER: My question starts on page 5 of your amendment, going to line 7. In that section there that follows line 7 through line 16, on page 5, related to the signature verification committee, on line 10, it says that "the committee may notify the voter of the defect by telephone or e-mail and inform the voter that the

voter may request to have the voter's application to vote by mail canceled in the manner described by Section 84.032 or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect." My question is, why is the committee not required to notify the voter? The language simply is permissive and says the committee may notify the voter.

MURR: Yes, sir. So Mr. Turner, if you will, in your review of **CSSB 1** as it's on the floor of the house, when you compare it to **SB.1**, the engrossed version that left the senate, you will see that one version of the bill, the house version, contained mandatory language and the senate version contained permissive language. There were concerns that were raised by stakeholders and other interested parties that said if the language is permissive across the board, will there be a uniform and consistent application of this process county by county, or essentially committee by committee, to ensure that there is an opportunity to cure? So consequently, the language you're looking at here, I'll call it a hybrid which creates a mandatory requirement of notice if it's determined that there is a reasonable opportunity to cure it, with a permissive opportunity so that it's in the code that if they think there's not enough time to mail it to them and for it to be returned in time to be counted for the election, that the committee could contact them and let them know that. And that gives that voter the opportunity to come in in person and make the correction or take other action to cancel their application to vote by mail. So the goal here is to see that there's consistency across the board with that. And at the same time, we wanted to be deferential to the ability to contact folks and let them know of a defect they could cure.

C. TURNER: I think your explanation leads exactly to my concern that the language leads to inconsistency or potential inconsistency. If the committee determines it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on Election Day, I'm quoting from the bill there, "the committee may notify the voter," which means the committee may also not notify the voter. So under this language, if this becomes law, could you see a scenario where in Tarrant County, where I live, the committee may decide not to notify voters in that situation but a few miles next door in Dallas County the committee does decide to notify the voter? Is that possible under this language of this bill?

MURR: I want to answer your question. And I'm not going to deflect, but I'm also going to state we have a mandatory requirement if it's determined that they have sufficient time to correct it by mail. But absent us speaking to it in the legislation for the ability to contact them by other means, specifically by telephone or e-mail, one would interpret the Election Code to say that the committee can't reach out to those individual voters to say you've run out of time for us to mail it to you, you correct it, and mail it back. Instead, we want to make sure your vote gets counted. There's a defect—you can come in and correct it in person or you could cancel your application to vote by mail and come in and vote in person. So here, we're actually allowing the opportunity—but with permission—for them to make that contact with that voter, especially whenever time is of the essence. So it's permissive for that purpose. Because the second

part is that we heard some witness testimony and their concerns for it were the ability and manpower if it was mandatory, when you ran out of time, to try to hunt down everyone with a telephone number or an e-mail and let them know.

C. TURNER: Since it's permissive and they have that discretion, isn't that inevitably going to lead to situations where two voters could be in an identical situation where they send in a ballot with a defect, and in one county, the voter is afforded the courtesy of being notified of the defect by phone or e-mail and is given the opportunity to correct it because they've been given knowledge of the defect, but in another county, the voter in the exact same situation is not given notice of the defect, so they think their vote counts or will count and in fact will not count. Isn't that exact scenario possible under the plain language of this amendment?

MURR: You have to view that in the light of that these counties depend upon election workers, many of which are volunteers, and it has to do with available manpower, either hired or volunteer, in order to affect the ability of this to happen. So if you're looking at notice provisions in a scenario such as this, you want to make it mandatory when you know there's time for them to do it by mail, because the intent was always to vote by mail. That was always the voter's intent when they submitted an application to vote by mail. Giving them a mandatory provision to correct it by mail when there's time to do so is appropriate. And when they're out of time, giving the committee permission to contact them by other means to let them know there's a defect and they can either cancel their application or come in person and correct it, that actually speaks to improved opportunities for that voter to make sure their vote gets cast.

C. TURNER: But they're uneven and unequal improved opportunities. If one county does it and another county doesn't do it, then voters are being treated unequally. They're not being given the same access to the freedom to vote if one voter has knowledge of a defect in their ballot and another voter does not have that same knowledge. You would agree that's unequal, right?

MURR: They are being treated equally if there's actually time to cure it by mail.

C. TURNER: But if there's not time—if they're in this window where there's not time?

MURR: There's not time. So right now, under the law, there's not time. There's not necessarily a mechanism for them with permission to contact the voter and let them know of a defect. If you don't look to the code for that authority to make contact, then is it really appropriate for them to contact them now? So this is actually a step in the right direction.

C. TURNER: Well, for voters who are fortunate enough to be in a county where a signature verification committee says we're going to take this step—but if you're in a county where the signature verification committee says, well, we just don't have time or we're too busy or whatever, then that voter's simply out of luck. Let me ask you this, though. With respect to the same county, is there anything in the language that says if the ballot has a defect and the signature verification committee says, well, we may notify those voters—we're going to go ahead and

notify them via e-mail or telephone—but they can then look at another ballot and say, you know what, we don't think we need to notify this voter? Is there anything that guards against the signature verification committee from picking and choosing which voters it may notify of the defect?

MURR: Again, that's going to depend on the time circumstances. Because in every scenario, as you tick closer to the deadlines that apply to your election, essentially it doesn't matter what jurisdiction you're in. There's going to be a point where they are unable to ensure contact with that voter and that voter have an opportunity to cure.

C. TURNER: So let's use Tarrant County. We'll pick on my county as an example. In Tarrant County, the signature verification committee could have a pile of ballots that they've identified a defect in. And they say, well, we have the authority now under statute that we may notify the voters of these defects, and we're going to notify a few of these voters. And then if we get busy or run out of time, we don't have any requirement to notify the rest of those voters in the same manner. Is that right?

MURR: And there is no requirement for them to notify those voters under current law.

C. TURNER: So under this language—

MURR: You're expanding. You're expanding the law.

C. TURNER: —some voters could receive the extra benefit of a notification of a defect in their ballot and be afforded the opportunity to correct the defect to ensure that their vote is counted and other voters will simply not have that opportunity because the signature verification committee arbitrarily decides we are not going to give them that opportunity. Is that right?

MURR: That is based on time and the availability of manpower to make these contacts with voters.

C. TURNER: So it is completely within the discretion of a signature verification committee if voters get notified and, if so, what voters get notified.

MURR: Only after the signature verification committee has determined that there is not enough time to mail back the ballot for them to correct it and return it so that it can be counted.

C. TURNER: How are signature verification committees selected? Or appointed? Are they partisan officials?

MURR: Just to go back to the definition of a signature verification committee, it means a group that meets prior to Election Day to compare the signatures on applications for ballot by mail to the corresponding carrier envelopes. And my notes reference me to Section 87.027 of the Election Code.

C. TURNER: Do political parties have a role in nominating or selecting who is on a signature verification committee?

MURR: I would need to go and read that specific statute in order to give you a proper answer. I just don't have that in front of me at the moment.

C. TURNER: Representative, these are partisan officials who are being given power to pick and choose which voters they want to notify of a defect in their ballot and which voters they do not want to notify of a defect in their ballot. So I think this is a huge problem in the amendment that will lead to unequal treatment of voters both within a county and across multiple counties. Let me ask you a question, quickly, on a different section. On page 7, you add language that "the secretary of state shall conduct a study regarding the implementation of educational programs" as it relates to "voters with disabilities." Did you consider also adding in language that the secretary of state shall conduct a study regarding the racial impact of this bill?

MURR: No, sir. I looked directly to Section 5.07 of **SB 1** as engrossed out of the senate for that language. I know there was a discussion. I believe that Senator Zaffirini offered this specific language, and I wanted to be able to have everyone consider it.

REPRESENTATIVE J. TURNER: As we look at your amendment here, it seems that a pretty significant part of it relates to the issue of requiring voters who vote by mail to provide the numerical identification—either driver's license number or last four digits of social security number or election certification number—when they send in their ballot or when they apply for a ballot by mail, correct?

MURR: Yes.

J. TURNER: And just for some background here, Texas, I understand, is one of a fairly small minority of states that actually requires you to have some kind of excuse in order to vote by mail in the first place. Is that your understanding also?

MURR: Yes. And in fact, earlier today I detailed out what the list of eligible requirements were in order to vote by mail.

J. TURNER: So we as a state are in the minority with respect to that. Now, how many states, to your knowledge, require that if you have a mail-in ballot or vote by mail that you have to provide some kind of identification number when you do it?

MURR: I am not advised of that information.

J. TURNER: Well, to the best of my understanding and research, it's two other states. So Texas would only be the third. You are not aware of anything different from that?

MURR: I am not advised, so I would defer to you on the content of that.

J. TURNER: My understanding is at least one of those states, of those other two, would still allow the acceptance of the ballot despite having the number be mistakenly written as long as the signatures do match. So the amendment language that you have here, though, would not allow that, correct? If there is a number that is a mismatch, the ballot is going to be rejected, subject to the cure provisions. Correct?

MURR: Well, that is what I was going to get to. We've gone to great lengths to provide opportunities to cure, and those opportunities to cure would include making errors or mistakes with the numbers themselves. If I will point out, that was actually omitted in **CSSB 1**'s language that we brought to the floor, and these changes here would expand that to include errors with the numbers themselves. We saw that in the engrossed version out of the senate.

J. TURNER: And I would agree, from my perspective, Representative Murr, that that is progress to add those cure provisions. But would you also agree with me that there still will be cases in which a person receives notice of this mistake too late to cure it?

MURR: I think that's always going to be the case because time is the enemy whenever you are conducting an application to vote by mail and actually tendering your ballot to vote by mail. It still needs to arrive on or before a certain date in order to be counted for the election.

J. TURNER: So if someone either made a mistake and recorded a number incorrectly or they just weren't aware of this new requirement and inadvertently didn't write the number on the carrier envelope and they sort of voted maybe at the same time that they generally do, it's possible that they're going to be notified too late of that mistake and they will just have missed voting, potentially, in that election by having their ballot rejected. That's correct, isn't it?

MURR: And it's possible that someone didn't put postage on the envelope or put the wrong address or forgot to check the mail for several days. So yes, there is a lot of moving parts to the process of voting by mail. Yes.

J. TURNER: And we've added a significant new one here by becoming one of three states, potentially, to require this numerical identification. Let me ask you another question. It's my understanding that there are about 1.9 million Texas voters that currently only have one kind of number in their voter file, either the last four digits of their social security number or their driver's license number but not both. You agree with that?

MURR: I do not disagree with your numbers.

J. TURNER: And so if someone in that category votes by mail and they happen to put the different kind of number down on their carrier envelope or their application to vote by mail—let's say they just have a social security number on file but they instead write their driver's license number on their ballot envelope—their ballot will be rejected for that reason under this language, correct?

MURR: Yes, but I would point out that at the bottom of page 2, in number (16) of this amendment, there is language where, assuming that there is an appropriate amount of time, they would receive notice from the clerk of the issue and they could go and be able to correct that and proceed to be able to vote by mail.

J. TURNER: And that is the cure provision we were just talking about a moment ago.

MURR: Yes.

J. TURNER: If there's time?

MURR: If there's time. And time is always the enemy whenever you vote by mail.

J. TURNER: It would be possible, I assume, to put language in this bill saying that if you are one of those 1.9 million voters who only has one number on file and you correctly put a different kind of number—your driver's license number if your social security number's the one on file—that your vote could still be counted as long as your signatures match and the other requirements are met. We could have that language here and that would avoid not having ballots counted, wouldn't it?

MURR: Well, respectfully, I would point out the fact that over on page 5, for example, in numbers (26) and (27), those are examples of applying the senate bill engrossed version of its language to the bill before the house today. It actually broadens that to remedy the scenario you speak of where there was one number on file and a different number was used in the application to vote by mail. This language is broader, and according to resource witnesses with the secretary of state's office, this language would certainly allow the clerks to be able to identify the fact that one number was used to register to vote a long time ago but the person used a different number, not that number, in order to have their application to vote by mail and yet it still identifies the same voter that's been identified with the numbers.

J. TURNER: Well, now, my understanding of that was that would only be true for a voter that had both numbers in their voter file.

MURR: Yes, and that's why we were talking about the provisions at the bottom of page 2 which, if there isn't enough information in that database, it's a very obvious way for a clerk to give notice that there is a lack of information and give that voter a chance to remedy it by providing that information to the online portal.

J. TURNER: So we agree, in other words, that for the 1.9 million voters in this category that only have one number on file, if they put the wrong kind of number, they may get notified that they have an opportunity to cure it, but if they don't get that notice or if they didn't get it in time, their ballot will not count. That's correct, isn't it?

MURR: I'm going to go back and explain that that's not a ballot. That's simply an application to vote by mail, so they haven't gotten to the point of receiving a ballot. It's just receiving the application to vote by mail. It didn't have the information. The clerk says, here, I need you to—you need to understand what the defect is. And here's the opportunity to cure by using the online tool. My point being that typically, when you make an application to vote by mail, you're doing that well in advance of the time period in which you are going to vote by mail. So generally speaking, a voter should have an opportunity to be able to cure this. And I would point out that once they do cure it by going through the online tool and supplying that information, that going forward those numbers would always be accessible and they would never experience that problem again. So

going back to the original number that you cited, for example—I believe it was 1.9 million—through this process and this language, that would dwindle substantially over time to the point that it would be negligible, I would hope.

J. TURNER: Now, negligible in the context of 1.9 million might still be what—10,000, 15,000, 20,000 people? Something like that.

MURR: That's more than live in my home county. Yes, sir.

J. TURNER: Yes, that's a lot of voters.

MURR: It is.

J. TURNER: And we don't know what number of voters may not have the opportunity to make this cure and not have their ballot counted or their application to vote by mail accepted. Do you have any evidence or has there been any testimony or anything in the record showing how many Texas voters will not have their mail-in ballot accepted because they put the wrong kind of number—not the wrong number but the wrong kind of number—on their either application to vote by mail or their mail ballot?

MURR: No, I have not seen any evidence one way or another on that information.

J. TURNER: I want to cover one other area very quickly, Representative Murr, and that is related to the provisions on vote harvesting that are in your amendment before us here. And I'm specifically on page 8 of the perfecting amendment. If we look here at lines 8-11, there has been a new definition provided of "vote harvesting services." And I'll let you get that in front of you because I want to ask a couple of questions about that.

MURR: I have it in front of me. Yes, sir.

J. TURNER: Now, I'll say, Representative Murr, this is an area of the bill that I have very significant concerns about in introducing new criminal penalties in ways that I'm concerned could have unintended consequences. But I do want to at least ask you about a scenario to see if you can help clarify in a particular case whether you think conduct would be a criminal offense under this language.

MURR: Absolutely.

J. TURNER: So if we look at that definition of "vote harvesting services" and then we also look at lines 14 and 15, there is an addition there to say there that the criminal offense will not apply to "interactions that do not directly involve an official ballot or ballot by mail." Correct?

MURR: That is correct, yes.

J. TURNER: Okay. The scenario I want to ask you about is, let's say you have a campaign worker who is paid. They are compensated, so they do fall under that provision of the bill. They go knock on somebody's door for a candidate, as we all have paid campaign workers, I think, who often do door knocking. And let's say they encounter a voter who is a voter by mail and they have the mail ballot nearby when a door knocker comes to their door and knocks on their door and



asks them to vote for a candidate. As I read this language, I had some initial concern that that might fall within this criminal offense definition of "vote harvesting services." Can you tell me whether you agree or disagree with that?

MURR: I would disagree with that. Just to remind our colleagues, you are talking about a scenario of not a candidate and not a nonpaid volunteer but specifically a compensated or an employed campaign worker. I would point to the provisions of the bill under Section 7.04, Subsection (b), when it talks about the actual offense which you speak of for vote harvesting: "A person commits an offense if the person, directly or through a third party, knowingly provides or offers to provide vote harvesting services." And my point would be, given the fact scenario that you just played out, I believe that would be incidental contact. That would not be a scenario in which services, as defined, are being provided, and I do not think that is a criminal offense. And I do not believe that is the intent of the vote harvesting provision.

J. TURNER: So you today, as the sponsor of **CSSB 1** here on the house floor, would not say that a campaign worker who speaks to a voter at the door and a mail-in ballot is somewhere nearby, as long as they don't collect that ballot and take it and return it, you don't interpret them as falling within this language. Is that correct?

MURR: That is correct. That would be incidental contact as long as they don't take and collect the ballot, which would then bring them under either paragraph (c) or paragraph (d), which talks about actual physical collection of the ballots. So if it's simply incidental contact around the ballot, a paid campaign worker would not be subject to the provisions of the vote harvesting section of this bill.

[Amendment No. 3 by Murr to Amendment No. 2 was laid before the house.]

MURR: Members, this is simply a correction. I spoke about it earlier. The term "signature verification committee" was inappropriately used twice, and it replaces it in the correct section with "early voting ballot board."

[Amendment No. 3 was adopted.]

[Amendment No. 4 by Cain to Amendment No. 2 was laid before the house.]

REPRESENTATIVE CAIN: Members, in reading Representative Murr's amendment, you may have noticed that we're adding the words "or election official" to the code five times. The code does not currently have an existing definition of an election official under Section 1.005. After consulting with the secretary of state's office to properly define that, this amendment would add a definition so everybody's aware of what "election official" means. I believe this amendment is acceptable to the author.

[Amendment No. 4 was adopted.]

[Amendment No. 5 by Cole to Amendment No. 2 was laid before the house.]

REPRESENTATIVE COLE: Legislative intent matters. When our local officials, election officers, and courts are sifting through this law and figuring out how to enact it, they will be forced to interpret our legislative intent. We have heard in this chamber how important it is that every eligible voter be allowed to vote and every legally cast vote is counted. To that end, I'm proposing a simple amendment inserting language to our existing intent by maximizing the language expressly on our interests to support opportunities for voting, declaring voter access in favor of voting, and promoting voter participation. I can state that my beliefs are very simply that we should expand voting. Let Texans vote.

MURR: While I certainly respect Representative Cole's points of view and her interest in speaking to make changes to the bill, I respectfully oppose the amendment to the amendment.

COLE: Let voters vote.

[Amendment No. 5 failed of adoption by Record No. 11.]

[Amendment No. 6 by Cook to Amendment No. 2 was laid before the house.]

REPRESENTATIVE COOK: I believe that Chairman Murr hit the correct language in his original bill, and therefore, I'm asking that the language on page 1, lines 2 and 3, be struck.

[Amendment No. 6 was adopted.]

[Amendment No. 7 by S. Thompson to Amendment No. 2 was laid before the house.]

REPRESENTATIVE S. THOMPSON: This is a reduction in penalties. The purpose of this is most persons who work these polls are people who are just normally retired teachers and folks like that and they're making a very small amount of money. It seemed like to me that for the mistakes or errors they may make, we are going to be exacting a very high penalty for that. And I just think that if we're having people doing hourly work to run our elections and make sure that they are safe and secure, that they shouldn't be penalized to the nth degree. So I am moving to lower the penalty from a Class A to a Class C.

REPRESENTATIVE HOWARD: Is it currently somewhat difficult to get enough election volunteers as it is to work the hours, to be there, get the low pay if they get any pay at all or they're volunteers? As you said, it's a lot of retired people who are doing this. Is that not correct?

S. THOMPSON: Yes.

HOWARD: So do you think this would discourage some from actually doing this work?

S. THOMPSON: Absolutely. And then what you're paying them for and what you want to charge them with is far going to exceed for them to be able to have money to even defend themselves against these errors that they may make.

HOWARD: So this might make it more difficult to staff polling sites which might, again, make it more difficult to have opportunities for Texans to vote. Is that correct?

S. THOMPSON: Absolutely.

MURR: While I greatly respect Ms. Thompson and her points of view, especially having to deal with criminal penalties, this portion of the amendment is important. We heard numerous witnesses testify about it. While I perceive it to be a drafting error on my part, I'll point out it has to do with the penalty for an election officer who "intentionally or knowingly refuses to accept a watcher for service" when required to do so. And notably, our witnesses pointed out that current law, which is similar under Section 33.061 and has to do with obstructing a poll watcher, is also a Class A misdemeanor. We're not doing anything that is outside the box. In fact, we're creating a standard that appears to be consistent across the board with regard to criminal penalties in the Election Code. So respectfully, I oppose the amendment to the amendment.

S. THOMPSON: And I respectfully disagree with my colleague. We have spent the last two sessions lowering penalties on various offenses within this state. Those offenses were far more serious in the eyes of many people than this penalty on watchers in the area of poll watchers within this bill. If we were interested in being able to give second chances to people in other penal crimes by lowering the penalty, I don't see any reason why we shouldn't be doing that for persons who are doing a civil action. These are civil actions that they're doing, holding the election. So I respectfully ask that we adopt this amendment.

[Amendment No. 7 failed of adoption by Record No. 12.]

[Amendment No. 2, as amended, was adopted.]

[Amendment No. 8 by Dutton was laid before the house.]

DUTTON: You know, whether you think there's fraud in elections in Texas, whether you think there's not fraud in Texas elections, whether you think that certain hours ought to be available for people to vote or not vote, one of the things that is a problem in Texas—I don't know whether you realize this—is in the 2018 election, Texas ranked 41st in the nation in voter turnout. Now think about that for a minute—41st in the nation. Out of 50 states, Texas ranks 41st. We had a voter turnout that amounted to 46 percent, compared to the national average which was about 60 percent. So what I'm doing with this amendment is, at least in Texas' objective in this bill, we ought to include an increase in voter turnout. That's what ought to be a part of whatever we do in terms of Texas elections. We ought to be looking at trying to get at least voter turnout in Texas at least to what the national average is. And that certainly ought to be an objective in the bill.

But as you heard earlier when I was asking Chairman Murr, that's the one thing we left out. He says we want to reduce fraud. Okay, well, that's a great objective. We want to make sure that who goes to vote is the right person. That's a great objective. But overall, the objective ought to be that even when you do that, we ought to have an increase in voter turnout. That's all this amendment

does. I don't think it does violence to the bill one way or the other, but it just says that if we're going to have an objective, which the bill has in it, one of those objectives will be to increase voter turnout. So I offer this amendment in the spirit that I believe, I guess, I hope the author offers the whole bill.

REPRESENTATIVE ZWIENER: I wanted to ask you, why is it so important to have more Texans participate in our elections?

DUTTON: Well, if we really have a democracy, it is going to be a better democracy the more people participate in it, and one of the ways we allow participation is through voting. And so increasing the voter turnout means we have more people participate in our democracy and our country's going to be better, stronger, for that.

ZWIENER: So the more people who participate in our elections, the closer the work we do here in the Capitol hews to what's important to the people of Texas. Is that correct?

DUTTON: Absolutely. I think that the more people participate, the more we can be in touch—the legislature will be in touch—with what makes Texas a better place to live and work and raise a family.

ZWIENER: Are you aware of how much voter turnout increased between 2016 and 2020?

DUTTON: I think it was—it wasn't very much, though. I don't remember the exact number but it wasn't all that much.

ZWIENER: I have here that it increased about 6.6 percentage points.

DUTTON: Yes, right. That's what I mean. And that increase was high in terms of all the increases in voting in America, but we were already behind. And so even that increase didn't get us to where we had something close to even 50 percent of the people voting.

ZWIENER: I absolutely agree with you that the numbers of folks turning out is too low. I'm also concerned that this bill may halt that growth we're starting to see. Do you share that concern?

DUTTON: Well, if the bill does anything, certainly in terms of what this amendment tries to do is say in our reason for having this bill, we ought to be addressing the issue of voter turnout. And if we don't do that, then I think we're eventually going to pay for not having done that.

MURR: While I certainly respect my colleague's point of view and the passion in which he approaches the concept of trying to increase voter turnout, I don't think that placing that concept in the legislative intent provision of the bill is appropriate. As he and I also visited about on the floor of the house a little earlier today, I believe that the right to vote, while it is passionate and personal for each person, it's not necessarily something that the state proactively and actively takes upon itself to ensure that every single person is inherently forced or mandated to do so. We operate in a system in which we respond to the voter's desire to vote, whether it is in person or by mail, and we wait on that voter to do so.

ZWIENER: Representative Murr, thank you so much for taking time to answer my questions. You just heard Representative Dutton outline why voter turnout is healthy and important for our democracy. Do you share that view?

MURR: I would never have a different view. I do think and I would say for all of us as elected officials, that's something that we personally strive for—voter turnout. And whenever you go back to your district and you talk to constituents or you talk to voters, you ask them to don't forget to go exercise their right to vote. It's their voice. But there is a distinction that I would draw between our desires to have strong voter turnout versus the state's goals to proactively or even forcibly increase voter turnout. That's a distinction I think we have to make.

ZWIENER: I'm not certain anyone is proposing forcible voter turnout. I, in my district, have had folks who support this legislation say they are concerned about increasing voter turnout. Are you concerned about voter turnout increasing in the State of Texas?

MURR: No, I certainly want voters to turn out. I think that increased voter turnout is healthy in a democracy, and I believe that each of us personally strives for that. I'd simply like to take one step back and say I'm not sure that the goal of the state is to actively go seek out voters if they're not interested in participating.

ZWIENER: Hypothetically, is there a point where voter turnout could decrease to such a level that we don't truly have a representative democracy anymore?

MURR: I'm sure in any hypothetical that you give me the answer would likely be that's very possible. But I like to think that all of us as Texans that's something we're not going to experience.

ZWIENER: So is there a level at which the state does have a responsibility to encourage people to participate in elections to keep our form of government alive?

MURR: We go to great lengths in the State of Texas to educate our youth with a free and fair public education, and during that process they learn about the right to vote. And when they turn 18, they get to exercise that right to vote. Along the way, through the Election Code, there are opportunities to inform voters of their rights. And including in this bill later on, there's opportunities to inform someone even upon a criminal conviction of the loss of those rights. So we value that. We hold them dear. But at some point, the state is not so proactive that it goes to try to grab all the voters. We leave that to candidates and campaigns.

ZWIENER: Texas is a state that loves to be the biggest and the best. Is 41 out of 50 for voter turnout good enough for our state?

MURR: I think we can always strive to do a little better in each and everything we do every day.

ZWIENER: So why not strive to do a little better and include some of this intent so that our election officials can think about this factor of increasing voter turnout as well as they're moving forward with this legislation and implementing it on the ground?

MURR: Again, I think that responsibility lies on us as individuals. As individual public officials we could do so, but that's not necessarily something that we would need to have the State of Texas place on as far as being a proactive or active system. We operate—as I explained during our 14-hour committee hearing in the first called session—we operate in a system of passive response to voters. We wait for the voters to say I want to vote by mail or I'm going to go vote in person. That's the system that we have. That right lies with the voter. And inherently, someone has argued to me, I had a constituent explain, "I also have a right not to vote." We operate in a world where we want to encourage folks to exercise their constitutional rights to vote, but we don't necessarily need that in the legislative intent of this bill to do so.

REPRESENTATIVE STEPHENSON: I just want to answer the question that brought up right here this whole thing. The only way you can get voters to increase is through education. Real quick, how about let's start teaching the kids how to vote in school and stuff so they understand the system and we'd probably get more people to go vote? That's my question to you. But this bill is not the place to do it.

MURR: This bill doesn't necessarily talk about education in secondary schools, but I would certainly never disagree with an opportunity to educate a young person about their constitutional rights to have a voice.

STEPHENSON: That should be a bill separately in education, that there is a requirement to teach kids how to vote at different ages. That's the way you'll get voter participation, not in a bill on how to vote but why do you vote.

MURR: Well said.

DUTTON: This bill has two parts to it. One is about voter integrity and the other is about voter access. The only thing I'm trying to do is say even when we do those two things, it ought to be done under the light of trying to increase voter turnout in Texas. Texas is fifth from the bottom in terms of voter participation. I mean, think about that—fifth from the bottom. And so if we are going to have a bill on elections, shouldn't the focus be to increase the number of people who turn out for elections in Texas? What would be wrong with that? I mean—again, think about this now. I'm not trying to offer an amendment in the bill that actually does anything to increase voter turnout. I'm just trying to add this amendment to say one of the objectives we have in elections ought to be an increase in voter turnout. That's all it does.

So if you think about it for a minute, to be against that, what you are almost saying is that while we agree or disagree about integrity of elections and we can agree or disagree about access to elections—I don't think there is anybody in here who would disagree with having an increased voter turnout. There would just be no way. You know, it doesn't make a whole lot of common sense to me. And when I read the bill, I have told you earlier I appreciated the time that I spent with Chairman Murr in my office talking about this bill, because I read every page of it, every line, every word. I read everything. And when I got through the bill, one

of the things I asked myself is, if we need this bill because of voter integrity, if we need it for voter access, why don't we also include in the objectives of this bill increased voter turnout? It just makes no sense.

And while I appreciate the talk and discussion about how to increase voter turnout, that's not what this amendment is about. This amendment is not about how to do that. This amendment just says one of the objectives in the bill ought to be to increase voter turnout. And if that's not one of the objectives, I'm not sure that the other two objectives become meaningful at all. Because when we have fewer and fewer people turn out for elections, whether that has to do with election integrity or election access won't matter a whole lot. So I would ask you to consider that.

I know that people have made up their minds about how they are going to vote on any amendment to this bill. But I'm asking you today, just as I would go talk to the Bloods and the Crips, just as I would go talk to them about coming together, I would hope that we could come together about voter participation. I mean, if we can't come together about voter participation, members? God help us, and God help Texas. And I would ask you to vote for this amendment which doesn't do any violence to the bill at all. It doesn't do anything to voter integrity nor does it do anything about challenging voter access. What it simply does is it says that as one of the objectives in the bill we are going to hopefully increase voter turnout. That's all it does, and I would ask you to vote aye on the amendment.

[Amendment No. 8 failed of adoption by Record No. 13.]

[Amendment No. 9 by Cole was laid before the house.]

COLE: I am proposing a simple amendment to our legislative intent by a certain language expressing our interest in maximizing opportunities for voting, declaring our support in favor of voting, and promoting access.

MURR: While I certainly respect, again, my colleague Representative Cole, I believe that the bill you have before us properly addresses the goals that we have, which are identified in the legislative intent. I would certainly respect her wishes, but I oppose the amendment.

COLE: Members, again, let Texas voters vote.

[Amendment No. 9 failed of adoption by Record No. 14.]

[Amendment No. 10 by White was laid before the house.]

REPRESENTATIVE WHITE: This is a very simple amendment that exempts nonprofit agricultural organizations such as the Texas Farm Bureau from reporting small electronic contributions. When we amended this section of the code at another time in another session, we were left with an unintended consequence that places a reporting burden on these types of organizations. The funds collected by organizations like the farm bureau and others are not used for nefarious reasons and simply allow them to do such things as purchasing a meal for their members or visiting the Capitol to watch their legislature work.

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

[Amendment No. 10 was withdrawn.]

[Amendment No. 11 by Bucy was laid before the house.]

BUCY: This amendment simply would add a section to the Election Code that clarifies once and for all that a "provision of this code may not be interpreted to prohibit or limit the right of a qualified individual with a disability from requesting a reasonable accommodation or modification to any election standard, practice, or procedure mandated by law or rule that the individual is entitled to request under federal or state law." Under state and federal law, voters with disabilities have a right to a reasonable accommodation. This provision makes that explicitly clear and ensures we are not erecting barriers to voting for voters with disabilities. What we're trying to do here after hours of testimony from our disability community is ensure that we do nothing that would make it harder for them to vote. We've heard bipartisan support to make sure we're not infringing on the disability community. This is just a reasonable accommodation or modification for these individuals to be able to vote.

SCHOFIELD: Mr. Bucy, as the person who sits directly to your left in committee, I, like you, heard hours of testimony from members of the disability community about making sure that measures that we take to make our elections fair and to keep people from cheating don't impact their ability to vote. And I think you and I have the same mindset on that. But we also heard testimony about people using measures that we pass to make sure members of the disability community can vote to cheat, and that included folks who were glomming onto people in the parking lot and then "assisting" them when they got in. What can we do to make sure that this provision can go on the bill and can allow members of the disability community to get this reasonable accommodation but doesn't open a door to everybody claiming that they're disabled in order to get to do this and not having the ability to verify whether they need it or not? I am very concerned that we don't do anything that limits the ability of our disabled voters in Texas to vote. But again, we heard enough testimony that I don't want to open the door to other people going, "Oh, good, this is a get out of jail free card for all of the reforms you put in. I'll just say I'm disabled." We had activists telling folks to apply by mail and just check you're disabled when they're not. What can we do to make sure this applies to folks who actually have a disability?

BUCY: To that I would say I think we can trust our disability community to not abuse this rule.

SCHOFIELD: It's not them that we're worried about abusing it. It's the other folks.

BUCY: I think to that point, I agree with you we heard that testimony, but what we didn't hear were real convictions of these issues from the secretary of state or anybody. We just heard accusations. We didn't see any proof that that was actually happening and being done and being abused.



SCHOFIELD: Well, I disagree with that. You're welcome to come over to my house, and anytime you do, you'll see cars speeding by my house and running the stop sign there. There literally are no convictions for that because no one's ever put a police officer there. I'm all for making sure that our disability community doesn't have any impediments to voting, but we have to be darn sure that we're not using something or putting something in our law that can be used by people—and I referred to it as despicable in committee—to take measures that we put in for our disability community and use those to cheat.

BUCY: This amendment says "the right of a qualified individual." So this is making sure that they're qualified.

SCHOFIELD: And how do we determine that? Because we've been very careful not to ask somebody what their basis for claiming a disability is, as you recall.

BUCY: So what would your suggestion be? I'd be open to an amendment to the amendment.

SCHOFIELD: I think we've had several debates about this during the regular session, and if we can come up with something and if Chase Bearden and some up of those folks can come with something that we know their people will be able to use but not everybody can just blanket claim it and get around the law—that, to me, is very important. It's important to make sure disabled people can vote, and it's important to make sure everybody's vote counts and doesn't get outweighed by a vote that's cast illicitly.

BUCY: I don't understand how a registered voter voting would cancel out another vote.

SCHOFIELD: It doesn't say here what the reasonable accommodation is going to be. And any accommodation that we make—for example, drive-up voting is supposed to be used solely by disabled voters to make sure they can vote if they can't get in. This cycle, we saw it used—particularly in Harris County—where a car with four people would drive up. There's one voter. You hand the machine to the voter and other people are voting it. And by the way, when it was said earlier there was no evidence of that, there were affidavits sworn under threat of perjury.

BUCY: I don't think I said evidence. I think I said found guilty of that.

SCHOFIELD: You said it earlier. But anyway, that, to me, is an important thing we need to keep in mind. And if this goes on, when we're dealing with the senate, we need to make sure that we have some method of confirming that the person who is getting the reasonable accommodation is entitled to it by virtue of necessity of their disability.

ANCHIA: There appears to be a lot of testimony from the back microphone. I have some questions for you if that's okay. Did you hear from any elections official that voters were saying that they were disabled for the purposes of using methods that the IDD community would be availed of?

BUCY: I don't think we've seen any proof of that.

ANCHIA: Did you hear from any election judge saying that?

BUCY: No, all we've had is some nonfactual—

ANCHIA: Partisans, maybe?

BUCY: Yes, very partisan.

ANCHIA: So maybe political parties are saying this. Maybe partisan groups are saying this. But you have not heard it from a nonpartisan group. Has the secretary of state said this is a problem?

BUCY: No.

ANCHIA: Have you heard from the attorney general that this is a problem?

BUCY: No. In fact, the attorney general, I believe, has had like 15 problems only over six years, which we know is a fraction of a fraction of a fraction of the millions and millions of votes cast. So it's clearly not a problem. What it is is a good talking point for campaigns. What it is is a good talking point to play into the big lie. But what it isn't is good policy that helps our disability community vote.

ANCHIA: Has there been one case that has been verified by an independent entity where a nonmember of the IDD community has used a disability to vote in a manner than would otherwise be prescribed? That you're aware of?

BUCY: Not to my knowledge. And after five hearings and hundreds of hours on this, you'd think that would've come forward in the facts if that was true.

ANCHIA: Did you hear from either independent, nonpartisan advocacy groups or did you hear from voters themselves that self-identified as members of the IDD community that there were impediments to voting as a result of this bill?

BUCY: Yes, multiple. And this is one way to make sure this bill doesn't do that, which has been a stated bipartisan goal.

ANCHIA: Would your amendment be compliant with the Americans with Disabilities Act, for example, related to reasonable accommodations?

BUCY: Yes, it would be in compliance with state and federal law.

ANCHIA: Would it be consistent with the Help America Vote Act?

BUCY: Yes.

ANCHIA: So the narrative from the back microphone, rather than the questions, was that this is ripe for abuse. But in fact, we have not seen any cases of abuse that have been documented by an independent party. Is that correct?

BUCY: That's correct.

MURR: Representative Bucky certainly makes an impassioned argument about making reasonable accommodations or modifications for individuals with disabilities. During the hours and hours of testimony that we've heard on this bill, both during the regular session on the topic and during the first called session and now this second called session, our disability rights advocates have always been at the forefront of most folks' minds to explain to us the challenges that they face when they exercise their constitutional right to vote. So I speak on it. I don't

speaking against it. I don't speak for it. But I prefer to leave this concept up to the will of the house because this is a discussion on constituents that each and every one of us has as to how to handle their ability to vote. So I would leave this to the will of the house.

BUCY: I hope you'll consider doing this. We've heard testimony about challenges for the disability community to have access to the ballot box. We have heard our colleagues, republican and democrat, on committee state their goal to make sure this bill does not do that. This will guarantee that. So please consider your voters. Consider your constituents. Vote to move this adoption and make sure we do not do anything to make it harder for the disability community to vote.

[Amendment No. 11 was adopted by Record No. 15.]

[Amendment No. 12 by Slaton was laid before the house.]

REPRESENTATIVE SLATON: This is a simple amendment that will help ensure that Texas voters—

[Representative J. Turner raised a point of order against further consideration of Amendment No. 12 under Rule 11, Section 2, and Rule 11, Section 3, of the House Rules on the grounds that the amendment is not germane and changes the original purpose of the bill. The point of order was withdrawn.]

[Amendment No. 12 was withdrawn.]

[Amendment No. 13 by Rose was laid before the house.]

REPRESENTATIVE ROSE: We've talked a lot about disproportionate negative impact and the changes that voter suppression measures have on our state's minority communities. So I think it's important that we track how these communities are affected by the decisions that we make in this body. This amendment will require the secretary of state to conduct a study each biennium to determine the impact of the updates that this legislature makes on the Election Code on different racial and ethnic groups. The study will be delivered to the members of the legislature ahead of publication. This study would also include an opinion on whether or not these changes made during the previous session had a disparate impact on any racial or ethnic groups.

C. TURNER: So your amendment simply will require the secretary of state to conduct a study each biennium of the impact of different provisions of the Election Code with respect to different racial and ethnic groups. Is that right?

ROSE: That's correct.

C. TURNER: This is something that you probably heard. I asked the bill author on his layout if the bill contains such a provision. He said it did not. So your amendment is an opportunity to correct that omission and put that in the bill. Is that right?

ROSE: That is correct. That is what I'm trying to do here today.

C. TURNER: In fact, the perfecting amendment, to use Mr. Murr's description of the amendment that he offered and is now on the bill, actually does include a study in it, which is, I think, a good provision. It relates to studying certain impacts of the bill as it relates to Texans with disabilities. But there's not a provision in that amendment or in the underlying bill as relates to the impact of this legislation or other legislation on racial minorities, and this is an opportunity to correct that and let the legislature learn if these provisions, in fact, have a disparate impact or discriminatory impact on minority Texans. Is that right?

ROSE: That is correct, Mr. Chairman.

C. TURNER: We've heard testimony with respect to drive-thru voting or 24-hour voting, that expanded early voting access was disproportionately used and taken advantage of by residents of Harris County who are voters of color. And so that might be an example of where banning those conveniences would, in fact, have a disparate racial impact. Is that right?

ROSE: That's a perfect example.

MURR: While I certainly respect Representative Rose and she makes an impassioned argument for providing additional information and studies, this topic has been discussed numerous times in our committee hearings that we had regarding this legislation. And so I would simply oppose the amendment.

ROSE: You know, I think on every issue that we talk about in this chamber, it's easy to say what may not need to happen if you've never been impacted by it. That's what's wrong with this chamber. Texas is not a one-size-fits-all state, and a lot of times, things happen in certain communities. Just because it doesn't happen in your community doesn't mean it will not happen in another community. One of the things that I'm really concerned about is when this bill was first laid out during the first special session, what was stated was the fact that we're not going to accept any amendments in the committee hearing but when we get to the floor we will allow amendments. And I just think it's so disingenuous that every amendment that a democrat has brought to this table today—now, I know you all just accepted Representative Bucy's amendment—but the fact that you all just have already made a clear choice, it is so disingenuous to me for you to make those comments when you have no intentions of trying to work with your colleagues. And then you wonder why someone takes the position that they take.

REPRESENTATIVE M. GONZÁLEZ: There were hundreds of hours of testimony, correct?

ROSE: Hundreds.

M. GONZÁLEZ: And multiple communities came out and said there will be a negative impact, correct?

ROSE: Yes.

M. GONZÁLEZ: And so all you're trying to say is that if we hear those voices and we still want to move forward with this legislation, let's at least study it. So if we are genuine and sincere about wanting to say we don't want to impact these communities, the least we could do is do a study.

ROSE: Exactly—when we say God bless Texas that we're talking about everyone in Texas. But apparently, when they say God bless Texas, I don't know if they mean every Texan because it's only certain groups that always get to provide the needs that they need for their communities and not all communities.

M. GONZÁLEZ: Because if we were sincere, we would want to know if there were any negative implications so we could fix it if that's really what we are saying on the floor today.

ROSE: As you stated, folks stood in line and folks stayed in the committee hearing for over 24 hours to let their voices be heard. And what we're saying in this body is your voice does not matter.

[Amendment No. 13 failed of adoption by Record No. 16.]

[Amendment No. 14 by E. Morales was laid before the house.]

REPRESENTATIVE E. MORALES: I understand this has been a contentious issue, and I would like to thank you for your time to consider this amendment. You know, I keep hearing over and over that the purpose of this bill is to make it easier to vote. As we know and as I've seen on social media, Texas is notorious for having the distinction of being the worst state with access for our Texans to the voter polls. And because of that, I think we have the opportunity to do something that will be positive and allow Texans to register to vote at any time, including in person on the day of the election and still be eligible to vote in that election. This amendment would have at least one election officer at each polling location be deputized as a regular deputy voter registrar. If our goal really is to make it easier to vote, then I think this amendment would help accomplish that. Members, thank you for the opportunity to bring this amendment to the house floor, and I ask for you to vote in favor of it.

ANCHIA: Just so the body understands, in your layout you talked about Texas being in the lowest quintile among the states—A, that it's hardest to vote in and then B, with some of the lowest voter turnout. Is that right?

E. MORALES: That is correct. I was specifically talking about voter access to the polls based on a series of studies that were done that were published in several articles and that was what I referring to, but you are right with respect to the second issue as well.

ANCHIA: Perfect. So you've cited articles that say we are among the lowest in voter turnout. It is one of the stated principles of this bill—one of the stated reasons of this bill is to increase access, is it not?

E. MORALES: Correct. And more than anything, Mr. Anchia, when I was out campaigning and when I've been out there after the regular session was over and there were questions with respect to the election bill, this is truly a nonpartisan issue. Because in visiting with my constituents, both republicans and democrats, they have brought this issue up. Why is it so difficult to vote? Why do I have to register 30 days before? Why when other states—I count 37 other states that have better laws with respect to restricting the time in which you have to register in order to vote.

ANCHIA: And a lot of times when you are campaigning, constituents ask you, well, when's the deadline? Hey, thank you, I want to vote for you, Representative Morales—when is the deadline? And you have to tell them, well, the deadline passed two weeks ago, 30 days ago, et cetera. And they are like, I really like you. Or I really like your opponent, maybe. And they say, hey, I want to register. And you have to say, it's too late. Isn't that right?

E. MORALES: That is correct. I had to say that to at least five people or more during this last time that I ran—where they came out from the voting polls and found out that they were not registered or found out they were registered in another community and they would have to travel to that other community instead of voting where they were. And it was clear that their intent was to vote and that they wanted their voice to be heard.

ANCHIA: And Representative Morales, the list that you have of other states, how many other states are there that have same-day voter registration?

E. MORALES: Not same-day but I have it broken down. There are seven that will allow on Election Day for people to still register.

ANCHIA: And those are blue states and red states, correct?

E. MORALES: Maine, Minnesota, Montana, Nevada, New Hampshire, Vermont, and Washington. In total, there are 37 U.S. states that have better rules with respect to when somebody can register and vote.

ANCHIA: Those red states or those blue states, they don't have any greater or lesser incidents of voter irregularities than Texas. Is that right?

E. MORALES: Correct, and if they've been able to do it and do it right without any issues, then I think the State of Texas, as mighty as it is and as good as we are, we should have that same or better for our Texans.

ANCHIA: I'm glad that you're bringing this amendment for a bipartisan tool that is used in other places to increase voter access, which is one of the stated goals of this bill, and I'm hopeful that the body will support you. So thank you very much for bringing it.

E. MORALES: Thank you, Mr. Anchia. I would like to say, I know that I have a D next to my name as far as a democrat, but I'd also like the body to understand that according to one study I was the fifth most conservative democrat during the regular session and to take that into account along with House District 74, which is the largest house district in the State of Texas. It's bigger than 17 U.S. states. Take that into account and how different and diverse my district is, made up of independents, made up of democrats, and made up of republicans, and that they all want this. This is a bipartisan issue, and I would hope that I could count on your support regardless of what you see up here, which is a democrat. I think this goes far beyond a democrat or republican thing.

ZWIENER: Thank you so much for bringing this amendment, Representative Morales. I represent the fastest growing county in the State of Texas and I see folks all the time who don't know where they are registered because they just got to town a few months ago. I know that's true of both Hays County which leans

blue and Comal County just south of me which is ruby red, so I fully agree with you that it's not a partisan issue. Are you aware that this challenge with registration and needing a little more flexibility there disproportionately impacts our younger voters and our lower income voters who are more likely to move more frequently?

E. MORALES: Yes, I am aware.

ZWIENER: Are you aware that I actually as a younger person used same-day voter registration to vote myself when I lived in the liberal bastion of Montana?

E. MORALES: I was not aware. But it's a great example of how even in Montana they have this in place already, and if they have it there, we should have it here in the State of Texas.

ZWIENER: I absolutely agree. It is a great tool for someone where an error has happened, whether their own or someone else's as it was in my case, to have that opportunity. So thank you for bringing this. Twenty-two-year-old Erin who was able to vote with same-day voter registration thanks you and hopes that we can do something similar here in the State of Texas.

MURR: I appreciate the optimism that Mr. Morales has on the concept of same-day voter registration. I think you heard during his presentation to the body that this is not occurring in a majority of the states yet and so I don't know that this piece of legislation before us today is the right vehicle to properly consider that. In fact, I would advocate that that's something that may need to be a standalone bill in which you have good committee hearing discussion, you have witness input, have state agency input, et cetera. So respectfully, I would oppose the amendment.

E. MORALES: While I respect Chairman Murr's position, I think Texans are expecting this and they are expecting this now. This is truly a bipartisan issue. And he may not have heard the numbers, so let me reiterate. There are over 37 states already out of 50—so that's the majority—that have already promulgated some sort of rule that is better with respect to allowing folks to register and vote. In those states, the states have better rules than here in Texas, and I think that it's only fair for us to bring Texas up to speed. We're in the 21st century. We should be allowed to let people vote if that is truly the key. We should let people vote even on the day of the election, and I'd ask for you support with respect to this Amendment No. 14.

[Amendment No. 14 failed of adoption by Record No. 17.]

[Amendment No. 15 by Cain was laid before the house.]

[Amendment No. 15 was withdrawn.]

[Amendment No. 16 by E. Morales was laid before the house.]

E. MORALES: I'm here with respect to Amendment No. 16. And on that same concept of making it easier to vote for Texans, I think we have an opportunity to do so by registering Texans to vote automatically when they get their driver's license or a personal ID card and if they indicate that they're a U.S. citizen. So

once they turn 18 or whenever they get their driver's license or a state ID, they should be automatically registered. Now, it is possible for permanent residents to get a driver's license, so that is why I clarify that we would only do so if they indicate that they are a U.S. citizen. The voter registrar of each county would obtain this information from DPS. I took notes with respect to the chairman when he was going back to the '70s, the early '90s, the late '90s, and all the franchise voting access rules that have passed through this chamber. I recall that he mentioned that we allowed for registration there at DPS. Now, this would just make it automatic. If our goal really is to make it easy to vote, then I think that this amendment would help accomplish that. Members, I would ask that you support me with respect to Amendment No. 16 and vote yes.

MURR: I respect Mr. Morales, my neighbor to the south. I appreciate his intent to try to increase voter registration through different methods including through DPS. And while that is a very thoughtful process, I don't think this bill is the vehicle in which to do it. As I said earlier, something like this ought to be freestanding legislation and deserves its own day in committee in which witnesses can show up and explain how that process might work best if we're going to change substantive policy in the State of Texas. Therefore, I respectfully oppose the amendment.

E. MORALES: You've heard my position on this. I truly think that we should make it easier for all Texans to get to the voting booth. We should make it easier for them to be able to register. This is the 21st century. Just because we've been doing things for a number of years differently doesn't mean that we can't do them better. And I think that Texans have voted for us to be in this chamber to effectuate that change. And with that, I'd ask that you support Amendment No. 16 and vote in favor of it.

[Amendment No. 16 failed of adoption by Record No. 18.]

[Amendment No. 17 by Bucy was laid before the house.]

BUCY: Beginning in September of 2020, upon the order of a federal judge in *Stringer v. Hughes*, the Department of Public Safety began offering online voter registration simultaneously as part of online driver's license transactions. When the Department of Public Safety came before the House Committee on Elections back in March, they affirmed that the system was working well and without complication. It may surprise you to know that to date, over a million Texans have registered to vote online or updated their voter registration online using this DPS portal that is already in existence and being utilized. This amendment simply expands use of this portal to any Texan with a valid driver's license or DPS ID instead of restricting it to during a driver's license transaction. Right now, if you're renewing or changing your driver's license, doing a transaction, you can update or register to vote. What this is saying is if you already have one of these approved IDs that works with the DPS portal, you can go on anytime to update or register to vote.



Over 40 states have online voter registration. I believe it is time for Texas to take this step. If we want to really look at security and accuracy in our ballot rolls, think about how this works. An individual goes on and they put their data in. Under the current system, you could be at ACL Music Festival and someone gives you a voter registration card. You fill it out. You're sweaty. The ink is running. That gets passed out. That has to be typed in by an individual, and the data sometimes might have an error unintentionally. This is the individual putting it in. You can have checks and balances when you're using online to make sure that all data is included before it can be submitted, to make sure all proper check boxes have been collected. As we move toward ballot security as this bill has stated, as we want to have more accurate data, I hope you will support this amendment to utilize a current system that already exists in Texas that a million Texans have already used—more than some states' population. Let's open it up to all Texans with a DPS ID or valid driver's license.

MURR: I appreciate the opportunity to listen to Representative Bucy. He and I have engaged in multiple discussions on the concept of electronic voter registration and the ability to use technology to complete that process. However, I don't know that I necessarily want to incorporate that into the bill language today. So I would respectfully oppose the amendment.

ZWIENER: Representative Murr, are you aware of the number of data entry errors that occur because of the manual entry of voter registration applications?

MURR: I'm not advised. I would respond with I'm not aware of the amount of data entries that may or are alleged to have occurred.

ZWIENER: Fair enough. I do not have an exact number either, but as someone who has seen a lot of people fill out these cards, I can certainly attest to the variety of legibility of handwriting that our voter registrars have to deal with. Do you think having a more accurate voter registration database improves our election integrity?

MURR: I would respond that we are all human and we are all as accurate as our human abilities allow us to be. So regardless of the system that's in place, since we're all human, you will inevitably have some challenges with it.

ZWIENER: Do you believe that it may reduce the number of errors we have in our voter registration database to remove the challenge of one human interpreting another human's handwriting and instead letting an individual type their information directly into a form?

MURR: I really don't have enough information to form an opinion to be able to answer your question. So I don't know.

ZWIENER: Do you think more accurate databases lead to improved voter integrity?

MURR: I think generically you can always say accuracy is a goal that we all strive for in everything that we do. And so you can apply that across the board.

BUCY: We already do this in Texas. A million Texans in just a year's time—less than a year's time—have utilized this program. It is working without issue. It's been accurate data. It's more accurate data. This is how we lead to a modern, more secure, more accurate voting process in this state. I hope you will highly consider it. I'll just say this has bipartisan support in this room. Whether it gets that way on the vote or not today, we have had one of your trusted republican colleagues on election policy file an almost identical bill during one of these special sessions. So I hope you'll really consider it. This is good for Texas. This is good for Texas voters.

[Amendment No. 17 failed of adoption by Record No. 19.]

[Amendment No. 18 by Howard was laid before the house.]

HOWARD: This is actually an amendment that I worked with Chairman Cain on back in the regular session, and he was gracious enough to include it in the bill. It was stripped out by the senate before it came back. This amendment simply ensures that our high school students who will be eligible to vote are receiving voter registration applications in schools and they're sent automatically by the secretary of state to our schools. For over 35 years now, Texas law has required every public school and private high school in the state to distribute voter registration applications to eligible students at least twice each school year. So that's in current law. However, the data shows that only about a third or so of the schools have taken the first step toward compliance under the law, and this is due to the burden that's placed on our schools to request these voter applications from the secretary of state.

All this amendment does is place the responsibility on the secretary of state's office to automatically send these voter registration applications to our schools twice a year to fulfill the compliance with the law as it currently states. So this doesn't change current statute. It simply shifts the responsibility to the secretary of state's office. There's no cost to our public schools, no cost to the state to enact. This is an amendment that will help us ensure that our youth are being registered to vote, similar to what we heard from Representative Stephenson and Representative Murr earlier about how important it is that we educate our youth about voting. This is one of the ways that we can fulfill that responsibility to continue to support and promote a student's civic duty, especially for our youth who a majority of will become eligible to vote upon graduation from high school. So that is all this amendment does.

MURR: While Ms. Howard makes points with the process of trying to encourage young people as they become 18 years old to register to vote, I don't find that it fits the framework that we presented to you today regarding our election integrity and security bill. So I would oppose the amendment.

HOWARD: With all due respect, I do believe it's important that we make it easy to vote as we keep hearing that this bill is supposed to do, and one of the ways that we can do that is to ensure that our young people have access to ballots. We already have this law in place. It's just not being complied with due to the red tape involved. This just simplifies it and makes sure that our young people get the

applications so that they can register to vote and become citizens who are practicing their civic duty. I would urge your consideration of supporting this amendment.

[Amendment No. 18 failed of adoption by Record No. 20.]

[Amendment No. 19 by Goodwin was laid before the house.]

REPRESENTATIVE GOODWIN: I have been contacted by several constituents who are living abroad and are very concerned about the possibility of not being able to vote in the elections of their home country—the United States—and their home state of Texas. I'm sure some of you have constituents who are living abroad as well. Their concern stems from the recent passage of **SB 1111** during the regular session. That bill tightened up residence address requirements for voting by mail. It passed and is now law. The intent of the law, according to the author, is for voters with unusual circumstances, such as rural residents, full-time college students, and members of the military. The bill provides safeguards to ensure enfranchisement. For Americans living abroad, it can be very difficult to produce documents that are easy to get here in the United States. An unexpired driver's license or utility bill can be pretty hard to come by for someone who hasn't lived in the United States for a while. For this reason, the Texas Election Code has traditionally followed federal law in exempting members of the military, the merchant marine, their families, and Texans living abroad from having to document their last U.S. residence with this kind of paperwork. But **SB 1111** broke with that tradition. It exempted the military but none of those in the other categories. My amendment would just restore the typical exceptions for members of the merchant marine and their families and for Texans living abroad. I hope that you'll support it.

MURR: I appreciate Representative Goodwin's focus on military service voters and the fact that we do have folks that go into harm's way and, of course, change the status of where they're located in order to vote. I know in the past this body has considered numerous pieces of legislation to ensure that our military men and women have the opportunity to participate in our election process. Presently, the bill before you doesn't go into that area in express detail, and so I would respectfully oppose this amendment.

GOODWIN: Members, I want to clarify. This is actually not for military members but it's for people living abroad similarly to those in the military. The military members are already addressed in our Election Code. This just allows for people who are living abroad to be able to vote more easily.

[Amendment No. 19 failed of adoption by Record No. 21.]

[Amendment No. 20 by Slaton was laid before the house.]

SLATON: This amendment will create a time deadline of 72 hours, not including the weekends, where registrars, once they determine a person who is not eligible to vote either registered to vote or did vote, they have to deliver an affidavit stating relevant facts to the AG, secretary of state, and the county or district

attorney. That's all we're doing, just putting a timeline once they determine something was done wrong that they have to turn it in. I believe this is acceptable to the author.

[Amendment No. 20 was adopted by Record Vote No. 22.]

[Amendment No. 21 by Middleton was laid before the house.]

REPRESENTATIVE MIDDLETON: This amendment is acceptable to the house sponsor to **CSSB 1** and basically what it does is it fixes an issue that I have been discussing with my tax assessor who is our voter registrar in Galveston County. Essentially, the issue created is there is some ambiguity about the early voting ballot board and the signature verification committee about whether they will have access to the statewide computerized voter registration system. This amendment clarifies that but on the condition that the secretary of state adopts certain security measures and electronic data security measures in that data from the statewide voter registration system for being shared with county election officials, the early voting ballot board, and the signature verification committee. So it's subject to the rules for that data security that the secretary of state would implement. That's a change we made today on the recommendation of the secretary of state.

J. TURNER: I've just really had the chance to read this amendment here in the last few minutes so I'd like to make sure I do understand what you are doing here and what the implications are of it. So what you are doing by this amendment is giving new access to the state's complete voter registration database, correct?

MIDDLETON: Well, it's not necessarily new access because, for example, our county clerk in Galveston County said he already had plans regardless of this amendment to show the early voting ballot board teams data in order to verify, for example, voter ID on absentee ballots.

J. TURNER: Okay. Right now in statute, though, what's allowed is that a county election official has that access, correct?

MIDDLETON: Well, that's actually a change. That's not going into effect until September 1. Before, it said "any election official" and that changed in **HB 3107** this session. Of course, that occurred prior to **CSSB 1**, this bill being considered on this floor.

J. TURNER: You said something interesting there. So is it the case that we just recently passed legislation that actually limits the access to this data to a county election official and now we are going back and changing that?

MIDDLETON: No, it doesn't specifically limit it because there's a lot of debate about who that data can be shown to essentially. So there's a lot of division among voter registrars. For example, my county clerk in Galveston County says, I'm going to show that to the early voting ballot board. Others say, well, I don't know if I can do that. We don't have clarity in the law. That's what this does.

J. TURNER: Let's talk about how large a universe of people are we potentially dealing with when we talk about providing this access to members of signature verification committees and members of early voting ballot boards. Do you know, for instance, in your county how large a group of people would that be?

MIDDLETON: For example, the early voting ballot board as prescribed is the election judge plus two other members. It varies per county. For example, you don't have to have a signature verification committee. That's permissive. You don't have to have that. Some counties have it—most do, some don't. It's truly permissive.

J. TURNER: Do you know how large a group it is statewide potentially, the number of people that would be given this access?

MIDDLETON: No, but these are people that are already involved in our elections process. I'm not creating anything new here. This is really a clarification.

J. TURNER: You say here that the secretary of state would adopt rules to prevent people from "retaining or sharing personally identifying information obtained from this statewide" database.

MIDDLETON: Right.

J. TURNER: Obviously, that would be a concern. You don't want people obtaining information and sharing it or letting it get out, saved on some home computer or something, and then used in some way to harass people or something like that, correct?

MIDDLETON: Right. Correct, and that's why we put that in there. We had conversations with Keith Ingram, and he said we'd like to see something in there where we can adopt hard and fast rules that this information can't be shared. But I'd also like to point out Representative Clardy has an amendment that should be coming up on people's ability to retain notes and limit their ability to take that outside of wherever the early ballot board and signature verification committee is meeting. So that's also an important amendment to adopt in relation to this one.

J. TURNER: Okay. What I'm struggling to understand a little bit is how exactly are you going to make sure that all of these people statewide who are given instant access via the Internet—presumably through some kind of login, I guess, correct?—to have access to this data, how are we actually going to be sure that it doesn't get misused potentially with this larger group of people?

MIDDLETON: That's up to the implementation of our secretary of state.

J. TURNER: But can you think of a way they can ensure that? That's what I'm struggling with. I know we can say let's just let them figure it out, but I'm trying to see how are they actually going to do that? How are we going to be sure that the information isn't misused?

MIDDLETON: Okay, so one of the ideas that I've heard discussed—I mean, obviously, you'd want people maybe to take the cybersecurity training. That's an idea that has been discussed. Another one is perhaps there's a screen where their early voting ballot board is meeting, and as an absentee ballot comes up, it pops

up there the identifying information. They verify it, and then it goes away to the next one. So they don't get to retain anything. Ideas like that have been discussed, but of course, that's going to be up to the implementation.

J. TURNER: Just maybe one last question. Did this provision—has this been a part of any review in committee up to this point in time?

MIDDLETON: No, because it's changed. So this is a change in the law that occurred with **HB 3107**, so it's actually something that's come up recently. And there's been a lot of internal debate among elections administrators of how to interpret this, especially in light of this language in **CSSB 1** with the driver's license and social security number that has to be put on both the application to vote by mail and on the carrier envelope itself. So this is a new issue here.

J. TURNER: Okay. But with respect to this bill, though, **CSSB 1**, this provision has not been included in versions of the bill that have gone through committee, is that right?

MIDDLETON: Right.

J. TURNER: So we wouldn't have heard testimony about it?

MIDDLETON: Right.

J. TURNER: Okay. Well, I appreciate you answering my questions. I think I would feel more comfortable having this vetted in a committee process and making sure we understand it, but thank you for answering my questions.

REPRESENTATIVE CLARDY: Mr. Middleton, we talked about this briefly before you took the microphone. I know you've done a great deal of work and have talked with the secretary of state's office about it, but I still have some concerns about this amendment that I have not really been able to vet with you. One is, as I read, it's on line 12, paragraph (3). That's the information on the TEAMS, which is the master program or database that has all the personal information of every registered voter in the State of Texas—very specific, very personal, very private information—the program that the state has spent in the neighborhood of \$24 million to protect so it does not get hacked into because there is so much sensitive information. According to paragraph (3) the way it's written, any "member of a signature verification committee or . . . an early voting ballot board" will have access to that database. That's what this amendment does, correct?

MIDDLETON: Correct.

CLARDY: Again, I want our citizens who serve on these committees to have access to all the information they need to make a decision with the best information available on whether to count a ballot or not. I want them to have the specific, particularized information on that voter. And you want that as well, I believe?

MIDDLETON: Yes, I do. I think I understand what you're saying here. I did talk with my county clerk about this, and she said that the voter ID for absentee ballots, they didn't like. That language was not treated favorably by her

association, but the members of this body think it's very important to have voter ID for absentee ballots. Now, that's not going to work unless it can be implemented, right?

CLARDY: Well, it can work. And what I'm suggesting to you is we need an election official acting as a gatekeeper so that the information that is accessed, that is needed by the signature verification committee or the early voting ballot board, that they are provided that. But that there is a gatekeeper role is very important. To release complete access to these members—we're talking about, across the State of Texas, thousands of people who would have access to millions of people's personal information. If they need it on a particular voter to do their review, they can request that. Current practice is they will, within the courthouse, go to the clerk or the registrar—whatever the case may be—and get that information on this voter. And it happens quickly in that review process. I'm deeply concerned that we are opening a Pandora's box of information.

And I appreciate, Mr. Middleton, that you have talked to the secretary of state and they said you can't retain the information and you can't share the information. But it's simply the fact that we would allow access to this group of people, largely unvetted, who are serving a purpose but would have unique and really potentially dangerous information, personal information, of all citizens.

You know, we wig out every time we hear about a hospital or an insurance company that's been breached and they get access to information. This is the State of Texas. Those officials that control this are duty-bound and obligated to protect it. Now, we're going to just open up and pitch the keys to the digital information kingdom to a bunch of strangers across the state who may just be very curious about a neighbor or who want to check on their buddy, Joe, who they play dominoes with. We don't need to give them that temptation. They're good people, but we need to have control of this process and have a gatekeeper. I appreciate that you've worked on it, but I think this amendment goes much too far and puts the state at risk for surrendering that information of a citizen. Does my concern make sense to you, Mr. Middleton?

MIDDLETON: Well, I think there are two counterpoints to that. These are not just unvetted people. The county election board is the one that appoints the early voting ballot board, and that includes the county judge, the sheriff, the clerk, the voter registrar, and the county party chairs who are elected by the people. So no, I think we trust them to have good judgment, correct?

CLARDY: We would and we normally do. But again, it's a larger body of people that for the first time—and I know it's not just limited to those people. The early voting ballot board in some of the larger counties—I think I've talked to Representative Klick about this—they may have 40, 50 members in these larger counties. So it's going to go beyond that list of elected officials you just named. It will have others designated. And again, I'm not saying they're not good people, and I appreciate their service in doing this. But let's don't open Pandora's box or give them more access to more information than they need to do the job. Allow

them to request information, for that to be provided by a person who's authorized into the TEAM system, and not just surrender control of this valuable asset of the State of Texas.

MIDDLETON: Well, we're not surrendering control. The second important point here is we are opening Pandora's box if we do not adopt this, because of the gray created by **HB 3107**. There's a lot of ambiguity. And I have severe concerns that the voter ID that is in **CSSB 1** right now—where you enter the driver's license number, social security number, and if you haven't been issued either you can provide something else—cannot be implemented. Because what is that going to be verified against? Because that is the early voting ballot board that reviews that, so what are they going to compare that to? If, for example, they had an elections administrator or a clerk that said, I'm not going to give you access; it doesn't say that I have to do that—then what? Then they only compare the numbers.

CLARDY: And I think that's where some of this can be done through the rulemaking process, but it needs to be clear that the information will be available. I want the information to be available so that they can do their job with the provisions of **HB 3107**, but that does not mean we need to release full access to TEAMs. There is a way to do this where they can get it done. This is just overly broad in the number of people we're allowing access to. Again, we have spent \$24 million to secure the TEAM system to not allow people to hack in and get people's private information. This seems like we're wasting that if we pass this amendment.

[Amendment No. 21 was withdrawn.]

[Amendment No. 22 by Swanson was laid before the house.]

[Amendment No. 22 was withdrawn.]

[Amendment No. 23 by Perez was laid before the house.]

REPRESENTATIVE PEREZ: What this amendment does is simply allow voters to vote safely and securely from their vehicles through the drive-thru voting method. As COVID-19 cases continue to rise, drive-thru voting is necessary to allow for social distancing. All voting rules still apply when voting from a vehicle. The same voting machine and procedures are used as with walk-in voting, so it is just as secure. The Texas Election Code already provides an allowance for curbside voting only "if a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health." And that part I want to repeat—the "likelihood of injuring the voter's health." We need to protect our voters while also maintaining access to the ballot box. The Harris County early voting rosters indicated that 47 percent of voters who used drive-thru voting were white and 53 percent of voters were minorities. When broken down, 61.9 percent of those voters were women. Women could keep their kids in cars with them while they voted in the middle of a pandemic when child care was difficult to find. Not only do voters like drive-thru but it also makes voting more accessible for everyone. According to the *Texas Tribune*, 10 percent of Harris County in-person early voters cast their ballots at the county's 10 drive-thru locations. That's nearly 130,000 votes. According to



KHOU, a study by a professor at Rice University found that a majority of Harris County voters like drive-thru voting. In fact, 91 percent of those who voted by drive-thru, including the 86 percent democrats and 70 percent republicans, rated their experience as excellent.

During the last election, I voted by drive-thru. What I experienced felt very efficient, secure, and safe, all the way down to the finger sleeve I received. COVID-19 cases were quickly rising and, as we all know, people handle the pandemic very differently. Some people wear masks while others choose not to. Voting from my vehicle eliminated that concern for me. Even looking at statistics of drive-thru voters by generation, we can see valuable trends in usage, especially with our younger generations who we want to be more involved. For example, looking at the numbers, we can see that millennials actually voted in drive-thru voting—37.15 percent of them. In second place came Generation X with almost 30 percent, and then boomers followed in third place with 22.34 percent. We need to get rid of the antiquated ways of doing things and move into the 21st century. We've seen these things work well for all voters. This amendment would simply allow easier access for all voters while continuing to keep the integrity of our elections. Drive-thru voting should not be one of the restrictions within this bill, especially not during a pandemic.

ANCHIA: Thank you for bringing this amendment. We've heard a lot of discussion about drive-thru voting and how it was predominantly—or at least a majority of the users of drive-thru voting were—people of color. But you've raised an important point here that to my knowledge has not been discussed today which is the utilization by women of this. When I was discussing the motivations behind eliminating drive-thru voting in the midst of the deadliest pandemic in a hundred years, we talked about the disproportionate impact on people of color. But talk about the fact patterns of women, including yourself, who utilized this that were able to use drive-thru voting to keep themselves safe and their families safe.

PEREZ: Thank you very much for that question. It's been noted that for women, it was much easier for them to have their children in the backseat of the car instead of outside in the hot, humid weather that Houston and Harris County have every year. And it was much easier to keep them quiet, to keep them cool and comfortable, and also safe during the pandemic. So it was a good choice for women to make, and obviously, they utilized it over 60 percent.

ANCHIA: It's an important point that you made about the collapse of child care during the pandemic. You had, especially, a lot of smaller providers and affordable providers that had to go out of business because of spread that was occurring in those facilities and the need to shut them down to fight COVID. So with a lack of child care or with virtual school, women oftentimes had children with them. They needed to go vote and not leave their children alone and used this method of voting. Did you hear from anybody, because you're from Harris County, did you hear from anybody that said that this adversely impacted the secrecy of the ballot for them?

PEREZ: No. As a matter of fact, I think people felt that it was very secure. Even when I did it, as a female, I drove up, gave them my ID, they looked at it, made sure it was me, and gave me the box in order for me to vote. I voted and I gave it back and we were done. But I felt safe. I felt secure. I didn't have to worry whether somebody behind me or in front of me were wearing masks as I chose to do. The people that handed me the machine, they were fully wearing their PPE. So I felt very safe and secure and didn't once worry about whether or not I was contaminating them or they were contaminating me. So I thought it was a good choice.

ANCHIA: And I'm glad you walked us through that because you still proved who you were and showed photo identification, correct?

PEREZ: Absolutely.

ANCHIA: And in your case which one did you use, which photo ID?

PEREZ: I used my driver's license.

ANCHIA: You used your driver's license. So there was an election official that looked at you and looked at your driver's license and said this is Mary Ann Perez—Representative Mary Ann Perez—and then you were given an electronic device to vote. Is that right?

PEREZ: That's correct.

ANCHIA: And the only difference that occurred versus how you might regularly vote is that in one fact pattern, you might walk up to an electronic device and vote. And in this case, you drove up to the polling location, you were given an electronic device, and you voted. In both cases with photo identification—is that correct?

PEREZ: That's correct, and it was the exact same device that I've used previously when I go into the voting places and vote.

ANCHIA: And you represent about 175,000 or 180,000 constituents. Is that right?

PEREZ: That's correct.

ANCHIA: And some of your constituents in Harris County used this, correct?

PEREZ: Many of my voters utilized this form of voting.

ANCHIA: Did any of them complain about secrecy of the ballot to you?

PEREZ: No. No one ever complained.

ANCHIA: Did you hear any testimony from an independent group or from a voter that said somehow driving up and using an electronic device after proving your identity was any more or less secret than walking up and using an electronic device after proving your identity?

PEREZ: No, Chairman Anchia. I never got word from any constituent that told me that they felt their voting was less secure.

MURR: I appreciate the discussion that we're having regarding what I'm going to term as universal voting from your automobile. But removing this sentence from the bill, this provision would simply revert to the current state which some jurisdictions have interpreted allows for folks to vote from their automobiles without being eligible to do so. So currently right now, under curbside voting, you have to meet certain criteria in order to actually request to vote from your automobile. And across the State of Texas, we've all assumed that unless I had a physical issue of not being able to enter the polling place, I need to get in and go into a secure location, which is the polling place, and conduct the completion of my ballot in that location. The way the bill is structured, this sentence is important to that process. And I oppose the amendment.

ANCHIA: It dawned on me during your opposition to the bill that I wanted to have a further dialogue with you about this secrecy of the ballot objection that you raised earlier today related to this drive-thru voting. You said that we should A, have uniformity and then B, that there were concerns related to secrecy. Am I remembering your layout correctly?

MURR: I'm going to defer to you on that. I'm looking at the amendment before us.

ANCHIA: Okay. And this is an identical discussion to the one that we had earlier today, our prior dialogue. You talked about secrecy. When you were drafting the bill, did you think about keeping drive-thru voting for single occupant vehicles?

MURR: No, sir.

ANCHIA: Did you think about keeping drive-thru voting for women with minor children in the car?

MURR: No, sir.

ANCHIA: Did you think about drive-thru voting for people who may be related to each other within one degree of consanguinity?

MURR: I thought about Section 64.009, which provides that "if a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health, on the voter's request, an election officer shall deliver a ballot to the voter at the polling place entrance or curb." So I thought about the current curbside voting that is allowed under Texas law and protected under federal law.

ANCHIA: So you never considered a framework that might still protect the secrecy of the ballot and deal with that concern and at the same time allow people to do drive-thru voting outside of the already permitted curbside voting that exists in Texas law. Is that a fair assessment?

MURR: So your conclusion is that I didn't consider an overt expansion of Section 64.009, which is current curbside voting statute. Is that where we're—

ANCHIA: So I'll rephrase it just to make sure we're talking about the same thing. You did not consider any other vehicular voting other than what is currently permitted in state statute. Is that a fair assessment?

MURR: Let me answer it this way. I listened to witness testimony and certainly considered input from colleagues, from constituents, and from stakeholder groups about their concerns for and against being able to vote from your automobile or, as Texas refers to it, a motor vehicle. That being said, the language that is proposed to be deleted by this amendment explains very succinctly that Texas law allows you to vote from your motor vehicle only if it's approved for curbside voting, which is what we have.

ANCHIA: Just to restate the question, you did not consider any vehicular voting outside of what is current law? Just so I understand your response.

MURR: And I know where you're going with this. The answer is, I heard witness testimony and input, so therefore, I did consider methods that might be out there. That process was considered in the drafting of the bill, as you brought up, but we arrived upon this language that we're visiting about as far as the proposed amendment to—

ANCHIA: Very good. And in making that policy determination, what was persuasive to you in the, sort of, underlying precepts of the bill? Was it secrecy? Was it the reduction of the likelihood of fraud? Or was it voter access that you decided upon in making that policy determination that you were going to stick with this language?

MURR: I would say, for benefit of yours, not necessarily in equal proportions, all three of the topics that you mentioned, I think, were fairly considered. Promoting voter access requires a reflection upon current curbside voting, which was designed to provide access to the ballot for folks who clearly, as what I read to you earlier, have some issue with actually entering the polling place. Protecting the secrecy of the ballot goes to the fact that the ballot is leaving the polling location and coming to an automobile that may or may not have other occupants. And then, finally—

ANCHIA: Let's talk about that point, if you don't mind.

MURR: Well, if you'll let me finish this one sentence.

ANCHIA: Because the other occupants—secrecy is important, but you could have limited what Harris County did to people in single occupant vehicles or you could have limited what Harris County did to women or parents with underage children who are not eligible to vote. But you didn't do that. You drew the bright line, the policy line, at current law, right? And so what I'm trying to understand is which of the themes, which of the underlying precepts that you articulated as being the reasons for this bill, caused you to stop at current law and not create any other exceptions?

MURR: I've just told you. I think that all of the concepts that are contained in the legislative intent play a role in making that determination, including the concepts that you mentioned—the reduction of the likelihood of fraud, protecting the secrecy of the ballot, and promoting voter access. So that requires an analysis of current law and also of proposals to change that law or interpretations from other jurisdictions of what current law is or they want it to be.

ANCHIA: Do you believe current law versus the universal, as you put it, voting from a vehicle creates more or less access to voters?

MURR: I'm not necessarily going to try to weigh in on which one is going to answer that question. I think that current law takes into consideration voter access if they have a disability and they are unable to physically enter into the location where the ballot is cast. That being said, a big portion of this bill, which is not part of this amendment, has to do with the voter's ability to vote by mail, which Texas offers as an alternative if you're eligible for that as well. Some of the eligibility requirements to vote by mail clearly fall into a category which may also apply for curbside voting. Does that make sense?

ANCHIA: It does make sense for other portions of the bill, but specifically with respect to vehicular voting, as Harris County did, I'm still unclear in your answer. Do you believe that limiting vehicular voting to only what exists in current law creates more access to the franchise, to the ballot?

MURR: I believe that the interpretation of some local jurisdictions to expand what's currently in statute was not the intent of the legislature and statute, and I think the sentence that's referenced in Representative Perez's amendment here clarifies that for local jurisdictions.

ANCHIA: So in terms of access and voting from one's vehicle that Representative Perez talked extensively about—it was used by women, it was used by people of color, it was used by women with children—why the absolute ban and not a narrowly tailored approach that would still have permitted this for people who found it—republicans and democrats and independents—who found it very, very convenient and gave them more access to the ballot especially during a time of pandemic?

MURR: You speak in terms of a ban, but we're simply talking about the current state of law in the Election Code in Texas.

ANCHIA: If you say you never can do it again, that's a ban in my book. Is it not in yours?

MURR: I have explained to you that I believe that was an incorrect interpretation of some jurisdictions of the current Election Code.

ANCHIA: So they are prohibited on a go-forward basis, correct?

MURR: This sentence would ensure clarity in interpreting that you can vote from a motor vehicle pursuant to the curbside voting statute.

ANCHIA: I understand. We're not mincing words. Prohibiting on a go-forward basis is banning it. Am I correct again?

MURR: I will let you make that determination.

ANCHIA: But you will refuse to make that conclusion?

MURR: You are making your own conclusion there, and I'm not arguing against your conclusion.

ANCHIA: I'm asking a question that you are trying to avoid, but be that as it may, it is still unclear to me, in drawing the policy line where you drew it, how that is in furtherance of secrecy of the ballot when you could have made other choices that would have promoted ballot access and still allowed for secrecy of the ballot, especially in times of a pandemic. And that's what I'm still unclear about with your answers. Finally, did you ever think about creating an exception that would have permitted what Harris County did in times of an emergency, including a deadly pandemic, on a go-forward basis?

MURR: I believe that some stakeholders, witnesses, and other interested parties discussed what ideas might need to be considered and, I believe, the concepts of where do we go as far as the future of being able to vote from a motor vehicle would be. But at the end result, I arrived at the sentence that we're talking about today. So you asked did I consider that? Yes, I heard information, opinion, et cetera.

ANCHIA: And why did you discard it? Why did you arrive at this decision and discard permitting this during emergencies and pandemics?

MURR: Because I think the current law has been successful, for the most part, across 254 counties since 1985. It was last amended in 1997, which tells me that current policy seems to work for curbside voting.

ANCHIA: And I think what Representative Perez is saying is that this worked for Harris County, which is a very unique county, the largest county in the state. And it sounds to me that your conclusion was, we do it this way, let's keep doing it this way, and did not really offer a policy justification otherwise other than you think this is successful and this is the only way you should do it. Do I hear that right?

PEREZ: I hope each of you will consider keeping this method of drive-thru voting in Texas, whether it's in a different form where you must be in a car by yourself to do this. And I'm probably going to file that amendment as soon as I get done here in hopes that Chairman Murr will accept it. As mentioned, there are many benefits to drive-thru voting. We want to ensure that all eligible voters have access to the ballot box while maintaining safe and secure elections, and that's something that I think that both sides want.

[Amendment No. 23 failed of adoption by Record No. 23.]

[Amendment No. 24 by Dutton was laid before the house.]

DUTTON: This is a republican amendment and a democratic amendment because what it does is it is permissive, first of all. But it says on Election Day, the governor can make it a state holiday. The county can make it a county holiday. And the city can make it a municipal holiday. That, I think, creates an opportunity for people to go to the polls and vote. When I met with Mr. Murr, I explained that to him, and he was kind enough to tell me he thought that in his county they did this anyway. I offer this amendment because I think it would be a great idea for us to make sure that everybody had an opportunity to go vote. And I know some of the things that are being taken out now are done because Harris County did them.

Harris County did them in the spirit of trying to accommodate the pandemic we were in, but this doesn't do that. What this does is simply says that the governor, the county government, and the city government—if they elect, if they want to—will have the opportunity to make it a state holiday. So that's the spirit of this amendment. I hope you'll stay with the amendment because I realize sometime today we're going to get to the point where you have to think about an amendment, and this is that time.

MURR: I enjoyed the opportunity to visit with Chairman Dutton in his office. We spent several hours talking about various concepts, including this concept, and he made a very eloquent point with it. And I make a counterpoint when we talk about holidays and the opportunity to vote. There is not a prohibition against local governments selecting their holiday schedule. I can tell you even in my own jurisdiction, in my years of service as a county judge, Election Day was and typically is a county holiday. The primary reason was out of necessity because a voting location was the courthouse, and we needed to clear out the courthouse in order to make room for the election workers and the election process. The ability to have some holidays—that does exist at the local level. There is not a prohibition against that. In addition, the concept of having two weeks of early voting followed by an Election Day that runs from 7 a.m. to 7 p.m., combined with the fact that this bill has language in it to protect an employee from getting off work by an employer during the two weeks of early voting, is vital. I think it undercuts the necessity of having a holiday. Therefore, respectfully, I would oppose the amendment.

M. GONZÁLEZ: I really appreciate you having a conversation with us on every single amendment, so thank you for that. Here's where I'm struggling a little bit with the inconsistencies. Part of the conversation regarding this bill is we want things to be equal and uniform across the state. That's why you're saying we can't have 24-hour voting. So if you're saying locals can do a voting holiday, if one of the arguments for this bill is consistency across the state, isn't that contradictory?

MURR: We cite uniformity and consistency in the application of the Election Code. But at the same time, if you look at provisions contained herein, we oftentimes provide flexibility to our local jurisdictions to make adjustments that fit the needs of their constituents as well as the ability to staff elections.

M. GONZÁLEZ: That is exactly the argument to allow for 24-hour voting. So I think that's why I'm having a struggle with you opposing this amendment. Because if we're saying let's put in consistency and uniformity, what Chairman Dutton's trying to do is consistency and uniformity.

MURR: Well, let me go back to the point of what I foresee as the purpose of a holiday. The purpose of a holiday is to give folks time to go vote. But we have adjusted times within the legislation before us to ensure ample amount of time in the two weeks and the weekend of early voting, along with 7 a.m. to 7 p.m. on Election Day, combined with the fact that current state law protects an employee taking off work to go vote on Election Day. And this bill has provisions contained

in it to protect an employee taking off work to go vote during the early voting period, combined with the fact of an additional provision that if they arrive a little late and they stand in line after the poll closes during early voting, they have the opportunity to stay there and be able to vote. I guess I go back to the point that I don't know that I identify an essential need to take and declare a holiday so that everybody can go vote because we've afforded so many opportunities for them to do that under the current framework that we have in the law and in the legislation.

M. GONZÁLEZ: I think the holiday is more than just voting. It is creating a teachable moment for our young people. Why do mom and dad have this day off? It is creating an awareness of our democratic process. It is encouraging families to go together. In fact, all of the concerns, or a lot of the concerns that we have been bringing up the whole entire day, would be remedied by Chairman Dutton's amendment. So I really appreciate your opposition—well, I don't appreciate your opposition. I hear your opposition. I think that I struggle with the inconsistencies of the arguments for not accepting the amendments.

DUTTON: Somebody texted me and said, Representative Dutton, why do you have this amendment? You should title this amendment the Incumbent Reelection Act because if we vote for it, people will like us. Well, I don't know whether they'll like us or not, but what I do know is this. If we have an Election Day—and we have all kinds of election days. I mean, we have an election day for confederate heroes. I'm not sure what that means or what you do on that day. But I know if we have an election holiday, what you're going to do is go vote. And it seems to me that would be the best of all worlds in a democracy where voting is the underpinning of everything related to that democracy. I told you earlier that Texas is fifth from the bottom in voter participation out of 50 states. And that is a tragedy, members. That's going to lead us down a road to where—I'll tell you what somebody else said to me in a text. They said, well, the reason we have low voter turnout is so that we can have a legislature like you all. I said, what? They said, well, if we get more people to vote, we are far more secure in the things that we do in this legislature, far more secure in the things that we have to consider. Because what we have to consider is when we make laws, they are for all Texans. They are for everybody in Texas, and yet everybody in Texas doesn't participate.

What this amendment does is allows that participation. And I think you heard the conversation between Representative González and Chairman Murr. Chairman Murr says that in his county, they already do this. They already do this. They already let people off to go and vote. You heard Representative González talk about the inconsistencies of not letting every county do that if we want to make sure that what we're doing in this bill is we're ensuring that we have everybody doing the same thing, everybody on the same plate. Now, I didn't have an amendment that said counties couldn't do it because that would hurt his county. Because I think his county doing it is a good thing. But I think if every county has the opportunity to do it, it makes it even better. And what this amendment does—it doesn't require a county to do anything. It doesn't require the governor to do anything. It doesn't require a municipality to do anything. But what it does is says that to the extent that they'd like to have that as a holiday, Election Day, it will happen. And so I appreciate the fact that you're thinking this.



I hope you're thinking about it and not deciding that well, I'm going to draw the line at republican or democrat. Because that's not what this is about. When we come here, we come here to do things for all of Texas. And today, what this amendment does is it makes it better for voting time for all of Texas. And I appreciate you for this amendment.

[Amendment No. 24 failed of adoption by Record No. 24.]

[Amendment No. 25 by Dutton was laid before the house.]

DUTTON: If you didn't like the last amendment, you'll hate this one. One of the things that occurred to me, that I got a call about, was from an inmate in the Harris County jail who was registered to vote but they couldn't afford the bond, the bail, to get out. So on Election Day, I called the sheriff and I said, well, can you figure out some way he can go vote? Because he hadn't been convicted of anything. He was just in jail and couldn't vote. So what this amendment does is tries to say that a person in a jail will have an opportunity to go and vote on Election Day if they're eligible to vote, which means they have to be registered. There's certain constitutional rights that a person in jail loses. But the Supreme Court has said that the Eighth Amendment, which limits cruel and unusual punishment—they still maintain that one. And I think it's cruel and unusual to have somebody in jail who is eligible to vote but we simply don't let them vote. It would be easy to correct because what it would do is allow the county jail to actually be a polling place. The Harris County jail is in my district. There are 7,000 people in the Harris County jail on Election Day who can vote. And certainly somebody said to me, well, couldn't they use mail-in ballot? Well, most of the time, the turnover rate is so high, that they are not there by the time they would get the mail-in ballot back, so it doesn't really work. So the county jail would have to be a polling place in order for that person to vote. Again, I ask you—and this is not republican or democrat because I assume they have as many republicans in jail as they have democrats.

MURR: I appreciate Chairman Dutton's sincerity when he talks about creating additional opportunities for folks to vote. In reviewing this—and I know you've looked at this, creating a county jail as a polling place, even though it may be limited—I will point out that under the eligibility requirements to apply to vote by mail, Texas law already expressly provides an opportunity for someone who is confined in jail and eligible to vote to vote by mail. So we've created an opportunity where they're able to do that, and consequently, I would respectfully oppose the amendment.

DUTTON: Let me respond to Mr. Murr's objection this way. What it does on paper is gives the opportunity for the person to vote. In practicality, though, what happens is as I mentioned earlier. People get out before that 30 days, before they can get the mail-in ballot back. And sometimes they get arrested within 15 days of the election, for example. That person wouldn't have an opportunity. You have to have been there at least 30 days prior to an election to perfect somehow or another getting the mail-in ballot back. And I know you don't like this amendment. And certainly, I just hope that—at some point, there were lawyers

who I think were looking at this trying to decide whether or not to actually file a lawsuit against the State of Texas because we were prohibiting this group of people from actually voting. And our Texas Constitution says that we can't do anything that would actually prevent a person from voting. So if you do that, I think you're violating not only the Eighth Amendment but you're also violating the Texas Constitution. So I would ask you to vote for the amendment.

[Amendment No. 25 failed of adoption by Record No. 25.]

[Amendment No. 26 by Zwiener was laid before the house.]

ZWIENER: This is a very straightforward amendment that will allow our Texas university students to use their identification card from their public university, college, or community college to vote in Texas. In the State of Texas, young voters face many obstacles obtaining or keeping a correct form of ID when going to vote, which makes them less likely to even participate in the process at all. More and more, we are seeing students delay getting their driver's license or a passport, and this makes it difficult for them to access the process. I personally have seen students at Texas State University turned away from the polls because they do not have an acceptable form of identification on them. In addition to students who don't possess a driver's license or a passport or a handgun license, many students don't carry those forms of ID with them day to day because they don't need them on campus. They are walking to and from various locations and may be voting directly on campus. We don't want our young people turned away. We want them to participate. Student IDs establish who someone is, which is the goal of voter identification.

ANCHIA: Our public universities are government entities, are they not?

ZWIENER: They are, and anyone who has filled out the FAFSA in the last 15 or so years knows that they know exactly who we are.

ANCHIA: And they verify the identity of their students before they issue IDs, correct?

ZWIENER: They do.

ANCHIA: And oftentimes, that occurs through a police department on campus. Is that right?

ZWIENER: That is accurate.

ANCHIA: I don't know how Texas State does it, but when I was in college at a private university, the police department issued IDs, and if you ever lost your ID, you had to go back to the police department—on-campus police department—and get it renewed. Is that how it happens at the public universities that you're aware of?

ZWIENER: Yes, it is. These are very secure.

ANCHIA: So government entity, usually a law enforcement entity that is providing the IDs—and to be clear, for people who may not understand the Texas photo ID law, you can have a concealed handgun license that will serve as an ID to vote but you cannot have a student ID, correct?

ZWIENER: That is correct. The forms of ID we are willing to accept here in Texas are very arbitrary, and we need to expand them to make sure that we are covering all Texans.

ANCHIA: And you can't use an out-of-state driver's license to vote, correct?

ZWIENER: Correct. And that is one barrier for many students who have moved here from elsewhere. If you arrive here in September to attend university, it's very hectic your first semester. You may not go through the steps of obtaining a Texas driver's license before that first Election Day where you can vote in November.

ANCHIA: So you're 18 years old, your identity has been verified by the university, you're issued an ID, you may have an out-of-state driver's license because you don't know where you're going to end up with a job or where you may go to graduate school, maybe here maybe not—but you still have a First Amendment right to vote, do you not?

ZWIENER: Absolutely. The Supreme Court has confirmed that university students can vote at the location where they go to school and live.

ANCHIA: And under current Texas law, even though you have an out-of-state driver's license that confirms your identity issued by a government and an in-state student photo ID issued by a government entity, even with those two forms of ID plus your voter registration certificate on campus, you would not be permitted to vote a regular ballot in Texas. Is that correct?

ZWIENER: That is correct. You would generally be directed to a provisional ballot and then have the chance to try and cure that by bringing an ID to the polls later.

ANCHIA: I have observed this case where my former chief of staff had an out-of-state driver's license, had her identification from the university, had her photo identification from the Capitol that got her in and out of the Texas Capitol—all of those things with her—plus her voter registration certificate, and she was turned away from voting in an election. Tell me a little bit about what you hear from the students at Texas State who are in a similar situation.

ZWIENER: What I see is students every single day on campus walk into the voting location, often after waiting in line for a long period of time, and discover they don't have the correct form of identification. Often, they do show up with their voter registration certificate and their student ID believing that's enough. And then they have to decide whether or not they believe they qualify for a reasonable impediment, whether or not they want to try and travel back to their dorm to see if they have any of the acceptable forms of ID, or if they want to cast a provisional ballot and try to correct it later, or perhaps determine that they just don't have a way to vote. What I don't want is I don't want people's first experience with voting to be being told they're not wanted. We have lots of research that shows that people who begin voting young become lifelong voters, and that's what we want. We want active participation in our democracy. Our

student IDs are secure. We know who they are. They are often secure enough for students to use them to pay for things on campus. And they affirm what voter ID is supposed to affirm—who the student is.

ANCHIA: And a photo ID from a university is good enough to open up a bank account, correct?

ZWIENER: Yes.

ANCHIA: And good enough to get on a plane and be screened by TSA. Is that correct?

ZWIENER: I am not advised on that.

ANCHIA: It is correct. In fact, even a high school ID will let you get on a plane. And it's good enough to engage in any other sort of adult transactions that you might engage in as a college student, right?

ZWIENER: Yes, they are used frequently.

ANCHIA: Cashing a check, furnishing identification to a law enforcement officer, et cetera.

ZWIENER: Yes, and Texas is one of only seven states that both has a strict voter ID law that doesn't include this ability for students to use a state-issued ID from their institution of higher education.

ANCHIA: And it blows people's mind when you tell people that you can use a gun license and you can't use a photo ID issued by a government entity which is the state university. It just doesn't make sense to them. It leads to conclusions about what the motivation of that law really is about.

ZWIENER: It's wild to me because one of the most common things I hear from folks is, well, why can't they have a driver's license? But I have never heard somebody say, "well, why can't they have a driver's license" about concealed handgun licenses being used for voter identification. That selective application of that logic does lead to some really unfortunate conclusions about the motivations behind this.

ANCHIA: It is also a true statement that not every 18-year-old will drive and not every 18-year-old will have a driver's license. Nobody is forced to have a driver's license. Is that correct?

ZWIENER: Of course. Driving is something that many people choose to do, but we are seeing more folks delay starting to drive, particularly folks who come from a larger city that may be walkable or have public transportation.

ANCHIA: And some young people just don't want to drive. They have no desire to do so. But that should not abridge their First Amendment right or their constitutional right to vote.

ZWIENER: Absolutely. Everybody deserves access to the ballot box if they are an eligible voter here in Texas. And I will note, because this is brought up a lot, the purpose of voter identification is not to determine eligibility. Most of our other forms of voter ID do not prove citizenship. They do not prove residency. They are simply used to prove who you are.

MURR: I appreciate the zest that Representative Zwiener brings to the conversation about trying to expand forms of identification. What I will point out to the body is that in the discussions that we had for identification to be used for mail-in ballot purposes, it mirrors what we already require for in-person voting. And to that degree, the State of Texas also makes available a personal identification card issued to the person by the Department of Public Safety if they decide they need one. So you don't necessarily just have to have a driver's license in order to do it. We have gone to great lengths to make sure that forms of appropriate ID are available to our voters, and so therefore, I would oppose the amendment.

ZWIENER: We don't tell people who hold handgun licenses that there are other options available to them and therefore they should go get a driver's license or an election ID. We don't tell members of our military that their ID isn't good enough and they should get a driver's license or go get a special election ID. We make these options available because those forms of identification are secure and meet the purpose they are intended for. Student IDs from our state institutions are the same. This makes sense. I will also mention that this language actually passed out of the Elections Committee during the regular session and was set on the house calendar, unfortunately, too late for a vote. So I hope to see bipartisan support for this. I hope that you will all support young people in Texas having fair access to the ballot box.

[Amendment No. 26 failed of adoption by Record No. 26.]

[Amendment No. 27 by Bucy was laid before the house.]

BUCY: Members, there's been lots and lots of talk, social media, and press around voter ID and how we all support voter ID, and this is an opportunity for us to prove it. We've heard that it's bipartisan. This amendment simply allows college student IDs, IDs issued by a state agency, and tribal IDs or documents to be added to the list of approved IDs under the voter ID rules. This is something that many states do. I've heard y'all talk about your support of voter ID, and so this will help us continue to grow that program of what's approved in this state. I hope you'll join me in voting for it.

MURR: Representative Bucy certainly rolls up his sleeves and works on policy, and I respect the efforts that he tries to bring to the table when we have discussions about making sure that folks have the opportunity to vote. Again, I go back to the concepts that are in the bill before you. They include providing the identical requirements that we have for in-person voting for our ballot by mail. That's where we are. They don't necessarily look to expand the list, and so I certainly oppose the amendment.

ZWIENER: Representative Bucy, do we currently accept any forms of federal identification for voting in Texas?

BUCY: Yes, you can use your passport.

ZWIENER: Yes. Can you think of a good reason why we allow folks to use their passport or their military identification and not their tribal ID?

BUCY: No, I can't think of a reason why we wouldn't accept any of these IDs which are done through trusted outlets. These are IDs that help identify who you are, which is the purpose. We're talking about student IDs, University of Texas ID, A&M University ID, tribal IDs. I just don't know why we wouldn't want to do that. The point of the ID, as I've been told, is to verify who the voter is. These are secure ID systems that would do the same thing. And I've heard over and over, even though this bill—and I agree with Chairman Murr—wasn't about voter ID, we hear that narrative in the press all the time and how so many members here support voter ID. This is one more way to continue to support it. Let's use our Texas A&M ID to vote.

ZWIENER: As you said, this bill as it stands is really not about voter identification despite a lot of confusion from the public. Texas already has one of the strictest voter ID laws on the books. Do you think this body should help the public out by making them right about this and accepting your amendment so this bill is about voter ID?

BUCY: This would do that. If we put this amendment on, then this bill will deal with voter ID once and for all. So I hope we'll adopt it. If you believe in voter ID, this just adds to that same narrative to let people vote.

[Amendment No. 27 failed of adoption by Record No. 27.]

[Amendment No. 28 by Neave was laid before the house.]

REPRESENTATIVE NEAVE: The COVID-19 pandemic changed the way we live, the way we work, the way we function as a society, and our communities were hit hard not just last year but this year. Today, August 26, 2021, we are now in the fourth wave of COVID cases in Texas. Our seven-day rolling average of new COVID cases in Texas is 17,022, which is nearly as high as we've ever reached during the pandemic. As of yesterday, we've had another new 18,826 confirmed cases of COVID per the Texas Department of State Health Services. In North Texas, my area, we have only 68 available ICU beds in the North Texas region, a region that has millions of our fellow Texas residents. We had only two ICU beds in my county, Dallas County, for children. And we know the delta variant has delayed our return to normalcy. As we debate this legislation that will impact elections for years to come, we do so without knowing what new variant may be circulating in the air next year. But what we do know as lawmakers is that we have a duty, a responsibility, to do what we can to protect our fellow Texans not just from this ravaging disease but by protecting the fundamental freedom to vote of millions of our fellow Texans whether they have COVID or not.

So here's what the amendment does. If a person is "presenting symptoms associated with the 2019 novel coronavirus disease (COVID-19)" then it would allow that individual with COVID to vote curbside. This amendment would benefit our state in two ways. First, it would protect our fellow Texan voters who are showing up to the polls and the election workers that don't have COVID by reducing their exposure to voters with COVID. Second, it would ensure that an individual with COVID would still be able to vote. Members, I'm asking you to vote yes because we do this for our own Texas House of Representatives. If one of us on the floor contracts COVID, in that corner right there we have a room, the speaker's room, where an individual with COVID can vote. We do that in order to protect their safety and in order to protect our own public health and safety. So we extend this voting protection to ourselves, to our COVID-positive members, and this amendment will follow that precedent that we set for ourselves and allow Texans with COVID to safely vote without infecting other Texans. What's good for the goose is good for the gander.

MURR: I understand this topic and the concept of perhaps expressly stating in statute something related to the COVID-19 pandemic. I'll simply point out right now that the ability for curbside voting is already available and has been enjoyed since 1985. It expressly states that "if a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health, on the voter's request" they can engage in curbside voting. In addition to that, I'd point out that under Texas law, if you are eligible, you can request an application to vote by mail. We have had extensive discussions about the bandwidth and the breadth of that. I believe that the opportunities exist for someone to vote and I don't think this change is necessary. And so I would oppose the amendment.

ZWIENER: I'm a little confused here. What in current statute would allow someone who woke up with a fever on Election Day to still cast their ballot without worrying about exposing people inside a polling place?

MURR: Your scenario is very narrow in its proposed fact pattern.

ZWIENER: I believe my scenario very closely matches the proposed amendment which says someone who has symptoms of COVID-19. Fever is one of the key symptoms involved and often an early one. It's something that, theoretically, the voter can still walk. They are able to enter. And it's less about them injuring themselves and more about them potentially injuring others.

MURR: I think that in your fact pattern you could apply that scenario to a long list of other ailments if you wake up with a fever on Election Day and have an illness or ailment that is not COVID-19. So I would point to the fact that in your very narrow scope, if you're talking only Election Day and you're not talking any advance notice to be able to vote by mail, which does take into account sick or disabled folks, then this amendment doesn't even begin to cover a list of ailments based solely on having a fever on Election Day.

ZWIENER: The amendment, if I'm reading it correctly, is symptoms consistent with COVID-19, not a positive test.

MURR: I understand.

ZWIENER: So do you see a good option for voters potentially waiting on a test to come back? Is their choice to either risk the health of their community and potentially spread a disease that has caused this pandemic, cost the lives of over 50,000 Texans, or give up their right to vote?

MURR: Well, in addition, you overlook the fact that Texas affords voting Texans two weeks of early voting. The bill expands available hours and articulates what those might be. The bill provides protections for employees from employers and affords them every opportunity to take advantage of early voting instead of waiting until Election Day.

ZWIENER: So what I am hearing is that you don't currently see a remedy for that particular fact pattern that I laid out.

MURR: What I'm telling you is that Texas affords an immense amount of opportunity to vote.

REPRESENTATIVE ROSENTHAL: I'd like to follow up just a little bit on the conversation you all were just having about a voter who has symptoms of any communicable disease. Would you be open to an amendment that allows a voter to request the curbside service if they present a health hazard to the people who are in the voting location, not just for them? So the way it reads now is if it would present harm to them, they can ask. What if they are concerned about the health and safety of the people who are working in the polling location and also the other people who are voting?

MURR: I'm always open-minded to ideas, suggestions, and input from my colleagues. I'm happy to visit with you about that. That's not something any of my colleagues have approached me with recently in the last called session or this called session about that particular concept.

ROSENTHAL: Would you be open to amending this amendment here? So instead of saying "COVID-19," how about "exhibiting symptoms of any communicable disease"?

MURR: Not at this time.

ROSENTHAL: I have to ask why. Why not?

MURR: But I'm happy to have additional discussions on the concepts.

ROSENTHAL: I'm asking why would you be opposed to inserting a protection for the health and safety of the people who are inside the polling location?

MURR: And I'm happy to visit with you about it. But as far as that goes, it's been brought up but hasn't been discussed by any of the colleagues here. We've had hours and hours of hearing testimony in which witnesses, expert witnesses, and resource witnesses from state agencies have come and spoken. And I just reminded the gentlewoman of the fact that Texas affords liberal opportunities for folks to vote by mail and to vote early before Election Day.



ROSENTHAL: Even so, vote by mail I wouldn't consider a remedy for this. Voting early—we're talking about voting early. Again, you said nobody has approached you about it. I'm approaching you about it now.

MURR: I appreciate that and I'll remind you it's not my amendment. You'll have to talk to the gentlelady.

ROSENTHAL: I'm asking you if you'd be open to it.

MURR: And I have told you already that we can have that conversation. My door is open but no, not at this moment.

NEAVE: I want to address two things that Chairman Murr stated. He said that we have liberal laws that would allow a voter with COVID, that's COVID-positive, to vote curbside. Here's what the statute actually says, Section 64.009(a): You have to be "physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health." We know that there are people, individuals, who have COVID who may have symptoms like loss of taste, fever, or other symptoms that are contagious. They're COVID-positive and they can walk. You can physically walk into the polling location. So that COVID-positive voter would not fit under the language of Section 64.009 of the Election Code. So you could not vote curbside in that circumstance. Second, he also stated that you can vote by mail. We saw during the pandemic article after article, discussion after discussion, disputes about whether you could actually do that, whether you could vote by mail. We saw objections to that. We saw attempts left and right to curb the ability to vote by mail if you were COVID-positive. This amendment will address that. We do it for ourselves in order to protect ourselves from each other who are COVID-positive. Our fellow Texans should have that same exact right to be able to vote curbside if they are COVID-positive.

ZWIENER: Thank you so much, Representative Neave, for bringing this amendment. I know Representative Murr and I were talking about a particular fact pattern. But my understanding is that currently if somebody tests positive for COVID, they are supposed to isolate for 10 whole days. Is that your understanding?

NEAVE: That's my understanding.

ZWIENER: So I think my math is correct. If somebody showed up to vote on the second Monday of early voting, they theoretically should be isolating and avoiding everybody else through Election Day. Is that correct?

NEAVE: Right. We see left and right how especially the delta variant is very contagious. We don't want voters who are in there in good faith—mask or no mask, vaccinated or not vaccinated—to be exposed to somebody who is COVID-positive and exhibiting these symptoms. So that's what this would do. It would protect the voters in the polling location as well as the voters that are COVID-positive.

ZWIENER: If you were to, say, find out you had COVID or start exhibiting symptoms on that second Monday of early voting, is that time to request a ballot by mail?

NEAVE: I don't recall off the top of my head what the exact deadlines are to request a ballot by mail, but I would think that probably not.

ZWIENER: I would tend to agree with you. A little more personally, I mean, six months ago, did you imagine we would be here talking about the delta variant and seeing our understanding of this pandemic turned on its head by breakthrough cases?

NEAVE: I think so many of us were seeing the numbers decline and our economy getting back on track. We were walking around maskless because of the increased numbers of vaccinations. And as the delta variant hit, it created this new spike and new wave of COVID cases that we did not expect. So we just don't know what we're going to be facing in a few months for the primary election and the general election next year and elections for years to come.

ZWIENER: Other sections of this bill prevent our counties from taking steps they took last election to try and stem the spread of COVID-19 and keep their voters safe. Is that correct?

NEAVE: That's right.

ZWIENER: Given what we have in this bill, how important do you think it is that we keep our options open for 2022 to keep our constituents safe?

NEAVE: This is of utmost importance to prevent the spread of COVID within the polling locations, to prevent the spread of COVID when people are outside in line waiting to vote, sometimes with their kids and their families. This amendment will do that, and I hope that our colleagues will vote yes on this amendment.

ZWIENER: Do you know where we are going to be with the COVID pandemic in March 2022 or November 2022?

NEAVE: Do I know where I'm going to be?

ZWIENER: Where we as a state are going to be?

NEAVE: Oh, we don't. We don't. And that's why we're trying to do what we can to protect our fellow Texans and voters from COVID.

ZWIENER: Thank you so much for trying to keep our options open.

REPRESENTATIVE SCHAEFER: Do you believe a person who has COVID symptoms should quarantine?

NEAVE: I believe that a person should follow whatever the CDC recommendations are, whether that's quarantining or not being near other people.

SCHAEFER: So I think that that's a good reason to vote against your amendment.

NEAVE: It's actually not, Representative, because an individual we know who is sick, who is exhibiting symptoms—this is about protecting our fellow voters. There are ways and steps that individuals can do, being six feet apart or otherwise, in order to protect themselves. So this is to protect our fellow voters and individuals with COVID.

HOWARD: I just want to clarify what happens because I'm one of those that had to isolate for 10 days and I didn't have symptoms. In terms of quarantining, isolating, whichever word you want to use, is it not correct that you can isolate and you can get to your car, you can drive somewhere with a mask on, have the window rolled down, have somebody stick something through the window, you stick it back out, and that follows the CDC guidelines just fine, does it not?

NEAVE: Yes, I believe so. We wouldn't want an individual with COVID to not have that ability to vote just because they have COVID.

HOWARD: COVID is not so great to have but you certainly shouldn't lose your right to vote because you had COVID. And because we know we've had to deal with this, as you've been pointing out, for so long and we do not know what the future holds, we need to make sure that Texans have access to the vote even if they have COVID. Would you not agree?

NEAVE: Yes, I agree.

[Amendment No. 28 failed of adoption by Record No. 28.]

[Amendment No. 29 by Klick was laid before the house.]

REPRESENTATIVE KLICK: Members, this amendment is just a simple transparency amendment, and it says that any electronic device that's used to count votes must be equipped with software tracking all activity on the device. The data must be reported to the secretary of state within five days after voting is complete. The equipment that they have now already has the software on it, so there should not be any cost involved. This amendment is acceptable to the author.

S. THOMPSON: Stephanie, I didn't catch the beginning of your statement. If it wouldn't be too much, would you repeat that?

KLICK: In most of the tabulation equipment in an election, they have keystroke auditing devices so that they can do audit logs. They've already got that installed on their equipment. This just says within five days of the election that a copy of those logs goes to the secretary of state.

[Amendment No. 29 was adopted.]

[Amendment No. 30 by Slaton was laid before the house.]

SLATON: This amendment requires the secretary of state to conduct an audit of the election in four randomly selected counties after each regularly scheduled November general election. Conducting randomized audits will help bring confidence in our election and will further the goal of making it easier to vote and harder to cheat. And if we find any problems during the random audits, we can immediately fix those problems for the next election.

BUCY: Mr. Slaton, could you explain to me how your amendment differs from the risk-limiting audits passed overwhelmingly by this legislature this regular session? We just passed this when we were all together back in the regular session for risk-limiting audits. I'm just wondering how this differs from that.

SLATON: This is just a random audit of two smaller counties and two larger counties that the secretary of state is in charge of and they foot the bill for.

BUCY: Are you aware of the risk-limiting audit program that we approved during the regular session?

SLATON: I'm not too familiar with it.

BUCY: Just so you know, because I'm just trying to figure out why we need this when we just approved something, the risk-limiting audit program begins with a pilot. It includes at least five counties, one of which must be over 500,000 in population, before expanding to the entire state. So I'm just wondering since we just approved that, what is your proposal trying to do different from that?

SLATON: Apparently, we want audits. They are helpful to kind of give us a snapshot of where we've been and what's happened, like in any case. This is just going to be another avenue to look into our elections and it should ease concerns. If there are members in this chamber that are concerned, they think there's fraud, well, if that audit turns up there's nothing, well, then, their concerns are eased. If there are members that think there's no problem with our elections and then the audit confirms that, well, this eases their concern. And it's just a small sample.

BUCY: I get that. I guess I'm just feeling like we just did this as a body and we're about to do this. We're about to have five counties where we do this risk-limiting audit, and so this just seems redundant. And it'll double—I mean, do you know how much this will cost taxpayers? I don't know. It will cost money.

SLATON: It could be zero and it could cost a nominal fee is what I would call it.

BUCY: How could it be zero?

SLATON: Well, it could be free because the secretary of state, they are going to be responsible for coming up with all the rules and for doing it. So they could use their own employees they currently already have and give them the job to do this.

BUCY: So they are going to go out to a county of over 300,000, do an audit, and that's not going to cost any money?

SLATON: It's possible.

BUCY: I doubt it.

SLATON: They already have employees, salaried employees. It's possible is all I'm saying.

BUCY: Let me ask you this. Have you talked to the secretary of state's office about this or the county clerks or anyone?

SLATON: No.

BUCY: Because we just—I just want the body to know we just approved this and we are going to be doing this. So this just seems to be a redundant extra cost to taxpayers. I'm not trying to be short with you. I'm just making sure we all know that we are kind of in the process of doing this right now.

SLATON: Okay.

BUCY: Members, this is going to cost taxpayer money. We just approved to do this this session. We are going to do risk-limiting audits. It's going to even do five counties instead of four. This is a redundant amendment that will cost more money. So I hope you'll vote no because we're doing this. If this is your concern and you want this to be done, you've already voted for it in the regular session. We're going to do it. That's why I oppose this amendment and I hope you will too.

ANCHIA: The audits that Representative Bucy was referring to, do you know if that bill had a fiscal note?

SLATON: I don't know right now.

ANCHIA: Do you know if your bill would have a fiscal note?

SLATON: I don't know.

ANCHIA: Did you talk to the secretary of state about how much it would cost?

SLATON: No.

ANCHIA: Did you reach out to the trade association or the professional association of electoral administrators?

SLATON: No. We've just received many calls from constituents, voters. Since the November election in 2020, people have been talking about audits. People have been talking and claiming there was fraud. We just thought this would be good policy to implement to try to help ease concerns from both sides.

ANCHIA: And how did you arrive at two large and two small counties? What was the methodology for that?

SLATON: We don't want to—of course, we've only heard about the big counties. I mean, today, as we've discussed this bill, we keep mentioning Harris County and Dallas County. So yes, we need audits there, but why not also audit the smaller counties? Anything could happen in any election. So we just wanted to make sure, to ease concerns of all Texans, that we did a small sample. We randomized the audit for small counties and big counties.

ANCHIA: You said we heard about large counties. What did we hear? What did you hear about large counties?

SLATON: Well, my dad was a poll watcher in Dallas County. He was escorted out of the room at 3 a.m. and wasn't allowed to watch any of the tabulations. In fact, right now, there is a case at the Supreme Court between—I think her name is Brinkley—versus Dallas County over how they were treated by the election judge in Dallas County, not able to even have a chair the entire day to sit down, not allowed to go to the restroom, things like that. So I've heard several claims. There's been things in many news articles. But I've heard specifically those things my dad experienced where he wasn't allowed to watch them tabulate the votes.

ANCHIA: So this is about how your dad was treated?

SLATON: No. You asked for an example of things I've heard.

ANCHIA: I asked what you've heard and you told me what you heard from your dad.

SLATON: And instead of me referencing CNN or referencing Fox News or whatever, I'm telling you of a personal example plus a case that is at the Supreme Court right now with someone in Dallas County, versus Dallas County—*Bickham v. Dallas County*.

ANCHIA: And has that been finally adjudicated?

SLATON: I just know it's at the Supreme Court.

ANCHIA: Okay. So what have you heard about small counties? And why did you decide on this certain population threshold?

SLATON: It was just a number we picked to help hit a certain amount of big counties and small counties. We wouldn't want to put them all together.

ANCHIA: How many small counties does that population threshold hit?

SLATON: It's going to hit 227, I believe, and about 18 big counties.

ANCHIA: Eighteen big counties and the likelihood of auditing two small counties is much lower than the likelihood of auditing—so two out of 18, is that a bigger number or smaller number than two out of 240?

SLATON: Most of our conversations here have been about things that have taken place in the big counties, in Harris County. So it's okay to have a sample size that would maybe hit them quicker. Of course, if they get hit for this audit, if they get selected, they cannot get selected two years later. The earliest they can be selected is four years.

ANCHIA: And this is an audit of the entire county election process?

SLATON: It's up to the secretary of state to determine that.

ANCHIA: And you arrived at this population threshold of—in your amendment how?

SLATON: It's 300,000.

ANCHIA: Okay, 300,000, and you said you would have, on an annual basis, two out of 240 for small counties and two out of 18 for big counties. Am I reading your amendment correctly?

SLATON: Yes, and if we listen to the complaints we hear—

ANCHIA: Which number is bigger? Two out of 240 or two out of 18?

SLATON: So the 18 counties, the over 300,000—

ANCHIA: In terms of proportionality, right? You said we want this to be proportional.

SLATON: Yes.

ANCHIA: Is two out of 240 proportional with two out of 18?

SLATON: Well, depends on how you look at it. If you look at population, you look at those 18 counties and you look that they could be more than all those other counties combined. If you look at the complaints we hear from people, the problems people have with drive-thru voting and other things, we heard all those—we hear all those complaints from the big counties. So just based on that—

ANCHIA: What percentage of complaints did you hear about the big counties versus the small counties? From the secretary of state?

SLATON: I don't have a number.

ANCHIA: In fact, you didn't talk to the secretary of state, did you?

SLATON: No, I don't have to talk to the secretary of state to come up with public policy to implement.

ANCHIA: But you said most of the complaints were from big counties. I represent a big county. What percentage is that?

SLATON: Not advised.

REPRESENTATIVE DOMINGUEZ: I'm trying to understand the funding source for these audits. I understand, reading the amendment, that counties that are selected would not bear the cost. So would the funding come from the secretary of state's office?

SLATON: Yes, sir.

DOMINGUEZ: And how much would these audits cost?

SLATON: We don't know. What I have claimed is it could cost zero. If they use all their staff that they have on salary and they make this a priority and they want to do it internally, they could and it wouldn't cost any more. If the secretary of state chose to use a third party or something, of course it would cost, but that is up to the secretary of state to determine that.

DOMINGUEZ: When you talk about if they use all the staff they have at hand, is that county staff or secretary of state staff?

SLATON: Secretary of state—they would be the ones. Of course, they're going to need county employees to help them with the information they have there, but it would be secretary of state employees if they so choose.

DOMINGUEZ: How many staff members does the secretary of state's office have?

SLATON: I'm not advised.

DOMINGUEZ: Are they going to create a report that will be made public?

SLATON: The secretary of state, if you see in the amendment, they set the rules on how they determine which counties are randomly selected. They would also be the ones supplying the audit.

DOMINGUEZ: There's no indication, and maybe I'm missing it, about where or when this report would be finished.

SLATON: We're letting the secretary of state come up with the rules of how they're going to choose people and, of course, when they would get it turned in.

DOMINGUEZ: And if there's not a secretary of state at the time, then is this stayed until there's one that's approved by the senate?

SLATON: I am not advised with that.

CLARDY: I want to first off say I appreciate the sentiment and your intention in bringing this amendment. I didn't want to ask you specifics. I just happened to be looking at this earlier today for another purpose, but are you familiar with Senator Kolkhorst's bill **SB 598**?

SLATON: No, sir, I'm not.

CLARDY: All right. That bill was passed in this house and has been signed into law by the governor, taking effect September 1. It includes a provision already very similar to what you're proposing in this amendment, but it has the advantage of actually being law that's been approved and signed by the governor, versus an amendment. I'm concerned, Bryan, that this would be very confusing to the code, to have virtually identical sections with slightly different numbers and then have them competing one against the other. Because I think your intention is, and you can correct me if I'm wrong, your intention is to let's look and do these audits in some identified counties to see if our vote tallies are accurate, that we audit them with the best records so as to make sure that we have integrity in our elections. That's what you want to accomplish, correct?

SLATON: Yes, sir, but if we have two separate audits going on and we come up with different numbers, that should be of great alarm to everyone in this room. So it's okay to have audits come from different angles so to speak.

CLARDY: The audits are virtually identical, done by the same people under the guidance of the secretary of state. Audits will be performed and it's not that they're going to be different one from the other. It will be redundant. Your amendment is redundant to current Texas law, thanks to the Senator Kolkhorst bill and Governor Abbott signing it into law. But we could create an inconsistency where, although your amendment is well-intentioned and I'm in no way questioning that, it's just there's going to be differences and which one do you apply and which one would you not. And I think what we might end up doing is losing the purpose of the bill and of your amendment. But we already have the bird in the hand. I don't really want to chase after a second bird in the air. So I would respectfully ask you to pull the amendment down, but I'll be voting against it because I'm afraid of the effect it will have on the current law in Texas.

[Amendment No. 30 was adopted by Record No. 29.]

[Amendment No. 31 by Schofield was laid before the house.]

SCHOFIELD: This amendment restores a few provisions that were in **SB 1** in the hopes that we can go without a conference. The first part would require that at the opening of the polling, the election judge would print out the tape showing there was zero votes cast and at the end of polling, they would print that one showing



how many votes had been cast. We would change the early voting ballot board composition to make it like we do for polling places. There would be an alternate judge—each party would get one. The only other change there would be your county chairs in each party present a list and this would just say that you present them in order. So you ask the first person on the list. If they won't do it, you go to the second. It also requires that communications with voting system vendors be public information unless the communication would disclose "information, data, or records relating to the security of elections critical infrastructure."

The central counting station would be required to provide a tabulation of voters and votes so we can see how many people checked in and how many actually cast a vote. In the bill, on pages 37 and 38, they make it an offense to send out an application to somebody for mail ballot who did not ask for it. This amendment would just also put that you can't do it without any penalties in Chapter 84, which is the operations section for applications for mail ballot. It would also clarify the current practice of a voter who returns to vote—who has gotten a mail ballot and wants to vote in person and doesn't have it. Counties have been telling them to vote provisionally. We don't actually clarify that in the law. This would clarify that. That's about it. This is acceptable to the author.

[Amendment No. 31 was adopted by Record No. 30.]

[Amendment No. 32 by Klick was laid before the house.]

KLICK: This amendment requires the secretary of state to develop and maintain a training program for poll watchers. It would be online, available at any time, and provide a certificate upon successful completion. A poll watcher would be required to have two certificates—a certificate of appointment, which is in current law, and a certificate of training completion. No other poll watcher processes are affected by this amendment. This amendment is acceptable to the author.

[Amendment No. 32 was adopted.]

[Amendment No. 33 by Dutton was laid before the house.]

DUTTON: This amendment simply says that a poll watcher will have to be designated at least 15 days before an election. This amendment did include training by the secretary of state, but the amendment that Representative Klick just had took care of that part. So I changed my amendment to include only the notice provision. And I could give you a whole host of reasons why that ought to be important, but the whole point is that we ought to know who they are. We ought to know before Election Day who they are, and they ought to have taken the required course—at least, I would suggest, a couple weeks. And what this amendment says is that they will be noticed—who they are—at least 15 days before the election.

MURR: I appreciate, as always, Chairman Dutton's thought process in trying to ensure that adequate training occurs before an election, and I believe that's his goal here. However, that being said, I visited with other colleagues that I have and the concept of training is designed so that it could be done at any prudent time. And if you heard from Chairwoman Klick, the concept would be through

the secretary of state on an online portal system. So whenever you think about the folks that would be receiving the training, they are going to be, typically, volunteers. Their status and their schedules may or may not be known at that time, and so respectfully, I would oppose the amendment.

DUTTON: Well, it is easier to be in opposition to this amendment but the more difficult thing is to have people showing up at the polling place who we don't really know who they are. That's what's going to be the problem. And I'm telling you that one of the things that will keep that under control is if we required the training but we ought to have some notice of who they are. What this would simply do is allow us to have that. What I'm concerned with is I can tell you that as poll watchers take the training, right now you can take the training—I assume you could take the training online the day before or something and then show up at the polling place with the certificate that you took the training. What this would do is give us an opportunity for everybody—for all of the precinct judges at all of the polling places—to know who it is that's going to show up. That's all this amendment does, and I don't think it does any violence to the bill. It doesn't hurt the bill. All it really does is help this bill so that you and I and all of the people in our districts at the polling places, particularly the precinct judges, will know exactly who is showing up. And I would ask you to vote aye for the amendment.

[Amendment No. 33 failed of adoption by Record No. 31.]

[Amendment No. 34 by Anchia was laid before the house.]

ANCHIA: This amendment simply ensures that partisan poll watchers do not infringe on a voter's right to cast a secret ballot. The bill infringes upon that right by allowing poll watchers to move freely at polling locations. My amendment strikes lines 6 through 8 on page 13 to remove the provision allowing poll watchers to move freely. My view is that poll watchers should be able to move in those designated areas that have been cordoned off or marked by the election judge. This bill proposes to create a standard where a poll watcher is permitted to harass and follow voters without any legal recourse to protect the safety and privacy of others. In fact, the boundaries are vaguely defined and therefore remove enforcement authority at the polling place.

As lawmakers, it's our job to pass legislation that protects the voter's right to a secret ballot. It has been our concern all along that the secret ballot provisions would be at odds with the poll watcher's free movement. In fact, there was a member on the house floor under questioning that suggested that a family member had been removed from a polling location, without disclosing—since I have since talked to an election judge that was involved in that—without disclosing that the secretary of state's office actually observed this person's family member violating their oath. Having their phone on when they were not supposed to be on, planning on ways to obstruct the voting process—that's why they were removed. But of course, they didn't mention that earlier when they were trying to use that anecdote to justify the need for audits.

I worry that we saw poll watchers not only fuel misinformation and distrust—these, of course, members, are partisans appointed by parties and campaigns, and if you think about 50 campaigns that may be able to appoint

persons at a polling location, you see a polling location full of partisans who now, under this bill, are able to freely move throughout without the ability of an election judge to deal with that. So granting these poll watchers who serve these partisan aims and interests disproportionate power over our elections and allowing them to move freely as voters cast their secret ballot encourages aggressive partisanship. So the provision in question will intimidate election officials into allowing poll watchers to roam around.

In talking to an election judge, poll watchers in Dallas County that were the subject of discussion earlier, they were not only turning on their phones in and around voting locations and not only getting close to voters without masks, especially in times of a pandemic. They were planning on how to disrupt the election. They were also lying about their ability to need to get closer to voters because they had poor eyesight and needed their glasses and had forgotten their glasses at home, thereby providing pretext to try to observe the vote of others. And that's what we're dealing with, members. These partisans—we saw this in Dallas County, where elections administrators received complaints of these poll watchers looking over voters' shoulders as they cast their ballot and questioning voters when they came in on their politics. "Are you a democrat or a republican?" Telling the election judge, "Oh, I can't see. I left my glasses at home. I need to get closer." Giving them this free rein at a polling location is very dangerous.

In Harris County, the Harris County attorney received multiple complaints and even requested a monitor from the U.S. Department of Justice to observe the voting process because poll watchers in black neighborhoods, in Acres Homes in northeast Houston, were hovering around voters, getting in election workers' faces, blocking or disrupting lines of voters waiting to cast their ballots. And I hope all the members in this body can agree that this is reckless behavior. I also offer it so this legislature does not inadvertently foster unsafe conditions for voters of all parties, be they republicans or democrats, and allows them to safely and securely cast their secret ballot. If it is truly the intent, one of the precepts of this bill, to protect the secrecy of this ballot, then we must restrict the movement of poll workers so they do not try to harass or intimidate voters as we have seen over and over again in this state.

C. TURNER: So under your amendment, a duly appointed poll watcher would still be able to be present in the polling location and observe the election activity, the conduct of the election, but they simply wouldn't be able to roam around at will throughout the polling place while people are voting. Is that correct?

ANCHIA: That is correct. Under the current bill, they're entitled to sit or stand near enough to a counting team and to observe the activity at the polling location.

C. TURNER: I don't know how the polling locations are situated in your district. I know in my district in Arlington one popular early voting location is at Tarrant County College. The actual polling location is in a portable building, however, so it's pretty cramped—a lot of voting machines in there, several election workers. It's pretty cramped to begin with. And another location at the city water department is similarly a pretty tight space. Under this bill, if we did not adopt your amendment, I can really envision a problem. Setting aside the privacy

concerns for the moment, which are paramount, just the idea of extra people roaming around in pretty tight quarters when voters are trying to cast a ballot in a safe and secure way, I would imagine, is going to be especially disruptive in many of our polling locations. Would you agree that that's a concern?

ANCHIA: That is a concern, and we've seen disruption in the past. I mean, in Dallas County, in one of the cases that was referenced today, you had a coordinated effort among partisan poll watchers to distract the judge, to delay the judge, to frustrate the judge. They violated their oath as poll watchers by having their phones on in the polling location when they shouldn't be. They were planning in a coordinated fashion to disrupt the election. So yes, these are very real concerns and concerns we have seen in the past.

C. TURNER: And there's nothing in the bill, is there, that limits the number of poll watchers that may be appointed? I mean, you could theoretically have three or five or 10 partisan poll watchers roaming around the same polling location at one time. Is that right?

ANCHIA: There's no limitation at all. The way I read the bill, it's unlimited. And in fact, the other thing that has no limit is what is free movement, the concept of free movement within a polling location. Is three feet from a voter when they cast a ballot free movement? Especially in a cramped space—is it one foot? Is it six inches? There are no guidelines in this bill about what free movement entails.

C. TURNER: I think that underscores one of the main reasons why your amendment is so important to say that partisan poll watchers—we recognize there's a place for them when they're duly appointed but they can't have just unlimited, unfettered access to roam about the polling place disrupting the election and infringing on people's privacy and the sanctity of their private ballots. So I hope the body will adopt your amendment, Chairman.

ANCHIA: And that's something that candidly—thank you for the question, Mr. Chairman—that was something that was observed by the secretary of state's office in Dallas County in the very example that was provided earlier today.

KLICK: Representative Anchia, you've made remarks about partisan poll watchers. Do you know how the workers, the election judge, and the assistant judge are selected to work in a polling place?

ANCHIA: Usually by the commissioners court.

KLICK: Those are actually names that are provided by the political parties. In statute, it also states that the election judge in that polling place is based on the most recent gubernatorial election. So those workers in a polling place are partisans as well. Were you aware of that, Representative Anchia?

ANCHIA: Yes, but unaffiliated with campaigns that are on the ballot, right? And that's really, when I say partisan, that's what I really get at. These are campaign poll watchers in a cramped polling location that are now, under this bill, going to be given free movement with no guidelines. And we've seen evidence of this in Dallas County, which is a county that I represent, where these partisan poll watchers are coordinated to disrupt the election, have coordinated. And in fact,

under the law currently, even though the election judge has the same—under the Election Code, the election judge has the same power as a state district judge. Even with that power, they have coordinated efforts to distract, to delay, to frustrate the election judge. So imagine, giving them unfettered free movement in the polling location, I find problematic.

KLICK: Well, Representative Anchia, in the most recent election—and I think you know right now under law they still have to be allowed to observe election processes—in the most recent election, there were some partisan election officials that would not allow them to be in the same room that election activities were occurring. Do you find that problematic?

ANCHIA: I don't know the specific case. I know those allegations were made about Dallas County. But in Dallas County, they had marked off an area under guidance from the county election—so this is the situation I know about—under guidance from, pardon me, not county election, the county health department during the pandemic, where these partisan poll watchers were stepping across these boundaries, getting within the social distance space during this pandemic, and would get very close not only to voters but also to the counters of the ballot. And try as they might, these election officials would give them warnings, would try to discourage them from getting within that social distance—because the county health department said, hey, you have to be six feet away from each other—and they were trying to get in the face of some of these counters. And I have a problem with that. I do.

DAVIS: Representative Murr, I know you're going to oppose this amendment, but I wanted to ask a couple of questions on the record as it relates to poll watchers.

MURR: Yes, ma'am.

DAVIS: Do you currently have poll watchers on a regular basis at your elections?

MURR: You mean personally as a candidate for office or just in my jurisdiction?

DAVIS: As in during your elections, are there poll watchers typically assigned in your polls?

MURR: Typically, I do not encounter poll watchers in my polls. That doesn't seem to be very common in my town.

DAVIS: So would it surprise you that what Mr. Anchia's talking about is a reality in some of the polls that we see in our communities? Would that surprise you that we have poll watchers come into our communities to intimidate the election judges as well as the voters?

MURR: During the hours of witness testimony, during the hearings in both the first called and second called sessions regarding this issue, we heard from witnesses that had stories to share. In fact, Ms. Thompson actually shared some of her stories. So I have heard some circumstances where folks have felt uncomfortable. I understand that.

DAVIS: So based on your acknowledging that it does happen differently in different communities, does this amendment help protect those areas to keep it sane with regard to how poll watchers behave in different communities? Since you have not experienced it, would you think this is a way to address it for those areas that we see it on a regular basis?

MURR: Not necessarily so. In fact, what I would point to is current and existing law, including Section 33.057, which makes it illegal for a poll watcher to "be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice," in addition to Section 33.058, which restricts a watcher's ability to "converse with an election officer" or "with a voter or communicate in any manner with a voter . . ." That's existing law. So those are in place to ensure that the poll watcher is the eyes and ears of the appointing authority, which typically is a political party or a candidate. So they're there to watch the election process and the election officials. They're not there, as we sometimes get confused, to simply just watch voters.

DAVIS: What I'm suggesting is, based on your admission that you heard stories from Ms. Thompson and that other members have indicated that in our particular districts we have poll watchers that may step out of bounds as relates to the individual voters as well as the elections administrators and those holding the elections, do you think that that happens? Are you aware that we see that on a regular basis in some of our elections?

MURR: I will acknowledge that during the hours of testimony, I did hear witnesses and members, including Ms. Thompson, explain that they have had occurrences of that happen.

DAVIS: Based on what you just read as current law that's already in place, it is happening. So would you not think we would need to put in some other safeguards to make sure that it doesn't go further? That's what I think Chairman Anchia's amendment is trying to do, is to make sure that we create an opportunity to curtail the behavior that's going on with existing law.

MURR: No, I don't necessarily agree with you because first, current law doesn't sound like it's being enforced in all circumstances. Second, we just heard an amendment by Chairwoman Klick that provides for poll watcher training so that the folks that are actually serving as poll watchers can be properly trained on what the law is. And then third, that training is incorporated into the requirements for them to be properly certified and participate in the election process. So this bill actually takes those steps to do that. Not to mention the fact that there is no restriction for the judge or the election officials to remove a poll watcher whenever they do violate the law, including the Penal Code or the Election Code.

DAVIS: Are you aware that people come out to certain precincts with the intent to intimidate, to create chaos at polls, knowing that they fully well might be kicked out but they will have created an environment that is not conducive to a demeanor in the poll that allows the election judge to hold that election without chaos? Are you aware that they do that?

MURR: I'm not advised of that. So I would have to take your word for it.

DAVIS: Are you aware that there have been signs put up trying to intimidate election workers who work on Election Day and they have poll watchers coming in, threatening what they can and can't do? Do you know that that happens at polls? Are you aware?

MURR: As I mentioned earlier, I was made aware by some testimony during both of the many hearings, as well as Ms. Thompson pointed out her personal experience.

DAVIS: And so I want to reiterate, based on what you said current law is, we know that people are still practicing. And I appreciate Ms. Klick's amendment relative to poll watcher training because we actually do try to do that in Dallas County now, so I appreciate the strengthening and stating the value of that. But beyond that, we still have situations where poll watchers—and I know you said you don't have them in your communities.

MURR: It's not that we don't have them, it's that I haven't observed them. And so—

DAVIS: That's what I mean. You've not had this experience relative to poll watchers coming into polls trying to intimidate the election judges. You've expressed that that has not been your experience, right?

MURR: I would agree. That has not been my experience.

DAVIS: But I can tell you that many of us have had that experience. And so I'm wondering if, in fact, Chairman Anchia's amendment would not help strengthen our existing law to protect from it going further. We know that it's going on now. You've admitted that you've heard it in testimony, and I know that you said Ms. Thompson mentioned it. I can tell you that I've witnessed it. So knowing that with current law it currently goes on, wouldn't Chairman Anchia's amendment help define an area so that this would not continue to happen? So that voters, as well as the elections administrators, don't feel like they're being attacked?

MURR: No, I respectfully would disagree with that conclusion. I think that you have circumstances where existing law affords those protections to ensure that voters don't interact with the poll watcher and the poll watcher doesn't interact with the voter. I can't speak to the fact that perhaps current law is not being enforced or that the folks involved aren't properly trained in current law, which that's why I spoke to Chairwoman Klick's amendment.

DAVIS: And I will submit to you that in Dallas we do training. I want to ask you—it's not unusual for us to have a current law that we have to go in and perfect, to do modifications to ensure it's actually doing what it's currently expected to do, and in this instance, to make sure the poll watchers don't step out of line. Is that not true?

MURR: This legislation before you that the amendment's proposed on actually does make changes in current law to ensure that poll watchers do their job as serving as the eyes and ears for the appointing authority. It includes an oath that they take. It includes the training now with the amendment from Chairwoman

Klick. And it also speaks to the fact that there's a balance between their duties and responsibilities and the duties and responsibilities of the election official that's operating the polling location.

DAVIS: I understand that they all have different responsibilities, but let me ask you something. Are we trying to perfect it to make it better or are we content with this failing? As we've identified in conversations that this is not working, why would we not want to put other things in place to ensure that we create the best possible experience of folks at the polls? I mean, tell me why, if you can, Mr. Anchia's amendment doesn't strengthen what you're trying to do versus not. Why would his amendment not be something that would make this bill better?

MURR: Mr. Anchia's amendment seeks to delete a single provision in the bill but it ignores the fact that there are existing protections in place. Also, we've talked about the other protections that are built into this bill. And so I disagree with the fact that this amendment would be beneficial in that regard.

ANCHIA: This concept of free movement in the polling place, does that give a poll watcher free rein? Can they go anywhere in the polling location?

MURR: No, in fact this provision—

ANCHIA: Which areas can they not go into?

MURR: If I may, in an effort to answer your question, the provision that we're talking about expressly states that, except as provided by Section 33.057(b) of the Election Code, which is a limitation—that section states, again because it's important: "A watcher may not be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice." In addition to the other limitations in law, the effort has been made in this provision to expressly point out to anyone that reads it that they're not allowed to be present when a voter is voting.

ANCHIA: So there's free movement in your amendment and existing law says they cannot be present when a voter's voting. What is the proximity to the voter based on that free movement principle? What is the guideline? What is the guideline, especially in the cramped locations like the ones that were described earlier during the dialogue? How close can they get?

MURR: And I'm sure that's going to vary depending on the polling location and the space inside the polling location. So that's not an easy answer to give because they're going to vary anywhere and everywhere. But at the end of the day, Section 33.057(b)—

ANCHIA: What is your guidance to an election judge who is dealing with someone who says, "I have free movement"? And now, there are criminal penalties against that election judge because of your bill. And you have existing law that says they cannot be present when a voter is voting. When we put these things out in the world, there are fact patterns that exist all the time, every day. So what is your guidance?



MURR: My guidance is, for example, these two statutes that say they're not allowed to speak or communicate with the voter and they're not allowed to be present or look at the ballot when the voter is exercising their voting rights there in the ballot location. The point I make is—

ANCHIA: Can they look at the voter?

MURR: It doesn't clarify a distance requirement. It goes and speaks to the fact of their presence.

ANCHIA: So can I stand directly behind the voter as long as I'm not looking at the ballot and be in that proximity? I'm just trying to understand the parameters here.

MURR: Based on your fact pattern, that's a little ambiguous. But no, I don't believe that Section 33.057 allows you to come and stand directly behind a voter in the voting station when a voter's preparing the voter's ballot.

ANCHIA: And there's language in your bill that speaks to intimidation of a voter, right?

MURR: Yes, but that's not the provision that you're speaking to with your amendment.

ANCHIA: No, I understand that. But that is another one of the, sort of, guardrails that you've tried to set up, correct? I mean, because you've referred to existing law, and you've referred to things outside of my amendment. So I'm asking, how does that voter intimidation provision come into play with both existing law and your bill?

MURR: And what I want to do is point out the fact in the purpose of the poll watcher because you seem to be honed in on the fact that poll watchers are there to observe the voter, and that's not the case. They are appointed by the appointing authority, which is typically a candidate, a political party, a write-in candidate, or a measure like a ballot measure to be the eyes and ears to watch the election process. Predominantly, that means they're there to watch the election workers, volunteer and paid, to perform the election duties as the eyes and ears, as an extension of the appointing authority. They're not there necessarily to watch the individual voters vote. They're there to watch the process that's put on by those folks to ensure that there is a safe, reliable, and secure election.

ANCHIA: So let me ask you this. Does this free movement permit them to follow a voter in the polling location?

MURR: No.

ANCHIA: Okay. Does it permit someone to shadow a voter in either the polling place or the parking lot?

MURR: No.

ANCHIA: Okay. And at what point does their observing activity become harassment or intimidation? Because I don't think it's defined. That is not defined in your bill.

MURR: What is that?

ANCHIA: Voter intimidation.

MURR: I do not believe that is a defined term.

ANCHIA: So because it is not a defined term, give me some fact patterns or examples of what you would consider intimidation. Because this will be guidance to election judges since they're now subject to criminal penalty.

MURR: Don't overlook the fact that a poll watcher can be removed for a violation of law presently. There's not a restriction or a limitation by an election worker to do so. In addition, we talk about terms like "breach of the peace," which is expressly contained in this bill. And I will tell you that that term is generic and includes all violations of the public peace or order or decorum. And it actually can include a Class C misdemeanor of disorderly conduct. I know that you're aware of that. We see that occurrence from time to time in different circumstances. So don't think that there is some type of restriction that they're allowed to engage in conduct that's not appropriate, including a breach of this peace or violation of law.

ANCHIA: I'm just trying to read this free movement, this new free movement concept. I'm trying to reconcile that with the freedom to cast a secret ballot and at the same time the conduct of the election. So what you're representing to me is that an election judge essentially has the same powers—especially after you've amended this bill with your perfecting amendment—they have the same powers that they had before this bill passed, in every respect, to maintain decorum and control over their polling location regardless of this free movement provision?

MURR: I would certainly agree with that.

ANCHIA: That's helpful. Thank you. What other places in a polling location are off limits to poll watchers under your bill in light of this free movement concept?

MURR: So you would look to the rest of the Election Code to see where there are any other provisions where they're not permitted to be.

ANCHIA: So your bill—to the best of your knowledge, your bill does not provide them any other access in a polling location despite this free movement language? If the Election Code says you're not allowed to be there, if the election judge says you're not allowed to be there, and if you're in the presence of a voter, then they're not allowed to be there.

MURR: They are allowed to be anywhere election activity is occurring subject to other existing provisions in the Texas Election Code.

ANCHIA: Like what?

MURR: I would have to go and look at the code. So I don't have that in front of me in order to be able to answer your detailed question.

ANCHIA: It was just a general question. Because again, we're trying to figure out what is sort of a red zone and what is a green zone, right? So what I've heard is that the election judge still has the authority, despite this free movement provision, over the poll watchers. That has not changed in your bill. You

answered in the affirmative to that. They cannot be present when a person is casting a ballot. And they cannot intimidate or interfere with the casting of a ballot. Would you say those are fair statements?

MURR: I believe those are fair representations of current law, yes.

ANCHIA: And there is nothing in your bill that would change that current law. Is that right? Including this free movement provision.

MURR: Especially when we talk about Section 33.057 and Section 33.058—that is correct.

ANCHIA: More specifically, this Section 33.056 about observing activity generally and this free movement concept that you're including—that should not change where a poll watcher is allowed to or not allowed to go based on current law.

MURR: Put another way, that also means that the election judge or official can't dictate the location of the poll watcher and say, "please sit in this chair and don't move around the room" or "please stand here all day for 12 hours and we're not going to let you move around and be able to observe the election activity that's occurring."

ANCHIA: But put another way, if the election judge says the Election Code does not permit you to be in certain areas, then the poll watcher would be required to abide by the election judge. Correct?

MURR: That is correct. And I point specifically, we've talked about Section 33.057, which states that they cannot be near the voter in the voting station when the voting is occurring.

REPRESENTATIVE COLEMAN: So are you familiar with when the King Street Patriots came from all over the country and descended on polling places in Harris County?

MURR: I'm not terribly familiar other than during the hearing Ms. Thompson provided firsthand experience of her observations during the voting process.

COLEMAN: At my polling place at St. James' Episcopal Church, there were four people and none of them knew whether they were the poll worker, the poll watcher, or the one handing out literature in front of the poll. The room was about as big as those four desks, and they were piled in the precinct. Does your amendment stop that? Does your bill stop that or allow for Representative Anchia's amendment to deal with that?

MURR: So first, I'll point out that you said that folks didn't know who might be a poll watcher, but current law requires poll watchers to wear identification denoting that they are a poll watcher.

COLEMAN: Okay, so they came into the poll. They didn't know out of the group from out of town, from out of state, which one of them was supposed to be the poll watcher or to be assistant precinct worker or someone who is handing out literature. I'm standing right there.

MURR: It sounds like that they would certainly benefit from Chairwoman Klick's poll watcher training amendment that we adopted.

COLEMAN: Surely they would. So what is to stop them from standing over the back of a precinct judge six inches away from his or her neck, breathing on it, which is disruptive to the polling place? I have seen that.

MURR: Arguably, that would constitute in my mind a breach of the peace, which is a generic term. But I would look at Section 42.01 of our Penal Code that talks about disorderly conduct and that includes just "abuses or threatens a person in a public place in an obviously offensive manner." And it sounds like any scenario like that, that would be a breach of the peace and that would be a violation of law.

COLEMAN: So that's right. So the precinct judge could then throw the person out of the poll or do they have to call a sheriff?

MURR: No, they could do either.

COLEMAN: I don't think they can do either.

MURR: Well, may I answer? There is not a restriction that they could contact law enforcement and request assistance and say, "I believe there has been a violation of law." Alternatively, both under current law and this bill as amended, the appropriate election official or judge has the authority to remove the poll watcher upon a violation of that, in addition to the requirement that that poll watcher has now violated his or her oath to not harass a voter, which we have expressly stated in the legislation before us today.

COLEMAN: You are familiar with the fact that people not only take license—liberty—they take license when they are doing a job and they do what they can do unless they get caught. Are you familiar with a concept like that?

MURR: I don't know that I follow you completely, but it sounds like that may have occurred at your polling location, and I'm sorry to hear that.

COLEMAN: It occurred at many polling locations in my district. So I'm very nervous about that because the scenario in this bill may set up just that same kind of activity when people descend from someplace else into the polling places in parts of my district or other districts. So to think that that hasn't happened, I'm just telling you it has. And I want you to know that if you've never seen it, you get someone, your precinct judges, who happen to be usually seniors—whether or not they would be intimidated by that and the voters?

MURR: So in response, you mention that they come from other places, and I will point out that a poll watcher—under current law and in the manual currently issued by the secretary of state for training purposes—a poll watcher has to be a resident of the jurisdiction in which they are operating as a poll watcher. That's one of the requirements. And so I don't know if that wasn't followed, but we have current law in place, and if current law is not being followed, then that's probably step one to the remedy that is needed.

COLEMAN: So there weren't a thousand King Street Patriots living in Houston or in Texas at that time.

MURR: I'm not advised.

COLEMAN: It must be a new provision or maybe they just didn't see fit to follow it.

MURR: I'm not advised.

COLEMAN: I'm telling you, you couldn't imagine what it's like to watch that. Because you already said you had no familiarity with poll watchers coming in and looking at you in your precinct or looking at your precinct judges and voters, right?

MURR: That is accurate. Yes, sir, I did say that.

COLEMAN: So how do you make law about something you've never experienced?

MURR: Well, I look at the body before us and understand that during the process of making law, we take input and we have discussions and conversations with our colleagues. It goes through the committee hearing process in which, for example, with this bill, hundreds of witnesses have provided testimony. And the members of the committee have debated—

COLEMAN: So I'm telling you I witnessed it.

MURR: I'm sorry?

COLEMAN: I'm telling you that has happened at my polling place. I'm telling you I've witnessed it. I'm telling you that I've witnessed it firsthand. Isn't that right?

MURR: And my response is it sounds like current law is not being properly followed.

COLEMAN: So you expect the new law to be followed?

MURR: I believe that the remedy that you seek is step one to ensure folks are educated and follow current law, yes.

COLEMAN: I understand that amendment. But do you think people will not take license and do things that they're not supposed to do even if they are trained? Because I've seen it.

MURR: I don't necessarily reach the same conclusion, especially if they are properly trained.

COLEMAN: You don't have to reach the same conclusion. You can't say that it won't happen.

MURR: I can't say that it will happen or won't happen. You're right. I don't know.

COLEMAN: So the point is people break rules all the time. Isn't that true?

MURR: I believe that's why we have a Penal Code and a Code of Criminal Procedure. Yes, sir.

COLEMAN: Right. So people are supposed to stop what they are doing and get on the phone, call the police, call the sheriff, in a county of almost three million people?

MURR: There's a framework in place for the election official or judge to also seek guidance at the local level as well as from the state, from the secretary of state's office, if they have questions about the interpretation of the Election Code.

COLEMAN: So I would just say if there is no one who is a party to writing this legislation that has ever seen that, I don't know how they can feel it in terms of how the person who is in the polling place feels. And I think that even if you've had testimony, I thought I would just get up here and ask you a question with my own testimony because I have seen it. As a matter of fact, I get precinct judges calling me to come over to the poll and move those people. So I thought I would come up and let you know that if you experienced it, you wouldn't like it.

MURR: I appreciate it. Thank you.

ANCHIA: I want to point something out in my dialogue with Chair Klick. She pointed out that the election judges are partisans. But they can't be affiliated with any of the campaigns and they take an oath to be nonpartisan. So to suggest there is this equivalency between the poll watchers that are appointed by campaigns and have a stake in the outcome and the independent election judges who have taken an oath to be independent and nonpartisan, I think is misplaced. And what my amendment gets at is the tension that we have between the authority of the election judge and the disruptive activity of poll watchers. We witnessed it over and over again in Dallas County where they were coordinating. They were disrupting. They were violating the promises they had made about not turning on their phones, about not disrupting the election. And they were warned even, but they continued this coordinated activity, and they were then asked to leave. And it was discussed earlier by a member saying that that activity somehow should have given rise to the need for audits of election when, in fact, that activity was observed by the secretary of state, written up in a report, and acknowledged that those poll watchers were violating the law.

Now, we're adding even more authority for these partisan poll watchers with no guidance about how close or how far they can be from voters, whether they're walking into a polling location, in the polling location, on their way to vote, or standing in line. Although I am appreciative that Chair Murr has given us some guidance and at least his thought, his legislative intent, about the fact that he doesn't believe it should impede or impact the authority of election judges to regulate the conduct and decorum in a polling location. I think that's helpful. And so as a result, because it is the opinion of Chairman Murr that an election judge can still say where a poll watcher can and cannot go, then we really don't need this free movement language. So I believe it would be most helpful and most clear to eliminate it so we don't have repeats of the activity that we saw in Dallas County and other places where, despite the black letter law of the Election Code, you had, in Hispanic and African American areas, partisan poll watchers which were impeding the election process. Therefore, I ask for your favorable consideration of this amendment.

[Amendment No. 34 failed of adoption by Record No. 32.]

[Amendment No. 35 by Dominguez was laid before the house.]

DOMINGUEZ: All this amendment is is a clarifying amendment into what the current code is. The current code says a poll watcher cannot observe a person voting. Because we all agree that that is a very bad thing that we don't want. But it doesn't say they couldn't stand near a person that's voting. So what this says is they can't be near you if they could theoretically, possibly, watch your vote. That's all it is. I appreciate Chairwoman Klick's amendment as far as poll watcher training. I think that's one of the best things we've done today. And I wholeheartedly hope that this amendment would clarify part of what that training would be. That's all it does. It doesn't do anything else.

MURR: I did have an opportunity to visit with Representative Dominguez about this topic. I know that he raises concerns, but I believe that those concerns are currently addressed in law. And specifically, we've spoken about it a great deal today, but I go back and I talk about Section 33.057 of the Election Code which specifically states: "A watcher may not be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice." The point that I make there is current law is already very clear and explicit about where a poll watcher can be. Therefore, I would oppose the amendment.

DOMINGUEZ: All this does is just clarify that. Because we've been having some back and forth on where the poll watcher can be, this just really clarifies it into law. And we just want a clear law. I think we all agree on that.

[Amendment No. 35 failed of adoption by Record No. 33.]

[Amendment No. 36 by Rosenthal was laid before the house.]

ROSENTHAL: Members, we've been having some conversation about this. Actually, let me just state straight out: We want to make it crystal clear that poll watchers are not allowed to interfere with somebody casting a ballot. I know that it's in a section of the code. But in this room with a bunch of esteemed legal minds, all this back and forth about, "oh, I would have to look at the code" and "I would have to look at that"—we want it crystal clear and we want it in the same spot where they're referring to everything else. So that's all that this does is it inserts a piece of explicit language that they cannot interfere with or interrupt a voter casting a ballot.

MURR: Similarly, I also oppose this amendment. I point out that Section 33.057 is current law that prevents a watcher from being present at the voting station. I'll also point out that in the legislation you have before you we have a poll watcher oath that a poll watcher's required to take. And it says, in part, "I swear (or affirm) that I will not disrupt the voting process or harass voters in the discharge of my duties." That is pretty explicit in its own terms to be very clear that a poll watcher is not supposed to interfere with or interrupt a voter. So for those reasons I oppose the amendment.

ROSENTHAL: In a time when we're going back and forth on this stuff and we want it to be explicitly clear and in a time when this same piece of legislation in front of us is going to elevate criminal penalties on our election judges and they could be intimidated and they could be hesitant about removing folks, having it in the language right there will empower our election judges to maintain order. With that, I'm just going to say voting against this is a vote for intimidation.

[Amendment No. 36 failed of adoption by Record No. 34.]

[Amendment No. 37 by J. Turner was laid before the house.]

J. TURNER: Let me talk about why this amendment is needed. Imagine that you are an election worker. One of your jobs is to actually deal with poll watchers who are appointed by campaigns and candidates, and you've got to make sure that you're running a proper operation and making sure that voters aren't feeling intimidated. This is something that's happening thousands of times during an election all across our enormous state. And you might be concerned that you see some poll watchers who are not doing the right thing. Now, we hope most of them will act properly. We hope the training might help with that a little bit as well. But there will be those that aren't respecting the boundaries and that are walking around. They may be hovering over election workers as they're checking in voters or they're standing in an intimidating sort of way not too far from the voters or perhaps as they walk into the polling location. And you feel that as an election worker you ought to ask them to stand back, to move over. The problem is you are at risk in making such a request of becoming a criminal.

Right in this very bill, we make it a Class A misdemeanor to take "any action to obstruct the view of a watcher or distance the watcher from the activity or procedure to be observed in a manner that would make observation not reasonably effective" for the watcher. So you're concerned about this tightrope that you have to walk as an election worker or an election judge if you feel like a watcher is not acting appropriately. You're worried if you ask them to move back they're going to say, well, I was moved away from an area where I could more easily watch. And therefore, you risk becoming a criminal and committing a Class A misdemeanor.

A great approach to helping solve this issue, I believe, is this amendment, which simply says that it would be "an exception to the application of [that criminal offense] that the person requested that a watcher refrain from an activity that the person reasonably believed obstructed the conduct of the election, including an activity that disturbed a voter or an election officer in a manner not authorized by this code." And again, it says, "reasonably believed." To offer this defense against a criminal prosecution that could take place against an election worker, that election worker would have to show that they had a reasonable belief that what they were doing was simply consistent with making sure that the election was not obstructed and that voters were not disturbed in a manner not authorized by the Election Code. I think it's a very reasonable amendment.

And members, we have to realize we're making it hard to be an election worker. We are increasing the fear, literally, of criminal prosecution for an election worker in managing poll workers and poll watchers in a way they believe



is appropriate. Let's not make their jobs any harder than they already are. They are doing tremendous work. Many of them, of course, are just doing it because they believe in democracy and doing it as volunteers. They're really making our democracy work, and we should be supporting them and not threatening them with criminal penalties for innocuous conduct. So for those reasons, I would move for adoption of this amendment.

MURR: I have spent a number of hours with my esteemed colleague Mr. Turner. I know that his heart is always in the right place on behalf of his constituents, and I appreciate that. That being said, the bill before you contains legislation that restricts an issue of obstructing the view of a watcher or the distance of the watcher from the election activity or procedure in any "manner that would make observation not reasonably effective." And I point out that the word "reasonable" is in the bill, and so I don't think that these extra protections are necessary. I think that it adequately addresses concerns raised by Mr. Turner. So I respectfully oppose the amendment.

J. TURNER: Again, members, we're dealing with a situation where an election worker is worried about being charged with a crime. If you just think for a moment how it might feel for election workers, after this bill is passed, to be evaluating whether you ask that poll watcher who you feel like is not acting appropriately—is intimidating voters, is disturbing the conduct of the election—and you're worried that if you ask them to move you're going to be labeled a criminal and potentially prosecuted. We need a clarity that is not present in this bill right now to make sure that people are protected in their ability to do things that are reasonable. I agree with the use of the word "reasonable," which is why it is part of this amendment.

[Amendment No. 37 failed of adoption by Record No. 35.]

[Amendment No. 38 by Zwiener was laid before the house.]

ZWIENER: So much of this bill is about transparency because transparency is a really critical component of integrity. This amendment is about adding another element of transparency into our Election Code specifically related to poll watchers. Currently, poll watchers are required to present a certificate of appointment when they arrive at the polling place. This amendment simply adds to that certificate of appointment whether or not the poll watcher is being financially compensated for being there as a poll watcher and, if they are being compensated, by whom. I think this is a critical element of transparency. Texans are concerned more and more about the impact of dark money both on our campaigns and on our election processes. So this is information we should have. This is information Texas voters deserve. If poll watchers are there to provide transparency to Texas voters on how elections are being run, then let's give Texas voters transparency on the people supervising our elections. This amendment allows Texas voters to have more knowledge about which groups or people are investing in our elections in particular with the compensation of poll watchers.

MURR: I respectfully oppose this amendment. I will point out that under Chapter 33 of the Election Code, we find the authority for an appointing authority to actually appoint a poll watcher. That includes a candidate, a political party, a write-in candidate, and a measure, and that includes a ballot measure. In addition to that, our Election Code actually details out what is required for appointment of a poll watcher. And it's very clear that watchers can be family members. There is a guide that is produced by the secretary of state that goes into that level of detail. Consequently, because of the structure that we have, these folks serve as the eyes and the ears of the appointing authority to observe the election process. A single candidate can't be in multiple places at one time, so that's why this is designed that way. So consequently, this amendment is inadequately necessary.

ZWIENER: This amendment does not restrict in any way the ability of a candidate or a ballot measure to have poll watchers present at election sites. All it does is provide Texas voters some transparency on who precisely is paying for those poll watchers. Members, this is an entire bill about transparency. Why don't we have it here? So I hope for your favorable consideration.

[Amendment No. 38 failed of adoption by Record No. 36.]

[Amendment No. 39 by Clardy was laid before the house.]

CLARDY: A very simple amendment, what this does is allows members of the early voting ballot board and the signature verification committee to take notes in the course of their duties, but those notes that are taken will be retained within the county election records and are not kept privately because there is some private information. I've been advised by our bill author, Chairman Murr, that this is acceptable to the author.

[Amendment No. 39 was adopted by Record No. 37.]

[Amendment No. 40 by Ortega was laid before the house.]

REPRESENTATIVE ORTEGA: For decades, voting by mail in Texas has been available only for those who qualify. Currently, to qualify to vote by mail in Texas, an individual must be 65 years or older, disabled, out of the country on Election Day and during the period for early voting, or be confined in jail but otherwise eligible. I believe that certain provisions in **CSSB 1** will make it much more difficult for people to vote in our elections. We should be expanding access to the ballot box not reducing it. My amendment would allow all eligible voters an opportunity to submit an application to request a mail-in ballot to vote by mail in Texas. Expanding access by making it easier for people to cast their vote is critical to ensuring that our elected government is reflective of the values and beliefs of our constituents. This amendment does not create a new method of voting. This amendment simply allows eligible voters in Texas to vote by using what over half a million Texans used to vote early in 2020.

ZWIENER: Thank you so much for bringing this amendment, Representative Ortega. To your knowledge, in states that offer this, is this a red or a blue issue or is this nonpartisan?

ORTEGA: It is absolutely not a red or blue issue. There are states that are red, republican states, that allow anyone that wants to vote to vote by mail. Especially with what happened during the pandemic, this is something that we need in the State of Texas. It's not changing anything that is in the current bill that's being proposed. People would still have to comply with the requirements to vote by mail. It should be something that we need to be doing in the State of Texas. As was pointed out earlier by Chairman Dutton, we are 45th when it comes to voting in the U.S. We need to do something to expand voting.

ZWIENER: Have you ever voted by mail, Representative Ortega?

ORTEGA: No, I have not.

ZWIENER: I have when I lived in the liberal bastion of Arizona, speaking of red states that have vote by mail. And I was able to take so much more time with my ballot and be more informed. Would it surprise you to know that people in states with vote by mail more often complete the entire ballot and are able to do more thorough research on candidates?

ORTEGA: I totally agree. Because you have it there in front of you. You can get on the Internet. You can talk to other people and then make your decision. So you make a more educated guess. Sometimes when you go over there to actually vote at a polling place, you don't recognize some of the people that are on the ballot. So I think it provides a better opportunity to have a more learned and educated vote.

ZWIENER: And obviously that's something that benefits democracy here in Texas. Do you think more access to vote by mail will help alleviate long lines in some parts of the state as well?

ORTEGA: Oh, yes, and there's people that want to vote by mail. They don't want to be limited by what currently exists in the state law. I think that opening it up to anyone that wants to vote by mail will certainly increase the number of people voting and will alleviate long lines at the polling places.

ZWIENER: Earlier on Representative Neave's amendment, Representative Murr and I had a conversation about vote by mail being available in cases where somebody may have COVID. I think you and I probably agree that's not the case under current law, but under your amendment, this would mean that if we did have another COVID spike during the 2022 election, vote by mail really would be accessible to everyone. Is that correct?

ORTEGA: Yes, definitely. But you don't just actually need somebody who has COVID. There are ill people with different diseases and they would feel much more comfortable to be able to vote by mail. It shouldn't be limited just to people who potentially have COVID.

ZWIENER: But under your amendment, that means we would have that tool if we did have another spike in cases.

ORTEGA: Yes, and we need it. If everyone in this room believes that we should expand the right to vote, they should be supporting this amendment, especially with the changes that are being made in the current bill.

ZWIENER: Well, thank you for bringing this amendment. I hope everyone supports safer voters, more informed voters, and shorter lines at polling places.

MURR: I appreciate the conversation that's being had on universal vote by mail. I'll just articulate that a lot of the hundreds of witnesses that we heard in testimony about this type of election bill that we have didn't speak to the concept of "gosh, I wish I could vote by mail." In Texas, you have to be eligible to vote by mail. That means you have to be 65 years of age or older, be sick or disabled, be out of the county on Election Day and during the period for early voting by personal appearance, or be confined in jail but otherwise eligible. We have some parameters for eligibility in the code and they seem to work well. We've worked hard to expand the hours of early voting, and I don't know that a discussion on universal voting is appropriate for this bill. So I oppose the amendment.

ZWIENER: What makes me curious about this, Representative Murr, is that so much of this bill has been discussed as a way to provide uniformity in Texas. And so I am curious why we aren't more open to a conversation about uniformity of who is eligible to vote by mail. Representative Ortega's amendment strikes me as a way to make it uniformly accessible to every single Texas voter. Can you tell me why you think uniformity is appropriate if we're talking about polling hours but not when we're talking about access to ballot by mail?

MURR: I appreciate your curiosity. During the 14 hours of our first hearing and the many hours of the second hearing on this bill, we heard hundreds of witnesses and they talked about a wide range of their concerns. I would tell you that some type of universal or expanded voting by mail wasn't necessarily a topic that was brought up. I would also suggest to you that a topic that is as important as this should be its own bill and should go through the hearing process with a focus to allow stakeholders, witnesses, constituents, and colleagues here to discuss and debate the merits of an expansion of the eligibility for mail-in ballot voting. And I think that's the appropriate method for that, not here as an amendment today.

ORTEGA: Representative Zwiener, I should say that this is the third session that I have filed this bill, and I've never been able to actually even get a committee hearing on my bill. So that's why I thought maybe with the changes we're making with this new proposed voting bill that—not changing what is in the bill—it would be time that people could support this type of effort. We take pride in Texas wanting to be number one in everything. We should certainly be number one in getting people to the ballot box.

[Amendment No. 40 failed of adoption by Record No. 38.]

[Amendment No. 41 by Zwiener was laid before the house.]

ZWIENER: Members, I want to take a minute to tell you a story about a voter I interacted with in 2018 or, I should say, someone who hoped to be a voter and never got to be. This is an amendment which I had some hopes earlier in the day that this might be language that could get onto the bill in a bipartisan fashion but unfortunately, I think it'll be going to a vote. In 2018, I was at a senior apartment complex in Buda, Texas. It was a low-income complex. I met a woman. I'm going to call her Sue, and Sue was very ill, in treatment for cancer, on oxygen,

had mobility struggles, her hands shook. Sue had never voted before but she wanted to vote in 2018. I assisted Sue in filling out a voter registration card because her hands shook too much for her fill it out. I also assisted Sue in filling out a vote by mail application and, of course, filled out the required language on the vote by mail application indicating that I had assisted her. So the hope was that Sue would receive a ballot by mail. She'd be able to vote for the first time and, quite frankly, probably the only time in her life because Sue's cancer was terminal. I, as a voter registrar, delivered the voter registration application back to the county elections office, and I helped her place the vote by mail application in the mail at her complex. That is what is currently required by law.

This was 2018 in Hays County, where we had about 20,000 more people register to vote over the summer, which completely overwhelmed our county elections office. They had to work every single day of the week for a couple months to be able to get everybody entered into the system in time for the November election. So they had two stacks that they were processing. They had the stack of voter registration cards and they had the stack of vote by mail applications. They prioritized processing the vote by mail applications for the very obvious reason that it's time sensitive to send those ballots out promptly. When they got to Sue's vote by mail application, they hadn't processed her voter registration yet. They looked at that ballot by mail application and they said this person isn't registered and they denied the application. Later, they reached her registration card and registered her to vote, but by that time they no longer had her ballot by mail application.

Closer to Election Day, I can't remember precisely if it was Election Day or one of the last days of early voting, I arrived at Sue's apartment again. I said, "Did you get your ballot? Did you send it back in?" And that was when she told me she never received her ballot and instead had had her application rejected. I offered to drive Sue to the polls, but she told me she was simply in too much pain to get up and come with me and go vote. This is somebody who missed their chance to be a part of our democracy, and she missed her chance to be a part of our democracy because of an arbitrary logistical problem in our rules, which is that a voter registrar can take and deliver to an elections office an application to register to vote but that same voter registrar cannot take the application to vote by mail. If those two documents had been linked and had arrived together at the election office, Sue would have been able to vote. She didn't get to vote because they were separated.

My amendment is very straightforward. It allows that deputy voter registrar to also collect and deliver to an election office an application to vote by mail. It expands the secretary of state's training program for deputy voter registrars to make sure it includes information about ballots by mail. It also applies the same penalty to someone who fails to deliver those applications for ballots by mail promptly that currently exists for returning a voter registration application promptly. Members, this is something that makes sense. This is something that makes sure our senior citizens can get the help they need to vote by mail. This would have made a difference for Sue, and I know it would have made a

difference for other individuals as well. So I urge y'all to support this amendment. I urge y'all to take this commonsense step to ensure that our senior citizens can be helped in a complete and total way by voter registrars.

MURR: I appreciate the discussion on this topic and I realize that this proposed amendment would help an individual given the scenario. But the point that I would make is this legislation includes certain identification numbers that would be part of your application to vote by mail and I don't know that we really want personally identifiable information being handled in any other way other than the U.S. mail. So for that, I oppose the amendment.

ZWIENER: Members, applications for ballots by mail do contain some personally identifying information—the exact same personal identifying information that is on the application to become registered to vote. It is the exact same level of security. The other thing I would mention if we are talking about the security of people's personal information is that the current application to vote by mail is most commonly printed off on standard letter-sized paper, folded in half, taped, and then mailed in with a stamp—something that anybody could easily rip apart to view that identifying information. The information that is being required in this bill, that is already required on the application to register to vote, is more secure in the hands of a trained and certified deputy voter registrar—these folks that are already being trained with secretary of state approved programs and who are being individually certified in counties to do this work.

This is a commonsense amendment. This should be part of this bill if you want your senior citizens to have help from their community in getting registered to vote. The people who do the work as deputy voter registrars, they are sworn to help anybody who asks them to register them to vote to vote. And that same rule would apply to them helping people with the application to vote by mail. This is something that would have a real impact and I think this should be an easy bipartisan vote. I urge your support.

[Amendment No. 41 failed of adoption by Record No. 39.]

[Amendment No. 42 by Zwiener was laid before the house.]

ZWIENER: This is a simple amendment that would prohibit anyone convicted of crimes related to the insurrection on January 6, 2021, or who has participated in or encouraged an act of insurrection against the government of this state or the United States from assisting a voter in person. The Capitol insurrection this past January was a true attack on American democracy, and those involved should not be allowed anywhere near our elections. The most concerning fact is that among those arrested following the January 6 insurrection whose home states were known, the most were from Texas, with 41 Texans charged thus far. Any involvement indicates a clear disregard for the processes of our democracy. We cannot trust people who stormed the Capitol to comply with free and fair elections. If someone is willing to engage in a violent attempt to overthrow the government to maintain power for their preferred candidate, they will surely be willing to intimidate voters or assist them dishonestly in any way they can for

political gain. There are consequences for criminal acts. For the crime of assaulting the institution of American democracy, it is not unreasonable to bar the offender from assisting a voter at the polls.

MURR: I simply just oppose this amendment.

ZWIENER: Members, if we believe in election integrity, then we do not need folks who have disregarded election integrity to have their hands on vulnerable citizens' ballots.

TINDERHOLT: Will this amendment also pertain to Antifa and all the people that have destroyed businesses across the country and killed people in cities like Portland and Chicago? Will this amendment include them as well?

ZWIENER: I believe we already have some provisions around other crimes that—

TINDERHOLT: But I'm asking if your amendment pertains to that. Because you're talking about one event that happened, but we've had almost two years of chaos across the country. So I'm wondering if your amendment pertains to those people as well.

ZWIENER: My amendment does not pertain to the full world of crime. What my amendment says is I have never—it would make people say, "I have never participated in or encouraged an act of insurrection against this state or the federal government." I think we have to acknowledge as a body that attacking the very seat of government itself is in its very essence fundamentally different from other types of crime. We have to acknowledge that our democracy is important and it matters and attacking the Capitol is different from property crime in general.

C. TURNER: I heard the bill author say he was going to oppose the amendment. I didn't hear an explanation of why he is opposing the amendment. I just want to make sure I understand it. It seems pretty clear that you just have to assert that you've never participated in or encouraged an act of insurrection against the state or the country. Is that right?

ZWIENER: That is correct. I am uncertain why he is opposing it.

C. TURNER: Are you aware of a possible reason why members would oppose what seems to be a very commonsense proposal that you have in this amendment?

ZWIENER: I am not. I mean, the only thing I could surmise is that because this bill is so deeply rooted in the big lie, that there is some concern that the same people who support this legislation—not in this body—but that the same people who support this legislation may have concerns about this language because of their actions or the actions of people close to them.

C. TURNER: Well, I would agree with you that someone who's participated in insurrection against our nation doesn't have any business participating in the electoral process in this way. So I think you have a good amendment.

REPRESENTATIVE BIEDERMANN: Is your amendment that anybody that attended that rally is part of the insurrection?

ZWIENER: The language is: "I have never participated in or encouraged an act of insurrection." As to the motivations and actions of someone who attended a rally, I'll have to leave that to them and their conscience.

BIEDERMANN: So what does your amendment say?

ZWIENER: My amendment says, and I have—well, it would add to the statement that someone who assists a voter makes "and I have never participated in or encouraged an act of insurrection against the state or the federal government."

BIEDERMANN: Well, you only took off to D.C. against the State of Texas against the law. But again, what is your amendment actually saying?

ZWIENER: I don't think we should get into a back and forth about our individual actions regarding insurrection, Representative Biedermann.

BIEDERMANN: What? So I just asked you a question. Is your amendment—people that attended that rally and attended the January 6 event, you're calling them all insurrectionists?

ZWIENER: I have answered that question. The language is "participated in or encouraged an act of insurrection." As for someone's individual actions at that rally, I think that would depend on exactly what they were.

BIEDERMANN: So that would be about 400 people, correct?

ZWIENER: Four hundred people? I'm sorry?

BIEDERMANN: I mean, that was the only people that have been arrested or have been accused of anything by the police. Is that correct?

ZWIENER: I am not advised on the exact number of people who have currently been arrested or indicted, though I am aware that operations are ongoing to identify and find more.

BIEDERMANN: It's only been, what, seven months? So about 400 people maybe, maybe 600, have been identified. Is that correct?

ZWIENER: I'm unsure how this is related to the amendment.

BIEDERMANN: The amendment is all about the insurrection that you're claiming on January 6, yet you were not there. You don't know what happened. All you're doing is listening to the liberal media. Is that correct? Where did you get your information?

ZWIENER: My language is any "insurrection against this state or the federal government," and I do think the events of January 6, which have led to the death of multiple Capitol police officers, are clearly the most obvious and noteworthy example in recent history.

BIEDERMANN: So how many police officers were killed at this supposed January 6 insurrection?

ZWIENER: If I recall correctly, one died soon afterward.



BIEDERMANN: How many days afterward? How many days? We just want to have truth out here. We don't want to be spouting off things that are untrue. How many days after did he die?

ZWIENER: I am not advised.

BIEDERMANN: I'm just asking you a question. How many days?

ZWIENER: I am not advised.

BIEDERMANN: But you're making all these accusations about people dying.

ZWIENER: Representative Biedermann, I have been on a game show. I am not on one right now. So I am not going to draw up random facts.

BIEDERMANN: Sure, but you're not telling the truth either. You're making up and exaggerating what happened at that event. That's what I'm trying to say. That's all I'm pointing out.

ZWIENER: Representative Biedermann, do you believe the events of January 6 were an insurrection?

BIEDERMANN: Of course not.

[Amendment No. 42 failed of adoption by Record No. 40.]

[Amendment No. 43 by M. González was laid before the house.]

M. GONZÁLEZ: In Texas, there are three million voters who have a disability—three million voters. And on this house floor, many of us have worked together to support people with disabilities. In fact, Chairman James Frank and I worked really hard during the legislative session to support helping deaf-blind members of our state. So we always want to make sure we're taking steps forward not steps backward when it comes to supporting people with disabilities. I have three amendments tonight, members, that are specifically from organizations that support people with disabilities. And I hope that we can look beyond partisan lines and make sure that we are truly being inclusive and not having negative implications in this piece of legislation.

This first amendment addresses the removal of a new oath and the perjury language in the bill. Currently, people with disabilities are able to have people who assist them when they are voting. The piece of legislation on the floor right now changes language so that under Section 6.03 of this bill, assistants must take an oath stating that they did not pressure, encourage, coerce, or intimidate the voter into accepting assistance under penalty or perjury. Assistants would then have to document their name, their address, the manner in which they assisted the voter, the reason the assistance is necessary, their relationship to the voter, et cetera. These are new requirements that will undoubtedly make it more time consuming and more burdensome for the voters who need assistance to vote to find that sort of assistance. Jeffrey Miller, who is a policy specialist for Disability Rights Texas, said, "Voters with disability just want to vote. They just want to be able to go to the polls and have their vote counted. Unfortunately, because in some circumstances those voters have support needs that need some sort of accommodation, we treat them differently."

Members, as a body we should agree that all voters deserve to have easy access to the ballot and to receive assistance in reading and handling the ballot. This amendment would ensure that the assisters are not intimidated for helping out voters by unnecessary and even punitive language. Our constituents have elected us to do everything we can to make voting accessible to all Texans. The language in the bill has potential for negative implications, and I urge you to stand with Texas voters.

MURR: I appreciate the gentlelady from El Paso and her consideration and thought process regarding voters with disabilities. The oath that we speak about that her amendment proposes to strike was actually modified by my perfecting amendment. That did remove some language that I understand was at the request of disability rights advocates to improve that oath so that there wasn't a focus on that. So that is now already on as an amendment to the bill. I still do believe that the purpose is here and necessary to retain the oath. And so for those purposes, I would respectfully oppose the amendment.

M. GONZÁLEZ: Thank you to Chairman Murr for his really conscientious work today all day long. We have to trust the voices who are actually experiencing this reality. I'm really grateful Chairman Murr has made some changes, but we didn't do enough to ensure that we wouldn't have negative implications through this piece of legislation, particularly for people with disabilities. If we want to make sure—and we have done this so many times together—that we are taking steps forward to be a more inclusive state, particularly for the most vulnerable, then these three amendments are critical for this piece of legislation.

[Amendment No. 43 failed of adoption by Record No. 41.]

[Amendment No. 44 by M. González was laid before the house.]

M. GONZÁLEZ: Members, since I already explained some of the process, I'll be brief in this one. This amendment simply says that if your voter assisters work for nonprofit organizations and they're there to help in their capacity under their job, that they can basically do their job. So the piece of legislation right now limits assistants from receiving compensation. However, this amendment will allow voter assistants who are assisting as part of their daily job to be compensated. So let me give an example. This legislative session, I was really proud to work with multiple members for a bill to support people who are both deaf and blind—deaf-blind at the same exact time. They need assistants, and those assistants are very hard to find sometimes considering their unique needs. So they will have, a lot of times, people who work at nonprofit organizations support them in their daily lives. The current piece of legislation would not allow them to support them in voting. Members, do we really not want people who are deaf and blind at the same time not to have the support they need when voting? Again, I ask for us to think beyond partisanship to make sure that we are taking care of folks who are differently abled than us.

MURR: Members, I know it's late, and I do appreciate the gentlelady's attention to disability rights advocates and to the fact that we all want Texans to go vote. However, her amendment here is expansive in nature and actually adds in quite a

bit of broad expansion of employees that would then not be subject to this criminal offense that talks about compensation, solicitation, et cetera, when relating to the process of voting. I think that we all worry about having a clean and fair election process. We think this concept would best be left out of the bill, so I oppose the amendment.

M. GONZÁLEZ: There's a lot of things that we need to do to protect people with disabilities.

[Amendment No. 44 failed of adoption by Record No. 42.]

[Amendment No. 45 by Moody was laid before the house.]

REPRESENTATIVE MOODY: Despite what Mr. Murr says, it is not late. It's early. We have a lot to discuss, many things to discuss, and this is one of them. This is actually very straightforward what the amendment does. It is actually not really clear if you look at it on your screen, so let me kind of summarize it for you. This is the part of the bill that requires those who are assisting to list what the relationship they have is to the voter. And during our testimony in the first special and then subsequently in the second special, we heard from advocates from the disability community that said, "Look, we're not opposed to the concept. What we're opposed to is that this is going to have a chilling effect on people being willing to help." Because if they're not related, they may think they can't sign on to assist a voter. Even though the law doesn't say they can or cannot, it does require them to place it in the record. And if they don't do it correctly, the most problematic part of this is it makes them a felon.

We've discussed many times on this floor deterrent effect of criminal laws. That's debatable whether they work or not. But what we heard very clearly—and I want to say very clearly to the disability community tonight, "I hear you." What they said to us in the committee was this is going to deter our helpers, those who help us on a day-to-day basis, from helping us either fill out this application or fill out the ballot. Because not that they're not related to us, not that they have a relation to us, or whatever the case may be, they're going to see this as a barrier to entry, as a barrier to being able to help, and a barrier that carries a very stiff penalty. We heard time and time again: "Please don't have this threat. Don't have this effect out there for the folks that help us day to day." And so when I listen to the disability community, I try to hear them. I try to respect them. I try to do what they ask. Because I know, as a family member of someone who lives day to day in the disability community, that very rarely do people listen and hear their real-life experiences.

So what this amendment does is very simple. It says we don't need to put that out there. We don't need to put that threat on paper. If someone's not related to someone, they don't need to put that down. If they're being compensated for it, yes. So let's put that down. But if they're related to or not related to, what does that matter? It makes no difference whatsoever. The only thing it does is create a chilling effect on the ability of people who typically help individuals with disabilities do what they need to do to operate in life, to have their voice heard in this respect. So this amendment is very straightforward and very simple. And it

allows those folks to be free of that concern, to be free of that burden, and to erase the chilling effect. And I am almost positive it's acceptable to the author, although I need to check with him first.

MURR: I greatly respect Mr. Moody and the points that he makes with his amendment. The language that he's seeking to strike here has to do with simply providing notice of the relationship between the person and the voter. And obviously, in most scenarios, that shouldn't be an issue to provide that information. And in the highly unlikely but certain fact scenarios where it becomes suspicious, that would be the only motivation not to do so. So that's why it's included as part of the bill. Because whether it's a friend or family member or neighbor, it's that simple to make that statement as you complete the paperwork. So I respectfully oppose the amendment.

MOODY: You know, and I get that, but let's just kind of distill it down to where the words on the paper mean something to the people in the real world, right? Got to name yourself, got to have your address, got to know if you've been compensated, because what we're really after and what I understand after hours and hours and hours of testimony is that we're after people who are being compensated to somehow steer an election in a certain direction. I'm not saying to eliminate that. If someone's being compensated, I want it reported. That needs to be part of the report. But what level of relation someone has to someone does not matter. It makes no impact whatsoever. If someone's being compensated, fine. That's in the bill, and my amendment has nothing to upend that. And we know now how to identify them because of the other provisions of the bill. My point is, what does it matter? If someone's a cousin or a stepbrother or a stepsister or a mother-in-law or a suegra or whatever you want, what does that matter? And the answer is none. The relationship means nothing. The only thing that serves to accomplish is to intimidate those that are closest to the voter from helping the voter. That's it. If they're compensated, we're still going to know. Where they are, who they are, what their address is—we're going to know. My amendment does nothing to change that.

What my amendment seeks to affirm and what I would like to address are the concerns that I heard from the disability community in hours and hours and hours of testimony. And I want them to know that there are people that are actually listening to them, that we want to address the concerns that they raised. Because some of those have been addressed on the floor today but some of them have not. They've been ignored. And I want them to know, unequivocally, there are people in this body, in this chamber, that hear them. And we will continue to hear them and respect them and address the things they need addressed to be able to make sure their voice is heard in the most effective way possible. I certainly respect the author of the bill. I would ask for you to also join me in listening to the disability community in voting yes on this amendment.

[Amendment No. 45 failed of adoption by Record No. 43.]

[Amendment No. 46 by M. González was laid before the house.]

M. GONZÁLEZ: This is my last amendment. And I figured out why you voted no on all the other ones. Because you were waiting for this one, which strikes all of the Section 6 language because we recognize that it has potential for negative implications. Members, ask yourself this. Attempting to help a voter and making a clerical mistake could carry a sentence of up to 10 years in prison. People who are helping people with disabilities are people who are helping English language learners. If they make a mistake, should they really be in jail for up to 10 years? Is that really what we are trying to do here? Or can we take some time, do the right thing, and fix it if it needs to be fixed as opposed to maybe going too far and potentially disenfranchising nearly three million Texans just because they have a disability. Is that who we are as Texans? I know it's been a long day and I know we're in a little bit of a gridlock, but at some point we have to ask ourselves, is this what we need to be doing today? Members, we should be making it safer and easier for voters who need assistance to receive assistance, and I urge you to support this amendment.

MURR: I respectfully oppose this proposed amendment that strikes all of Article 6 contained in the bill. There are provisions contained in Article 6 that are in current law. In addition, there are proposals there that I think provide good measures for advancing the policy we are talking about today. So therefore, I oppose.

M. GONZÁLEZ: Members, this section of the piece of legislation has potential to really impact people's access to voting in a democracy, people who really need democracy to work for them not against them. I urge you to vote yes on this amendment.

[Amendment No. 46 failed of adoption by Record No. 44.]

[Amendment No. 47 by Neave was laid before the house.]

NEAVE: Currently under Texas law, Section 64.009 of the Election Code, certain individuals can vote curbside. We talked a little bit about that earlier. We heard earlier Dr. Mary González talk about the number of individuals. Our fellow Texans with disabilities is several million. What this amendment will do is we will add to the Election Code that election officers shall post notice outside the polling location, in large font that is clearly readable from a vehicle, to inform voters about their right to be able to vote curbside. This amendment doesn't change who is eligible to vote curbside. It requires something that the federal Americans with Disabilities Act touches on and gives guidance on about signage and the need for signage.

There is a report in a study as recently as this January of 2021 from the Texas Civil Rights Project by Wajih Rizvi, who is an attorney who analyzed in the November 2020 election the impact of not having signage. The name of the report is *Curbside Voting and Disability Access in the 2020 General Election*, and this report goes into detail and gives us examples. One example in particular is in a Latino community. An individual who was in a wheelchair went to a polling location. His wheelchair could not get up because there were no cuts in the floor or a ramp to allow his wheelchair to be able to allow him to vote. Thankfully,

there was a poll individual who was assisting outside who was able to inform him that he could vote curbside voting. And so many people in our community do not know about this right.

This amendment will assist and allow individuals to know about this right to vote curbside. The Texas Secretary of State actually has sample signs that can be used in English and in Spanish to inform individuals. So the information is there, but this is not being followed. So this would codify it in our Election Code to require our local counties to post signage to allow more individuals to have access. As I mentioned, the Department of Justice has issued guidance on this. This report goes into much detail. It has gotten to the point where the Texas Coalition of Texans with Disabilities, in a district court, had to obtain a temporary restraining order to require a county to post these signs. So I ask you to consider and vote yes in favor of this amendment that will allow and assist our individuals, our community of people with disabilities, to be able to know about their right to vote curbside.

MURR: Again, I appreciate my colleague's attention to ensuring that curbside voting is made well known to Texans. I pointed out previously in the day that Section 64.009 of the Election Code has been around since 1985, and I think we can go out and we can talk to our constituents and generally they are well aware of the fact that they have the right, if they are eligible, to vote from their motor vehicle. In addition to that, I'm not aware of any restrictions that our local election officials have on placing signage in places where our voters can be aware of curbside voting. Finally, I'll add that I'm not aware of any specific or detailed witness statements or testimony during our hours in both the first called and second called hearings that went into great detail about any need for additional signage. So consequently, while I appreciate the thought process, I don't think this is necessary, and I oppose the amendment.

NEAVE: Perhaps in Representative Murr's area people know about the right to vote curbside, but I can tell you in my area in Dallas County individuals, especially new voters regardless of where they're from, do not know about this right because there is no signage outside. We've cited to it. We know that there's a need. There's data that shows why we need signage to inform people about this right. We want to be expanding access to the ballot box. This would help do that and so that's why I urge you to vote yes.

[Amendment No. 47 failed of adoption by Record No. 45.]

[Amendment No. 48 by Dominguez was laid before the house.]

DOMINGUEZ: Currently, the law prohibits photos being taken of a person voting. That's the law right now. And we would all agree that's not a good thing—we don't want people taking pictures of people voting, right? The problem with the current law is there's actually no teeth to it. So they can take a picture of you voting and all the election judge can tell you to do is stop taking pictures or ask you to leave. I think the law should be harder than this. And I think if you want to stop some of the bad stuff going on at voting places, you'll agree with me that we should add some teeth to the code. That's what this

amendment does. If you're taking a picture of somebody who's getting assistance voting, that's a Class B misdemeanor. If they actually take a picture of your ballot, that's a Class A misdemeanor. I would hope the author—and we've talked about this—I would hope he would support this because this makes current election laws tougher. So if you like tough election laws, you should be a one on this.

MURR: Representative Dominguez actually alluded to the fact that current law prohibits a person from taking a photograph or audio video while in the polling location. That is current law right now. So I appreciate his attention to this detail. Again, in the hours and hours of committee hearing testimony, we didn't hear from witnesses that spoke to this measure. I believe that it is well known fact. And typically, it seems to be remedied promptly anytime that it may allegedly occur. So consequently, I oppose the amendment.

DOMINGUEZ: Tough election laws—that's what Texas needs. Let's make Texas election laws tougher in this case.

[Amendment No. 48 failed of adoption by Record No. 46.]

[Amendment No. 49 by J. Turner was laid before the house.]

J. TURNER: Members, this amendment involves a section of this bill that may not have received the attention that it really deserves. It has not been talked about as much as many other sections. But the background here is Section 6.05 of this bill says that it is going to be a criminal offense, a state jail felony, to compensate another person or receive compensation for assisting voters as provided by Section 86.010. Section 86.010 is the section that allows assistance to a voter who has a physical disability, and it's defined as cannot write or see or an inability to read the language of the ballot in filling out a ballot by mail. It's now going to be, under this bill, a criminal offense—a state jail felony—to receive any compensation for performing that service or to offer to compensate anyone or to compensate anyone for performing that service.

So imagine for a moment a personal caregiver in the home. That person is compensated. Now, they're not being compensated specifically for providing that assistance, but this language does not say it has to be specifically for that purpose. It just simply says "compensates a person." And if that's part of their job, I think that might well fall within the parameters of this new law. Similarly, at a nursing home or an assisted living center, if a person is a compensated employee, I think that's been a practice where there are employees of a nursing home who assist people in filling out their mail ballots who need that assistance because they cannot write or see well enough to do so on their own. Now, it's six months to two years in prison in a state jail facility for that. I imagine that we might see some years from now someone actually convicted of that crime. That person might end up saying, you know, I did this in 2018 and I did again in 2020. But in 2022, I did it again and I didn't realize it had become a state jail felony to do that, and I'm in prison. I mean, it almost sounds comical but it will not be funny if that occurs, if that happens to somebody. And there's every reason to expect it might.

Now, what my amendment does—my preference would be to get rid of the entire section—but this amendment does at least do one thing that I think is important. It would say that that would "not apply if the voter is a person with a disability being assisted by a previously known attendant or caregiver or by a person primarily employed or compensated to provide care to the voter." So a domestic employee who cares for an elderly person, they are exempted if my amendment is adopted. By the way, that very language I just read, the first part of it—and that is "assisted by a previously known attendant or caregiver"—was in this bill until today. It was in this bill that passed out of committee. It's been removed, to my understanding. What my amendment would do is put that back in, and that's something that passed out of committee and that was in the language of the house bill as originally introduced, **HB 3**. And I would also add "by a person primarily employed or compensated to provide care to the voter," which would cover a full-time employee, for instance, of an assisted living center or nursing home who ought to be able to assist a resident in filling out a mail ballot.

Now, there are various other requirements to make sure they do it correctly, make sure they aren't influencing the voter. They have to fill out an oath. This is not something with no standards associated with it. But do we really not want people who are paid help, paid assistants, to be able to assist in this process? I don't think we want that. I think that's going to lead to fewer people being able to vote. So I urge you to consider supporting this amendment. If you do so, you'll be supporting, in essence, for the most part, language that was already in this bill when we arrived on this floor today plus an additional correction in the same spirit.

MOODY: I kind of heard you bifurcate some of the purposes of what you are doing here. The initial part you talked about was someone that's known to the person. Explain that language one more time—known to or?

J. TURNER: Yes, so there are two categories here in my amendment. One would be "a previously known attendant or caregiver."

MOODY: Okay, so let's stop there. I think you mentioned—you know, I know we are getting on in hours here, but I want to highlight something that you just said. Was that language in the bill as it came to the floor today?

J. TURNER: Yes, it was. Now, I will say my understanding is that it has been taken out by a previous amendment. That's what I've been informed. It may be. Someone else has suggested to me that it's going to be taken out in an upcoming amendment. So I'll have to just say I'm not sure 100 percent which it is.

MOODY: Well, both of those sound like the same result to me.

J. TURNER: Correct.

MOODY: So let's set that aside. What you're saying is the bill that was voted out of committee had that language in it. Is it your understanding that that language was included at the behest of the disability community?



J. TURNER: Representative, I do not know specifically who made the request to include it. I think it's a reasonable assumption that the disability community would very much support this.

MOODY: So I've got to be careful here. I've got to ask questions from the back mic. Would it surprise you to know that I was on that committee and heard members of the disability community advocate for that very provision that has either been taken out or will be taken out at some time in the future? Would it surprise you to know that those folks came to the committee and advocated for that provision to be in the bill?

J. TURNER: That would not surprise me at all.

MOODY: Would it surprise you to know that during the committee hearing either in the first or second special, which I was there for both, that the disability community highlighted this as a positive element of the bill?

J. TURNER: That would not surprise me, and I would imagine from the standpoint of the disability community this would be quite important.

MOODY: Why do you think that? Why would you come to that conclusion?

J. TURNER: Simply, it's essential, of course, to allow disabled voters to receive assistance in filling out their ballot. So if you take away the ability to compensate anyone ever for helping to do that, even if they are a full-time employee or a full-time caregiver, most definitely you are going to limit access. I don't see how you can look at it any other way.

MOODY: I agree with you 100 percent. Let's pivot to the second part of what you said. Because when I visited with those folks in the disability community, they said this provision, Mr. Turner, that you are trying to preserve, either proactively or retroactively depending on what's happening here, is good but it's not great. It doesn't get us to where we need to go. And so the second part of your amendment, I believe, addresses their other concern. Can you explain that part one more time?

J. TURNER: Yes, so the second part of the amendment would also exempt "a person primarily employed or compensated to provide care to the voter." So even if, for instance, it's a case where it's a new staff member, for instance, who has not yet met that person, that wouldn't be covered by the previously known language. But it would be covered by the second clause in this amendment, "primarily employed or compensated to provide care to the voter."

MOODY: Let's zero in on that because what you are talking about is a real-world circumstance. If anyone here on the floor has had a loved one being cared for in a facility, in a nursing home, they know that from day to day that individual caring for their loved one might not be the same person, may not be known to them. Isn't that correct?

J. TURNER: That's right. And again, my concerns are really twofold: One, for the person who needs assistance in filling out their ballot. Second, for the unsuspecting person who does the same thing they've been doing election after election and now it's become a crime. It's become a state jail felony. Do we really

think everybody is going to read this bill as carefully as everyone on this floor has and understand right away that in the next election what you've been doing election after election has now become suddenly a state jail felony? I'm very concerned about that.

MOODY: I'm pretty sure most people haven't read it as closely as you. But what I want people to realize is that their loved one in a nursing home would be helped in multiple ways by this amendment, either by those that they know that are caring for them or in the event that it's a new person in their room, that new person is not going to be terrified to take on that responsibility to make sure that person has their voice heard at the ballot box for fear of prosecution of—what did you say, a state jail felony?

J. TURNER: A state jail felony, that's right—six months to two years in a state jail facility.

MOODY: Six months to two years?

J. TURNER: Correct.

MOODY: Probably longer than that individual may be in that facility. What I'd like for members to understand is that this is a two-part solution to a very complex problem. And by the way, half of it was baked into this bill as it came to the floor today.

J. TURNER: That's correct.

MOODY: And it was based upon the testimony of those within the disability community. Here's what I know—I'm going to listen to you if this is a bill that impacts you. What the disability community told us is that this provision was important to them, and now, it's gone or it's going to be gone. And they said it needs to go further because we need to make sure that those who are switching in and out of responsibilities in terms of their care aren't afraid to be prosecuted as a felon.

MURR: Politely, I oppose this amendment. And it looks like there may be questions, so I'm happy to yield for questions.

ANCHIA: Representative Murr, part of this amendment was in the bill previously, it sounds like, at the behest of the disability community. Why did you take it out?

MURR: First, let's talk about where it's located in the bill. In Section 6.04 of the bill, on page 31, this has to do with the exceptions for when someone does need to fill out the information on the official carrier envelope for voting by mail.

ANCHIA: I believe you may be mistaken.

MURR: My apologies. Let me turn the page. In 6.05 is where we are speaking to. Is that correct?

ANCHIA: I believe that's right.

MURR: Would you ask your question again since I was interrupted? I'm sorry.

ANCHIA: Why did you take it out? This is clearly something that would help our disability community. The penalties are very, very high. Because they are so high, we should be giving people a bright line in terms of standards and we should not leave it to chance because this will have a chilling effect. Why are those considerations such that you would not accept this amendment?

MURR: The provisions that we're talking about are simply an exception to completing the paperwork. That's all it is. So in this amendment, for example, it talks about a person primarily employed or compensated to provide care for the voter. Clearly, time is not necessarily an issue for them. If they're not necessarily concerned about completing their name, the relationship, and whether they've received any compensation, that's all that's required for them to denote that.

ANCHIA: But if they've received compensation as a caregiver, would they not be busting that declaration? It seems to be pretty clear that they would be unable to make that declaration. If you are a compensated caregiver and part of your responsibility is helping that person vote because they have a disability and they're unable to do it themselves, they may be blind or otherwise, then you'd be busting that and you'd be subject to criminal penalty, a pretty steep one.

MURR: I'm going to go back and point to the language that's contained in there about compensation, and it says whether they "received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee." If you're a caregiver, I'm assuming neither of all three of those situations apply. I don't think that the point you make about the origin of the compensation—

ANCHIA: Is it any compensation? Is the "any compensation" language tied to those three circumstances? That is not my understanding.

MURR: I read the phrase to you. Yes, sir.

J. TURNER: Let me first say, by the way, Representative, I understand it's a bit confusing here, and I may have contributed to some confusion here. There are actually two sections in this bill in back-to-back pages that contain this language, "assisted by a previously known attendant or caregiver." Is that right?

MURR: Yes.

J. TURNER: Okay. I will tell you, my intention is—in this amendment as I had attempted to draft it—is to apply it to the section on page 33, lines 9 and 10, of the bill as it came to the floor today. I realize that the way it was drafted it is somewhat confusing. I redrafted this amendment several times in an attempt to accommodate the changes to the bill that occurred via amendment earlier in the day. Does that make sense?

MURR: It does now. Because I read it and on your amendment it creates a new section, so it's not numbered and it didn't drive me to where I'd go. But it says it's amending Section 86.010, and whenever I flipped over to that, that is currently in Section 6.04 of the bill, on page 31. So I believe that might be lending itself to the confusion in my responses.

J. TURNER: I believe you're correct. 86.010 is also referenced in the next section, 6.05, but I believe you are right about the way this is drafted. I would say, if you are willing to accept this amendment, Representative Murr, I would certainly make sure to fix the lack of clarity here and ensure that we're talking about Section 6.05.

MURR: Okay.

J. TURNER: So with that understanding, I guess my question to you is, is there any reason we shouldn't have this language in Section 6.05 to make sure that—since we are going to make it illegal and a crime to compensate or offer to compensate or to receive compensation for assisting a person in filling out their mail ballot if they are disabled—that we should make sure that that does not cover a person who is "a previously known attendant or caregiver" or someone "primarily employed or compensated to provide care to the voter"?

MURR: In response, respectfully, and I know you and I have spent a lot of time discussing this issue and the language in this bill, I would point out that that reference to 86.010 refers us back to Section 6.04. And there, the reference of compensation provides that you provide notice whether the person "received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee" in exchange for providing assistance. Clearly, a caregiver would not receive compensation from any of those entities. And therefore, under Section 6.05, I do not read that to mean that a caregiver who's not receiving compensation from a candidate, campaign, or political committee would be in violation.

J. TURNER: Well, that is interesting, Representative Murr, because the way I had read this and studied it, it certainly seemed to me that Section 86.010 simply laid out the method by which a person is to assist someone who is disabled in voting and filling out their ballot by mail and also provides what's lawful and unlawful. So when you go to Section 6.05 and it simply says, in Section (a)(1), "a person commits an offense if the person compensates or offers to compensate another person for assisting voters as provided by Section 86.010," that seemed to me to very directly say you can't do that anymore if you're paid to do it. If you are willing to discuss this—I should come back to the front mic and talk about this, Representative—but if you're willing to discuss this, I'd be glad to pull this down to allow us to do so and perhaps come back to it.

MURR: I read in Section 6.05(a)(1) that you just mentioned, "compensates or offers to compensate another person for assisting voters as provided by Section 86.010." I read that to go back to that compensation comes from a candidate, campaign, or political committee. So unless one of those three entities is compensating the caregiver, I don't see where a caregiver applies.

J. TURNER: Well, all that 86.010 does in your previous Section 6.04 is add a new requirement that you say whether the person "received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee." The whole section simply applies to the circumstance where you are assisting a voter—a disabled voter—in completing their mail-in ballot. It refers

back to the same oath that you must take if you assist that voter in person at the ballot box, which is in Section 64 of the Election Code. So if I'm not mistaken, Representative, my impression was that this is the basic section that describes what you can do to assist a disabled voter in filling out a ballot by mail. Do you not agree with that?

MURR: When you say this section, are you referring to Chapter 64 or are you referring to—

J. TURNER: No, sir, Chapter 86.010, and if my memory serves, it refers to the oath in Chapter 64, which is the chapter that deals with assisting a person at the ballot box in an in-person voting situation, but the oath is the same. You have to fill out the oath if you assist them by mail and you have to fill out the oath if you assist them at the ballot box. So Chapter 64 is at the ballot box; Chapter 86.010 is ballot by mail.

MURR: I will assume that you are correct in that at this late hour.

J. TURNER: Would you be willing then, Representative, to agree with me that we should not prevent previously known caregivers who are compensated people or staff members at the assisted living center or whatever it may be from doing something they've probably been doing quite a lot in this state for a long time and that is assisting those for whom they care in filling out their ballot by mail?

MURR: I would agree that I don't think that that's an issue, based on the language contained in 86.010 when we talk about compensation from a candidate, campaign, or political committee.

J. TURNER: Well, that's because I think we just had a discussion where we had a disagreement about whether 86.010 is limited to those circumstances. It simply requires in your new language in 6.04 for that information to be provided, but it's not limited to a circumstance where there's compensation.

SPEAKER: The gentleman's time has expired. The chair recognizes Mr. Turner to close on the amendment.

J. TURNER: Members, I appreciate your attention on this issue. Again, we're aiming for good policy, I believe, all of us in this body, what we believe to be good policy. I'll simply say, if you think it is good policy to allow people to continue to assist, probably in the vast majority of cases, elderly voters, that people who are disabled be assisted in filling out their mail-in ballots by a previously known caregiver who may be a compensated person, then this amendment ensures that they will continue to be allowed to do so. I would ask for your support for this amendment.

ANCHIA: Representative Turner, can you describe to the body the penalty that is proposed for not complying with this particular section of the code?

J. TURNER: Yes, 6.05 of this bill provides that penalty is going to be a state jail felony. If you look at Section 6.05, you'll see the changes in code that are being made here. It is now already illegal to compensate someone as part of a performance-based compensation scheme based on the number of voters assisted. And if you receive such compensation under those circumstances, it is illegal to

do so with knowledge—with knowledge—that accepting compensation for such activity is illegal. So we have the mental state requirement in our current law. That's being deleted. Everything I just read to you is being deleted in Section 6.05. So now, what's going to be illegal is simply compensating or accepting compensation to assist a voter in filling out their mail-in ballot if they fall within the disabled category.

ANCHIA: So that becomes strict liability, right? If there's no mental state? You either received compensation or you didn't and that makes you culpable, right?

J. TURNER: Hence my concern that this is a trap for the unwary.

ANCHIA: Or for a prosecutor who wants to make their bones, they could easily use this to prosecute someone who simply is doing the job they were paid to do by a disabled Texan.

J. TURNER: I fear exactly that outcome. We know that, of course, sometimes we just assume these things won't be prosecuted. Well, then we find out, then we read something in the paper that it happened. And we've had that experience. Those of us in this body who vote for legislation need to be prepared that people will actually be prosecuted for the actions that we define as criminal defenses.

ANCHIA: And all you're trying to do is create safe harbors for existing caregivers that you have a relationship with or someone who has been paid to do that job so that they don't fall into the trap that you just described.

J. TURNER: That is correct. And again, this language has been in this bill, the first part of it, the "previously known attendant or caregiver." I'm just adding a little bit to it with this amendment to also cover compensated employees who provide care to the voter.

ANCHIA: I believe that Chairman Murr was sincere in his perception. I believe you were sincere in your perception. Two reasonable minds could differ on this language. Would it not behoove us as a body, since the stakes are so high, to simply add your language and clarify this so that people don't unintentionally fall into this trap which appears now to be a strict liability trap for them?

J. TURNER: I agree with you, Representative Anchia. That's my hope. I absolutely agree with you that Representative Murr and I are looking—the way this amendment was drafted was confusing. By the way, this was the third draft of this amendment today. We were trying to keep up with the amendments that took place on the floor. So I absolutely understand how he might have been confused. And it is confusing. So where this fits needs to be clarified, but what I would say is it needs to stay in the language of this bill on page 33, lines 9 and 10. And that's my intent.

ANCHIA: So you looked at the language of the bill, he looked at the language of the bill, and you came up with two completely different outcomes for someone. And again, wouldn't it make sense for this body to say, hey, we don't intend for caregivers to be covered by this state jail felony—why don't we make it clear? Why don't we accept John Turner's amendment? It doesn't sound like it is a

bridge too far for this body to accomplish. And I don't know if you were given any indication by the bill author as to whether he wanted to continue working on this language so that it's crystal clear when we put it out into the world.

J. TURNER: My understanding is that Representative Murr is opposed to the amendment, and I certainly respect and understand his explanation. However, I do believe this is an important provision to keep in this bill because we're affecting real lives. We want the disabled and the elderly to be able to vote and receive assistance when they need to do so. And we don't want someone who is assisting them who may be a paid employee to end up in jail.

[Amendment No. 49 failed of adoption by Record No. 47.]

[Amendment No. 50 by Allison was laid before the house.]

REPRESENTATIVE ALLISON: I'll try to be as brief as possible on this. It's a simple clarifying amendment. Some of the things we've heard this evening, some outside the chamber, were about lack of specificity in some of the bill provisions, some vagueness. I appreciated Representative Wu's comments—well, some of them—this morning. And then there's some of the comments we've heard this evening from Representative Moody, Representative González, and even the last exchange about some uncertainty about some of the provisions, criminal and otherwise, that I think this amendment addresses. So it addresses more specificity on the provisions regarding voter fraud or other violations of the Election Code by providing exactly what makes up or what constitutes those violations or conduct. And then more importantly, I believe, of the amendment is it addresses the mens rea that avoids the inadvertent or mistaken unintended violations that we've heard some discussion about by inserting that for any of the conduct to be a violation, it has to be "knowingly and intentionally" or "with intent to deceive." That's what carries on throughout those provisions of the amendment throughout that I think will help clarify whether it's a caregiver, whether it's a relative providing assistance, or whatever, there has to be a knowing and intentional violation before there's any action. I think that helps quite a bit. I understand this is acceptable to the author.

J. TURNER: Representative Allison, I agree with your goal of trying to make sure that we are not criminalizing mistakes, but as I look at the very first change in the amendment, you add two words, "false or," in front of "intentionally misleading statement or representation." I know that we already criminalize an intentionally misleading statement, but as you add those two words—"false or intentionally misleading"—it seems to me that we're now criminalizing a statement that might be simply false but not intentionally so. Do you disagree with that?

ALLISON: Yes, let me explain. What's not included in this amendment is what's in the existing bill in the preceding language. In this one place, it does have "knowing and intentional."

J. TURNER: The first change in the amendment says, "cause any false or intentionally misleading statement . . . to be provided to an election official or on an application for ballot by mail." So if someone simply provided,

unintentionally, a false statement or information—in other words, they got it wrong, they made a mistake but not on purpose—isn't that now criminalized under the language of this amendment?

ALLISON: No, that's my point, what I didn't need to include in this amendment. This is one place within the existing bill where the preceding language says "knowingly and intentionally" and then follows what's in this amendment.

J. TURNER: I will study it a little further.

C. TURNER: My questions are similar to Representative Turner's because I want to make sure I understand. On the first page of your amendment, on line 3, you're adding in the words "false or" before "intentionally misleading," and you mentioned mens rea a minute ago. The definition of "false" simply means someone could make an honest mistake without the intent to commit a crime or to deceive or cheat or anything like that but simply make an honest mistake. But an honest mistake is false, right? So someone could make an honest mistake and get caught up in this legislation now. Is that fair to say?

ALLISON: No, that's what we're trying to avoid. I guess I'm not making it very clear. Perhaps when I did the amendment I should have included the language that I'm not amending that precedes this. It says: "A person commits an offense if the person knowingly or intentionally" and then this. Does that make sense?

C. TURNER: I don't have the copy of the bill here with me. When you strike page 35, lines 4-17, and substitute the following, how would that complete sentence read?

ALLISON: Right before that it says, "knowingly or intentionally" and then "cause any false or intentionally" and et cetera.

C. TURNER: Knowingly or intentionally cause any false or intentionally misleading statement. That's how it would read?

ALLISON: Yes.

C. TURNER: Okay. And then, scrolling down, it's a three-page amendment. What else are you doing with this amendment?

ALLISON: Scrolling down on the first page and the second page, it provides more specificity as to what would constitute election fraud or another violation of the Election Code by providing more specificity. Then, proceeding further, it provides the "knowingly or intentionally" mens rea for each violation. So it avoids any inadvertent, unintended action such as with a caregiver or relative providing assistance.

C. TURNER: Understood. Thank you, Representative. I just wanted to clarify to make sure we understood exactly what the language is doing.

J. TURNER: Representative Allison, I just want to acknowledge that you were correct. As I looked back at what you were saying, I now understand the preceding language that you were trying to convey. So I apologize for not grasping that initially, but I do see what you're talking about.

ALLISON: I appreciate it.



[Amendment No. 51 by Cain to Amendment No. 50 was laid before the house.]

CAIN: This amendment adds an enhancement where somebody "directly or through a third party offers or provides compensation." So when finances or people taking money comes into play, it enhances it to a state jail felony. I believe the amendment is acceptable to the author.

BUCY: What are we enhancing? What's the current penalty in this bill?

CAIN: Under this amendment, it has it at a Class A misdemeanor for a person who commits an offense if the person knowingly or intentionally makes a false statement on a registration application. With my amendment, it would become a state jail felony if they offer to provide someone compensation to make that false statement on a registration application.

BUCY: And the penalty for that now is a Class A misdemeanor?

CAIN: The amendment that I'm amending has it at a Class A misdemeanor.

BUCY: And you want to take this up to a state jail felony.

CAIN: It would be an enhancement for somebody putting money—paying someone or accepting money to intentionally cause a false statement or to intentionally coerce someone to put a false statement on a registration application.

BUCY: Can you explain a situation to me that we're trying to solve here?

CAIN: Yes. Someone gives you money to coerce somebody to put a false statement on a registration application.

BUCY: Give me an example. Like a false statement on a registration application—is this an occurrence that is happening? I just want to know what we're doing here that the current Class A misdemeanor isn't enough.

CAIN: Well, I think you would agree with me when we start adding money and things, we should prohibit people from being able to be paid to—

BUCY: I'm just saying is the Class A misdemeanor not deterrent enough? Why do you think this needs to be a state jail felony?

CAIN: So that people don't pay somebody to coerce a person to put a false statement on a registration application.

BUCY: Wouldn't the amendment already make it where they can't do that?

CAIN: But then we're not punishing the person who would pay someone to put a false statement.

BUCY: So it doesn't do that at all? I thought you were raising the penalty from a misdemeanor to a state jail felony.

CAIN: Yes. If someone pays someone to do it or accepts—that would be if you accept compensation doing it—yes, it would enhance the penalty.

BUCY: But isn't that already a punishment in here as a Class A?

CAIN: No. See, it would just be a Class A under Representative Allison's amendment.

BUCY: Yeah, you want to take a Class A and raise it to a state jail felony.

CAIN: Yeah. No, if you, for example, solicit, receive, or accept compensation to do an activity under (a), which is to knowingly or intentionally—how about—command someone to make a false statement on a registration application.

BUCY: Can you give an example where this has happened that we need this higher penalty?

CAIN: I mean, this is harvesting stuff. I don't understand the problem. But all day long I've listened to people talk about, gosh—

BUCY: What people?

CAIN: Representative Zwiener earlier was talking about an example of where there was a problem and she was trying to solve it. I didn't hear you talk about how this wasn't a widespread issue.

BUCY: I agree with you. It's not a widespread issue.

CAIN: Yeah, so let's make sure it's not an issue.

BUCY: Have we had any issues where this is a real issue?

CAIN: Yeah, I think it could be. It's just been so long since the regular session. Had you asked me that question during the first special session, I might have remembered, but I've since forgotten. It's been awhile.

BUCY: So there's no instances that we can point to but we're going to increase the penalty and put people—add more offenses that are going to put more people in jail?

CAIN: Representative Bucy, I think you could agree with me that paying someone to intentionally make a false statement or to intentionally coerce someone to do a crime should be punished higher.

BUCY: You don't think a Class A takes care of that?

CAIN: It's currently a Class A.

BUCY: Yes, and you're trying to raise it. And this is such a widespread problem that we can point to these instances that we need to raise this penalty?

CAIN: Thank you, Representative. I think I'm done.

BUCY: You're done? All right.

CAIN: Yeah, thanks.

BUCY: Members, we've done enough of raising penalties today.

[Amendment No. 51 was adopted by Record No. 48.]

[Amendment No. 50, as amended, was adopted by Record No. 49.]

[Amendment No. 52 by S. Thompson was laid before the house.]

S. THOMPSON: This is an amendment to reduce the penalties down from a state jail felony to a Class A misdemeanor.

MURR: I have great respect for Ms. Thompson and her many years of service. She always has a focus on criminal penalties. We engaged in a lot of discussion as a body and individually both during the regular session and the first called session about criminal penalties. Because of the efforts that were made then, I would oppose changes to the bill now. So I oppose the amendment.

S. THOMPSON: I think it's time for a change. I think this is a good amendment. It's going to be in line with things we've been doing for the last two sessions. And I think reducing it from a state jail felony to a Class A misdemeanor is the appropriate move.

[Amendment No. 52 failed of adoption by Record No. 50.]

[Amendment No. 53 by Walle was laid before the house.]

WALLE: The bill with Chair Murr's amendment would generally prohibit ballot by mail applications from being sent by officials to folks who did not request the application. What we've done in Harris County for the last four election cycles is allow for these applications to vote by mail to be sent to folks over 65. While I disagree with the notion that prohibiting this well-run Harris County practice is any sort of improvement on election security or integrity, we do know that these proposed prohibitions keep officials from making it easier for eligible ballot by mail applicants to get their ballots. As Chair Murr and, I think earlier, Representative Shaheen mentioned a few hours ago, there are already existing requirements to vote by mail in Texas. As mentioned before, you must be 65 years or older, be sick or disabled, be out of the country on Election Day and during the period for early voting by personal appearance, or lastly, be confined in jail but otherwise eligible. What my amendment would do, members, is it would exempt these prohibitions with respect to potential applicants for folks that are over 65, our senior citizens. So all it does is allow for the mail ballot application—not the ballot itself but just the application—to be sent to folks over 65 to their homes.

MURR: I know it's been a long day. I respect Mr. Walle's efforts here to ensure that all eligible folks that can vote by mail have the opportunity to do so. In current law right now, if you are qualified—that means if you are over the age of 65, for example, as in the amendment—you can actually annually request that you get your application to vote by mail sent to you. That is already currently in law. So that's just an effort that's made once a year. I think the current law is adequate, and I oppose the amendment.

WALLE: Again, all we're saying with this amendment is that if you're 65 or older that you are allowed to be sent your mail ballot application—just the application itself, nothing more, nothing less, just the mail ballot application.

[Amendment No. 53 failed of adoption by Record No. 51.]

[Amendment No. 54 by Rose was laid before the house.]

ROSE: This amendment will require the attorney general to collect data from each investigation or prosecution conducted by the Elections Fraud Unit. As we all know, when the attorney general's office is pressed for data about the racial impact of work that their Elections Fraud Unit completes, this will ensure that the legislature is informed of the race, gender, age, and county of origin for each investigation or prosecution opened under bills debated by this body this session. This would also require an annual report from the AG's office to the legislature and executive branch as well as to the principal deputy assistant attorney general for the Civil Rights Division of the U.S. Department of Justice, the agency responsible for holding states accountable for racially disparate election laws. As the legislature passes more voter suppression legislation this session and empowers the attorney general to play a role in intimidating voters, it is important that we collect and report data to ensure that the law is being applied in an equitable way and not targeting minority communities.

MURR: Respectfully, I oppose the amendment.

ROSE: I know in this chamber we get a little sensitive when we talk about race and gender and disparities, but it's important that we acknowledge that. Until we acknowledge that there is an issue in certain communities and sometimes certain communities are targeted, we will continue to kick this can down the road.

[Amendment No. 54 failed of adoption by Record No. 52.]

[Amendment No. 55 by Jetton was laid before the house.]

REPRESENTATIVE JETTON: This amendment to **CSSB 1** does quite a bit. So I'm going to take some time to explain all the different line items, and then I also have an amendment to the amendment. I'm happy to answer any questions. Starting off on page 1, this amendment would require the Department of Public Safety to generate a list of individuals who indicate they are not a U.S. citizen and provide information to the secretary of state on a monthly basis. If the secretary of state determines an existing voter registration is on file, the registration would be canceled. This does not impact future registrations by the same individual. Moving on to page 2, the amendment would amend Section 18.065 regarding the secretary of state's ability to monitor registrars' compliance. There is an enforcement mechanism for the secretary of state to be able to have an added three-tiered enforcement mechanism that includes training, audit, and correction by the secretary of state and provides a civil penalty for repeated noncompliance. On page 4, the amendment would require the secretary of state to quarterly compare voter registration with the records of the individuals who claim exemption of jury duty for either noncitizenship or no longer being a resident of the county. This information is shared with the voter registrar and secretary of state. On page 4, we also further clarify referral to the attorney general for suspected criminal conduct identified by the secretary of state.

On page 6, the amendment would require counties with a population of more than 100,000 to implement a video surveillance system that is livestreamed for the central counting stations, signature verification committee, and ballot board verification area. On page 7, it would require that once written, data storage

discs cannot be modified. This ensures that at the end of use during an election, the discs used and the votes cannot be modified. On page 8, this amendment would require a form to be filled out by a vehicle driver who transports seven or more voters to the polls in the event that the voters who qualify for voting curbside are not directly related to the driver and used curbside voting. The driver would complete a form establishing a record of whether the driver also provided transportation and assistance to the voters. On page 9, the amendment would disqualify individuals who serve as election officials, if they have been finally convicted of an offense under this Election Code, from serving as an election officer. It creates a civil penalty for election officials who violate a provision of the Election Code and ensures violations committed in their official capacity can only be brought against officials in their official capacity. Moving on to page 11, we allow for a legal remedy for those election crimes—for candidates to be able to collect damages against another candidate. Then we finish off, on page 13, with the court of criminal appeals being able to impose further restrictions on retention of documents.

ANCHIA: Since your amendment deals with list maintenance and purging of voters, I wanted to ask you just to walk through those provisions with me if you don't mind. As you know, there's a current consent decree that the State of Texas is subject to in the *Texas LULAC v. Whitley* case, and there have been multiple findings of noncompliance against the State of Texas with respect to the National Voter Registration Act. So I'm trying to follow, and I've spent some time looking at this. I think where Secretary Whitley went wrong is he used legacy data from the Texas DPS that showed that at the time of receiving a license Texans may have been noncitizens—legal permanent residents—and then he took that list and he compared it to the voter registration rolls and immediately made the conclusion that you had noncitizens voting. He then took that list—after making a public pronouncement—and sent it over to the attorney general for prosecution immediately without having checked the list. Then the attorney general made public pronouncements that noncitizens had voted in the election, and then ex-President Trump did the same thing immediately. He tweeted that noncitizens were voting in Texas elections.

We sued. There were lawsuits that halted that failed voter purge. And in fact, it was discovered that the DPS database that was used to show noncitizenship was inaccurate because it was retrospective. And since that time, the 100,000 voters that were subject to the purge had become lawful U.S. citizens, had registered—many of them at their naturalization ceremony—and had then subsequently voted. So the consent decree says you can't use DPS data that is legacy retrospectively. You can only look at data prospectively and use any data you might find from DPS or another government source to determine ineligibility. Can you walk me through your amendment and can you speak to its compliance with the consent decree?

JETTON: Sure. So what this is going to do is on a monthly basis, the Department of Public Safety—any individual who identifies with the Department of Public Safety that they are not a citizen, monthly that is sent to the secretary of state. The

secretary of state will check to see if there is a current voter registration for that individual and they will be removed if that is the case. It will not look at future registrations.

ANCHIA: Past.

JETTON: It will not look at future. So if they are on the list from the DPS when it is sent over, that is not going to be referenced in the future when they go and register to vote. And this is in compliance with the settlement agreement that I believe is part of the lawsuit you're talking about.

ANCHIA: And did you run this language by the secretary of state's office?

JETTON: I believe it was. I'm not advised.

ANCHIA: Did you draft this language?

JETTON: This particular portion? No.

ANCHIA: Who drafted it?

JETTON: I received it from working with Chairman Murr's office.

ANCHIA: I'll ask Chairman Murr where he got the language. This isn't a gotcha moment. What I'm trying to do is make sure that we're not running afoul of a current consent decree that the state is subject to wherein the secretary of state's office has to be in compliance with this.

JETTON: And I can tell you I've been advised that is the case that this is in compliance.

ANCHIA: You've been advised by whom?

JETTON: By Chairman Murr's office.

ANCHIA: Have you been advised by the attorney general's office?

JETTON: I have not spoken directly with them.

ANCHIA: Have you been advised by the secretary of state's office?

JETTON: I have not spoken directly with them.

ANCHIA: Okay. Can you walk me through the actual language of the bill and talk to me about where Texas DPS data will only be used prospectively?

JETTON: Sure. The secretary of state shall—

ANCHIA: Sorry, can you just let me know which page?

JETTON: Page 1, line 23: "The secretary of state shall enter into an agreement with the Department of Public Safety under which information in the existing statewide computerized voter registration list is compared against information in the database of the Department of Public Safety on a monthly basis to verify the accuracy of citizenship status information." So it's comparing it with the current voter registration list.

ANCHIA: So if we can look at the next sentence: "In comparing information under this subsection, the secretary of state shall only consider a voter's information in the database of [DPS]"—and explain this part to me—"that was

derived from documents presented by the voter to the department after the person's current voter registration became effective." Walk me through that fact pattern, how that occurs. And again, it's not a gotcha thing. I just want to understand the procedure. So I'm a citizen of the United States and I got to DPS. Maybe I'm naturalized since the last time—I think of my dad who became a citizen in 2014 after having been a legal permanent resident for a long time—and I offer my passport. That DPS data will then be compared to what?

JETTON: So if someone goes to the Department of Public Safety and fills out some document or identifies themselves as a noncitizen, that information is what would be sent to the secretary of state on a monthly basis.

ANCHIA: Okay, so it's sent to the secretary. And then the secretary of state does what with that?

JETTON: The secretary of state would compare that with the current voter rolls and if there is a strong match, then they will remove it, and if it's a soft match, then it goes to the county for voter roll maintenance.

ANCHIA: What constitutes a strong match versus a soft match?

JETTON: It is defined in the statute, or actually in the Administrative Code, but it's full social security number, driver's license information. It's complete data.

ANCHIA: Complete data—so not exclusively a name match.

JETTON: That's correct.

ANCHIA: Because we ran into problems with the secretary of state's office years ago where you have multiple surnames for a person. A maternal surname and a paternal surname is often used in Latino culture and that was flagging people inaccurately.

JETTON: That's correct. It would have to be a strong match.

ANCHIA: And what happens with a weak match?

JETTON: A weak match would be sent to the county. The county registrar would then go through the process of verifying that individual, usually by sending a postcard and requesting a response.

ANCHIA: And that's in existing statute?

JETTON: Yes, sir.

ANCHIA: So this is activated only when there is information that is given to DPS suggesting noncitizenship. That is then run through the secretary of state's voter registration database. And then if it is a weak match, the county again takes over? Same process with the county for a weak match?

JETTON: Yes. The only thing I would clarify on there is it would be the pertinent individual confirming they are a noncitizen and then it would go through that process. Not just—not merely suggesting.

ANCHIA: I apologize, say that one more time.

JETTON: I think in your statement you had said if it was suggested they were a noncitizen. I'm saying they would have to confirm that somewhere in some documentation that was provided to the DPS. Then in that case, it would go through that process.

ANCHIA: Thank you for the clarification.

C. TURNER: I want to turn to page 6 of your amendment with respect to the section entitled "Security Of Voted Ballots" calling for the implementation of a video surveillance system in certain counties. What is the purpose of the video surveillance system in this language?

JETTON: Sure. It is to allow for video surveillance or streaming of the tabulation area of the ballot board counting area or the signature verification area. It is to provide more transparency of that process.

C. TURNER: It is to provide transparency of the process. Transparency to who?

JETTON: To the general public.

C. TURNER: To the public. Okay. That's achieved through a livestream on the Internet? Is that right?

JETTON: That's correct.

C. TURNER: So does this provision pertain to every county in the State of Texas?

JETTON: It applies to those over 100,000 in population.

C. TURNER: Only those over 100,000 in population.

JETTON: That's correct.

C. TURNER: So what is the reason for that provision that it applies to counties over 100,000 in population but not counties under 100,000 in population?

JETTON: So there was a lot of conversation with EAs and registrars. We wanted to make sure that those counties that did not have the broadband capacity or different limitations, that we were taking that into consideration.

C. TURNER: So there's no counties under 100,000 in population that have the capacity to put a video surveillance system in their central counting and then livestream it?

JETTON: I guess capability would be the more proper word. I misspoke earlier. But it is taking into consideration that there are many counties under 100,000 that may not be able to meet these requirements, and so we've taken that into consideration.

C. TURNER: And was there testimony to that effect? That people said we don't have the ability to put in a camera and livestream it?

JETTON: There were definitely conversations during hearings during the regular session in the Elections Committee that I recall discussing the certain limitations that we may find or differences in rural counties.



C. TURNER: But you said the reason for the provision in the first place is transparency, correct?

JETTON: That's correct.

C. TURNER: So wouldn't transparency be equally important in a county of less than 100,000 people as it is in a county of more than 100,000 people?

JETTON: I think that we have taken some steps to ensure that we have broadband across the State of Texas, but it is not our intention to penalize those counties that don't have the ability to comply with the statute that we're trying to put in place.

C. TURNER: Are there specific problems that—while we are waiting for those counties to get the ability to do this, are there specific problems in counties of more than 100,000 people that have been identified that is the basis for, basically, this uneven treatment of big counties versus small counties?

JETTON: So I'd argue that our poll watchers are able to go into those locations. And so we still have the poll watchers able to ensure that the Election Code is properly being followed in those smaller counties under 100,000. But I think it is important to make sure that we're allowing enough visual of what is happening in these locations, these counting areas, and the livestream helps to facilitate that.

C. TURNER: Turning to page 11 of the amendment, there is a section entitled "Other Election Lawsuits: Lawsuit Alleging Improper Election Activities" and then going into "Petition Alleging Fraud." So basically, if I'm reading this correctly, it says that if a candidate in an election alleges that an opposing candidate has committed some sort of fraud, then that is the basis for civil litigation. Do I have that roughly correct?

JETTON: That's correct.

C. TURNER: Okay. And so what would an example of that be? I'm running for election to the Texas House of Representatives and my opponent does "blank" and therefore I sue my opponent. What would an example be of something like that?

JETTON: Sure. Going down the list of what we have in here, Section 13.007 deals with false statement on an application. Going through, we've got illegal voting, providing unlawful assistance, falsely signing or witnessing a mail-in ballot application, fraudulent use of application for ballot by mail, illegal delivering of carrier envelope, and so forth.

C. TURNER: Okay. So all the things that we've talked about in this bill throughout today, you are saying that those are not only crimes but they can also be the basis for civil litigation now?

JETTON: If there's a connection between that crime and the candidate that you are running against or an agent for that candidate, then there should be some remedy for the candidate that was cheated against.

C. TURNER: Is this something that's been—where did this idea come from?

JETTON: I can't tell you the origin. But this is something that, as we continue to discuss these fraud claims, that we wanted to make sure that there was some remedy for candidates.

C. TURNER: I mean, was there—what I'm wondering is was there somebody that said, "I lost an election" or maybe "I won the election but I think my opponent cheated or people who worked for my opponent's campaign cheated and I really wished I could have sued them"? I've just never heard of a circumstance like that. But is that the—

JETTON: Sure. And I can tell you that I've talked to colleagues here on this floor from not my party that have expressed those same issues and wished that they could have had damages remedied to them. So this is an issue.

C. TURNER: It is an issue but you can't point to a specific case or instances of a specific election or a specific campaign where, while if we would have had this provision or law, that really would have helped deter this type of alleged activity?

JETTON: I think that you can look back at the different cases that the attorney general has ruled on and other fraud claims and know that one candidate was harmed in that. And if there was a way to point that back to the other candidate, there was evidence, then I think there should be some remedy.

C. TURNER: So there's not a specific person who brought this idea as far as you know. Do you know what the origin of the actual language was that created this provision?

JETTON: This is pulled from **SB 1** from the senate.

C. TURNER: So it came from the senate.

JETTON: That's correct.

[Amendment No. 56 by Jetton to Amendment No. 55 was laid before the house.]

JETTON: The amendment to the amendment simply clarifies—actually, it takes the definition out of the amendment and moves it and references Section 1.005 that was added in by Chairman Cain in a previous amendment. Additionally, it strikes "an election contest" and substitutes "a cause of action."

[Amendment No. 56 was adopted.]

M. GONZÁLEZ: That happened really quickly. In the amendment to the amendment, you added a cause of action. Can you please explain what you just did and the implications of that?

JETTON: Sure. What this is, on the last page of the amendment, we had Chapter 247 where we had applied it only to an election contest. Originally, this was in the bill as an election contest. It was moved and no longer deals with that. It allows for a candidate to remedy election fraud with another candidate, and so it just says "a cause of action" instead.

M. GONZÁLEZ: What are the implications of that—of the cause of action?

JETTON: This is, as far as I understand because I'm not an attorney, but it allows for a lawsuit. This is just allowing for a legal remedy versus election contest which was originally what it was.

M. GONZÁLEZ: Can you give me a scenario of how this would apply in the context of what you're doing?

JETTON: Sure. If you go back to page 11 where it says Chapter 247 and you go through the lawsuits for alleged improper election activities, this is what's allowing for the collection of damages.

M. GONZÁLEZ: So who would be able to sue who under what context?

JETTON: It would be one candidate would be able to sue another candidate or their agent for violating one of those sections of the code.

M. GONZÁLEZ: Can you give me an example of how you would presume that what you're adding could be applied?

JETTON: We're just impacting the effective date of this act. I think you're moving on to another question, is that right?

M. GONZÁLEZ: So I guess you have all this about allowing for a cause of action, and I'm just trying to basically—and also, I'm not a lawyer either, so let's have a lawyer-to-lawyer talk by two nonlawyers. My question is, can you give me a scenario in which you see what you're trying to do being put into practice?

JETTON: Sure. As I just explained to Representative Turner, we are allowing for one candidate to sue another candidate or collect damages from another candidate or their agent for those list of items which includes illegal voting, providing unlawful assistance, fraudulent use of application for ballot by mail, illegally delivering a carrier envelope, and so forth.

MURR: Representative Jetton, earlier you were asked about the origins of the provisions contained in your amendment. I just wanted to clarify that it is correct that the provisions here are all found in **SB 1**, engrossed, that came out of the senate. Is that correct?

JETTON: That is correct.

BUCY: Representative, just a clarification on these drivers coming. Can you walk us through what this provision does?

JETTON: Yes. That's a good question. So what we're looking at is going to be on page 8, starting on line 17. If someone is transporting more than seven people in a vehicle and they are all there to vote curbside because they qualify for it, at that point they would have to fill out a form informing whether or not they are just providing transportation or also providing assistance. And it also clarifies in there that this only applies to those individuals in the vehicle that are not family members.

BUCY: This is just for curbside voting. It has no correlation if they go inside to vote?

JETTON: That is correct. Absolutely only for curbside.

BUCY: What happens if the vehicle is a mix? Some are going to go inside and some are not.

JETTON: So if a number of individuals go in and that brings the total people in the vehicle doing curbside voting below seven, they would not have to fill out the form.

BUCY: Is this true even if it's an Uber or a paid taxi driver or that kind of thing?

JETTON: That's correct. They would have to have seven people in the vehicle all there for curbside voting only. That individual that transported them all would then have to fill out a form notifying whether or not it was just transportation or transportation and voter assistance.

BUCY: Can you talk about the purpose behind this form?

JETTON: Sure. We want to make sure there's documentation of those that transport especially a large number of individuals to go and vote curbside. It is only documentation. It is not a deterrent. It is not disqualifying any of those voters.

BUCY: Does the driver go in or this comes out? Is there specifics to how the form is handled and all that?

JETTON: They would handle it outside when they come out to do the curbside voting.

[Amendment No. 55, as amended, was adopted by Record No. 53.]

[Amendment No. 57 by Schofield was laid before the house.]

SCHOFIELD: This amendment would separate our elections from the federal elections. Technically, they'd still be on the same machine so that your voters would vote like they always do.

[Representative J. Turner raised a point of order against further consideration of Amendment No. 57 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.]

[Amendment No. 57 was withdrawn.]

[Amendment No. 58 by Cain was laid before the house.]

CAIN: What this amendment does is—you'll notice in our bill that it requires that upon a felony conviction, that the court informs the person of how that will impact their ability to vote. Part of this then ensures that that form will be properly promulgated. So we're just ensuring that people that do innocent things are not harmed from their past mistakes.

[Amendment No. 58 was adopted.]

[Amendment No. 59 by Zwiener was laid before the house.]

ZWIENER: This legislation already has some good language in it regarding giving folks convicted of a felony information about how that conviction impacts their ability to vote. The problem is that while this legislation currently provides

that information on the front end when someone receives a conviction and temporarily loses their ability to vote, the current legislation does not allow for that circle to be closed for somebody who has had their voting rights restored by completing all of the terms of their sentence by giving them that necessary information so that they can move ahead and participate in elections again as a voter.

Members, I've noticed a little bit of a bifurcation in the room. I can tell who in this room has spent a lot of time talking to people who don't vote or haven't voted recently to ask them why and how they haven't been voting. And I'm one of those people who has knocked on a lot of doors where people don't vote and asked why and asked what's changed. And I've met multiple people who had completed their sentence and had no idea that in Texas once you complete all of the terms of your sentence that you can vote again. And that's everything from people who had completed their sentence six months ago to people who had completed it a decade ago or two decades ago. So many people don't have that awareness that in Texas they do regain their right to vote.

What my amendment does is very simple. The bill already contains language giving that information about the loss of eligibility on the front end. My amendment would require that when someone completes their sentence that they would be notified that they may again be eligible to vote so that they can participate in our election process again. This is common sense. This is information we should be providing Texans who again have reearned their right to vote by paying their debt to society.

MURR: I apologize. I'm about to lose my voice after more than 12 hours. Representative Zwiener provides us an amendment that creates a responsibility for the courts to admonish those convicted of felonies following the discharge of their sentence. Oftentimes, that date can change depending on their circumstances whether they are incarcerated or they're on community supervision probation. And that was identified during hours of testimony during both the first called and the second called sessions. So consequently, the bill contains an admonishment at the time of an adjudication of guilt, but it doesn't have the same at the end of the sentence because of the variations that can occur over a period of up to 10 years or more. So consequently, I oppose the amendment.

ZWIENER: Advocates believe that up to 18 million Americans with past convictions are eligible to vote right now and have no idea. This is our failure to communicate with them what their rights and privileges are. And of course, this gets lost in the national noise when folks talk about other states changing their rules. But so many folks' baseline assumption is that once they have a felony conviction, their right to vote is lost forever. And that is just not true in Texas. This body has previously passed legislation carried by our colleague Chairman Dutton to try and address exactly this issue. I think this bill, **CSSB 1**, is a great opportunity to finally get these provisions over the line and into law. I hope for your favorable consideration.

[Amendment No. 59 failed of adoption by Record No. 54.]

[Amendment No. 60 by Rose was laid before the house.]

ROSE: This amendment would ensure that we do our due diligence as legislators to be sure we know exactly how this bill is going to affect our communities. We've had three different committee hearings on this piece of legislation or some aspects of it, and over 1,000 people have probably testified about the impacts it's going to have on certain communities. My amendment calls to change the effective date of this bill until the secretary of state has an opportunity to conduct a research-based study to analyze the potential impacts these changes will make. It would also require that the study disaggregates and analyzes the data by ethnicity, race, and county. Members, given our state's history, let's be sure we know exactly how these laws will function in practice before we make such dramatic changes.

MURR: It's been a long day, and respectfully, I just oppose the amendment.

ROSE: Once again, members, we don't like to talk about race, but it really impacts our state. So at some point I hope that this body, who are leaders of the State of Texas, would want to address the issue of race in this body.

[Amendment No. 60 failed of adoption by Record No. 55.]

[Amendment No. 61 by Neave was laid before the house.]

NEAVE: Throughout different iterations of this legislation, we've been trying to raise red flags about the disproportionate impact on Latinos and African Americans. I know that folks refuse to acknowledge it despite testimony after testimony from our fellow Texans about this. I remember in our July hearing we had African American women from the Delta Sigma Theta, Incorporated sorority who came to testify about how generation after generation that their sorority had advocated in order to protect the right to vote and the issues that they've addressed. We heard from the Texas NAACP. We heard from the Mexican American Legal Defense and Education Fund, which is a Latino legal voice for civil rights in America. And from Texan after Texan about what this meant and the impact on us. We know that there's been no racial impact study. There's been no desire to do so. And despite that, we still refuse to acknowledge it.

So what this amendment does is that the provisions of this Act would not take effect until the attorney general would file an action in the United States District Court for the District of Columbia for a declaratory judgement to action to ensure that neither the purpose of this bill nor the effect of this bill would deny or abridge the right to vote of any of our fellow Texans on the account of race or color or also in contravention of 52 U.S.C. Section 10303(f)(2) of the Voting Rights Act, which is Section 4(f)(2) of the Voting Rights Act of 1965. That section in particular applies to language minorities. We heard specific testimony in the committee about specific provisions in this bill that would impact language minorities in violation of the federal Voting Rights Act specifically with respect to the assister provision. We heard testimony after testimony on this issue.

The second component of the amendment is that it would require that the U.S. attorney general issue a written opinion stating that the changes in this law would have neither the purpose nor the effect of denying or abridging the right to vote. So if we're sure, if you're confident that there is no discriminatory impact,

then we should survive these requirements before the Act goes into effect. And that's what we're asking is that before the Act goes into effect that we ensure on the record that there is no disproportionate impact to Latinos and African Americans in Texas and language minorities in Texas that have just as much a right to vote as any of our fellow Texans.

MURR: I oppose this amendment.

NEAVE: I hear laughter over here on the floor of the house. That is a flat-out slap in the face to millions of Latino voters, millions of African American voters, millions of individuals in our state who speak a different language who may need assistance as they're exercising their right to vote. I think that message to our voters has been heard loud and clear, and we're going to hear it again whenever this legislation gets passed, and it's really unfortunate.

ZWIENER: Representative Neave, this week and even prior to that, I have heard a lot of talk from our colleagues questioning the sincerity of members like you and I who believe that many elements of this bill will disproportionately affect voters of color. Have you heard that doubt of our sincerity?

NEAVE: I've heard it over and over. And we know that folks have different opinions about that. We're not pointing fingers at anybody, but the fact is we're trying to raise red flags to inform you about the impact on people that have the color of my skin and the same people of color all across the state.

ZWIENER: Are you frustrated that these red flags, as you say, that you've been trying to raise and that so many other members have been trying to raise keep being ignored?

NEAVE: I think it's unfortunate. I want to thank our fellow Texans who have raised their voices. You have inspired. The work that you have done—taking to the streets, marching, coming here to testify, reaching out to all of us regardless on what side of the aisle that we sit—has raised the concerns that it's going to impact us differently.

ZWIENER: I want to say I hear you. I hear your sincerity. I think every member listening—which, unfortunately, I don't think is most folks right now—hears your sincerity. I really thank you for bringing this amendment that gives folks an opportunity to show that they don't want this bill to have a disproportionate impact on our communities of color. If members really believe that this bill won't hurt our black and brown communities, is there any reason they shouldn't vote yes on your amendment?

NEAVE: No.

ZWIENER: Thank you for giving folks in this chamber an opportunity to show where they stand to voters of color.

[Amendment No. 61 failed of adoption by Record No. 56.]

[Amendment No. 62 by Krause was laid before the house.]

REPRESENTATIVE KRAUSE: This is a very simple amendment—

[Representative Ortega raised a point of order against further consideration of Amendment No. 62 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.]

[Amendment No. 62 was withdrawn.]

[Amendment No. 63 by Clardy was laid before the house.]

CLARDY: This might harken back to an amendment we heard previously by our good friend and the learned Mr. Mayes Middleton, who is also, if you'll notice, a signatory on this amendment. We dealt with an issue dealing with access to information by our elections officials to provide to our early voting ballot boards and also our signature committees so they have access to what they need to do to enforce the law. This will provide that statutory authority. I believe not only is this amendment acceptable to the author, it's also, as I am given to believe, the last amendment of the night.

[Amendment No. 63 was adopted.]

MURR: We've spent more than 12 hours on this legislation. I still have a little bit of a voice. I appreciate your attention to detail and the fact that you have spent time and effort talking to the other members, talking to your constituents, talking to stakeholders about this. It is a very important topic to the State of Texas.

[CSSB 1, as amended, was passed to third reading by Record No. 57.]



# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, SECOND CALLED SESSION

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## SUPPLEMENT

FOURTH DAY — FRIDAY, AUGUST 27, 2021

### **SB 1 DEBATE - THIRD READING**

**(Murr, Lozano, Clardy, White, Jetton, et. al. - House Sponsors)**

**SB 1**, A bill to be An Act relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.

REPRESENTATIVE MURR: Members, I apologize. My voice is almost gone. I want to be brief with my remarks and I know that other members would like to make remarks as well. So succinctly, let me tell you a couple of things that I think are important. The legislation contained in **SB 1** has been discussed and debated by members of this body for 14 hours in a hearing during the first called session, for eight and a half hours in a hearing in the second called session, and 13 hours on the floor yesterday. That's 35 hours. That shows that this legislation is important to all of you, to your constituents, to stakeholders, to the State of Texas. I appreciate the input, and I am going to leave you with one note.

Representative Davis mentioned yesterday, when she asked me some questions, she asked me about experiences. She asked about personal experiences. And that made me want to share something with you today. Ironically, today is Lyndon Johnson's birthday. My grandfather, who passed away before I was born, was born in a log cabin. He made it through the fourth grade. He was a public servant and he lost his only election to Lyndon Johnson by 83 votes in a ballot box in Jim Wells County. Now, my mother tells me a story that when she was a little girl, my grandfather and her ran into Lyndon one day. Lyndon at that time was the majority leader in the United States Senate. Lyndon picked up that little girl, tossed her in the air, and my grandfather and Lyndon shook hands and talked about the weather. I believe that exudes strong character. I expect that even with differences in opinion in this body and with my colleagues, that all of us, at the end of the day, will also exhibit strong character and that while we may have differences of opinion and we may fervently defend the opinions of our constituents, we will shake hands and we will continue with the decorum and good life that we owe all Texans.

So Ms. Davis, I appreciate you making me reflect upon how meaningful a piece of legislation like this can be to each and every one of us because my life was impacted because of election integrity. And I jokingly like to say that my grandfather lost a race. He was widowed. He went back home to practice law in a small town. Met my grandmother who was widowed from World War II. They got married and had my mother. And but for Lyndon Johnson, I would not be here. So happy birthday to Lyndon Johnson. Members, I appreciate the levity, but

at the end of the day, I appreciate your strong character, our differences of opinion, and I look forward to shaking each and every one of your hands for spending the time to discuss this important issue.

REPRESENTATIVE C. TURNER: When Donald Trump lost his election in 2020, he and other republicans whipped their base into a frenzy with crazy conspiracies about election fraud. Because of that and because many republican leaders still refuse to level with their supporters, many people in this country and this state still wrongly believe that Donald Trump actually won the last election. We've talked about it a lot on this floor in the context of this bill. It's the big lie—the big lie that is so toxic and so dangerous. It is a threat to our democracy. The big lie led directly to the January 6 insurrection—not a supposed insurrection, a real-life tragic insurrection. It happened. The whole world saw it. Police officers died. Members of Congress and the vice president could have been killed. To deny it happened is shameful.

But the big lie didn't die when the insurrectionists were defeated. It didn't even die with the peaceful transfer of power on January 20. No, unfortunately, the big lie lives on. The big lie has become the fuel for bills like **SB 1** and similar legislation across the country. Of course, here in Texas we know the attack on voting rights didn't start with the big lie or this bill. For roughly two decades, the majority here has been trying to chip away at the freedom to vote. You've passed laws like restrictive photo ID, which federal courts have twice struck down as racially discriminatory, and redistricting maps drawn to marginalize voters of color. Texas voting laws and redistricting plans have been found to be intentionally discriminatory—racially discriminatory—by federal courts 10 times. That's in the last decade alone.

So now we have **SB 1**, the latest in a long line of attacks on the freedom to vote. Yesterday, I asked the bill author about whether or not an impact study had been done to assess how this law would affect racial minorities in Texas. The response? Well, that same question's been asked during the committee process, and no, we just haven't done that, haven't made any attempt to do that. So later, Representative Rose offered a series of amendments to require such a study in different forms to see if this bill would, in fact, create a racially discriminatory impact on Texans, on our constituents, your constituents, but you voted those amendments down. So if the majority is so confident, as you've said, that this bill is not, in fact, racially discriminatory, why are you so afraid to put the theory to the test? For that matter, why are you afraid of the facts on all these alleged election irregularities that you've read about? You voted down an amendment to require a basic report about election-related investigations and prosecutions. So the next time the attorney general spends 22,000 staff hours and countless taxpayer dollars searching haystacks for a handful of cases about so-called election fraud, there still won't be any transparency, any requirement, to share that information. It's an unlimited, unfettered, fishing expedition.

While you forfeited those opportunities to make this bill better, you also took steps to make it worse. As the bill author and I discussed yesterday, his amendment empowers signature verification committees to pick and choose which voters they will notify to cure a ballot. So not only are we going to see an

uneven application of the law from county to county, these signature verification committees are apparently free to apply this law unevenly within their own county. So what is to stop, I ask you, what is to stop a rogue committee—which, again, are made up of partisan appointed officials—deciding who gets to cure their ballot and who doesn't? Could that be based on their zip code? Could it be based on their surname? I hope not, but there's nothing in this bill to stop that from happening.

Members, make no mistake. The eyes of our nation and our state are watching this body right now because they know what's at stake. Congress and the administration are watching because they know what is at stake. They know because we've told them a lot over these last several weeks that they need to act in order to protect voters from the regressive policies in this bill and other bills like it being introduced and enacted across the country. And when you all pass this bill in a few minutes, you're about to prove us correct.

Thankfully, earlier this week the United States House of Representatives passed the John Lewis Voting Rights Advancement Act with an eye toward what is happening in this state on this floor right now. When this federal law does go into effect, we can have hope that the most egregious and discriminatory provisions of this bill will never see the light of day, will never impact one voter in this state. But for that to happen, we need the United States Senate to act on voting rights. United States senators, we need you to do it, and we need you to do it now. Do it for the Texans whose freedom to vote is threatened. Do it for all Americans. Time is running out.

REPRESENTATIVE ANCHIA: When Chair Murr laid out his bill yesterday and ran through Texas' leadership on voting rights, he talked about milestones in 1975, 1987, 1991, and 1997, when Texas was leading the way after the 1965 Voting Rights Act passed by President Lyndon Baines Johnson. And instead of damning with faint praise, I will offer him a happy birthday today because if it wasn't for his courage, if it wasn't for his willingness to act, we would not be living the fullness of this American experience where Latinos, African Americans, people of color can fully participate in the democracy. And it's only been since 1965.

I was born in 1968. While that makes me old, it's also given me an opportunity to observe the progress that we've made so that people of color could fully participate in this American experience, have a place at the American table. And it hasn't been that long. Heck, women have only had the right to vote since about 1920, 1921. That's just not a long time. And so in constructing that timeline, Chairman Murr, in going through 1975, 1987, 1991, 1997, that seems like recent history to me. Then I juxtapose that against the last decade. I've been here for nine terms and I have observed over and over and over again these erosions of the right to vote. And the commonality there has been when republicans took full control of Texas government. I don't think anybody's proud of that. Voting rights used to be bipartisan. In fact, they were bipartisan in 1965 when republicans joined President Johnson in pushing for voting rights for Latinos and African Americans. They were bipartisan as recently as the

presidency of another Texan, George W. Bush, who got unanimous senate support for voting rights reauthorization. We find ourselves in a very different place today.

For those of you who have publicly stated that somehow the quorum break was some political stunt, it might have been for some. But it wasn't for me. I believe this was a righteous cause. I believe it was a just cause. I believe it was an American cause and a cause where people like me have had to fight just to keep that right to vote so that people wouldn't come onto this house floor and invent cases of voter impersonation to try to justify their erosion of the right to vote. They wouldn't invent voter purges that sought to kick 100,000 U.S. citizens off the rolls and try to politicize that and try to refer those same U.S. citizens for prosecution during the failed voter purge. And those 10 findings of intentional discrimination against this body in the last decade alone—they don't go away. That is still there, and that's the backdrop that we find ourselves with.

But I want to turn my attention now, as Chair Turner did, to the eyes of the nation, to the eyes of congress. When we met in the Roosevelt Room with Vice President Harris, she asked us, please give us more time. And we broke quorum not once but twice in what I believe is a just cause, an American cause. And we not only bought the time but what we have left in front of us are 90 days. I want to focus on those 90 days now. To President Biden, to Vice President Harris, to Leader Schumer, to Speaker Pelosi, to republican senators from the State of Texas, we have 90 days. Once this bill passes, we have 90 days from the end of this session to act. The clock is ticking. There's an opportunity to rekindle that spirit of bipartisan cooperation on voting rights that has been lost, where voting rights is now a partisan issue. There's an opportunity to take action on federal legislation that is going to protect voting rights not just for millions of Texans but for millions of Americans, disabled, African Americans, Latinos. And so the clock is ticking.

During the debate yesterday, we watched people come up and make heartfelt policy arguments and engage in, for the most part, civil debate about these policy differences. I know the people of Texas are watching, but I also know the people of this country are watching. And they saw what were very good arguments, in my view, that were tabled—that were defeated with, in some cases, little debate; in some cases, pure dismissiveness. But I am not done. I plan on continuing this fight during this legislative session.

During the quorum break, I was buoyed by a letter that I received on June 7, 2021, by LBJ—Luci Baines Johnson. And on her letterhead she bemoans this current situation in Texas where she says, "Alas, in recent years the heart of this great Act"—that her father had passed—"has been compromised. This summer, legislatures across the country are diminishing opportunities to our vote, and sadly, Texas has been one of the most egregious states in eliminating voting opportunity for all our people. Those who once joined us in the battle in the fight for social justice now seek to block it." So to Luci, I say thank you. To Lyndon, I say happy birthday. And to the nation that's watching, I say 90 days. That's what we've got. Thank you and God bless you, and God bless the great State of Texas.

REPRESENTATIVE GOODWIN: I'm here today to speak out against **SB 1**, the election bill before us. I am against the bill because it is predicated on the big lie, the big lie that Trump won the election of 2020. The election bill removes local control by telling Harris County and all counties—but Harris County in particular—the measures they took to provide a safe environment in which to vote during a pandemic are no longer allowed. It removes local control which we at one time believed in. And many of us still do believe local control is imperative. This election bill discourages not only voters who won't have options available in 2022 that they had available in 2020, but it also discourages election workers by creating and enhancing penalties if they aren't hypervigilant in knowing and following the law which can sometimes be up for interpretation. When I say it discourages voters, I say this because some of those voters may have voted for the first time in 2020 simply because they had options that fit their needs.

While I intend to vote against the bill, I do think there are a few positive things to point out. First, the Texas election bill brought national attention to voting rights and election laws. We've seen congress push forward the issue with the house passing the John Lewis Voting Rights Advancement Act much sooner than expected. We continue to call on the U.S. Senate to pass the bill as soon as possible and send it to the president. Second, the bill will now require poll watchers to go through training prior to working in a polling or a counting site. As long as we are going to have people watching our elections, they should have training on the rules and procedures as well as election law so they know how to comply with the law. Third, I hope this bill will bring back some trust in the system of elections through a variety of provisions. Trust among us has waned. I much prefer living in a society based on trust than mistrust.

As I mentioned, the bill has brought a great deal of attention to voting rights. Many people are aware of the quorum break the bill caused as well as the contentious debate. I know that people are watching. I get calls and e-mails every day from people who are aware we are working on this election bill. I also know that people are hyper aware that elections have consequences. The consequences are who serves you as your representatives and senators, governor and lieutenant governor—your leaders.

Moms and dads across this state are watching closely their leaders. Their leaders are allowing hospitals to fill up, and yet we are banned from implementing mask mandates as our public health officials are asking. Elections have consequences and people are watching. Their leaders have allowed this to become a partisan and divisive issue. Look here in this room. Democrats, for the most part, wear masks. Republicans, for the most part, don't wear masks. I just have to tell you folks, COVID-19 doesn't care if you're a republican or democrat, but it does infect you more easily if you don't have a mask on. And people of this state look up to see what actions we take. Elections have consequences, and people are ready to go vote in 2022. This bill before us today may add hoops for people who want to vote by mail. It may disadvantage those who are differently

abled. It may intimidate the inexperienced voter or the person who might assist them. But when a state is in crisis, as Texas is in crisis due to COVID-19, people take notice and people vote.

REPRESENTATIVE ROSENTHAL: Members, if we're really being truthful, we ought to tag this bill with a line that reads: "**SB 1** makes it harder to vote and easier to cheat." I'd say any assertion to the contrary is easily disproven if you look at it critically. Y'all, Texas is already the most difficult state in the union to register and cast a vote, and this bill is going to make it even harder. The bill is going to make it harder to cast a vote. This bill erects new barriers to voting such as additional requirements for mail-in ballots. It places new limits and additional rules for voter assistance. It even adds deterrents for assistance from family members. It deters family members from assisting their family to vote. The bill seeks to attack community organization efforts to turn out the vote, and it seeks to purge the voter rolls. It uses criteria that disproportionately affects communities of color, especially Latinos. But that's not all. Besides making it harder to vote, the bill makes it easier to cheat, and I say that's in the form of voter intimidation and also intimidating our election judges and officials. The bill even has provisions to lay the groundwork to challenge election outcomes and undermine faith in our election system in Texas. Seems to me that's the last thing we want to do.

The bill criminalizes multiple aspects of the voting process, including the threat of new or elevated criminal penalties for election judges to discourage them from even maintaining order in the election place, in the polling location, especially with regard to these partisan poll watchers. With this bill, a partisan violating the law can only be asked to leave but that same disruptive person can turn around and bring a criminal charge against the election official who's just trying to maintain order in the polling place. This philosophy will lessen our ability to prevent voter intimidation by partisan poll watchers. The bill expands and harshens possible criminal penalties for voter assisters and community organizers. These provisions are clearly aimed at reducing voter participation, and we all know that these measures disproportionately affect communities of color. And that's certainly why the bill authors have not sought analysis to determine if there would be a disproportionate impact on our communities of color—because they already know. In fact, that's the design of this legislation. So the proposed legislation in front of us, by design, will disproportionately discourage and exclude communities of color while also disproportionately intimidating communities of color.

Texas has a long history of election laws proven to reduce overall participation especially affecting, surgically affecting, communities of color. Do y'all think that might be driven by shifting demographics that have been made crystal clear by the preliminary census results we've received? Y'all, if this body were reflective of the current population of Texas as reported by the census so far, we would have just as many Hispanics as whites in this chamber—40 percent each. That would be 60 out of 150 members. Look around you and tell me, is that our makeup in this chamber? Members, we have been asked to avoid using a certain word. So what's an appropriate alternative term to describe a situation

where people of color are systemically and methodically disadvantaged? Because that is certainly the case for Texas election law. And this bill will elevate the attack on our freedom to vote to a whole new level.

We always use phrases like well, if you really wanted to make it easier to vote, you would "fill in the blank." Clearly, that's not the actual intent of this bill because if it was to make voting easier, we would work to expand access. We would implement stuff like we did in Harris County in this last election like allowing drive-thru voting and 24-hour voting locations. We would work to expand and strengthen vote by mail programs to instill confidence in them instead of undermining them, as they have done so successfully in states like Colorado and that liberal bastion Utah. But no, instead of expanding and strengthening vote by mail, we instead choose to threaten to jail elections administrators and public officials for simply providing information on how to qualify and sign up to vote by mail. Y'all, I have to let this sink in. Instead of expanding access, we are threatening to jail folks who are working to expand access to the ballot. I proposed an amendment aimed at promoting public safety and health in our polling places. I proposed allowing anyone who is overtly sick to vote curbside, but that was rejected without any logical explanation. And y'all wonder why we broke quorum?

The entire premise of this legislation is founded on the notion that our elections are not secure or not secure enough in Texas. We call that the big lie for a reason. I like to play games with numbers—you know me—but not today. We already know proving cases of vote problems in Texas is minuscule—miniscule. You're seriously more likely to be struck by lightning than to find voter fraud in Texas. The people of Texas want us to improve access to health care. They want us to fight COVID. They want us to improve public education. They really want us to fix the grid. But that's not what we're doing here today. I submit that if the focus were on forwarding truly popular policy, you would want more voter participation, not less. And that's why I say this bill is bad for Texas. Because it's a bold attack on our freedom to vote.

REPRESENTATIVE ZWIENER: I want to issue each and every one of you a challenge today and that's to go out on the ground in your districts and knock on the door of someone who isn't voting and ask them why. It's not lost on me that almost every single person in this chamber doesn't have a real November. Most of you do not have your election outcomes in question in the November election. Your contest is in the primary. What that means is that your election is generally decided by the people who already are voting from year to year and it's your task to persuade them to vote for you. A general election is a different beast. They are often largely decided not just by persuasion of the people who already vote but also by voter turnout, who comes to the ballot. Because of my experience—that again, only a handful of us share on this floor—I have some subject matter expertise on why people don't vote. And so often the answer is because it's hard. Or they don't know how. Or they don't understand the process or the options that are available to them.

I keep thinking of one moment in the debate last night where Representative Neave had offered up an amendment to make curbside voting more accessible. In the conversation around that amendment, Representative Murr stated it had been around since the 1980s and everybody knew that option existed. Y'all, I knocked on doors on Election Day 2020 and told five or six elderly Hispanic residents of my district who were terrified to walk into the polling place about that option. They had no idea it existed.

So that's the challenge I have for y'all. Don't stay in your silo only talking to the people who have been coming out to vote year after year. Talk to the people who aren't voting and ask them why. Ask what barriers they are facing. Because what I saw in the debate last night are members that are aware of those barriers and have talked to their constituents, who have faced them, and I saw members who have never had those conversations. And I guarantee you those people exist in your district. They exist in every single one of our districts. I'll give another example. In 2018, I talked to a woman over 65, permanently disabled and had no idea she could vote by mail in Texas. We assume that is baseline information. It is not. We have an obligation to make sure the ballot box is accessible to every single Texan. And I want y'all to talk to your constituents who are struggling so that you have a better understanding of what this means for the people you represent.

Today is Lyndon Baines Johnson's birthday—something that is particularly important to my district since he grew up on the west end of my district and was schooled in the other in San Marcos. Today, one of the greatest Texans, one of three Texans to ascend to the office of the presidency—he would be disappointed in us. The door is only open to this bill because the United States Supreme Court gutted the Voting Rights Act, one of his major accomplishments, in 2013—legislation that was renewed in a bipartisan fashion in 2006. Some of the same U.S. congressional members who voted to renew the Voting Rights Act are refusing to help reinstate its full strength now, and I am sad at the level of partisanship we are seeing around the right to vote. I don't want to ascribe motivations. So once again I will ask you. Please go talk to the people in your district who don't vote. Ask them why. Ask them what barriers they are facing. And then I believe you will see that myself and my other democratic colleagues who have been talking about how this impacts our constituents have been completely earnest this entire time. I urge you to vote against this bill.

REPRESENTATIVE WU: When we were in Washington, D.C., we got to meet with a lot of different people and we talked about why we were there and what we were trying to do. And over and over again we had members of our delegation say, we're here because we're worried about the ability of black and Hispanic communities to have their voices heard, to matter, to matter to this government. Because if you don't have a voice, then you don't exist. If you don't have the ability to vote, you don't matter, whether you live or die. And myself and my brother Vo over there, we're in the back saying don't forget the Asian American community. Don't forget us because this bill affects us, affects our communities,



as much if not more than black and Hispanic communities. And that's something that we don't talk about because Asian Americans are such a small part of the state's population.

But guess what? I know many of y'all have looked at the census numbers and you've seen what is coming on the horizon. You've seen the changes that are coming and you know something that I've repeated for a decade now, that the Asian American population is the fastest growing population in the state. We ain't big, but we're getting bigger. And many of you are from districts where you've seen this. You've seen your Asian American population grow and grow and grow. And that's why it hurts me when there are provisions in this bill that make it not only harder but directly criminalize and threaten the gains that my community has made. Because when people talk about oh, there's these nefarious people helping people at the polls, dragging them inside, making them vote—are you talking about me? Are you talking about what I did before being elected? Because I went out and drove Asian seniors. I drove busloads of Asian seniors, vanloads of Asian seniors, carloads of Asian seniors. I drove my parents. I drove my neighbors. I stood in front of polling locations. I walked in with people and assisted them, translated stuff for them, read stuff to them. Is that something that is despicable or something that should be praised? Something that we as Americans should applaud?

When my family became American citizens, including myself, when that day came, that was probably the singular most important day in our family's life. It is something that we cherish more than just about anything in this world other than our lives. And our family takes the right to vote that seriously because we know how hard it was to earn. Unlike many of you in here, we were not granted the right to vote by birth. Our family earned it. Our family earned it through years of struggle. And just as my family earned it, I know thousands of families in my neighborhood, in my district, in my community who earned that right, and they don't deserve to have more barriers placed in front of them. They don't deserve to have more hurdles and more people thrown in front of them after they spent all that time and effort earning the right to vote.

REPRESENTATIVE DOMINGUEZ: Members, have no doubts that I'm opposed to this bill, but I'm not opposed to the members that are in this room. I think a lot of words have been said today. A lot of words will be said later. And I think some of these words need to be recognition that this bill, in my opinion, improved. And we do need to recognize the efforts that were made by some who presented very good ideas to improve legislation. So I want to thank Chairman Murr for having conversations, for having the courage to think internally and evaluate positions even if he ultimately decided not to support those positions. To have that dialogue is what makes this body so different. This is not D.C. This is a time when we can get together and actually have meaningful discussion and debate. While I am not going to be happy and I will not champion this bill as a victory, what I will say is a victory is that we continue to have this dialogue, this relationship.

And I will applaud people like Chairwoman Klick when she provides an amendment that is what we all agree we need, better training for poll watchers—better training to make the entire election process smoother, one that

we can have confidence in. I know people have their doubts. I don't. I used to be a county commissioner and I know how these bipartisan election committees work. They work in unison because they know they need the bipartisan input to make the process work in their local communities. I want to thank members like Steve Allison who presented some great ideas and Briscoe Cain who had an amendment that really helps evaluate how we can help somebody who made an unintentional mistake.

So thank you, members, for being part of the process and letting us be part of this process, because we have had our reservations. And I know we didn't get everything that we wanted by a mile. I disagree with some provisions in this bill that I think specifically target large urban counties. I disagree with some of the efforts and the way that the language is still confusing. I'm still concerned someone is going to try to look over my shoulder and see who I'm voting for or take a picture of somebody at curbside voting who's getting assistance by a relative. I don't want their photo ending up on some social media site. I think there's a sanctity in the vote. I think we need to preserve that.

I need us to have an open mind to revisit this topic because, as my friend J.M. points out, in the area where I'm from not all that long ago people were prosecuted for voter fraud, for vote harvesting. That's a fact. That happened. I was there and I was ashamed. But what I can say is it wasn't a poll watcher that discovered this mistake, this crime. It was everyday people talking and finding things out. It was gumshoe investigative work by law enforcement that found the culprits, prosecuted them, and convicted them. And what's happened since then? Have we seen any more of that with the enhanced scrutiny in the Rio Grande Valley? We haven't. And the reason why we haven't is because the system works. It doesn't just work at the state level. When there's a federal candidate, the FBI gets involved, too. So they are also looking. And I guess that's what I'm trying to say here. We're trying to fix a system that wasn't broken. It's a system that works. So while we go into this next era with these changes that I think in many ways will discourage people from participating, I hope that we can continue this dialogue. Because Texas needs it.

I'm a first generation American. My mom, though, was a longtime resident. My whole life, she refused to become an American. And I asked her, well, why? She said, because the system—I just don't want to be part of the system. Until one day in 2001, after all the hanging chads in Florida, she decided to apply to become a citizen. And sure enough, within nine months she became a U.S. citizen for one reason—so she could vote. I know there are a lot more people like my mom out there. And she would be grateful to many of you who have been thoughtful, who have been patient and actually even listened to some of the discourse like right now. To my colleagues, thank you for continuing to work with us. We may have a respectful disagreement. We might not ever see eye to eye on this topic, but I'm glad that we can be close enough to have that discussion.

REPRESENTATIVE WALLE: Thank you to Chairman Murr for your advocacy yesterday. Although we disagree vehemently, I thank you for your advocacy, Chairman. I'm speaking against **SB 1** for many reasons, ladies and gentlemen.

I'm speaking against **SB 1** for many reasons, and one of those is that I couldn't sit in my chair without speaking on behalf of people like my 91-year-old grandfather, who recently died on Sunday surrounded by my mother who witnessed him take his last breath. And why I mention my 91-year-old grandfather is because he was born in 1930, ladies and gentlemen, and as many of you guys know who follow history, it was immediately after and during the Great Depression that he grew up, in a time in America, in a time in Texas, being a proud American of Mexican descent born in San Angelo, Texas. And the experience that he brought growing up in Texas at the time was tough. He lived through racism. He lived through discrimination. He lived through signs: "No dogs. No negroes. No Mexicans." And that was hurtful for him because he was a proud American. He didn't want to be three-fifths American. He didn't want to be half American. He didn't want to be one-fourth American. He wanted to be a whole American, and he wanted his country to treat him as such. And people like my grandfather—those silent warriors, Ms. T., those silent warriors that stood up and said no—stood up and said we're not taking this anymore. And they ushered in a new era in being able to pass the Voting Rights Act and the Civil Rights Act, crowning achievements of Lyndon Baines Johnson.

My grandfather, although he didn't have a formal education, he was a welder. He was a union steelworker and he also owned his own welding shop on Downs Lane in Northside, Houston, Texas, next to the railroad tracks. And I learned from him how to be a man. I learned from him that your word means something, that a handshake means something, that treating people with respect means something. And he was always proud, always proud. Not a man of a lot of words but he led by example. And so when folks would come in, ladies and gentlemen, to have my grandfather weld some product or weld something on their car, he was always a straight shooter with people. He was always somebody that I wanted to emulate because he was about building bridges. And here recently, trying to find photos to be able to honor him tomorrow at his funeral, we found some photos of my grandfather in the 1960s as a welder on top of the Sidney Sherman Houston Ship Channel Bridge. And it filled me with pride because he was about building bridges literally but also about building bridges figuratively and in society.

And what I take from him in that example, one example about building bridges is that when the United States passed the Voting Rights Act and the Civil Rights Act, that was about building bridges, about building bridges to a future. Because we had so many people in this society at the time that wanted to tear down those bridges, and people like my grandfather were about building bridges. So when we passed the Voting Rights Act and the Civil Rights Act, those bridges, those ramps to get on those bridges, were for people of color like him that had been rejected by society, that had been rejected for jobs, that were rejected at the lunch counter. They were rejected by society, by their own people.

So I come here today to tell you that **SB 1**, in my view, is not about building bridges. It leads to a road that will chip away at those bridges that we've built together. Together, ladies and gentlemen—black, white, Hispanic, Asian—we're about building bridges. And what this bill does is tear down those bridges that

we're trying to build together as a society whether you're a democrat or a republican. Because those of us that believe in democracy, those of us that left to go to D.C. to fight that front, we weren't just fighting a partisan battle. We were fighting for the soul of America. Because whether you like it or not, democrats are just as patriotic as anybody else. I love this country. I love this country, and sometimes it hasn't loved people like my grandfather back. We have made strides in this county, no question. We have made strides, but what we don't want to do is continue on a road that takes us backward. And so I am here today to tell you that.

I know the author of the bill, those that are proponents of the bill—I will not make blanket statements that your intent is nefarious. I'm not going to say that. I'm going to believe that the proponents of this bill are coming from a good place. But I will tell you this. The impact, at the end of the day, the impact of this bill is what's going to matter moving forward. I could not sit at my desk without having the honor, and normally, I do not do this. Normally, I don't talk about my family this way, and I don't speak against bills often. I think in my seven terms here, I try to respect people's opinion, respect their viewpoint. But I could not just sit at my desk and not rise up in honor of my father, my late grandfather who I considered a father because he took me in when I was young when my parents were having issues. I could not sit there and not tell him. As we were in D.C., I knew he was sick. I had a premonition that he was going to get sick, and lo and behold, he got sick. Because I talked about him a lot during our stay there, I could not sit there at my desk without standing up and fighting and speaking out for people like him. God bless you. I love you. I love you, Grandpa. I love you, Grandmother. And ladies and gentlemen, we need to be about building bridges.

**REPRESENTATIVE LOZANO:** Representative Waile really touched a chord and really touched my heart. I started remembering my grandfather, born in Guadalajara, Jalisco, Mexico. He came to this country as a migrant worker and he helped build highways and the bridges that Representative Walle talked about. Some of those highways were the highways that run right by this Capitol, I-35. And I don't know if he ever would have thought that, because this Capitol was here, when he'd look at it if he ever imagined that his grandson would one day serve in this chamber. My grandfather would bring my father with him and put him in school here when he was in this country for his visa, working. And that allowed my father to learn English, math, and science to a degree so high that he wanted to be a doctor. And he loved the United States so much that he said he wanted to be a doctor in the United States. And so when I was six months old, my father got an offer for a medical residency at Cook County Hospital in Chicago, the largest hospital in the country. My dad scored so high on his exams that they offered him a residency slot. I was six months old when we moved from Guadalajara, Jalisco to Chicago, Illinois.

My grandfather and my father have always said that this country has something unique that Mexico does not. In this country, the people rule. In Mexico, the rich rule. In this country, your vote truly counts. In Mexico, for over 80 years a party was in power and the people could do nothing about it. Mexico today has a voter ID with a thumbprint on it and an RFID chip embedded in it to

verify the identity of the person voting. Mexico has come a very long way. That party is no longer in power, a new party is. And so the parallels between what has happened in our neighboring country in terms of election fraud are pretty clear. But one of the things that was unique is that of the speakers that spoke against this bill, that some of them were from Dallas County. And yesterday, I cited article after article about voter fraud in Dallas County and no one ever mentioned that. They mentioned again that this was about the big lie. They never referred to the historical nature of our chamber in terms of addressing voter fraud. In fact, one of the speakers stopped at 1997.

Yesterday, I started with 2003 about the bill **HB 54** by Representative Wolens which required those to sign if they helped someone vote and how that signature has led to prosecutions in Dallas County. Let me go back a little bit because on December 19, 2000, there was an article in the *Wall Street Journal* titled "'Brokers' Exploit Absentee Voters; Elderly Are Top Targets for Fraud." Chairman of the Texas House Elections Committee Debra Danburg, a democrat, said in this *Wall Street Journal* article from December 19, 2000, that Debra Danburg was committed to strengthen her resolve to press for reforms in what we now call election integrity. In the committee hearings for **HB 54** in 2003, democrats in the committee said: Political parties and/or campaigns that mail out applications that have everything on it except for the signature might be something that is contributing to the widespread challenges that we are having. In discussing different methods of voter fraud, another democrat on the committee said, the reason why I'm asking these questions is because I'm trying to understand whether we are trying to get at all fraud or we are trying to get at a specific type of fraud or improprieties, Madam Chair. Because I think if we're going to do this, "let's do an omnibus. Let's omnibus this bill right now. I think Chairman Wolens has brought us a bill that we can build off of." I can read some more statements but I don't want to belabor that point, members.

Like as was mentioned before, this was a bipartisan effort. This should be a bipartisan effort now because there are documented cases of voter fraud as far back as this last 2020 election, but it's been happening year after year. I showed you yesterday how deceased people have somehow applied for a mail ballot. That's going on right now. This happened in 2020 in Houston. And I think the most powerful thing is that when people say that there was an amendment offered to create a study to see if whether or not this bill would have a disproportionate impact, I would tell you this. It's not needed. Because Chairman Wolens' bill, **HB 54**, passed in 2003. Some arguments were made on this house floor from the back mic that this would disenfranchise minorities, and it is empirically denied. Minorities have been voting in record numbers, higher numbers, every single year since 2003. And so this is building off of Chairman Wolens' bill. This is a very incredible effort after hours upon hours of testimony and research.

I truly believe that one of the most powerful things is that when people would testify, you really get that impact. But when I read another article last night that was from the *Dallas Morning News* from May 4, 2017, the title is "I Feel Violated." I feel violated. This senior citizen was told by the Dallas County Elections Department: Your signature appears on the mail-in ballot and a guy

named Jose Rodriguez signed it saying he helped you. The victim said, "I don't know a Jose Rodriguez. I'm angry. How are you just going to forge my name? That's wrong." I feel violated.

Our job here in this chamber is to fight for every single Texan. It's to make sure that we can have confidence in our election results and make sure that everyone's vote counts if it's cast legally, that everyone who votes verifies who they are before they vote, and that ultimately, members, that we can go back to the days when there was bipartisanship. Because this is common sense. Don't let Washington get in your heart. This is Texas. I ask you to support the bill.

REPRESENTATIVE S. THOMPSON: I'm happy you left me the last 30 minutes to talk—not really. I just want to remind you that if you think that we cannot see what's happening, it's clear what the efforts are of what's going on all across the United States. There's a collective right to vote under attack, and our democracy is under attack. We have a right as a citizen and that right is a constitutional right. The right is embedded in our Constitution that each one of us has a right to vote. I walked out of this chamber. I know some of y'all got po'd. I walked out, but I didn't walk off. I didn't walk off because I came back to take part in what was left of the discussion of this bill.

I remember poll taxes not just because my grandmother had to pay poll taxes because she was black. Poll taxes then were charged so that schools would be supported. It was not tied to the right to vote. And I remember very much the fact that she had to save up pennies and nickels. She couldn't afford to save quarters because she was only making \$2 a week. And she had to go a considerable distance to vote because she was black and there was no convenient polling place in our community where she could cast her vote. They dared not allow her to go to a white polling place because of her ethnicity. When I became of age to vote, I had to buy a poll tax to cast my vote. You know poll taxes became unconstitutional, but Texas did not get rid of the poll tax until 1966. My first grade classmate passed a law when she became a member of this body, Representative Alma Allen, to remove that from our Constitution.

You all are familiar—maybe you're not—that African Americans had to pass a literacy test. We used to have to talk about and count how many beans—guess how many beans were in a bag. That was part of the literacy test. It may be fun to some of you, but it wasn't fun to us. Because during that particular time, we had the right—a constitutional right in this country as an American not to be tested but to be able to cast our vote like everyone else. But it didn't happen.

I know that you talk about this bill and we have—I was on the committee. We heard the testimony the first time. We heard the testimony the second time. And I've heard people say that this bill does not have anything to do with top, side, or bottom denying people the right to vote. You know, I've heard that. But I also recognize when "souls to the polls" came out. You know, when we passed last session to let people be able to buy beer at 10 o'clock in the morning but you had to wait until 1 o'clock to vote. This was if you were in the African American community predominantly, because "souls to the polls" was not a white person's

thing. It was something that was akin to the black community because we left the church to go from the church to the polling place. And it was set off until 1 p.m. But since nobody knew why that got into the bill, it came out. Good.

But I believe that people who write these laws know how to put things in the laws. They know how to write it in such a way until it doesn't appear as though it has an impact or effect on a particular segment of our society. And it's really, in a sense, a bully's way of writing the laws. Because people have a right. We know democracy is that the majority rules. But we also have rules because they're supposed to be for liberty and justice for all.

We get bullied all the time. I got bullied once, several times. And you all know why I can be a little bitchy? It's because of the fact that I have learned since I was two years old that I had to be a little warrior. If I didn't want my rear kicked by somebody or always being picked on, I had to be able to stand up and fight back. That's why I have always believed that there are good things in people but every now and then, when the little bulliness comes out, there's a necessity to stand up and fight back. The only thing I want to remind you of is this. Although you did not allow us, some of us, minor changes—you largely did what you wanted in this bill. You kept changing the bill in the dark, and you backed off agreements that we had from time to time that you made with some of us. But make no mistake. This is your bill, your idea, and you will be responsible for the consequences.

And ladies and gentlemen, today is the birthday of Lyndon Baines Johnson. We have asked for years to give us the ballot. We have asked for it to be inclusive. I'm asking you today, when are you going to allow all of us to be counted as Americans? To be able to take the Constitution, as some of you are able to do, take so much for granted? And if you think that you're winning today by the things that you have put in this bill, let me give you a prophetic statement: You will reap what you sow. And you know what? It won't be years or decades from now. It'll be sooner than you think.

MURR: I yield for questions.

REPRESENTATIVE DUTTON: Let me again thank you for meeting with me. I think I've said that before, but I want to say it again. Let me ask you this, though. Do you think there's fraud in Texas elections?

MURR: I would respond to a statement like that to say, generally speaking, I think that there is always a likelihood of fraud, and looking in the past, we have seen past examples of fraud.

DUTTON: Well, to some extent that means that some of us are here fraudulently.

MURR: I would not necessarily reach that conclusion.

DUTTON: Well, if there's fraud in the elections, fraud doesn't generally help the losers, does it?

MURR: I'm really not advised to how to answer that.

DUTTON: All right. Well, fraud generally helps the winners. I play cards. I played poker with a friend of mine who I taught him how to play poker, and then he wanted to play for money. And I told him, you don't play cards with somebody who taught you for money. He insisted on it. So I said, okay, let's play. I cheated every hand. He didn't win. Out of 15 hands, he didn't win. Now, for me, you know, the fraud that I was engaging in was because I was trying to teach him a lesson. But today, one of the things that bothers me about this bill is that, for example, in your county, I think you indicated that you all—the counties have a holiday on voting day. Is that right?

MURR: Generally speaking, it is a county holiday. That is correct.

DUTTON: Under what law do they make it a holiday? Because I looked and I tried to figure out where the counties can do that.

MURR: The counties have the authority, as I understand it, to set their own holiday schedule. And so typically, each year a commissioners court will meet and determine which holidays they will grant for county employees.

DUTTON: All right, so Harris County could decide tomorrow to have a county holiday for Election Day. Is that right?

MURR: I would conclude that they have the authority to do that, yes.

DUTTON: Okay, thank you. So if one of the reasons we were doing this bill was to make things uniform, how would that be uniform if out of the 254 counties you've got one county or two counties or three counties making it a holiday on Election Day?

MURR: I think that speaks to the ultimate purpose of having a holiday. The purpose of having a holiday is to allow the opportunity for voters to go vote. This legislation provides protections for employees to take off work from their employer to go vote during early voting. Current Texas law provides the same protection on Election Day, and we afford them an abundant amount of time to early vote. We set expansive hours to do so. And they can also consider voting by mail. So if you're speaking to the purpose of a holiday, I don't know, with all of those concepts being considered in this legislation or already in Texas law, that that is necessary.

DUTTON: So effectively, you're saying they could already do that.

MURR: The authority to have a holiday is available at the local level.

DUTTON: So not the city but the county could actually—

MURR: I'm not advised as to whether a municipality could also declare that to be a holiday. Now, when they do so, we're speaking of a holiday in terms of employees, so for counties that would be county employees and for a city that would be municipal employees. That doesn't necessarily extend to the general public. Obviously, each business gets to determine its own schedule.



DUTTON: Now, the elections in Texas—would you agree with me, first, that generally, like when I was playing the card game, that winners are generally the ones that engage in cheating? People that are losing generally are not the ones cheating.

MURR: Chairman Dutton, I really don't play cards.

DUTTON: Okay, that's acceptable. I don't play very good myself, so I should probably join you. But what I'm getting at is for the last 20 years or so, two decades, has one party been winning the elections over the other one?

MURR: It depends on the jurisdiction. If you're talking statewide politics, you're going to get one answer. If you're talking by region, you're going to get a different answer. And if you're talking about nonpartisan elections, which this bill also affects and provides guidance for school boards, municipalities, and other local districts, those don't have partisan elections.

DUTTON: Right, so let's take that apart. The statewide elections for the last two decades have been won by republicans. Is that right?

MURR: At the statewide level, that would be a correct conclusion.

DUTTON: Do you think the fraud is at the state level?

MURR: Mr. Dutton, I have never said that fraud was a condition precedent for Texas to implement additional policy to protect against fraud.

DUTTON: But the election integrity and looking at the bill—looking at the intent in the bill which is in there—it would suggest that there must be some fraud occurring in Texas elections.

MURR: It specifically states to reduce the likelihood of fraud.

DUTTON: Right. Now, why would you be reducing the likelihood of it if it didn't exist?

MURR: Inherently with any election system, we want Texans to be confident in the outcome of the system.

DUTTON: I will agree with you. I think that's the best thing for everybody, for every party, for every candidate to make sure that there's no fraud in the elections. What I'm getting at is that I'm trying to figure out if the fraud is not at the state level, do you think it's more representative of county elections then?

MURR: During the hours of testimony from witnesses on this legislation both in the first called session and the second called session, we heard witnesses give their perspective on races at the local level and it always hits home for individuals. So it doesn't necessarily have to be a high profile race. The example you give is statewide races. It could be the local school board race or the local race for a city council seat or for a special district. It seems that when it's in your neighborhood, that's where you want a reliable system because they know the people that are involved, they know the voters, and they want to participate in the process. So at the end of the day, the witnesses provided perspective for all types of races, not just statewide races or some type of regional races or as you say at the county level. It was for all races within the political process.

DUTTON: Did you find out what state representative represented that person who was testifying?

MURR: Did I go and find out who the state representative was?

DUTTON: I was just wondering if they told you or something.

MURR: I don't recall that level of detail.

DUTTON: Okay, because I'd just be curious as to whether or not they were talking about a particular state representative race. Well, let me just say this. I've been in this legislature 19 sessions now. And one of the things I found out or realized when I first came—I was asking my dad about what to do, and he said, "Well, I can't tell you what to do, but do what's right." I called him back one day and I said, "I found out, Dad, they got about eight or nine or 10 things that are right down here to do." But the one thing I have realized is that if one party—and when I came here there were 95 democrats in the house. I will tell you, I had some of the greatest fights even with democrats when I sat here because I don't think that Texas is served better when one party—not only if they rule, but if a bill comes up that only that party supports, that generally is not right. That generally falls out of the eight or nine right things to do because they tend to be more political than right.

The biggest example I can give you for this bill was when I had the amendment on letting it be a state holiday or a county holiday or a city holiday. You objected to that. Yet that's the same thing that happens in your area. And I don't understand how if it's good in the area that Murr represents, why wouldn't it be good for the area that Ms. Perez represents? Why wouldn't it be good for the area that Ms. Hull represents? Why wouldn't it be good for just anybody's district? The point that I'm making is that the other statistics I showed you was that Texas is fifth from the bottom in terms of voter turnout in this nation. That's a shame. We should put that as high as we put election integrity. I don't know why we haven't done that. I assume somebody came to you and said we needed to do this, but did you ever think about trying to improve on the stats related to Texas voter participation?

MURR: First, Mr. Dutton, your father gives good advice. Second, I have not reviewed the statistics that you mentioned yesterday and today, but I certainly do believe and every member on the floor believes that we all strive for improvement. And I believe that that is what we're looking at today with this legislation. It's improving the Election Code in Texas.

DUTTON: Thank you for answering my questions. I will leave you with this, and I think Representative Thompson mentioned it a little bit. In the Bible, there's a story about a man who built the gallows for another man. And I think you know the rest of the story. The one thing about it is we're going to go vote, and so we'll see you at the polls.

[SB 1 was passed by Record No. 61.]

**CSHB 20 DEBATE - SECOND READING**  
**(by Cain, White, Burrows, Metcalf, Shaheen, et. al.)**

**CSHB 20**, A bill to be An Act relating to censorship of or certain other interference with digital expression, including expression on social media platforms or through electronic mail messages.

REPRESENTATIVE CAIN: In 2017, Justice Kennedy in *Packingham v. North Carolina*, in an opinion joined by several members of the court, referred to social media sites as "the modern public square." They acknowledge that these few dominant websites "for many are the principal sources for knowing current events, checking ads for employment, speaking, and listening." Justice Kennedy called them "perhaps the most powerful mechanisms available to a private citizen to make his or her voice heard." In an April 2021 case, in *Knight Institute v. Trump*, Justice Clarence Thomas in a concurrence chimed in that he believes that technology platforms like Twitter may probably be regulated as common carriers like the phone system or places of public accommodation like a retail store or movie theater. In his concurrence, he suggested that common carriage regulation for social media platforms might be appropriate given the historically unprecedented "concentrated control of so much speech in the hands of a few parties." Moreover, Elizabeth Warren—who many would, you know, not consider to be a conservative mind like Justice Thomas—she has criticized Facebook for removing her ads when she was running for president. To quote, "We must ensure that today's tech giants do not . . . wield so much power that they can undermine our democracy."

At this point, a small handful of social media sites drive the national narrative and have massive influence over the progress and developments of medicine and science, social justice movements, election outcomes, and public thought. **CSHB 20** has three parts. The first demands some transparency out of the social media platforms. The second part of the bill allows people who have been censored for their viewpoints to get back online. And the third part pertains to e-mails. With that, I believe we have an amendment, though.

REPRESENTATIVE WU: Representative Cain, was there a fiscal note on this bill? I'm sorry, is the mic not coming through?

CAIN: I'm sure there's a fiscal note, yeah.

WU: Did you have a chance to look at it?

CAIN: I'm assuming there's no fiscal impact. Is that the answer?

WU: Do you know or are you guessing?

CAIN: Why don't you tell me? I'm getting it right here.

WU: There you go.

CAIN: Yes, no significant fiscal impact.

WU: There's no fiscal impact. Do you know—when they did the fiscal note, did you talk to them about taking into consideration that this is going to get the state sued pretty much immediately?

CAIN: You know, I've never really talked to them about fiscal notes. We request them and they deliver. Have you ever talked to them about things when you ask for fiscal notes?

WU: Do you know that this same type of legislation has been filed around in the nation in other states, including recently in Florida, and they've been immediately dragged into court about the unconstitutionality about this type of legislation?

CAIN: Yeah, I'm glad you asked about the Florida case because the way we drafted this bill as opposed to the regular session was intentionally looking at Florida to see how we could do ours properly. One of the differences primarily in the Florida bill, because I'm glad you asked about it, is Florida's bill specifically prohibited social media platforms from banning candidates from their platform and required social media platforms to apply standards on users equally. A funny one—Florida's bill exempted Disney. We make no such exemptions. The law, by the way, for the candidates would've fined the social media platforms \$250,000 a day for banning candidates for statewide office and \$25,000 for candidates for lower office. We don't do that.

WU: Mr. Cain, do you understand that the Florida court never even bothered to go to those points because they say that it was so unconstitutional on its face that they didn't even have to even get to those points at all? That this was a First Amendment violation of the most basic nature?

CAIN: Well, you know, the case is being appealed. I think you know how appeals go from district courts.

WU: Can I ask you, why did you limit this bill? Why did you put the limit at 50 million active users?

CAIN: That's a good question.

WU: Could you explain it?

CAIN: Well, you know, we wanted to protect users of the largest those large enough to be considered, you know, the public square—things that, I believe, are akin to common carriers. You know, during the committee hearing, I was asked this question exactly. They had asked why we were targeting several platforms that I had never heard of. You know, I'm pretty active on social media, but I'd say if I hadn't heard of it, you know, it's probably not considered a public square.

WU: So you're saying that a 50 million user limit would only target the largest correct?

CAIN: Yeah, those considered the public square, those that are getting to the point of quasi-common carriers, things of appearance of public accommodation. That's correct.

WU: Do you know how many Facebook users there are?

CAIN: I've seen some numbers. I bet you've got a list. Do you want to tell me?

WU: Oh, I do.

CAIN: Yeah, go ahead.

WU: You're the bill author. I'm just trying to see if you know. Would it surprise you that there are almost three billion Facebook users? That's quite a bit of ways from 50 million. Would that be fair?

CAIN: Yeah, we're at 50 million for within the U.S. actively in a month. That's the way this is drafted.

WU: Do you know how many YouTube has?

CAIN: I don't know—126 million?

WU: Do you know how many Instagram users there are?

CAIN: I mean, I've got a list, Wu. Let's see. It would be, you know, faster if you'd just tell the body—121 million.

WU: Do you know that there are other platforms in the U.S. that Americans have access to other than those that are not based in the United States?

CAIN: I'm sure there are, but I don't think people would consider those the public square where ideas are debated and they can get their voice out to the broadest audience. If they were, we'd be using them.

WU: You may not be using it but there's plenty of people in America who use platforms like WeChat.

CAIN: Like what?

WU: Like WeChat.

CAIN: WeChat?

WU: Have you ever heard of it?

CAIN: Are you on WeChat?

WU: I am.

CAIN: Okay. Never heard of it.

WU: You know WeChat has 1.2 billion users?

CAIN: Okay.

WU: Were you intending to include them into this?

CAIN: If they have over 50 million active users in a month, then they're included in it. We were not targeting any specific companies. We were only targeting those large enough to be considered the public square.

WU: Why not 20 million users then?

CAIN: I don't think those would be considered large enough. Look, when we talked to people about where this threshold should be, this is the number they arrived on.

WU: Why not 30 million users?

CAIN: Because at that point, I don't think they're large enough to be considered the public square. These are similar concepts of antitrust monopoly.

WU: Why not any platform? Why does it have to have a certain number of users? Why can't it be any platform? If your concern is the public square is being silenced, if your concern is about public debate, why shouldn't any platform with any amount of users have to comply with this?

CAIN: That's a great question. There's a few reasons. One of them I'll address is not all platforms hold themselves out universally as places of—kind of like places of public accommodation where they take all and they're for everybody. And also, again, the size here—I was about to say size matters. Here, size matters. These are places for, again, the public accommodation that hold themselves up for everybody, and they're the platforms where people go to have their voices heard. These are similar reasons for these concepts of common carriage.

WU: Is there a data-driven reason of why 50 million is the cutoff?

CAIN: It's based on a decision of how large that would be.

WU: Whose decision?

CAIN: In consultation with the senate and other people we talked to in consultation about how this bill should be written and in such a way to make it narrow enough to survive challenge.

WU: So you picked a number out of a hat?

CAIN: No, we consulted with people. I'm sorry they're not here to be witnesses for you.

WU: What data did they provide?

CAIN: We'd have to talk to them about that.

WU: Didn't you just say you talked to them?

CAIN: Yes.

WU: Why in your bill do you provide protections for people who send spam e-mails?

CAIN: Okay. So we're now in Chapter, I guess, 321 of the Business and Commerce Code. I don't know what you mean by protection for people that send spam e-mails.

WU: The code section that you're modifying in there is about providing penalties for people who are sending spam and unrequested telemarketing e-mails. And you're saying that if a company blocks e-mails, they're under the same provisions.

CAIN: No. We're amending that because that's where it fits. This section of code was enacted in response to the CAN-SPAM Act. We give these providers the ability to block unsolicited commercial e-mails and we have fines for that and other commercial electronic mails. We will also allow them to stop things that are obscene and sexual conduct.

WU: So in a bill that is about protecting the public square, you're now dealing with communications between individual to individual.

CAIN: No, this has to do with censorship and to stop censorship through electronic means.

WU: So if Google sets up—for my Gmail—sets up a spam filter that they prevent me receiving e-mails, now what this bill provides is an ability for those spammers to sue Google and to bring them into court.

CAIN: I don't think so. That'd be a filter you set up.

WU: That's what it says in your bill.

CAIN: This has to do with them intentionally going after the content of something. So if you'll read it, it says—

WU: Google is filtering out these e-mails because of their content.

CAIN: Okay. We're not stopping anybody from using filters. The point is without your asking. That door's left open for you to do it. It's on their own accord.

WU: I've never asked Google to filter my e-mails. They just do it.

CAIN: Well, in this there are things that they can filter out. You can see it. It has to do with obscenity, pornography, commercial e-mails, anything advertising for sale or offering goods. That's what this Act was designed for.

WU: So if someone sends out commercial spam and it gets filtered and it gets blocked, this legislation would now give them the ability to go after the e-mail provider?

CAIN: No.

WU: That's the way it reads to me.

CAIN: Okay. Well, it doesn't do that. It's literally the exception in the code. You may have to pull up Chapter 321 of the Business and Commerce Code.

WU: I have it right here.

CAIN: Okay.

WU: Let me ask you a little bit more about the bill. You can go back to, I guess, the second page. In your legislation, on page 2, starting on line 21, you said this chapter only applies "to a user who resides in this state." Is there a time requirement for that residency?

CAIN: I guess that'd be left open for a court to interpret it. It requires that you reside in the state.

WU: Why doesn't your bill define what residence means?

CAIN: I think we understand that it means that you live here. It's going to be based on a reasonable interpretation of that term.

WU: And it says that a user has to do "business in this state." What counts as doing business in this state?

CAIN: I have a feeling it'd probably—you know, I don't know if it's going to require brick and mortar, but it's going to be some kind of situs, meaning that they're present in this state doing business.

WU: In Subsection (3), on line 25, it says that the user must share or receive "content on a social media platform in this state."

CAIN: Okay.

WU: Does that mean that the content has to be about the state?

CAIN: No. It's just like if you were to pull your phone out and open up one of your social media apps, you'd be sharing or receiving content in this state.

WU: So if a person lives in this state but they go out of state and they see a post, does that count?

CAIN: You're in Chapter 120 right now and this part of the bill has to do with the social media platforms—what I, you know, believe are akin to or acting as common carriers—to have certain disclosure requirements and an acceptable use policy and a biannual transparency report.

WU: I'm looking at your bill. I'm trying to see applicability of this chapter. I'm trying to figure out how this chapter applies to someone, who it applies to.

CAIN: Yeah. Well, the enforcement of this chapter—

WU: It says "shares or receives content on a social media platform in this state." Is the social media platform itself in this state?

CAIN: No, of course not. It's going to be on the common and ordinary understanding of the word—

WU: Do they have to be in the state when they receive the content?

CAIN: This has to do with censoring a user's content, so it's not really as much about whether they're receiving content.

WU: The point of this section is to tell who gets to use this law. We're not even to what's being censored yet.

CAIN: The enforcement of this section—

WU: Who gets to use this law?

CAIN: The enforcement of this section is only by the attorney general and this section has nothing to do with censorship.

WU: Okay. When it happens to someone, the attorney general gets to enforce it, correct?

CAIN: That would be under Section 143A. It's another section of the bill.

WU: Okay.

CAIN: This portion of the bill is purely—

WU: This bill provides when this law is applicable. Is that correct?

CAIN: Which part?

WU: The part we're talking about right now. It says when this law is applicable. Is that not right?

CAIN: That's "Applicability Of Chapter." That's Chapter 120.



WU: There you go.

CAIN: So for applicability of Chapter 143A, you go to the applicability of that one. That's where the private cause of action is, in another section.

WU: What I'm trying to get at is, what my question is—I'm trying to understand when this is actually applicable. It says when a user "shares or receives content on a social media platform in this state." Is it when the user and the content is in the state? Would they have to be physically in the state or do they need to just be a resident? Can they be a nonresident who gets the content while they're physically in the state?

CAIN: So in order to be a user under this, you've got to reside in the state, do business in the state, or share and receive content. Gives you some "ors." What this chapter does, though—of 120—is we're going to require them to do some public disclosures. The reason for that, though, is it's got to "be sufficient to enable users to make an informed choice" about the platform.

WU: I'm sorry. I'm not asking about what the bill requires once it's applicable.

CAIN: I just thought you should know.

WU: I'm asking you to tell me when it's applicable.

CAIN: It's applicable—literally, it says it, Representative Wu.

WU: Well, I think by the very definition that you've provided, that it is not clear when it is applicable.

CAIN: Okay. Well, I mean, I think courts will interpret it that it's applicable the way it's written in a common understanding.

WU: So we are just going to leave it to the courts because you have no intention of this actually being carried out.

CAIN: No, I think it's plain on its face what it means and you can read something else into that. That's okay.

WU: On the next page, on page 3, it says that a social media platform has to disclose all information regarding (1), (2), (3), (4), and (5).

CAIN: Yeah.

WU: How they do searches, how they curate, how they promote things, how they provide content to users—those are all part of social media platforms. That's a part of their algorithm. Would that be fair? Do you understand that?

CAIN: Well, to be clear, if I think where you're maybe going, if you'll go up to Section 120.003, it's very clear that "this chapter may not be construed to limit or expand intellectual property law." Meaning, whatever this public disclosure does mean, it cannot be read to imply that they must disclose some form of IP. So it can be something as simple as saying we use an algorithm to determine how content is displayed to you. It's not asking you to reveal how you determine that algorithm.

WU: To be clear, your legislation does not require them to disclose anything that they say is confidential?

CAIN: It does not affect or expand or limit intellectual property law.

WU: I know of no platform that would say that their algorithm is for public consumption. So you're providing a legislation that tells them to provide things that they don't have to provide at all.

CAIN: Again, it requires that you can't expand or limit intellectual property law. So if that answer is something that would require them to reveal their IP, then they don't have to.

WU: Can I ask you, do you block anybody? Do you block any users on Facebook or Twitter?

CAIN: Yes, as a private person we're all allowed to do that. In fact, that's a great question. One of the main things that this bill leaves open—in fact, we even say that you can do it. If you go to page 13 regarding 143A, page 13, line 8: "This chapter may not be construed to prohibit or restrict a social media platform from authorizing or facilitating a user's ability to censor specific expression on the user's platform or page at the request of that user." The point is it allows users to cater what they want to see. You may or some may say, well, I don't like seeing those posts. And people are always free to regulate the content of their page to what they see. So if you don't want to see something, you can block it or mute it or you know.

WU: Do you understand that on page 11, in your "Censorship Prohibited" section, you specifically say that you can't block a user from seeing someone else's expression? It says specifically: "A social media platform may not censor a user, a user's expression, or a user's ability to receive the expression of another person." By you blocking someone else—

CAIN: There's an amendment that removes that definition out of "censor" due to some ambiguities and some issues that were raised in committee that alerted it to us. However, this is about the action by these large social media companies that are as the public square. A private user is not acting as a social media company.

WU: But it's a social media company that's doing the blocking. It's their platform and their code that allows you to block someone else.

CAIN: Well, if you read the exception I just read you there on page 13, it literally says this cannot be construed to prevent a social media company from authorizing somebody to, and to paraphrase, to block someone. So that'd be an improper reading of that.

WU: So it's legislation that requires them to not block somebody, but if they did, there's nothing you can do about it?

CAIN: No, what this legislation actually does, in 143A.002, is it prohibits censorship of viewpoint.

WU: Do you think that the State of Texas, the legislature, has the ability to affect companies that do not reside in this state?

CAIN: I mean, they do business in this state. Why couldn't we?

WU: Who?

CAIN: A company doing business in this state. I don't know. Facebook and Twitter, they do business here.

WU: They have a physical presence here?

CAIN: They have some buildings in downtown Austin, yeah.

WU: What about the other companies? What about the other companies that have over 50 million users in the United States and this state?

CAIN: Well, I guess they do business here. Their products are available on our phones.

WU: What about the ones who don't have a physical presence here?

CAIN: Look, they market their product and hold open their product to Texans, people that reside here. I think they're doing business here.

WU: So a user going to their website is them reaching out?

CAIN: I mean, they advertise and they want people. I mean, the more users they have, the more value.

WU: They advertise on the Internet. Is advertising on the Internet reaching out? Is that what counts as reaching out?

CAIN: I think they do business here, Mr. Wu. If you'd like to educate me on what that means, I'm sure the body would like to hear it.

WU: Do you know if the State of Texas has the ability to regulate telecom?

CAIN: We do regulate telecommunications companies.

WU: Your legislation, as you have described it, is your intent to protect the First Amendment, correct?

CAIN: It's to protect concepts of free speech that reside in that, yeah.

WU: Do these companies have a right to their First Amendment?

CAIN: They do. That's a great question because, you know, for example, FedEx—a common carrier—you know, when they ship a book, if it contains speech that they disagree with, they're not able to refuse. I don't think we're interfering with their speech rights. They speak all the time. They speak through their platforms. They speak in media. But carrying speech does not count as their speech.

WU: Are these companies a common carrier because you say they are a common carrier?

CAIN: Well, there's common carrier common law and there's legislation that defines people as common carriers, that's correct.

WU: So they're a common carrier because you say they are?

CAIN: We're saying they are.

WU: Okay. Legally, have they been designated as a common carrier?

CAIN: By who? No one's—

WU: By the courts? By the federal government?

CAIN: The federal government has not regulated or said so yet.

WU: Okay. So you're applying all these rules to them when no court has ever defined a social media platform or a website as a common carrier?

CAIN: I think they could be considered quasi-common carriers.

WU: You would like for them to be a common carrier.

CAIN: Well, I began by quoting the great Justice Clarence Thomas who believes they're common carriers.

WU: Is that law?

CAIN: It was a concurring opinion, but we often know how concurring opinions eventually continue to find their way into the majority when the ideas change. I think it's something we've continued to struggle with on how to look at something of this size and regulate it as a common carrier.

WU: So you're saying in this legislation that your right to say whatever you want is more important than the right of these private companies to regulate the speech that comes out of their own platform, out of their servers, out of their property?

CAIN: Look, while I recognize that these, you know, these large tech firms are privately held, I remind you the U.S. Supreme Court has on a few occasions under certain circumstances held that citizens have speech rights on private property. Are you familiar with *Marsh v. Alabama*? It's a 1946 case that deals with a company-owned town where the court said that that person had the right to distribute literature on a company-owned sidewalk.

WU: Are people forced to be on these websites?

CAIN: I don't think that that man in *Marsh v. Alabama* was forced to be there, but the reason they were able to treat him that way is because that town, that locality, freely was open and freely used by the public. Another one is *PruneYard Shopping Center v. Robins*. It's a 1980 U.S. Supreme Court case dealing with a private shopping center that held itself out and was open to the public at large. They were also found not to be able to exclude the free speech rights of private citizens on private property. I could give you a quote, if you'd like. It's: "The more an owner, for his advantage, opens up his property for use by the public in general, the more do his rights become circumscribed by the . . . constitutional rights of those who use it."

WU: Under those cases, they said those owners have a—there's a certain limitation in the people's ability to speech. They can't just go in there and start shouting obscenities. They can't just go in there and start, like, stripping off their clothes. They can't go in there just yelling hate speech or anything like that, right?

CAIN: Yeah, under—

WU: So when these social media companies do exactly the same thing—they limit what people can say on their own property—you're saying, "No, you can't."

CAIN: No, that's not at all what we're saying. This has to do with viewpoint censorship. Section 230 kind of preempts our ability to regulate content. Have a good day, Mr. Wu.

[Amendment No. 1 by Cain was laid before the house.]

CAIN: So this amendment moves the definition of "malicious computer code" into a more proper section of the code. It also strikes the language that Representative Wu was asking about under the definition of "censor" to remove any ambiguity that you do not have the right to sue on behalf of someone else that was censored.

[Amendment No. 1 was adopted.]

[Amendment No. 2 by Biedermann was laid before the house.]

REPRESENTATIVE BIEDERMANN: Again, we're talking about free speech. And this bill is mainly for those citizens in the State of Texas, but I just want to prove a point here. We have a president of the United States right now that's censored. So if we have a president of the United States that's censored, what could happen to every citizen in the State of Texas? We have right now the Taliban. We have Black Lives Matter. We have ISIS. We have all these groups that can say whatever they want, and they aren't censored. But yet we have a president of the United States that is censored right now. This bill is so important and so necessary, and it's a travesty that we would allow this in a country where 60 million people voted for a candidate, an elected official, and yet that person is censored by these social media giants and companies. So I just am thankful for this bill. I thank you, Representative Cain. We need this bill to protect the social media sites from discriminating or silencing against certain viewpoints. I just hope that this would be an example of how important this legislation is and how far we've gone in this country to allow this type of discrimination and prohibition of free speech to happen. I'm going to pull down my amendment, and I thank you for this bill.

[Amendment No. 2 was withdrawn.]

[Amendment No. 3 by Howard was laid before the house.]

REPRESENTATIVE HOWARD: So I know y'all all know that I am a nurse and that I have a background also in public health and have been a champion of vaccinations even before this pandemic. Under **CSHB 20**, a user who posts content that promotes vaccine misinformation will be able to sue a social media company if the social media removed their post. My amendment would allow social media websites to remove content that "directly or indirectly promotes or supports vaccine misinformation." During the House State Affairs hearing on the companion bill to **SB 12**, which was **HB 2587**, several anti-vaccine activists testified against this bill because they want figures like Robert F. Kennedy Jr. to be able to spread vaccine misinformation freely instead of being removed by

online platforms for violating their policies. Unfortunately, this has real consequences for public health as we are witnessing every day now with COVID cases clogging the hospitals and lives being upended.

This is all the more troubling when looking at some of the studies that have looked at the influence of these platforms. The Annenberg Public Policy Center of the University of Pennsylvania found that "people who rely on social media for information will be more likely to be misinformed about vaccines than those who rely on traditional media . . . The study, based on surveys of nearly 2,500 U.S. adults, found that up to 20 percent of respondents were at least somewhat misinformed about vaccines." This amendment would allow these influential platforms to continue to exercise their First Amendment rights to remove this specific type of misinformation and hopefully support our shared goal of improved public health and getting past this deadly pandemic.

CAIN: I understand what Representative Howard is trying to do here. By the way, this bill again, though, prohibits censorship of viewpoint and not content. And it may be important to remind y'all that Chapter 47 U.S.C. Section 230—you may have heard of Section 230 in the news a lot in the last few years, that's the Communications Decency Act—it already empowers these companies to remove or regulate content of speech. In fact, I would say that this, the way this is written, aims toward content. So I'll give you an idea. It says: "No provider or user of an interactive computer service shall be held liable on account of any action voluntarily taken in good faith to restrict access to . . . the material that the provider considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable."

I'd also like to point out a really, really important one. In 2018, Twitter said, "We acknowledge the growing concern people have of the power held by companies like Twitter. We believe it's dangerous to ask Twitter to regulate opinions or be the arbiter of truth." They are still completely free to do what they are doing now where they add things to it and say this could be misleading, as you may have seen, Representative Howard. You'll see on Twitter when somebody's talking about COVID, anytime you see those words, they've got algorithms that bring that up and they put "click here for more information." So they're certainly free to do exactly that. This bill does not stop them from giving context to or giving disagreement.

REPRESENTATIVE C. TURNER: So you just outlined some reasons there why you are going to oppose Representative Howard's amendment in that you cited something Twitter said about not policing opinions or certain viewpoints. I'm paraphrasing there. But I think what Representative Howard's amendment is seeking to address is not opinions or viewpoints that we may disagree with but flat-out false information that sometimes unfortunately runs rampant on these social media sites where you'll have people who are posting false information about vaccine efficacy and safety. And obviously, it is a huge issue right now with respect to the COVID-19 pandemic and the high degree of vaccine hesitancy we are seeing. And one question I have is why would you not accept an amendment as it relates to COVID-19—false information about COVID-19 vaccines which are proven to be safe and effective and are approved

by the FDA? But it's also about other vaccines, too, isn't it? I mean, we've had an increasing problem with vaccine hesitancy for the last two decades in this country, have we not? And more and more we're seeing schoolkids not vaccinated against mumps, measles, rubella, whooping cough, diphtheria, and other serious illnesses that threaten the health and safety of young people—and in the case of COVID-19, young people as well as older people. So why would you oppose an amendment that simply seeks to protect the health of Texans?

CAIN: Well, I don't think we want, in my opinion, we don't want these companies being the arbiter of truth. Look, if a social media site finds—

C. TURNER: The arbiter of truth? I mean, isn't it true that vaccines save lives?

CAIN: Look, if they find it to be false, we don't stop them from flagging it or adding facts. That's actually another difference between this bill and the Florida bill. The Florida bill was telling them how they could do it. They were treating that as censorship. We don't do that at all. They can certainly do so.

C. TURNER: If someone posts that a vaccine is dangerous and therefore you should not take it, do you think that is a false statement?

CAIN: Yes.

C. TURNER: So if it's a false statement, and I agree with you, why would a private company not have the ability to remove a demonstrably false statement from its website?

CAIN: Because I believe under the circumstance they are the public square, and the free exchange of ideas and information and debate of why that information—

C. TURNER: It's not an idea or information. It's false information.

CAIN: It is, but if it wasn't for that information, then people wouldn't be saying what you're saying right now to counter it. It wouldn't have the information. It wouldn't have challenged our ideas, and we need exactly that. In fact, that's why Section 230 even exists. I mean, that's the policy statement and the legislative findings behind the Act. One of the purposes of it is to increase the variety of educational, political, cultural, entertainment services. It was to allow for literally—and I'll quote for you—to "offer a forum for a true diversity of political discourse." That's why 230 is there.

C. TURNER: The well-established standard on free speech that everyone knows, that you can't go run into a crowded theater and shout fire—you've heard that, right?

CAIN: Yes.

C. TURNER: Okay. You would agree that standard is—

CAIN: That is unprotected speech at this moment due to the exact circumstance—

C. TURNER: Right. So why should a private company—we shouldn't even be trying to police their free speech to begin with—but why should a private company be told that someone can go on their platform, their private platform,

and post information that may well cost someone's life by giving them false information about the efficacy and the safety of lifesaving vaccines? How is that any different?

CAIN: Do you have any examples of any of these platforms literally blocking or deleting posts like that? Because from what I've seen, they're doing exactly what I'm telling you they do, which is where they add context or some fact-checker says something is false but they don't take it down. And this bill doesn't affect that at all.

C. TURNER: My understanding is that they have policed that content and there is real concern that your bill will interfere with their ability to do that. And that's why Representative Howard has brought this amendment, so I hope you will reconsider your opposition.

CAIN: It does not prevent them from doing exactly what I've told you it allows them to do. They can still put little things underneath it that says they believe this is false or they disagree with the statement. They can always also, as they do in their end-user agreement, disclaim any agreement with anything anybody posts. Thank you. Members, please vote no.

HOWARD: I mean, clearly, this is a situation where you have things that can be put on social media platforms that talk about, for instance, the "Tide Pod Challenge," if y'all remember that. We want to make sure that they can remove information that could result in hurting our kids. That was a classic example of misinformation being out there. In this case, we're talking specifically about vaccines. And we know that the vaccine hesitancy is resulting in fewer people getting the vaccines than we need to have herd immunity to prevent the spread of the delta variant and other variants that are forming at this time. The more we get people vaccinated, the more we will prevent that from happening. And when we have misinformation on the Internet and people getting their information there and questioning the validity of the science, that's detrimental to the public health of Texans.

REPRESENTATIVE SANFORD: Representative Howard, do you recall when Facebook had to backtrack in May of this year on prior censorship that they were engaged in? The area of the virus, the question of its origin that they had labeled as misinformation and did not allow into the public square for several months?

HOWARD: Would you please enlighten me?

SANFORD: Yes, so there were reports on Facebook, viewpoints that had been expressed, that the COVID virus was indeed man-made. Facebook censored that and labeled it as misinformation for months declaring that not safe for people to consume that kind of content. Then we learned on May 27 that they reversed course because new evidence came to light. And it just seems to me that there's a lot of scientific and health faith that your amendment is placing in the hands of a technology company, not a health care company.

HOWARD: Actually, from what the example you just gave to me is exactly the way things should work. We have—scientific information is ever-evolving.



SANFORD: So it's okay for a social—

HOWARD: Let me finish my response if I may, please. So whatever the current science is telling you I think is what would be guiding us. Science changes as we gather more information. So I don't know what Facebook chose to do subsequent to that. But the fact is if you are following the science and science changes, then you can change the information that you have on your platform based on the science.

SANFORD: So you're comfortable with a social media company being the arbiter on the public square of what is correct science and non-correct science?

HOWARD: Well, actually, I'm comfortable with looking at the scientific community that we have deemed the experts in these areas, like the Centers for Disease Control, giving us the information that we need. If they are using that, then I'm comfortable.

SANFORD: So are you saying that you prefer a social media company, a technology company, to be that arbiter? To be those, you said—

HOWARD: No, I did not say that.

SANFORD: —those that we deem in the scientific community and—

HOWARD: What I am saying is—

SANFORD:—the deeming is being done by the social media companies.

HOWARD: What I am saying is that they should not be prohibited from using their discretion at looking at what the current science says to determine what is misinformation and what is not.

SANFORD: They shouldn't be prohibited from prohibiting—

HOWARD: They should not be prohibited.

SANFORD: —the public square from understanding the truth of the information?

HOWARD: They should not be prohibited from disallowing misinformation that is detrimental to the public health.

SANFORD: What if when it turns out misinformation is actually the truth?

HOWARD: Well, just like what happens with all of us. When we learn more information we say, oh, well, that's what I thought then, and now I have more facts, and this is what I think now. That's how science works.

SANFORD: But in the meantime the public has been misled for months on end because of their censorship on social media.

HOWARD: It's not necessarily misled. That's a misnomer. They are being given the information that science has at that time until science gets more information. That's how it works. At one time people thought that, you know, there weren't such things as germs. They didn't understand how that worked. You learn things. You change as you go along as science gathers more information. That's how science works.

SANFORD: I'm afraid—thank you for your time, but I'm afraid that we are placing a lot of faith into technology companies to be the arbiter of health information in this country.

HOWARD: I'm not placing any faith in them being the arbiter of health information. I am asking that they not be prohibited from removing misinformation on their platforms that results in health outcomes that are to the negative for our state.

[Amendment No. 3 failed of adoption by Record No. 83.]

[Amendment No. 4 by Rosenthal was laid before the house.]

REPRESENTATIVE ROSENTHAL: Very simple amendment—this would preclude allowing Holocaust deniers to spread misinformation on social media platforms. It just inserts in the proper place, "includes the denial of the Holocaust." This is dangerous culturally. It's dangerous for our heritage. And if you don't want to repeat the Holocaust, you can never forget. You cannot spread this misinformation. So I hope for your favorable consideration. Let's not allow spreading misinformation about the Holocaust. It was a real event, cost millions of lives.

CAIN: I agree with Representative Rosenthal. The denial of the Holocaust is a dangerous thing. Anybody that denies it is a complete moron. I will tell you that Section 230 of the Decency Act allows these companies to, in my opinion, probably censor that exact thing—something lewd, lascivious, excessively violent, otherwise objectionable, something considering harassing, I think they could probably do it on their own. What this does prohibit them from doing is censoring viewpoints. So I think this amendment is unnecessary because I think they can already do exactly that. So I must, respectfully, oppose this amendment.

ROSENTHAL: Plain and simple—if you vote against this, you're voting to allow Holocaust deniers to post misinformation.

[Amendment No. 4 failed of adoption by Record No. 84.]

[Amendment No. 5 by Rosenthal was laid before the house.]

ROSENTHAL: This is very similar but in a way more immediately dangerous. This is about groups that directly or indirectly promote or support any international or domestic terrorist group or international or domestic terrorist acts. Now, FBI Director Wray is saying that international and domestic terrorism are two of the biggest growing, worst problems facing America today. And they use social media platforms to spread their information and to recruit people.

WU: Mr. Rosenthal, I think you brought up a very good point. Did you know that in all those stories of American and British kids going to Syria to join ISIS, those kids were all recruited through social media?

ROSENTHAL: Right, exactly.

WU: Every single one of them.

ROSENTHAL: Every single one of them.

WU: In fact, social media has actually become a very powerful recruitment and propaganda tool for terrorist groups.

ROSENTHAL: I think it's incredibly pertinent right now because we just saw ISIS kill a bunch of Americans. We do not want to allow them to recruit our kids and our teenagers or adults. We don't want them to use our social media platforms to recruit Americans.

WU: And under this bill, without this provision, they would be protected. Because their discussion about their propaganda and their recruitment efforts and their victories and their efforts to terrorize us—it would be necessary to keep it on the platform as public discussion, as a part of the public square.

ROSENTHAL: Forgive me for saying this—it's terrifying.

WU: Thank you for this amendment.

CAIN: If you go to page 13, line 3, you will see that we already permit them to do this if it "directly incites criminal activity or consists of specific threats of violence targeted against a person or group because of their race, color, disability, religion, national origin or ancestry, age, sex, or status as a peace officer." In fact, this is language offered from Senator Blanco from **SB 12** during the regular session in direct response to the tragedies that occurred in El Paso. Moreover, Section 230 of the Communications Decency Act allows them to censor this exact content—language that's "excessively violent, harassing, or otherwise objectionable." Members, this amendment is just unnecessary. We already allow them to do exactly what he's trying to do. Therefore, I must, respectfully, oppose this amendment.

ROSENTHAL: Members, I almost can't believe I have to say this. The beginning of this says, "directly or indirectly promotes or supports any international or domestic terrorist group." I don't care what else is in any other statute. There's no reason not to have this language in the bill.

WU: Mr. Rosenthal, do you understand that someone can recruit and spread propaganda without offering to commit a crime?

ROSENTHAL: Of course.

WU: Do you understand that you can offer to spread propaganda and recruit without showing gory pictures or pictures of beheadings or videos of beheadings?

ROSENTHAL: Of course.

WU: In fact, that's how the propaganda and how the recruitment starts—very gently.

ROSENTHAL: Very gently and with slick produced videos that make it look attractive and romantic, right?

WU: They say, we're just having a discussion; we just want to have a talk with you. And you understand that many of these social media sites have spent countless hours and probably millions and millions of dollars trying to stomp out these recruitment efforts by terrorist groups and prevent them from spreading more propaganda and spreading more hate.

ROSENTHAL: That's right.

WU: And with this bill, because what they do doesn't get to the point of a crime, because it doesn't get to the point of the Decency Act, they can keep going.

ROSENTHAL: Very good point. Members, once again I can't believe I even have to urge you to vote for this, but please do. We do not want to directly or indirectly promote or support any international or domestic terrorist group or act. Please adopt this amendment.

[Amendment No. 5 failed of adoption by Record No. 85.]

[Amendment No. 6 by Dominguez was laid before the house.]

REPRESENTATIVE DOMINGUEZ: Put simply, I think what we are learning today and we've learned in the past couple of years is that there is a hunger for a public square—a place where people can discuss their ideas or criticisms either of society, each other, or government. But I think the best way to do this would be for the State of Texas to offer this forum. The secretary of state can put up the website "Publicforum.Texas.gov" and let people have at it. They can share all their public opinions there, and if we want to check to see what the pulse of our neighbors are, it will be on a public website. People can have input on our legislation, on our public officials. Let's just do it. Let's just make it official. Let's not rely on the TikTok or the Facebook or the Twitter. There's no need for all of us to log in to all of those. We can just log in to this one and get right down to people's opinions.

WU: Representative, I think you are an attorney, right?

DOMINGUEZ: Yes, sir.

WU: Okay. And I don't need to explain to you that the First Amendment of the United States Constitution that provides protection of free speech is actually about a prohibition against state action?

DOMINGUEZ: That's correct. The way the language is written in that amendment is "Congress shall make no law."

WU: Right, that it's not about what private individuals or private companies can do. It's about what the state can do to a private individual.

DOMINGUEZ: Correct. It's written in a way so that our government is not the one telling other companies or forums what they can or can't do.

WU: So instead of this bill telling private companies what they can or cannot say out of their own we're saying let's create a safe platform that we can administer and we can regulate. We'll help. We'll make everyone here moderators on that platform.

DOMINGUEZ: I believe that's the safest way to accomplish the task that Chairman Cain is trying to put forth because I don't think the current bill is going to pass scrutiny in our federal courts.

WU: In fact, it hasn't.

DOMINGUEZ: The better way to do it is just have it run by the state.

CAIN: I oppose this amendment. Please vote no.

DOMINGUEZ: Texas can lead the way.

[Amendment No. 6 failed of adoption.]

WU: I will keep this very, very short. Throughout this entire last regular session, I was up here time and time again talking about how I oppose the bill because it violated the First Amendment because it stifled other people's ability to speak. I never thought I'd be here on the opposite side doing this. I never thought I would be here in front of republicans telling republicans to not tell private businesses and private companies how they can regulate their own business and their own platform and how they can regulate the speech that is coming off of their platforms and telling companies who are trying to not get sued—because people are harassing people, people are threatening people, people are doing all sorts of things that cause distress and to make people maybe want to sue them—how they are doing things to prevent their own company from coming under attack and how they run their business. I never thought I would have that day where I would have to tell republicans, "Hey, leave them alone. Let the market sort it out."

If you don't like being on this platform, if you don't like the way they handle your speech, go somewhere else. Time and time again, what we have said here and what we have shown on this floor is that this body only supports the rights that they like at that moment. They only like the speech that they have at that moment. They only like the rights that they have at that moment. And the moment somebody else uses it to do something they don't like, they're against it. And the moment their rights get taken away, they want to enforce it. It shouldn't be that way. You should support all constitutional rights. If you believe that private companies and private individuals should be free to do their own thing until they commit a crime, until they harm other people, then act like it.

REPRESENTATIVE CAPRIGLIONE: As a republican legislator, I've always felt that it's not the government's role to overregulate private businesses. It's not the government's role to stifle the free market or innovation. But here we are. I've always appreciated the more literal than interpretive reading of our Constitution: "Congress shall make no law . . . abridging the freedom of speech, or of the press."

Congress shall make no law abridging the freedom of speech or of the press. With these words, our Founding Fathers set down in writing what would become one of our most ingrained and cherished beliefs—that the government shall not make any laws to stifle private individuals from speaking their mind and especially for or against the government and its officials. Government requiring or prohibiting content moderation flies in the literal reading of the First Amendment. And I have to ask, how will a government not use this slippery slope to mandate other companies and what they can and cannot allow their customers to say or to do when conducting private transactions? Why would we allow, as it does in this bill, a Texas agency to become the 2021 version of the Ministry of Truth?

The idea that a free social media application is a common carrier is nonsensical. Think about this. This is a free, open, and available to everyone social media application. That that is a common carrier is nonsensical on its face. The competitive landscape for communication is not just Facebook or Twitter or TikTok or any of dozens or hundreds of other social media apps. It includes the telephone, the text, e-mails, and even, believe it or not, still the ability to talk to one another. Unlike built-up infrastructure, the services provided by social media companies are easily substituted. Demanding that government put a free—again, a free—social media platform on the same level as a utility is ludicrous and should be overruled. This bill specifically targets a small group of companies performing a legal and sound business and if successful would ultimately destroy their ability to operate.

When I was younger, I used to have my own bulletin board system. I was a systems operator, a sysop. I would moderate channels, and the reason you do that is so that you can have a free flow of information. The reason is because absent those rules, absent that moderation online, you start to get, essentially, anarchy. People start writing things and posting things and images that not only are unacceptable to the total, but it actually inhibits the ability to have free speech. Conservatives use social media to share news and information and by passing legislation like this, by removing the content moderation, they will be unduly harmed as government overreach and intrusion destroys its efficacy.

Now, I want to be clear that I do not agree with any of the policies that social media companies have created and used, and I believe those policies today have not been done in a fair way. I believe that as a private individual. I also know that as a private individual, I can decide for myself whether I still want to use this product. With that, I appreciate, obviously, all the work that Chairman Cain has done on this bill, but I cannot support it.

REPRESENTATIVE TOTH: If someone were to put something in the *Houston Chronicle* about your wife that was blatantly untrue, could your wife then sue the *Houston Chronicle* for putting that in there?

CAPRIGLIONE: I believe that I could or she could or other people that are harmed. I think that—

TOTH: Why? Why could she sue the *Houston Chronicle*?

CAPRIGLIONE: Again, I think libel and slander are—

TOTH: How about if that same person did it on Twitter, Facebook, Instagram?

CAPRIGLIONE: I think that they would be able to find an action against the individual who posted that. Listen, if someone goes—

TOTH: The question I asked you is could they sue the *Chronicle* and you answered yes.

CAPRIGLIONE: You asked a question and if you want me to answer it, then give me an opportunity to do so.

TOTH: Okay. You bet.

CAPRIGLIONE: Okay. I think if Facebook, Inc. or Twitter, Inc. said something that was false or slanderous or libelous, someone could sue the company, yes.

TOTH: Okay, so the question that I asked, though, is if someone paid money to put something out in the *Houston Chronicle* that was blatantly dishonest could they sue?

CAPRIGLIONE: Who are they paying?

TOTH: Could they sue the *Chronicle*?

CAPRIGLIONE: In your example, who are they paying?

TOTH: Could they sue the *Chronicle*?

CAPRIGLIONE: If the *Chronicle* is taking that money and they know that it's false and they print it, I'm assuming that someone—and there's plenty of lawyers in here that could probably answer better—could take up that case.

TOTH: Okay, again, could your wife then sue Twitter or Facebook if that same person posted it on Facebook and Twitter instead of the *Chronicle*?

CAPRIGLIONE: Are they also paying Twitter, Inc. and Facebook, Inc. for that?

TOTH: Yeah, if they boost it, you bet.

CAPRIGLIONE: I don't know the answer to that question.

TOTH: You do know the answer to that, don't you?

CAPRIGLIONE: No, I don't know the answer to that question.

TOTH: You know that they have protection—

CAPRIGLIONE: That's not what this is about. What this bill does—

TOTH: You know that they have protection, Mr. Giovanni. Giovanni, you know that they have protection, Capriglione, Representative, because of—what is it—Section 231?

CAPRIGLIONE: It's 230, I believe.

TOTH: It's Section 230. So you do know of it.

CAPRIGLIONE: Listen, I can tell you here that I disagree with the federal government's law, but what I also know—

TOTH: But that's not the point. Isn't that a form of federal overreach?

CAPRIGLIONE: —is that I don't write federal law. I mean, I don't write federal law. What I know is—and again, Representative, here's the deal. This bill sets up a cause of action that any one of us republicans would be 100 percent against on any other day. This bill sets up causes of action and lawsuits that, again, based on the votes that you and I and other republicans have taken, we have always been against. And here we are and you are talking about finding more and more ways to sue private companies for running a private business, for wanting to moderate their own content amongst private citizens. That's not the role of government.

TOTH: Do you believe that Section 230 is a form of government overreach?

CAPRIGLIONE: Do you believe that a bakery, for instance, should be able to sell what products they want?

TOTH: Of course.

CAPRIGLIONE: Okay. So why can't a social media company also be able to handle their business the way that they want?

TOTH: Why should they be granted protection from the government that other media corporations don't get?

CAPRIGLIONE: That's, again, a federal statute.

TOTH: Do you believe that Section 230 is a form of government overreach?

CAPRIGLIONE: I would not have voted for Section 230 if I had been in the federal government—

TOTH: Do you believe it's a form of government overreach?

CAPRIGLIONE: —which we have absolutely no say in.

SANFORD: Representative Capriglione, my very good friend and classmate, you made in your comments several references to this free service, these free social media services. My question for you, Representative, if it is so free, how do they make their billions of dollars of revenue?

CAPRIGLIONE: That's a topic that I have fought some of these social media companies on, okay? When it comes to the privacy and the commercialization of the data that they have, I am opposed. I am also opposed to the policies they have. But what the bill in front of us is about is, again, do we want, as a government, do we want to come back to our constituents and say, "You know what, I went in there and I told a private company what people can and can't say, what they can and can't do with the content on their site." They obviously make a profit through advertisement.

SANFORD: Yes, sir.

CAPRIGLIONE: That's where 90 percent of their profits come from.

SANFORD: Would it be more accurate to say that we actually pay for the social media services that we consume and use through cost of goods, through advertising, through the lack of privacy of them selling and using our data, and with our attention on their sites which you know that they use by eyeball time and our clicks to sell to advertisers? Would it be more fair to say that it is not free? We very much pay for those services.

CAPRIGLIONE: The reason I mentioned that it was free was in the section where I was talking about common carrier or not. A traditional common carrier, for instance, like a telephone service or subscription or monthly service fee to your cable and others is part of the conversation about whether or not it's an actual carrier. In this case, you can make the case that your time is valuable, but other than advertisers—like some of those in the room, I've advertised a lot on it—most people use the product for free.



CAIN: Members, just to remind you of a few things. People are probably groaning. One, the cause of action only allows for attorney's fees for censorship based on one's viewpoint. It's not about content. It's an important matter.

[CSHB 20, as amended, was passed to engrossment by Record No. 86.]



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**HOUSE BILLS, HISTORY OF  
IN THE HOUSE**

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- HB 1.** Relating to making appropriations for the legislature and legislative agencies.  
Author(s): Bonnen  
Coauthor(s): Allison, Anderson, Ashby, Bailes, C. Bell, K. Bell, Buckley, Burns, Button, Capriglione, Cook, Dean, Guillen, Harless, Harris, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Kuempel, Leach, Lozano, Metcalf, Meyer, Middleton, Morrison, Murphy, Murr, Noble, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Sanford, Shine, Slawson, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut  
Companion document(s): **SB 10**  
Read first time 41. Referred to Appropriations 41. Committee report filed with committee coordinator 184.
- HB 3.** Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.  
Author(s): Murr  
Coauthor(s): Allison, Anderson, Bailes, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cason, Cook, Darby, Dean, Goldman, Harless, Harris, Hefner, Holland, Huberty, Jetton, Kacal, P. King, Klick, Kuempel, Leach, Leman, Lozano, Metcalf, Meyer, Middleton, Morrison, Murphy, Noble, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Shaheen, Shine, Slaton, Slawson, Spiller, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson  
Companion document(s): **SB 1**  
Read first time 47. Referred to Constitutional Rights & Remedies 47.
- HB 4.** Relating to the authority of a person who acquires a residence homestead to receive an ad valorem tax exemption for the homestead in the year in which the property is acquired and to the protection of school districts against the resulting loss in revenue.  
Author(s): Meyer; Metcalf; Burrows; Noble; Shine  
Coauthor(s): Allison, Anderson, Ashby, Bailes, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Button, Cain, Capriglione, Cook, Darby, Dean, Fierro, Geren, Goldman, Harless, Harris, Hefner, Holland, Huberty, Hull, Hunter, Jetton, A. Johnson, P. King, Klick, Kuempel, Leach, Leman, Lozano, Middleton, E. Morales, Morrison, Murphy, Murr, Oliverson, Ordaz Perez, Paddie, Parker, Patterson, Paul, Perez, Price, Raney, Rogers, Sanford, Shaheen, Slaton, Slawson, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, Vasut, White, Wilson  
Companion document(s): **SB 8**  
Read first time 47. Referred to Ways & Means 47.
- HB 5.** Relating to making supplemental appropriations and giving direction regarding appropriations.  
Author(s): Bonnen  
Coauthor(s): Allison, Anderson, Ashby, C. Bell, K. Bell, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cook, Darby, Dean, Geren, Harless, Harris, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Kuempel, Leach, Lozano, Metcalf, Meyer, Middleton, E. Morales, Morrison, Murphy, Murr, Noble, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Shine, Slawson, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, VanDeaver, Vasut, White  
Senate Sponsor(s): Nelson  
Companion document(s): **SB 11**  
Read first time 41. Referred to Appropriations 41. Committee report filed with committee coordinator 184. Calendars Committee rule adopted 62. Record vote (RV#7) 62. Statement of vote recorded in journal 63. Read second time 291. Postponed 291. Motion to reconsider lost 323. Record vote (RV#120) 323. Statement of vote recorded in journal 324. Laid out as postponed business 355. Amendment offered

(1-Bonnen) 355. Point of order withdrawn-amendment (Rule 6, Section 16(f); calendar rule) 355. Amendment withdrawn (1-Bonnen) 355. Statement of legislative intent recorded in journal 355. Passed to engrossment 356. Read third time 394. Amendment offered (1-Bonnen) 394. Point of order withdrawn-amendment (Rule 6, Section 16(f); calendar rule) 394. Rules suspended 394. Amended (1-Bonnen) 394. Passed as amended 394. Record vote (RV#152) 394. Statement of vote recorded in journal 395. Subject to Art.III Sec.49a Texas Constitution 395. Senate passage-reported 403. Reported enrolled 404. Signed in the house 403. Sent to the comptroller 404. Sent to the governor 404. Signed by the governor 404.

**HB 6.** Relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense.

Author(s): Klick; Noble; Oliverson; Cook; Frank

Coauthor(s): Allison, Anderson, Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cason, Craddick, Dean, Frullo, Geren, Harless, Harris, Hefner, Holland, Huberty, Hull, Hunter, Jetton, Kacal, K. King, P. King, Krause, Kuempel, Landgraf, Leach, Leman, Lozano, Metcalf, Meyer, Middleton, Morrison, Murphy, Murr, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Schofield, Shaheen, Shine, Slaton, Slawson, Smith, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson

Companion document(s): **SB 4**

Read first time 47. Referred to Public Health 47.

**HB 7.** Relating to the storage or disposal of high-level radioactive waste.

Author(s): Landgraf; Dominguez

Senate Sponsor(s): Birdwell

Read first time 41. Referred to Environmental Regulation 41. Committee report filed with committee coordinator 184. Read second time 227. Amended (1-Landgraf) 228. Amendment offered (2-Craddick) 229. Point of order sustained-amendment (Rule 11, Section 2) 229. Passed to engrossment as amended 230. Read third time 283. Amendment offered (1-Craddick and Goodwin) 283. Point of order sustained-amendment (Rule 11, Section 2) 283. Passed 283. Record vote (RV#94) 283. Statement of vote recorded in journal 284. Reported engrossed 329. Senate passage as amended-reported 360. House concurs in senate amendments 379. Statement of legislative intent recorded in journal 379. Record vote (RV#148) 381. Statement of vote recorded in journal 382. Text of senate amendments 379. Reported enrolled 404. Signed in the house 403. Sent to the governor 404. Signed by the governor 404.

**HB 8.** Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

Author(s): Rogers; Darby; Ashby; Parker; Bonnen

Coauthor(s): Allen, Allison, Anchia, Anderson, Bailes, C. Bell, K. Bell, Bowers, Buckley, Bucy, Burns, Burrows, Button, Cain, Capriglione, Cason, Clardy, Cole, Cook, Craddick, Crockett, Cyrier, Davis, Dean, Dominguez, Frank, Frullo, Gates, Geren, Goldman, Goodwin, Guillen, Harless, Harris, Hefner, Hernandez, Herrero, Hinojosa, Holland, Howard, Huberty, Hull, Hunter, Jetton, A. Johnson, J.E. Johnson, Kacal, K. King, T. King, P. King, Klick, Krause, Kuempel, Lambert, Landgraf, Larson, Leach, Leman, Longoria, Lozano, Metcalf, Meyer, Middleton, Minjarez, E. Morales, Morrison, Murphy, Murr, Neave, Noble, Oliverson, Ordaz Perez, Ortega, Paddie, Patterson, Paul, Perez, Price, Raney, Reynolds, Rosenthal, Rose, Sanford, Schofield, Shaheen, Shine, Slaton, Slawson, Smithee, Smith, Spiller, Stephenson, Stucky, Swanson, Talarico, E. Thompson, S. Thompson, Tinderholt, Toth, C. Turner, J. Turner, VanDeaver, Vasut, Vo, Walle, White, Wilson, Wu, Zwiener

Companion document(s): **SB 7**

Read first time 47. Referred to Appropriations 47.

**HB 9.** Relating to making supplemental appropriations relating to border security and giving direction regarding those appropriations.

Author(s): Bonnen; Morales, Eddie; Metcalf; Holland; Middleton

Coauthor(s): Ashby, Cain, Dean, Goldman, Hefner, P. King, Leman, Lozano, Oliverson, Parker, Patterson, Paul, Shine, Slaton, Spiller, Stucky, Swanson, E. Thompson, Toth, Vasut, White, Wilson

Senate Sponsor(s): Nelson

Companion document(s): **SB 89**

Read first time 41. Referred to Appropriations 41. Committee report filed with committee coordinator 184. Calendars Committee rule adopted 63. Record vote (RV#8) 63. Statement of vote recorded in journal 64. Read second time 200. Amendment fails of adoption (1-Moody) 200. Record vote (RV#65) 201. Statement of vote recorded in journal 201. Amended (2-Bonnen) 201. Amendment fails of adoption (3-Fierro) 203. Amendment fails of adoption (4-Dominguez) 203. Record vote (RV#66) 203. Statement of vote recorded in journal 204. Point of order overruled (Rule 8, Section 10(b)) 204. Amendment fails of adoption (5-Ortega) 205. Record vote (RV#67) 206. Statement of vote recorded in journal 206. Amendment fails of adoption (6-J. Turner) 206. Record vote (RV#68) 207. Statement of vote recorded in journal 207. Amendment fails of adoption (7-A. Johnson) 208. Record vote (RV#69) 208. Statement of vote recorded in journal 208. Amendment fails of adoption (8-T. King) 208. Record vote (RV#70) 209. Statement of vote recorded in journal 209. Amended (9-T. King and E. Morales) 210. Amendment fails of adoption (10-Zwiener) 210. Record vote (RV#71) 210. Statement of vote recorded in journal 211. Amendment offered (11-Zwiener) 211. Point of order withdrawn-amendment (Rule 8, Section 4) 211. Point of order withdrawn-amendment (Rule 11, Section 2) 211. Amendment fails of adoption (11-Zwiener) 212. Record vote (RV#72) 212. Statement of vote recorded in journal 212. Point of order withdrawn (Rule 4, Section 3) 212. Amendment fails of adoption (12-C. Turner) 212. Record vote (RV#73) 213. Statement of vote recorded in journal 214. Amendment fails of adoption (13-Goodwin) 214. Record vote (RV#74) 214. Statement of vote recorded in journal 215. Amendment withdrawn (14-Howard) 215. Amended (15-E. Morales) 215. Amendment fails of adoption (16-Fierro) 216. Record vote (RV#75) 216. Statement of vote recorded in journal 216. Amendment fails of adoption (17-Minjarez) 217. Record vote (RV#76) 217. Statement of vote recorded in journal 217. Amendment fails of adoption (18-Goodwin) 218. Record vote (RV#77) 218. Statement of vote recorded in journal 218. Point of order withdrawn (Rule 8, Section 19; Article III, Section 39) 219. Amendment fails of adoption (19-Howard, Button, and Neave) 219. Record vote (RV#78) 219. Statement of vote recorded in journal 220. Amendment fails of adoption (20-Zwiener) 220. Record vote (RV#79) 220. Statement of vote recorded in journal 221. Passed to engrossment as amended 223. Record vote (RV#80) 223. Statement of vote recorded in journal 224. Reason for vote recorded in journal 224. Read third time 281. Passed 281. Record vote (RV#93) 281. Statement of vote recorded in journal 282. Subject to Art.III Sec.49a Texas Constitution 282. Reported engrossed 329. Senate passage-reported 360. Reported enrolled 404. Signed in the house 387. Sent to the comptroller 404. Sent to the governor 404. Signed by the governor 404.

**HB 10.** Relating to the regulation by a municipality or county of certain employment benefits and policies.

Author(s): King, Phil; Burrows; Metcalf; Paddie; Geren

Coauthor(s): Allison, Anderson, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Capriglione, Cook, Cyrier, Darby, Dean, Frullo, Harless, Harris, Hefner, Huberty, Hull, Jetton, Klick, Kuempel, Leach, Leman, Lozano, Middleton, Morrison, Murphy, Murr, Noble, Oliverson, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Shine, Slaton, Slawson, Spiller, Stephenson, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson

Companion document(s): **SB 14**

Read first time 47. Referred to State Affairs 47.

**HB 11.** Relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate and to the protection of school districts against the resulting loss in local revenue.

Author(s): Meyer; Metcalf; Burrows; Button

Coauthor(s): Allison, Anderson, Ashby, Bailes, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Capriglione, Cook, Crockett, Darby, Dean, Fierro, Geren, Goldman, Harless, Harris, Hefner, Holland, Huberty, Hull, Hunter, Jetton, Klick, Kuempel, Leach, Leman, Lozano, Middleton, E. Morales, Morrison, Murphy, Murr, Noble, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Shaheen, Shine, Slaton, Slawson, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, Walle, White, Wilson

Companion document(s): **SB 12**

Read first time 48. Referred to Ways & Means 48.

**HB 12.** 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.

Author(s): Smith; Cook; Harless; Kacal

Coauthor(s): Allison, Anderson, Ashby, C. Bell, K. Bell, Bonnen, Buckley, Burns, Button, Dean, Geren, Goldman, Harris, Hefner, Holland, Huberty, Hull, Hunter, Jetton, P. King, Klick, Krause, Kuempel, Larson, Leach, Leman, Lozano, Metcalf, Meyer, Middleton, Morrison, Murphy, Murr, Noble, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Shine, Slawson, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson

Companion document(s): **SB 6**

Read first time 48. Referred to Constitutional Rights & Remedies 48.

**HB 13.** Relating to an acute psychiatric bed registry to list available beds for the psychiatric treatment of certain individuals.

Author(s): Jetton

**HB 14.** Relating to the use of information from the lists of noncitizens and nonresidents excused or disqualified from jury service.

Author(s): Klick; Noble

Coauthor(s): C. Bell, Bonnen, Burrows, Cain, Capriglione, Cook, Frank, Hefner, Hull, P. King, Metcalf, Middleton, Oliverson, Parker, Patterson, Paul, Raney, Shine, Slawson, Smithee, Stucky, Swanson, Tinderholt, Toth, Vasut, White, Wilson

Read first time 48. Referred to Constitutional Rights & Remedies 48.

**HB 15.** Relating to dates of certain elections to be held in 2022.

Author(s): Hunter

Companion document(s): **SB 13**

Read first time 48. Referred to Constitutional Rights & Remedies 48.

**HB 16.** Relating to voting after polls close during early voting.

Author(s): Klick; Noble

Coauthor(s): Anderson, Bonnen, Burrows, Capriglione, Cook, Frank, Hefner, Hull, P. King, Middleton, Oliverson, Parker, Patterson, Paul, Raney, Shine, Slawson, Smithee, Stucky, Swanson, Toth, Vasut, White, Wilson

Read first time 48. Referred to Constitutional Rights & Remedies 48.

**HB 17.** Relating to the unlawful restraint of a dog; creating a criminal offense.

Author(s): Jetton

Coauthor(s): E. Thompson

**HB 18.** Relating to the timing of changes to county election precincts.

Author(s): Klick

**HB 19.** Relating to the practices and procedures of federal elections.

Author(s): Schofield

Coauthor(s): Allison, Anderson, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Cason, Clardy, Cook, Craddick, Cyrier, Darby, Dean, Frank, Frullo, Gates, Geren, Harless, Harris, Hefner, Holland, Huberty, Hull, Jetton, Kacal, K. King, P. King, Klick, Krause, Lambert, Landgraf, Leach, Leman, Lozano, Metcalf, Middleton, Morrison, Murphy, Murr, Noble, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Schaefer, Shaheen, Shine, Slaton, Slawson, Smithee, Smith, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson

Companion document(s): **SB 82**

Read first time 48. Referred to Constitutional Rights & Remedies 48.

**HB 20.** Relating to censorship of or certain other interference with digital expression, including expression on social media platforms or through electronic mail messages.

Author(s): Cain; White; Burrows; Metcalf; Shaheen

Coauthor(s): Allison, Anderson, Bailes, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Cason, Clardy, Cook, Cyrier, Dean, Frank, Frullo, Gates, Goldman, Harless, Harris, Hefner, Holland, Hull, Jetton, Kacal, P. King, Klick, Krause, Kuempel, Leman, Lozano, Middleton, Murphy, Noble, Oliverson, Parker, Patterson, Paul, Rogers, Sanford, Schaefer, Schofield, Shine, Slaton, Slawson, Smith, Spiller, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut

Senate Sponsor(s): Hughes

Companion document(s): **SB 90**

Read first time 41. Referred to Constitutional Rights & Remedies 41. Committee report filed with committee coordinator 184. Read second time 230. Amended (1-Cain) 231. Amendment withdrawn (2-Biedermann) 231. Amendment fails of adoption (3-Howard) 231. Record vote (RV#83) 232. Statement of vote recorded in journal 232. Amendment fails of adoption (4-Rosenthal) 232. Record vote (RV#84) 232. Statement of vote recorded in journal 233. Amendment fails of adoption (5-Rosenthal) 233. Record vote (RV#85) 233. Statement of vote recorded in journal 234. Amendment fails of adoption (6-Dominguez) 234. Passed to engrossment as amended 235. Record vote (RV#86) 235. Statement of vote recorded in journal 235. Reason for vote recorded in journal 236. Read third time 285. Passed 285. Record vote (RV#95) 285. Statement of vote recorded in journal 285. Reported engrossed 329. Senate passage as amended-reported 359. House concurs in senate amendments 362. Record vote (RV#141) 362. Statement of vote recorded in journal 363. Text of senate amendments 362. Reported enrolled 404. Signed in the house 403. Sent to the governor 404. Signed by the governor 404.

**HB 21.** Relating to the requirement that a ballot to be voted by mail be canceled and returned before voting in person.

Author(s): Noble

Read first time 48. Referred to Constitutional Rights & Remedies 48.

**HB 22.** Relating to the powers and duties of a presiding judge and alternate presiding judge in an election.

Author(s): Jetton

Read first time 48. Referred to Constitutional Rights & Remedies 48.

**HB 23.** Relating to fiscal notes for city ballot propositions.

Author(s): Jetton

**HB 24.** Relating to prohibited vaccination status discrimination and requirements for COVID-19 vaccines.

Author(s): Noble; Cook; Swanson; Frank; Metcalf

Coauthor(s): Biedermann, Cain, Capriglione, Cason, Harris, Hefner, Hull, P. King, Leach, Leman, Middleton, Oliverson, Parker, Patterson, Sanford, Shaheen, Slaton, Slawson, Spiller, Stephenson, Stucky, E. Thompson, Tinderholt, Toth, Vasut, White, Wilson

**HB 25.** Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.

Author(s): Swanson; Noble; Morrison; Klick; Bonnen

Coauthor(s): Allison, Anderson, Ashby, Bailes, C. Bell, K. Bell, Biedermann, Buckley, Burns, Burrows, Cain, Capriglione, Cason, Clardy, Cook, Craddick, Cyrier, Darby, Dean, Frank, Frullo, Gates, Geren, Harless, Harris, Hefner, Holland, Hull, Jetton, Kacal, K. King, P. King, Krause, Kuempel, Lambert, Landgraf, Leach, Leman, Lozano, Metcalf, Middleton, Murphy, Murr, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Schaefer, Schofield, Shaheen, Shine, Slaton, Slawson, Smithee, Smith, Spiller, Stephenson, Stucky, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson

Companion document(s): **HB 96; SB 2**

Read first time 48. Referred to Public Education 48.

**HB 26.** Relating to a forensic audit of 2020 election results in certain counties.

Author(s): Toth; White; Oliverson; Cain; Anderson

Coauthor(s): C. Bell, K. Bell, Biedermann, Burns, Cason, Cyrier, Harris, Hefner, Holland, Hull, P. King, Krause, Leach, Leman, Metcalf, Middleton, Noble, Parker, Patterson, Paul, Rogers, Sanford, Shaheen, Shine, Slaton, Slawson, Smithee, Smith, Spiller, Stephenson, Swanson, E. Thompson, Tinderholt, Vasut, Wilson

**HB 27.** Relating to the creation, suspension, or alteration of voting standards, practices, or procedures.

Author(s): Schofield

Read first time 48. Referred to Constitutional Rights & Remedies 48.

**HB 28.** Relating to curriculum, materials, and activities in public schools.

Author(s): Toth; Metcalf; White

Coauthor(s): Biedermann, Hefner, P. King, Oliverson, Patterson, Spiller, Swanson, Tinderholt, Vasut, Wilson

Read first time 41. Referred to Public Education 41.

**HB 29.** Relating to the employment and licensing of border security officers employed by the Department of Public Safety.

Author(s): Toth; Metcalf

Coauthor(s): Tinderholt

**HB 30.** Relating to virtual instruction and off-campus electronic instruction at a public school, certain requirements for certification as a teacher for virtual instruction only, and the allotment for special-purpose school districts under the Foundation School Program.

Author(s): Bell, Keith; Huberty; King, Ken; VanDeaver; Bonnen

Coauthor(s): Allison, Anderson, C. Bell, Buckley, Burns, Button, Cook, Dean, Dutton, Guerra, Guillen, Hefner, Holland, A. Johnson, P. King, Leman, Lozano, Meyer, E. Morales, Morrison, Murphy, Noble, Patterson, Price, Sanford, Slaton, Smith, Spiller, Stephenson, Stucky, Swanson, Talarico, E. Thompson, Toth, Vasut, White

Companion document(s): **SB 15**

Read first time 48. Referred to Public Education 48.

**HB 31.** Relating to the signature required on an application for a ballot to be voted by mail or a carrier envelope for a ballot voted by mail; changing the elements of a criminal offense.

Author(s): Noble

Read first time 49. Referred to Constitutional Rights & Remedies 49.

**HB 32.** Relating to compensation for damages caused by governmental actions that close or effectively close businesses.

Author(s): Schofield



- HB 33.** Relating to the entitlement of a member of the legislature to receive certain state funds following an absence without leave when the applicable house of the legislature lacks a quorum to do business.  
Author(s): Toth  
Coauthor(s): Anderson, Biedermann, Cook, Hefner, Hull, P. King, Lozano, Noble, Patterson, Paul, Sanford, Slawson, Swanson, Tinderholt, Vasut, White, Wilson  
Read first time 49. Referred to State Affairs 49.
- HB 34.** Relating to a vacancy in the office of a legislator due to an absence without official leave.  
Author(s): Toth  
Coauthor(s): Hefner, Patterson, Tinderholt, Vasut, Wilson  
Read first time 49. Referred to State Affairs 49.
- HB 36.** Relating to ballots voted by mail.  
Author(s): Noble  
Read first time 49. Referred to Constitutional Rights & Remedies 49.
- HB 37.** Relating to identification of early voting ballots voted by mail by electronic code.  
Author(s): Toth  
Coauthor(s): Tinderholt, Vasut  
Read first time 49. Referred to Constitutional Rights & Remedies 49.
- HB 38.** Relating to the definition of abuse of a child.  
Author(s): Toth  
Coauthor(s): Hefner, Metcalf, Patterson, Spiller, Tinderholt, Vasut, Wilson  
Companion document(s): **SB 39**
- HB 39.** Relating to protecting the medical freedom and bodily autonomy of employees with respect to immunization or vaccination status.  
Author(s): Toth  
Coauthor(s): Biedermann, Hefner, Metcalf, Patterson, Tinderholt, Vasut, Wilson
- HB 40.** Relating to a prohibition on certain training concerning race or sex, including a prohibition on state or local government contracts with companies that require that training; providing a civil penalty.  
Author(s): Toth  
Coauthor(s): Metcalf, Tinderholt
- HB 41.** Relating to the appeal of an election contest.  
Author(s): Hull
- HB 42.** Relating to certain procedures relating to children placed under a parental child safety placement.  
Author(s): Hull
- HB 43.** Relating to the contents of a petition in certain suits affecting the parent-child relationship.  
Author(s): Hull
- HB 44.** Relating to medical examinations for certain children entering the conservatorship of the Department of Family and Protective Services.  
Author(s): Hull
- HB 45.** Relating to electronic voter registration.  
Author(s): Reynolds  
Read first time 49. Referred to Constitutional Rights & Remedies 49.
- HB 46.** Relating to the registration of voters at a polling place and related procedures.  
Author(s): Reynolds  
Read first time 49. Referred to Constitutional Rights & Remedies 49.
- HB 47.** Relating to the designation of certain election days as state holidays.  
Author(s): Reynolds

Companion document(s): **HB 224; SB 75**

**HB 48.** Relating to allowing straight-party voting.

Author(s): Reynolds

**HB 49.** Relating to automatic voter registration on issuance or change of a driver's license or identification card by the Department of Public Safety.

Author(s): Reynolds

Companion document(s): **SB 66**

Read first time 49. Referred to Constitutional Rights & Remedies 49.

**HB 50.** Relating to requirements to vote, including presenting proof of identification.

Author(s): Reynolds

Read first time 49. Referred to Constitutional Rights & Remedies 49.

**HB 51.** Relating to a "Texas Way" to reforming and addressing issues related to the Medicaid program, including the creation of an alternative program designed to ensure health benefit plan coverage to certain low-income individuals through the private marketplace.

Author(s): Reynolds

**HB 52.** Relating to bail proceedings and related duties of a magistrate in a criminal case.

Author(s): Reynolds

Read first time 49. Referred to Constitutional Rights & Remedies 49.

**HB 53.** Relating to the reentry and reintegration programs provided by the Texas Department of Criminal Justice.

Author(s): Reynolds

**HB 54.** Relating to the creation of certain criminal offenses concerning firearm sales at gun shows; authorizing a fee.

Author(s): Reynolds

**HB 55.** Relating to creating a criminal offense for the unlawful possession or transfer of an assault weapon.

Author(s): Reynolds

**HB 56.** Relating to extreme risk protective orders; creating criminal offenses.

Author(s): Reynolds

**HB 57.** Relating to state investments in social media companies that censor political speech.

Author(s): White; Noble; Cook

Coauthor(s): Hefner, Hull, P. King, Metcalf, Oliverson, Parker, Patterson, Paul, Slawson, Tinderholt, Vasut, Wilson

Companion document(s): **SB 21**

**HB 58.** Relating to the ownership of agricultural land by nonresident aliens or foreign entities.

Author(s): White

**HB 59.** Relating to the salaries of sheriffs and to state assistance payments to offset the cost of sheriff's salaries in certain counties.

Author(s): White; Rogers; Harless; Spiller; Guillen

Coauthor(s): Tinderholt

**HB 60.** Relating to the removal, relocation, alteration, or construction of certain monuments or memorials located on public property; providing civil penalties.

Author(s): White; Metcalf

**HB 61.** Relating to the creation of the office of law enforcement oversight.

Author(s): Reynolds

**HB 62.** Relating to municipal civilian complaint review boards in certain municipalities.

Author(s): Reynolds

**HB 63.** Relating to the minimum wage.

Author(s): Reynolds

- HB 64.** Relating to requiring certain employers to provide paid sick leave to employees; providing administrative and civil penalties.  
Author(s): Reynolds
- HB 65.** Relating to peace officers and law enforcement agencies.  
Author(s): Reynolds
- HB 66.** Relating to demand response programs.  
Author(s): Reynolds
- HB 67.** Relating to the authority of the Public Utility Commission of Texas to ensure the independent organization certified for the ERCOT power region has adequate reserve power to prevent blackout conditions.  
Author(s): Reynolds
- HB 68.** Relating to interconnection of transmission facilities in ERCOT with transmission facilities outside of ERCOT.  
Author(s): Reynolds
- HB 69.** Relating to energy efficiency goals for electric utilities.  
Author(s): Reynolds
- HB 70.** Relating to the creation of an energy efficiency loan guarantee program under the Texas emissions reduction plan.  
Author(s): Reynolds
- HB 71.** Relating to the creation of the Climate Change Impact Assessment Council.  
Author(s): Reynolds
- HB 72.** Relating to the establishment of the Texas Environmental Justice Advisory Council.  
Author(s): Reynolds
- HB 73.** Relating to air quality permits issued by the Texas Commission on Environmental Quality for certain oil and gas facilities.  
Author(s): Reynolds
- HB 74.** Relating to the analysis of inspection and maintenance requirements for air quality permits issued by the Texas Commission on Environmental Quality for certain oil and gas facilities.  
Author(s): Reynolds
- HB 75.** Relating to hours of service by an election watcher.  
Author(s): Paul  
Read first time 49. Referred to Constitutional Rights & Remedies 49.
- HB 76.** Relating to practices and procedures for an early voting ballot voted by mail.  
Author(s): Paul; Anderson; Jetton; Vasut  
Coauthor(s): Buckley, Burns, Cyrier, Harris, Hefner, Holland, P. King, Klick, Krause, Leman, Middleton, Oliverson, Slawson, E. Thompson, Toth, VanDeaver, Wilson  
Read first time 49. Referred to Constitutional Rights & Remedies 49.
- HB 77.** Relating to the use by a political subdivision of public funds for lobbying activities.  
Author(s): Middleton  
Coauthor(s): Biedermann, Hefner, Hull, Metcalf, Patterson, Paul, Slawson, Tinderholt, Vasut, Wilson  
Companion document(s): **SB 33**
- HB 78.** Relating to a pilot project to provide emergency telemedicine medical services and telehealth services in rural areas.  
Author(s): Darby; Kacal; Shine; Rogers; Lambert
- HB 79.** Relating to the creation of the criminal offense of trespass while entering the state.  
Author(s): Schaefer  
Coauthor(s): Metcalf, Tinderholt  
Read first time 49. Referred to State Affairs 49.

- HB 80.** Relating to the presidential electors of this state.  
Author(s): Murr
- HB 81.** Relating to the calculation of net to land in the appraisal of open-space land for ad valorem tax purposes.  
Author(s): Murr; Shine
- HB 82.** Relating to excused absences from public school for certain students to visit a professional's workplace for a career investigation day.  
Author(s): Murr
- HB 83.** Relating to the elimination of school district maintenance and operations ad valorem taxes and the creation of a joint interim committee on the elimination of those taxes.  
Author(s): Murr
- HB 84.** Relating to the creation and uses of the critical infrastructure resiliency fund and the eligibility of certain water-related projects for state financial assistance.  
Author(s): Zwiener; Guillen
- HB 85.** Relating to the use of demand response technology to reduce energy consumption in state-owned buildings.  
Author(s): Zwiener
- HB 86.** Relating to acceptable forms of identification for voting.  
Author(s): Zwiener  
Read first time 49. Referred to Constitutional Rights & Remedies 49.
- HB 87.** Relating to campaign contribution limits for certain offices.  
Author(s): Zwiener
- HB 88.** Relating to provider discrimination against a Medicaid recipient or child health plan program enrollee based on immunization status.  
Author(s): Swanson
- HB 89.** Relating to the designation of certain election days as state holidays.  
Author(s): Fierro
- HB 90.** Relating to the eligibility of certain persons younger than 18 years of age to preregister to vote.  
Author(s): Fierro  
Read first time 50. Referred to Constitutional Rights & Remedies 50.
- HB 91.** Relating to the opportunity to correct a vote by mail application.  
Author(s): Fierro  
Read first time 50. Referred to Constitutional Rights & Remedies 50.
- HB 92.** Relating to temporary branch polling places.  
Author(s): Fierro  
Read first time 50. Referred to Constitutional Rights & Remedies 50.
- HB 93.** Relating to voting outside of the polling place.  
Author(s): Fierro  
Read first time 50. Referred to Constitutional Rights & Remedies 50.
- HB 94.** Relating to requirements for beneficial tax treatment related to a leasehold or other possessory interest in a public facility being developed or used to provide multifamily housing.  
Author(s): Murphy
- HB 95.** Relating to improvements to election integrity, including through a partial count of auditable voting system ballots; creating a criminal offense.  
Author(s): Jetton  
Read first time 50. Referred to Constitutional Rights & Remedies 50.
- HB 96.** Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.

Author(s): Hefner; Oliverson; Cook; Noble  
Coauthor(s): Anderson, Harris, Hull, P. King, Leman, Metcalf, Patterson, Paul, Slawson, Spiller, Swanson, Tinderholt, Vasut, White  
Companion document(s): **HB 25; SB 2**  
Read first time 50. Referred to Public Education 50.

**HB 97.** Relating to vaccination requirements for health benefit plans or insurance policies provided to business entities.  
Author(s): Middleton  
Coauthor(s): Tinderholt, Vasut

**HB 98.** Relating to electronic voter registration.  
Author(s): Israel  
Read first time 50. Referred to Constitutional Rights & Remedies 50.

**HB 99.** Relating to the election of certain unopposed candidates.  
Author(s): Israel  
Read first time 50. Referred to Constitutional Rights & Remedies 50.

**HB 100.** Relating to requiring public school and public institution of higher education students to compete in interscholastic athletic competitions based on biological sex.  
Author(s): Swanson; Klick; Morrison; Noble; Bonnen  
Coauthor(s): Allison, Anderson, Bailes, C. Bell, K. Bell, Biedermann, Buckley, Burns, Burrows, Cain, Capriglione, Cason, Clardy, Cook, Craddick, Cyrier, Darby, Dean, Frank, Frullo, Gates, Harless, Harris, Hefner, Holland, Hull, Jetton, Kacal, K. King, P. King, Krause, Kuempel, Lambert, Landgraf, Leach, Leman, Lozano, Metcalf, Middleton, Murphy, Murr, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Schaefer, Schofield, Shaheen, Shine, Slaton, Slawson, Smithee, Smith, Spiller, Stephenson, Stucky, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson  
Companion document(s): **SB 40**

**HB 101.** Relating to prohibiting abortion and protecting the rights of an unborn child and to criminal liability for, justification for, and defenses to prohibited conduct.  
Author(s): Slaton

**HB 102.** Relating to requiring public school and public institution of higher education students to participate in interscholastic athletic activities based on biological sex.  
Author(s): Slaton

**HB 103.** Relating to the establishment of and a grant program for temporary confinement facilities during local disasters relating to illegal immigration or border security.  
Author(s): Slaton  
Read first time 50. Referred to State Affairs 50.

**HB 104.** Relating to the creation of the offense of criminal trespass by an illegal alien.  
Author(s): Slaton  
Read first time 50. Referred to State Affairs 50.

**HB 105.** Relating to the removal, relocation, alteration, or construction of certain monuments or memorials located on public property.  
Author(s): Slaton  
Coauthor(s): Schaefer, Swanson

**HB 106.** Relating to the payment by warrant of salaries of members of the house of representatives and their staffs when a call of the house of representatives has been ordered.  
Author(s): Slaton  
Read first time 50. Referred to State Affairs 50.

**HB 107.** Relating to border security enhancement projects, a fund to pay for those projects, and a study on certain projects; allocating the earnings on the fund balance and reimbursement of related expenditures; granting the power of eminent domain.  
Author(s): Slaton

- Read first time 50. Referred to Appropriations 50.
- HB 108.** Relating to an interstate compact on border security and immigration enforcement.  
Author(s): White  
Companion document(s): **SB 29**
- HB 109.** Relating to a limitation on increases in the appraised value of real property for ad valorem tax purposes.  
Author(s): Vasut; Guillen; Bailes
- HB 110.** Relating to charges imposed by a governmental body for providing copies of campaign finance reports under the public information law.  
Author(s): Vasut
- HB 111.** Relating to filing of campaign treasurer appointments and campaign finance reports with the Texas Ethics Commission.  
Author(s): Vasut
- HB 112.** Relating to the acceptance and counting of early voting ballots voted by mail.  
Author(s): Vasut  
Read first time 50. Referred to Constitutional Rights & Remedies 50.
- HB 113.** Relating to an exemption from ad valorem taxation of property owned by an economic development corporation and used for a public purpose.  
Author(s): Shine; Guillen; Dean; Darby; Stucky
- HB 114.** Relating to requirements for the use on this state's international border of security cameras and for camera data storage from those cameras.  
Author(s): Krause
- HB 115.** Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas.  
Author(s): Darby; Rogers; Kacal; Cook; Shine  
Coauthor(s): Guillen, Hefner, Hull, Metcalf, Noble, Patterson, Slawson, Vasut  
Companion document(s): **HB 223**  
Read first time 51. Referred to Appropriations 51.
- HB 116.** Relating to the creation of a county court at law in Maverick County.  
Author(s): Morales, Eddie
- HB 117.** Relating to the creation of magistrates in Maverick County.  
Author(s): Morales, Eddie
- HB 118.** Relating to foster parent recruitment.  
Author(s): Jetton
- HB 119.** Relating to an educational program on sex trafficking awareness and prevention for certain public school students.  
Author(s): Jetton; Guillen
- HB 120.** Relating to a credit against the ad valorem taxes imposed on property owned by a person who makes a donation to the state for the purpose of border security and reimbursement to taxing units for the revenue loss incurred as a result of the credit.  
Author(s): Slaton
- HB 121.** Relating to the Texas Free Enterprise and Antitrust Act of 1983.  
Author(s): Oliverson
- HB 122.** Relating to reducing school district maintenance and operations ad valorem taxes through the use of certain surplus state revenue.  
Author(s): Oliverson; Wilson; Toth; Longoria  
Coauthor(s): Allison, Anderson, C. Bell, K. Bell, Biedermann, Buckley, Burns, Cain, Capriglione, Cason, Cook, Cyrier, Dean, Frank, Guillen, Harless, Harris, Hefner, Holland, Hull, Hunter, Jetton, P. King, Klick, Krause, Landgraf, Leach, Leman, Lozano, Metcalf,

Middleton, Murphy, Noble, Parker, Patterson, Paul, Raney, Rogers, Sanford, Schaefer, Schofield, Slaton, Slawson, Smith, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Vasut, White

Read first time 51. Referred to Appropriations 51.

**HB 123.** Relating to an increase in the amount of the exemption of residence homesteads from ad valorem taxation by a school district, a reduction in the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect the increased exemption amount, and the protection of school districts against the resulting loss in local revenue.

Author(s): Zwiener; Guillen

Companion document(s): **SB 55**

Read first time 51. Referred to Ways & Means 51.

**HB 124.** Relating to the repeal of the additional ad valorem taxes imposed as a result of a sale or change of use of certain land.

Author(s): Schofield; Guillen

Companion document(s): **HB 160; SB 35**

**HB 125.** Relating to prohibited COVID-19 vaccine passports; providing a civil penalty.

Author(s): Tinderholt; Spiller

**HB 126.** Relating to the establishment of a limitation on the total amount of ad valorem taxes that taxing units may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.

Author(s): Schofield; Guillen; Shine

**HB 127.** Relating to prohibiting face covering mandates for public school students.

Author(s): Cason

Companion document(s): **HB 141**

Read first time 51. Referred to Public Education 51.

**HB 128.** Relating to government authority to require a person to wear a mask or personal protective equipment during a disaster.

Author(s): Schaefer; Cason; Hefner

Coauthor(s): Metcalf, Swanson, Tinderholt

**HB 129.** Relating to the operation by a school district of a vocational education program to provide eligible high school students with vocational and educational training under a plan for the issuance of a high school diploma and the application of certain student-based allotments under the public school finance system.

Author(s): Gates

**HB 130.** Relating to an exemption from ad valorem taxation by a school district of a dollar amount or a percentage, whichever is greater, of the appraised value of a residence homestead, a reduction of the limitation on the total amount of ad valorem taxes that may be imposed by a school district on the homestead of a person who is elderly or disabled to reflect any increase in the exemption amount, and the protection of school districts against the resulting loss in local revenue.

Author(s): Schofield; Guillen; Shine

Read first time 51. Referred to Ways & Means 51.

**HB 131.** Relating to availability of cast ballots under the public information law.

Author(s): Swanson

Companion document(s): **SB 79**

**HB 132.** Relating to an option on ballots to choose not to vote in a race.

Author(s): Swanson

**HB 133.** Relating to the provision of and professional liability insurance coverage for gender transitioning or gender reassignment medical procedures and treatments for certain children.

Author(s): Krause; Schaefer; Klick; Bönnen; Oliverson

Coauthor(s): Allison, Anderson, Ashby, Bailes, C. Bell, K. Bell, Biedermann, Buckley, Burns, Burrows, Cain, Capriglione, Cason, Clardy, Cook, Craddick, Cyrier, Darby, Dean, Frank, Frullo, Goldman, Harless, Harris, Hefner, Holland, Huberty, Hull, Jetton, Kacal, K. King, P. King, Kuempel, Lambert, Landgraf, Leach, Leman, Lozano, Metcalf, Middleton, Morrison, Murr, Noble, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Schofield, Shaheen, Shine, Slaton, Slawson, Smithee, Smith, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White, Wilson

Companion document(s): **SB 22**

- HB 134.** Relating to the name used by a candidate on an application for a place on the ballot and the form of a candidate's name on a ballot; creating a civil penalty.  
Author(s): Dutton
- HB 135.** Relating to expanding eligibility for medical assistance to certain persons under the federal Patient Protection and Affordable Care Act.  
Author(s): Guerra
- HB 136.** Relating to the security of voted ballots.  
Author(s): Parker  
Read first time 51. Referred to Constitutional Rights & Remedies 51.
- HB 137.** Relating to the security of electronic voting system media.  
Author(s): Parker  
Read first time 51. Referred to Constitutional Rights & Remedies 51.
- HB 138.** Relating to the powers and duties of the State Commission on Judicial Conduct.  
Author(s): Jetton
- HB 139.** Relating to the service of election watchers at a meeting place of a signature verification committee.  
Author(s): Jetton  
Read first time 51. Referred to Constitutional Rights & Remedies 51.
- HB 140.** Relating to the administration of the voter suspense list.  
Author(s): Jetton  
Read first time 51. Referred to Constitutional Rights & Remedies 51.
- HB 141.** Relating to prohibiting face covering mandates for public school students.  
Author(s): Leach  
Coauthor(s): Hefner, Metcalf, Patterson, Sanford, Spiller, Swanson  
Companion document(s): **HB 127**  
Read first time 51. Referred to Public Education 51.
- HB 142.** Relating to protection of persons from participation in a health care service for reasons of conscience; providing a civil remedy; authorizing disciplinary action.  
Author(s): Oliverson  
Coauthor(s): Metcalf, Tinderholt
- HB 143.** Relating to the period for which the comptroller of public accounts is required to use a school district's local value in determining the total taxable value of property in the district if the comptroller determines that the district is an eligible district.  
Author(s): Buckley; Guillen
- HB 144.** Relating to changing the date of an election during a declared disaster.  
Author(s): Thompson, Ed
- HB 145.** Relating to accommodating a voter unable to enter a polling place.  
Author(s): Swanson  
Read first time 51. Referred to Constitutional Rights & Remedies 51.
- HB 146.** Relating to the location of the headquarters of the Texas Windstorm Insurance Association.  
Author(s): Middleton



Coauthor(s): Vasut

- HB 147.** Relating to the expiration date of driver's licenses and renewal driver's licenses issued to noncitizens.  
Author(s): Middleton  
Coauthor(s): Hefner, Vasut
- HB 148.** Relating to the identification of and prohibited cooperation by state and local entities with certain federal acts that violate the United States Constitution.  
Author(s): Middleton  
Coauthor(s): Tinderholt, Vasut
- HB 149.** Relating to the school district property value study conducted by the comptroller of public accounts.  
Author(s): Middleton; Guillen  
Coauthor(s): Cook, Vasut  
Companion document(s): **HB 153**
- HB 150.** Relating to the establishment of the Family Educational Relief Program and an insurance premium tax credit for contributions made for purposes of that program.  
Author(s): Middleton; Cason
- HB 151.** Relating to a vacancy in the office of senator or representative due to excessive absence.  
Author(s): Middleton  
Coauthor(s): Hefner, Noble, Spiller, Tinderholt, Vasut  
Read first time 52. Referred to State Affairs 52.
- HB 152.** Relating to the maximum amount of the local option residence homestead exemption from ad valorem taxation by a taxing unit.  
Author(s): Middleton; Guillen
- HB 153.** Relating to the school district property value study conducted by the comptroller of public accounts.  
Author(s): Buckley; Guillen  
Companion document(s): **HB 149**
- HB 154.** Relating to the prosecution and punishment of certain criminal offenses committed in the course of or for the purpose of avoiding certain law enforcement checkpoints or evading an arrest or detention; increasing criminal penalties.  
Author(s): Lemans; White  
Coauthor(s): Allison, Anderson, Ashby, Bailes, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Capriglione, Clardy, Cook, Craddick, Cyrier, Dean, Frullo, Gates, Geren, Goldman, Harless, Harris, Hefner, Holland, Huberty, Hull, Jetton, Kacal, K. King, P. King, Klick, Krause, Lambert, Landgraf, Lozano, Metcalf, Middleton, Morrison, Murphy, Murr, Noble, Oliverson, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Schaefer, Schofield, Shaheen, Slawson, Smith, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut  
Read first time 52. Referred to Homeland Security & Public Safety 52.
- HB 155.** Relating to the authority of a taxing unit other than a school district to establish a limitation on the amount of ad valorem taxes that the taxing unit may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.  
Author(s): Wilson; Guillen
- HB 156.** Relating to the applicability to election judges of a prohibition on the carrying of a handgun at a polling place.  
Author(s): Patterson
- HB 157.** Relating to the ad valorem taxation of residential real property.  
Author(s): Allison; Guillen

- HB 158.** Relating to a study of the desirability, feasibility, and effects of various measures to limit or reduce the burden of ad valorem taxes on property owners.  
Author(s): Allison; Guillen
- HB 159.** Relating to certain executive orders affecting public schools.  
Author(s): Moody
- HB 160.** Relating to the repeal of the additional ad valorem taxes imposed as a result of a sale or change of use of certain land.  
Author(s): King, Phil; Shine  
Companion document(s): **HB 124**; **SB 35**
- HB 161.** Relating to a restriction on the authority of an appraisal district to increase the appraised value of a residence homestead for ad valorem tax purposes for the tax year following a tax year in which the appraised value of the property is lowered as a result of an agreement, protest, or appeal.  
Author(s): Cook; Guillen
- HB 162.** Relating to limitations on increases in the appraised value for ad valorem tax purposes of residence homesteads and single-family residences other than residence homesteads.  
Author(s): Capriglione; Guillen
- HB 163.** Relating to the reporting of political expenditures made by certain persons or entities before and during a special session of the legislature.  
Author(s): Capriglione
- HB 164.** Relating to a policy requiring the use of face coverings in public schools.  
Author(s): Dutton  
Read first time 52. Referred to Public Education 52.
- HB 165.** Relating to civil liability for censorship by social media companies.  
Author(s): Shaheen; Metcalf  
Read first time 52. Referred to Constitutional Rights & Remedies 52.
- HB 166.** Relating to ineligibility to serve as a poll watcher.  
Author(s): Shaheen  
Read first time 52. Referred to Constitutional Rights & Remedies 52.
- HB 167.** Relating to the establishment of a public law school in the Rio Grande Valley.  
Author(s): Martinez
- HB 168.** Relating to cost-of-living increases applicable to benefits paid by the Teacher Retirement System of Texas.  
Author(s): Martinez  
Read first time 52. Referred to Appropriations 52.
- HB 169.** Relating to the acceptance of a provisional ballot after a natural disaster.  
Author(s): Martinez  
Read first time 52. Referred to Constitutional Rights & Remedies 52.
- HB 170.** Relating to providing notice to a parent or guardian regarding a positive coronavirus disease (COVID-19) test of a person assigned to a student's classroom.  
Author(s): Zwiener  
Read first time 52. Referred to Public Education 52.
- HB 171.** Relating to an exception to the application of the offense of illegal voting.  
Author(s): Turner, John  
Companion document(s): **SB 50**  
Read first time 52. Referred to Constitutional Rights & Remedies 52.

- HB 172.** Relating to virtual and off-campus electronic instruction at a public school, the satisfaction of teacher certification requirements through an internship teaching certain virtual courses, and the allotment for certain special-purpose school districts under the Foundation School Program.  
Author(s): Guillen  
Companion document(s): **SB 15**  
Read first time 52. Referred to Public Education 52.
- HB 173.** Relating to vehicle safety inspections for vehicles registered in certain counties; imposing a fee.  
Author(s): Morales, Eddie
- HB 174.** Relating to a COVID-19 vaccine public awareness campaign.  
Author(s): Turner, John
- HB 175.** Relating to prohibiting a requirement that a public school student receive a coronavirus disease (COVID-19) vaccine.  
Author(s): Noble; Leach; Cook  
Coauthor(s): K. Bell, Buckley, Hefner, Hull, P. King, Metcalf, Patterson, Slawson, Spiller, Swanson, Tinderholt, Toth, Vasut  
Read first time 52. Referred to Public Education 52.
- HB 176.** Relating to equal parenting orders in suits affecting the parent-child relationship.  
Author(s): Middleton  
Coauthor(s): Patterson, Tinderholt, Vasut
- HB 177.** Relating to certain benefits paid by the Teacher Retirement System of Texas.  
Author(s): Dominguez  
Read first time 52. Referred to Appropriations 52.
- HB 178.** Relating to the methods by which students may be admitted to public schools or transfer within a school district and the disclosure of information regarding public school admission methods.  
Author(s): Dominguez
- HB 179.** Relating to funding for school districts to provide inclusive and accessible playgrounds.  
Author(s): Dominguez
- HB 180.** Relating to a grant program to provide grants to law enforcement agencies to equip certain motor vehicles with bullet-resistant windshields.  
Author(s): White; Guillen
- HB 181.** Relating to the funding of projects by the Texas Water Development Board to promote utility reliability, resiliency, efficiency, conservation, and demand reduction; authorizing the issuance of revenue bonds.  
Author(s): Huberty
- HB 182.** Relating to exemptions from certain vaccination requirements.  
Author(s): Noble; Cook; Leach; Sanford; Frank  
Coauthor(s): Biedermann, Buckley, Cain, Capriglione, Cyrier, Harris, Hefner, Holland, Hull, Metcalf, Middleton, Morrison, Parker, Patterson, Shaheen, Slawson, Spiller, Swanson, Toth, Vasut  
Companion document(s): **SB 80**
- HB 183.** Relating to a pilot program for recording activity at a ballot counting station.  
Author(s): Swanson  
Read first time 268. Referred to Constitutional Rights & Remedies 268.
- HB 184.** Relating to excused absences from public school caused by circumstances arising out of a statewide or local disaster.  
Author(s): Dominguez
- HB 185.** Relating to requirements for a voting system to be used in an election in this state.

Author(s): Hefner

Read first time 268. Referred to Constitutional Rights & Remedies 268.

**HB 186.** Relating to voter registration application forms in high schools.

Author(s): Howard

Companion document(s): **SB 47**

Read first time 268. Referred to Constitutional Rights & Remedies 268.

**HB 187.** Relating to the authority of a political subdivision to provide a guaranteed universal basic income.

Author(s): Cain

**HB 188.** Relating to the enforcement by the secretary of state of certain voter roll maintenance provisions; providing a civil penalty.

Author(s): Jetton

Read first time 268. Referred to Constitutional Rights & Remedies 268.

**HB 189.** Relating to the academic assessment of public school students.

Author(s): Krause; Metcalf; Landgraf

**HB 190.** Relating to the creation of the Lake Houston Dredging and Maintenance District; providing the authority to issue bonds; providing authority to impose assessments and fees.

Author(s): Huberty

**HB 191.** Relating to prohibited logistical support by a governmental entity for procurement of an abortion or the services of an abortion provider.

Author(s): Noble; Metcalf; Klick; Sanford; Cook

**HB 192.** Relating to the eligibility of the Professional Bull Riders World Finals for funding under the Major Events Reimbursement Program.

Author(s): King, Ken; Guillen

**HB 193.** Relating to the eligibility of certain events for funding under the Major Events Reimbursement Program.

Author(s): King, Ken; Guillen

**HB 194.** Relating to the display of emergency and other notices by a governmental entity on the entity's Internet website.

Author(s): Dominguez

**HB 195.** Relating to the establishment by the Texas Workforce Commission of a workplace soft skills training pilot program.

Author(s): Dominguez; Guillen

**HB 196.** Relating to requiring the disclosure of fees charged for the sale of concert and other event tickets.

Author(s): Dominguez

**HB 197.** Relating to the members of the governing body of an independent organization certified for the ERCOT power region.

Author(s): Dominguez

**HB 198.** Relating to the enforcement of parking privileges for people with disabilities; increasing criminal fines; authorizing a fee.

Author(s): Dominguez

**HB 199.** Relating to the composition and duties of the Public Health Funding and Policy Committee.

Author(s): Dominguez

**HB 200.** Relating to the prohibition on the transportation, storage, and disposal of high-level radioactive waste in certain areas.

Author(s): Landgraf

Companion document(s): **HB 236**

Read first time 268. Referred to Environmental Regulation 268. Committee report filed with committee coordinator 329. Read second time 384. Postponed 384.

- HB 201.** Relating to a biennial report by the Texas Division of Emergency Management regarding building trade services following disasters.  
Author(s): Dominguez
- HB 202.** Relating to emergency management for cybersecurity events threatening this state.  
Author(s): Dominguez
- HB 203.** Relating to requiring public schools to offer a virtual learning option during a disaster.  
Author(s): Dominguez  
Read first time 268. Referred to Public Education 268.
- HB 204.** Relating to the safety of a referee, judge, or other official at a public school extracurricular activity and prohibiting certain conduct by a spectator related to those officials' safety.  
Author(s): Guillen
- HB 205.** Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas, including a related study.  
Author(s): Muñoz, Jr.  
Read first time 268. Referred to Appropriations 268.
- HB 206.** Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.  
Author(s): Muñoz, Jr.  
Companion document(s): **SB 7**  
Read first time 268. Referred to Appropriations 268.
- HB 207.** Relating to approval of certain land development applications by a municipality or county.  
Author(s): Oliverson  
Companion document(s): **SB 84**
- HB 208.** Relating to a vacancy in the office of senator or representative due to unexcused absence.  
Author(s): Oliverson  
Read first time 268. Referred to State Affairs 268.
- HB 209.** Relating to the repeal of or limitations on certain state and local taxes, including school district maintenance and operations ad valorem taxes, the enactment of state and local value added taxes, and related school finance reform; imposing taxes.  
Author(s): White  
Coauthor(s): Middleton, Slaton, Tinderholt, Vasut
- HB 210.** Relating to the allocation and deposit of certain surplus state revenue to the property tax relief fund for use in reducing school district maintenance and operations ad valorem taxes.  
Author(s): Bell, Cecil; Oliverson; Metcalf; Patterson; Wilson  
Coauthor(s): Allison, Anderson, Ashby, Bailes, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Button, Cain, Capriglione, Cason, Cook, Craddick, Cyrier, Darby, Dean, Frank, Frullo, Gates, Geren, Harless, Harris, Hefner, Holland, Hull, Hunter, Jetton, Kacal, K. King, P. King, Klick, Krause, Kuempel, Lambert, Landgraf, Larson, Leach, Leman, Lozano, Middleton, Morrison, Noble, Paddie, Parker, Paul, Price, Raney, Rogers, Sanford, Schaefer, Schofield, Shaheen, Shine, Slaton, Slawson, Smithee, Smith, Spiller, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Toth, VanDeaver, Vasut, White  
Read first time 269. Referred to Appropriations 269.
- HB 211.** Relating to requirements for certain petitions requesting an election and ballot propositions and to related procedures and provisions.  
Author(s): Swanson

- HB 212.** Relating to electronic voter registration.  
Author(s): Bucy  
Read first time 269. Referred to Constitutional Rights & Remedies 269.
- HB 213.** Relating to acceptable forms of identification for voting.  
Author(s): Bucy  
Read first time 269. Referred to Constitutional Rights & Remedies 269.
- HB 214.** Relating to the days and hours during which the polls are open for early voting by personal appearance.  
Author(s): Bucy  
Read first time 269. Referred to Constitutional Rights & Remedies 269.
- HB 215.** Relating to early voting by mail by any qualified voter.  
Author(s): Bucy  
Read first time 269. Referred to Constitutional Rights & Remedies 269.
- HB 216.** Relating to the procedures for voting after changing residence to another county.  
Author(s): Bucy  
Read first time 269. Referred to Constitutional Rights & Remedies 269.
- HB 217.** Relating to the secretary of state posting on the secretary of state's Internet website databases containing certain information about elections.  
Author(s): Bucy
- HB 218.** Relating to notifications given to a person convicted of a felony concerning the person's eligibility to vote.  
Author(s): Bucy  
Read first time 269. Referred to Constitutional Rights & Remedies 269.
- HB 219.** Relating to the registration of voters at a polling place and related procedures.  
Author(s): Bucy  
Read first time 269. Referred to Constitutional Rights & Remedies 269.
- HB 220.** Relating to the electronic transmission of a ballot to a voter voting early by mail on the ground of absence from the county of residence.  
Author(s): Bucy  
Read first time 269. Referred to Constitutional Rights & Remedies 269.
- HB 221.** Relating to accommodating voters with a disability.  
Author(s): Bucy  
Read first time 269. Referred to Constitutional Rights & Remedies 269.
- HB 222.** Relating to a border operations training program for peace officers employed by local law enforcement agencies.  
Author(s): Holland; Metcalf; Landgraf; Burns; Morales, Eddie
- HB 223.** Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas.  
Author(s): Capriglione; Stucky; Cook; Krause; Parker  
Companion document(s): **HB 115**  
Read first time 269. Referred to Appropriations 269.
- HB 224.** Relating to the designation of certain election days as state holidays.  
Author(s): Bucy  
Companion document(s): **HB 47; SB 75**
- HB 225.** Relating to establishing a joint select committee to study the feasibility and sustainability of providing a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas.  
Author(s): Bucy; Guillen
- HB 226.** Relating to education benefits at public institutions of higher education for certain survivors of public servants.

Author(s): Jetton; Guillen

**HB 227.** Relating to a policy requiring the use of face masks, face shields, or other face coverings and providing notice to a parent or guardian regarding a positive coronavirus disease (COVID-19) test for a person assigned to a student's classroom in public schools.

Author(s): Anchia; Howard

Coauthor(s): Allen, Bowers, Bucy, Cole, Crockett, Dominguez, Fierro, Goodwin, Hernandez, A. Johnson, Neave, Ordaz Perez, Ortega, Rosenthal, Rose, Talarico, C. Turner, Vo

Companion document(s): **SB 94**

Read first time 269. Referred to Public Education 269.

**HB 228.** Relating to electricity supply chain risk mitigation planning.

Author(s): Rosenthal

**HB 229.** Relating to the use of adaptive model data analytics software by the independent organization certified to manage the ERCOT power region.

Author(s): Rosenthal

**HB 230.** Relating to accessing transmission service and power at wholesale outside of the ERCOT power region.

Author(s): Rosenthal

**HB 231.** Relating to the establishment by the Railroad Commission of Texas of a policy to eliminate the routine flaring of natural gas from wells or other facilities regulated by the commission.

Author(s): Rosenthal

**HB 232.** Relating to electric power purchased for the ERCOT power region.

Author(s): Rosenthal

**HB 233.** Relating to providing accelerated instruction for public school students who fail to achieve satisfactory performance on certain assessment instruments.

Author(s): Huberty; Dutton; Bell, Keith; Cain

Read first time 183. Referred to Public Education 183. Committee report filed with committee coordinator 360. Read second time 382. Amended (1-Huberty) 382. Amended (2-K. Bell, VanDeaver, K. King, Allison, Dutton, Huberty, Buckley, Lozano, and M. González) 383. Passed to engrossment as amended 384. Read third time 396. Passed 396. Record vote (RV#153) 396. Statement of vote recorded in journal 396.

**HB 234.** Relating to the expansion of eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act.

Author(s): Bucy

**HB 235.** Relating to the date on which a home rule municipality may order an election for proposed charter amendments.

Author(s): Burrows; Cain; White; Harless; Schofield

Coauthor(s): Swanson

**HB 236.** Relating to the prohibition on the transportation, storage, and disposal of high-level radioactive waste in certain areas.

Author(s): Landgraf

Companion document(s): **HB 200**

Read first time 270. Referred to Environmental Regulation 270.

**HB 237.** Relating to the governor's issuance of executive orders, proclamations, and regulations under the Texas Disaster Act of 1975 regarding the wearing of face masks or coverings in certain schools.

Author(s): Zwiener

Read first time 270. Referred to Public Education 270.

- HB 238.** Relating to the storage of radioactive waste or elemental mercury for any period exceeding one year; authorizing a fee.  
Author(s): Landgraf  
Read first time 270. Referred to Environmental Regulation 270.
- HB 239.** Relating to a temporary reduction in the maximum compressed tax rate of a school district; making an appropriation.  
Author(s): Frank; Guillen; Cook
- HB 240.** Relating to the compensation and professional representation of students participating in University Interscholastic League activities.  
Author(s): Cook
- HB 241.** Relating to a voting system requirement that a person voting by personal appearance confirm the voter's eligibility to vote before accessing a ballot.  
Author(s): Klick
- HB 242.** Relating to the advertising and labeling of certain food products.  
Author(s): White; Guillen
- HB 243.** Relating to workers' compensation benefits for injuries caused by employer-required COVID-19 vaccines and payment of those benefits.  
Author(s): Cason  
Companion document(s): **SB 96**
- HB 244.** Relating to processes to address election irregularities; providing a civil penalty.  
Author(s): Toth  
Companion document(s): **SB 97**
- HB 245.** Relating to personal leave provided for a public school teacher who must isolate due to exposure to or testing positive for certain diseases.  
Author(s): Goodwin
- HB 246.** Relating to a prohibition on certain companies that receive government contracts from requiring employees to receive a vaccination.  
Author(s): Toth



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**HOUSE CONCURRENT RESOLUTIONS, HISTORY OF  
IN THE HOUSE**

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- HCR 1.** Designating Llano as the official Barrel Racing Capital of Texas for a 10-year period beginning in 2021.  
Author(s): Murr  
Referred to Culture, Recreation, & Tourism 54.
- HCR 2.** Designating the third Monday in October as Domestic Violence Survivors' Day for a 10-year period beginning in 2021.  
Author(s): Hull; Guillen  
Referred to Culture, Recreation, & Tourism 54.
- HCR 3.** Designating the city of Florence, home of the Gault Archaeological Site, as the oldest community in Texas for a 10-year period beginning in 2021.  
Author(s): Wilson  
Referred to Culture, Recreation, & Tourism 54.
- HCR 4.** Urging Congress to restore and strengthen the Voting Rights Act of 1965.  
Author(s): Reynolds  
Referred to Constitutional Rights & Remedies 54.
- HCR 5.** Urging Congress to pass the For the People Act.  
Author(s): Reynolds  
Referred to Constitutional Rights & Remedies 54.
- HCR 6.** Urging Congress to pass the John Lewis Voting Rights Advancement Act.  
Author(s): Reynolds  
Referred to Constitutional Rights & Remedies 54.
- HCR 7.** Urging Congress to pass the George Floyd Justice in Policing Act.  
Author(s): Reynolds  
Referred to Homeland Security & Public Safety 54.
- HCR 8.** Urging Congress to pass a federal law requiring universal background checks for all firearm sales.  
Author(s): Reynolds  
Referred to Homeland Security & Public Safety 54.
- HCR 9.** Commemorating the dedication of a Texas Historical Marker at the site of the Wharton Training School in Wharton.  
Author(s): Stephenson  
Senate Sponsor(s): Kolkhorst  
Referred to Resolutions Calendars 54. Laid before the house 274. Adopted 274. Senate passage-reported 359. Reported enrolled 404. Signed in the house 387. Sent to the governor 404. Signed by the governor 404.
- HCR 10.** Congratulating James M. Alsup for receiving the West Texan by Nature Award from the Sibley Nature Center.  
Author(s): Craddick  
Senate Sponsor(s): Seliger  
Referred to Resolutions Calendars 181. Laid before the house 274. Adopted 274. Senate passage-reported 359. Reported enrolled 404. Signed in the house 387. Sent to the governor 404. Signed by the governor 404.
- HCR 11.** In memory of Katharyn Carterette Bock of New Braunfels.  
Author(s): Craddick  
Senate Sponsor(s): Campbell  
Referred to Resolutions Calendars 181. Laid before the house 277. Adopted 277. Senate passage-reported 359. Reported enrolled 404. Signed in the house 387. Sent to the governor 404. Signed by the governor 404.

**HCR 12.** Commemorating the 125th anniversary of the founding of St. Ann's Catholic Church in Midland.

Author(s): Craddick

Senate Sponsor(s): Seliger

Rules suspended 333. Adopted 333. Senate passage-reported 360. Reported enrolled 404. Signed in the house 387. Sent to the governor 404. Signed by the governor 404.

**HCR 13.** Expressing support for the state ignoring all presidential executive orders until the sitting U.S. president submits to two separate, independently conducted, mental competency tests, the results of which will be made available to the public.

Author(s): Slaton

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**HOUSE JOINT RESOLUTIONS, HISTORY OF  
IN THE HOUSE**

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- HJR 1.** 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.  
Author(s): Kacal; Smith; Murr; Cook; Price  
Coauthor(s): Anderson, K. Bell, Burns, Capriglione, Harless, Hefner, Holland, Huberty, Kuempel, Leach, Metcalf, E. Morales, Morrison, Murphy, Noble, Oliverson, Paddie, Parker, Paul, Shine, Spiller, E. Thompson, Tinderholt, VanDeaver, Vasut, White, Wilson  
Companion document(s): **SJR 3**  
Read first time 53. Referred to Constitutional Rights & Remedies 53.
- HJR 2.** Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.  
Author(s): Meyer; Metcalf; Burrows; Noble; Sanford  
Coauthor(s): Anchia, Anderson, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Button, Cook, Darby, Dean, Fierro, Geren, Harless, Harris, Hefner, Holland, Huberty, Hunter, Kuempel, Leach, Morrison, Murphy, Murr, Oliverson, Paddie, Patterson, Paul, Price, Shine, Slaton, Spiller, Stephenson, Swanson, E. Thompson, Tinderholt, VanDeaver, Vasut, White, Wilson  
Companion document(s): **HJR 26; SJR 2**  
Read first time 53. Referred to Ways & Means 53.
- HJR 3.** Proposing a constitutional amendment requiring this state to observe daylight saving time year-round.  
Author(s): Schofield
- HJR 4.** Proposing a constitutional amendment requiring the state to expand eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act.  
Author(s): Reynolds
- HJR 5.** Proposing a constitutional amendment authorizing the denial of bail to an accused person if a judge or magistrate determines by clear and convincing evidence that requiring bail and conditions of release is insufficient to reasonably ensure the person's appearance in court or the safety of the community or of any person, including the victim of the alleged offense.  
Author(s): Reynolds  
Read first time 53. Referred to Constitutional Rights & Remedies 53.
- HJR 6.** Proposing a constitutional amendment to increase the amount of the exemption of residence homesteads from ad valorem taxation by a school district and to reduce the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect the increased exemption amount.  
Author(s): Zwiener; Guillen  
Read first time 53. Referred to Ways & Means 53.
- HJR 7.** Proposing a constitutional amendment to increase the amount of the exemption of residence homesteads from ad valorem taxation by a school district and to reduce the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect the increased exemption amount.  
Author(s): Zwiener; Guillen

- HJR 8.** Proposing a constitutional amendment establishing a limitation on the total amount of ad valorem taxes that political subdivisions may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.  
Author(s): Schofield; Guillen; Shine
- HJR 9.** Proposing a constitutional amendment to reduce the number of members of each House required to constitute a quorum to a majority.  
Author(s): Vasut  
Companion document(s): **SJR 1**  
Read first time 53. Referred to State Affairs 53.
- HJR 10.** Applying to the Congress of the United States to call a convention under Article V of the United States Constitution for the limited purpose of proposing an amendment to the constitution to prohibit abortion, euthanasia, and certain other acts.  
Author(s): Vasut
- HJR 11.** Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of real property for ad valorem tax purposes to 103.5 percent or more of the appraised value of the property for the preceding tax year.  
Author(s): Vasut
- HJR 12.** Proposing a constitutional amendment repealing the provision that subjects land designated for agricultural use to an additional tax when the land is diverted to a purpose other than agricultural use or sold.  
Author(s): Schofield; Guillen  
Companion document(s): **HJR 21; SJR 7**
- HJR 13.** Proposing a constitutional amendment to authorize the legislature to provide for a credit against the ad valorem taxes imposed on property owned by a person who makes a donation to the state for the purpose of border security and to provide for the reimbursement of political subdivisions for the revenue loss incurred as a result of the credit.  
Author(s): Slaton
- HJR 14.** Proposing a constitutional amendment providing for an exemption from ad valorem taxation for public school purposes of a dollar amount or a percentage, whichever is greater, of the market value of a residence homestead and providing for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for those purposes on the homestead of a person who is elderly or disabled to reflect any increase in the exemption amount.  
Author(s): Schofield; Guillen; Shine  
Read first time 53. Referred to Ways & Means 53.
- HJR 15.** Proposing a constitutional amendment to allow the legislature to override a veto of the governor following a legislative session.  
Author(s): Lopez
- HJR 16.** Proposing a constitutional amendment providing that members of the legislature are not entitled to receive a state salary, per diem, or reimbursement for mileage for an unexcused absence when the applicable house of the legislature lacks a quorum.  
Author(s): Middleton  
Coauthor(s): Hefner, Tinderholt  
Read first time 53. Referred to State Affairs 53.
- HJR 17.** Proposing a constitutional amendment to increase the maximum amount of the local option residence homestead exemption from ad valorem taxation by a political subdivision.  
Author(s): Middleton; Guillen
- HJR 18.** Proposing a constitutional amendment providing that a residence homestead is not subject to seizure or sale for delinquent ad valorem taxes.  
Author(s): Wilson; Guillen

- HJR 19.** Proposing a constitutional amendment to authorize a political subdivision other than a school district to establish a limitation on the amount of ad valorem taxes that the political subdivision may impose on the residence homesteads of persons who are disabled or elderly and their surviving spouses.  
Author(s): Wilson; Guillen
- HJR 20.** Proposing a constitutional amendment authorizing the legislature to limit the maximum appraised value of residential real property for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year, to exempt from ad valorem taxation the total appraised value of property purchased by an individual for the first tax year the individual qualifies the property as the individual's residence homestead if the property is the individual's first residence homestead and has an appraised value of less than \$300,000, and to limit the total amount of ad valorem taxes that a political subdivision may impose on the residence homestead of an individual and the surviving spouse of the individual if the individual qualifies the property as the individual's residence homestead for at least 25 consecutive tax years.  
Author(s): Allison; Guillen
- HJR 21.** Proposing a constitutional amendment repealing the provision that subjects land designated for agricultural use to an additional tax when the land is diverted to a purpose other than agricultural use or sold.  
Author(s): King, Phil; Shine  
Companion document(s): **HJR 12**
- HJR 22.** Proposing a constitutional amendment to authorize the legislature to establish a lower limit on the maximum appraised value of residence homesteads for ad valorem tax purposes and to establish a limit on the value of single-family residences other than residence homesteads for those purposes.  
Author(s): Capriglione; Guillen
- HJR 23.** Proposing a constitutional amendment prohibiting the governor from vetoing an item of appropriation made to the legislative or judicial branch of state government, including to an agency the primary purpose of which is to assist those branches of government.  
Author(s): Martinez  
Companion document(s): **HJR 27**
- HJR 24.** Proposing a constitutional amendment reducing The University of Texas System's share of the income and other benefits of the permanent university fund, transferring to the national research university fund and general revenue fund a portion of the annual distribution made from the permanent university fund to the available university fund, and dedicating the portion transferred to the general revenue fund to provide for the support and maintenance of public institutions of higher education.  
Author(s): Burrows  
Companion document(s): **SJR 14**
- HJR 25.** Proposing a constitutional amendment creating the State Utilities Reliability Fund and the State Utilities Reliability Revenue Fund to provide financial support for projects that enhance the reliability and resiliency of water, electric, and natural gas utilities, broadband providers, and power generation resources in this state.  
Author(s): Huberty
- HJR 26.** Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.  
Author(s): Howard  
Companion document(s): **HJR 2; SJR 2**  
Read first time 270. Referred to Ways & Means 270.

**HJR 27.** Proposing a constitutional amendment prohibiting the governor from vetoing an item of appropriation made to the legislative or judicial branch of state government, including to an agency the primary purpose of which is to assist those branches of government.

Author(s): Dominguez

Companion document(s): **HJR 23**

**HJR 28.** Proposing a constitutional amendment requiring the state to expand eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act.

Author(s): Bucy

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**HOUSE RESOLUTIONS, HISTORY OF  
IN THE HOUSE**

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- HR 1.** In memory of John D. Clifton of Livingston.  
Author(s): White  
Referred to Resolutions Calendars 54. Laid before the house 277. Adopted 277.
- HR 2.** Commending Lowell Crew of Livingston for his service to the Polk County Texas GOP.  
Author(s): White  
Referred to Resolutions Calendars 54. Laid before the house 274. Adopted 274.
- HR 3.** Congratulating Melba Inman on her retirement from the Newton County Public Library.  
Author(s): White  
Referred to Resolutions Calendars 54. Laid before the house 274. Adopted 274.
- HR 4.** Congratulating Harriette Martin on her retirement from the Newton County Public Library.  
Author(s): White  
Referred to Resolutions Calendars 54. Laid before the house 274. Adopted 274.
- HR 5.** In memory of Earl Wayne Fletcher Sr. of Longview.  
Author(s): White  
Referred to Resolutions Calendars 54. Laid before the house 277. Adopted 277.
- HR 6.** Honoring Don Baird for his service as mayor of Colmesneil.  
Author(s): White  
Referred to Resolutions Calendars 55. Laid before the house 274. Adopted 274.
- HR 7.** In memory of Vandie Lindsey Smith Jr. of Magnolia Springs.  
Author(s): White  
Referred to Resolutions Calendars 55. Laid before the house 277. Adopted 277.
- HR 8.** Congratulating Dr. Glenn Blodgett of Guthrie on his induction into the American Quarter Horse Hall of Fame.  
Author(s): Spiller  
Referred to Resolutions Calendars 55. Laid before the house 274. Adopted 274.
- HR 9.** In memory of Ethan Joe Langley of Jacksboro.  
Author(s): Spiller  
Referred to Resolutions Calendars 55. Laid before the house 277. Adopted 277.
- HR 10.** Amending the permanent rules of the House of Representatives to require that each committee chair be a member of the majority political party.  
Author(s): Slaton  
Referred to House Administration 55.
- HR 11.** Commemorating the founding of Girl Scout Daisy Troop 101015 in Tyler County.  
Author(s): White  
Referred to Resolutions Calendars 55. Laid before the house 275. Adopted 275.
- HR 12.** Congratulating James Cook Jr. of Killeen ISD on being named the 2022 ESC Region 12 Elementary Teacher of the Year.  
Author(s): Buckley  
Referred to Resolutions Calendars 55. Laid before the house 275. Adopted 275.
- HR 13.** Recognizing October 2022 as Domestic Violence Awareness Month.  
Author(s): Hull  
Referred to Resolutions Calendars 55. Laid before the house 275. Adopted 275.
- HR 14.** Recognizing October 2021 as Domestic Violence Awareness Month.  
Author(s): Hull

Referred to Resolutions Calendars 55. Laid before the house 275. Adopted 275.

**HR 15.** Amending the permanent rules of the House of Representatives to provide for the imposition of penalties on absent members.

Author(s): Tinderholt

Referred to House Administration 55.

**HR 16.** Amending the permanent rules of the House of Representatives to decrease the number of days that a bill or resolution must be in a calendars committee before action is required to be taken on the bill or resolution.

Author(s): Slaton

Referred to House Administration 55.

**HR 17.** Congratulating Shelby Whitson and Hunter Robinson on their wedding.

Author(s): Meyer

Referred to Resolutions Calendars 55. Laid before the house 275. Adopted 275.

**HR 18.** Congratulating Anthony Robinson on his induction into the Mrs. H. D. Dear, Sr. and Alice E. Dear School of Creative and Performing Arts Hall of Fame at Northwestern State University.

Author(s): Paddie

Referred to Resolutions Calendars 55. Laid before the house 275. Adopted 275.

**HR 19.** In memory of Edgar Curtis Walker of Jefferson.

Author(s): Paddie

Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.

**HR 20.** Congratulating Michael Lee on his retirement from the Texas Department of Transportation.

Author(s): Paddie

Referred to Resolutions Calendars 56. Laid before the house 275. Adopted 275.

**HR 21.** In memory of Rick Lane Campbell of Center.

Author(s): Paddie

Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.

**HR 22.** In memory of Patricia Ryan Keesee of Linden.

Author(s): Paddie

Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.

**HR 23.** Congratulating Shanon Biggerstaff on her retirement as president of the Ozona Chamber of Commerce.

Author(s): Murr

Referred to Resolutions Calendars 56. Laid before the house 275. Adopted 275.

**HR 24.** In memory of Carl James "Jimmy" Cahill Jr. of Sonora.

Author(s): Murr

Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.

**HR 25.** In memory of Stephen C. Helbing Sr.

Author(s): Murr

Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.

**HR 26.** Commending Tom Moser for his service as a Kerr County commissioner.

Author(s): Murr

Referred to Resolutions Calendars 56. Laid before the house 275. Adopted 275.

**HR 27.** Congratulating Vernon Ollar on the occasion of his 100th birthday and honoring him for his patriotic service during World War II.

Author(s): Murr

Referred to Resolutions Calendars 56. Laid before the house 275. Adopted 275.

**HR 28.** In memory of Tracey Adams of the Texas Department of Criminal Justice.

Author(s): Murr



- Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.
- HR 29.** In memory of Stacy Crosby of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.
- HR 30.** In memory of Sara Margaret Keenom of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.
- HR 31.** In memory of Luis Hernandez of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.
- HR 32.** In memory of Jimmy Garcia of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.
- HR 33.** In memory of Rodrick L. Rodgers of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 56. Laid before the house 277. Adopted 277.
- HR 34.** In memory of Barry Deckard of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 277. Adopted 277.
- HR 35.** In memory of Gerald Bedison of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 277. Adopted 277.
- HR 36.** In memory of Michael Harper of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 37.** In memory of Kenneth Russell of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 38.** In memory of Timothy Beggs of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 39.** In memory of Harold Smith of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 40.** In memory of Frank Edward Rose of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 41.** In memory of Clemente Rocha III of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 42.** In memory of Dorothy Sue Caylor of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 43.** In memory of Phillip Dexter Holbert of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 44.** In memory of Joe Landin of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.

- HR 45.** In memory of Rebecca Adatao Crowe of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 46.** In memory of Randall Sims of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 47.** In memory of John Wier of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 57. Laid before the house 278. Adopted 278.
- HR 48.** In memory of Lieutenant Treva Preston of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 58. Laid before the house 278. Adopted 278.
- HR 49.** In memory of Alfredo Jimenez Jr. of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 58. Laid before the house 278. Adopted 278.
- HR 50.** In memory of Maria Garcia of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 58. Laid before the house 278. Adopted 278.
- HR 51.** In memory of Godfrey Zuze of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 58. Laid before the house 278. Adopted 278.
- HR 52.** In memory of Officer Vickie James of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 58. Laid before the house 278. Adopted 278.
- HR 53.** In memory of Tawiwo Obele of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 58. Laid before the house 278. Adopted 278.
- HR 54.** In memory of Troy Morin of the Texas Department of Criminal Justice.  
Author(s): Murr  
Referred to Resolutions Calendars 58. Laid before the house 278. Adopted 278.
- HR 55.** In memory of Joel A. Garza of Weslaco.  
Author(s): Martinez  
Referred to Resolutions Calendars 58. Laid before the house 278. Adopted 278.
- HR 56.** Commemorating the 25th anniversary of the Valley Initiative for Development and Advancement (VIDA).  
Author(s): Martinez  
Referred to Resolutions Calendars 58. Laid before the house 275. Adopted 275.
- HR 57.** Congratulating Jessie White of West Brook High School in Beaumont on his induction into the Prairie View Interscholastic League Coaches Association Hall of Fame.  
Author(s): White  
Referred to Resolutions Calendars 58. Laid before the house 275. Adopted 275.
- HR 58.** In memory of Dr. Joe David Townsend of South Padre Island.  
Author(s): Guillen  
Referred to Resolutions Calendars 58. Laid before the house 279. Adopted 279.
- HR 59.** In memory of Joseph LaMantia Jr. of McAllen.  
Author(s): Guillen  
Referred to Resolutions Calendars 58. Laid before the house 279. Adopted 279.
- HR 60.** In memory of Abel N. Gonzalez Sr. and Maria Elia Solis Gonzalez of Rio Grande City.  
Author(s): Guillen

- Referred to Resolutions Calendars 58. Laid before the house 279. Adopted 279.
- HR 61.** In memory of Arcadio Jesus Salinas Jr. of Rio Grande City.  
Author(s): Guillen  
Referred to Resolutions Calendars 58. Laid before the house 279. Adopted 279.
- HR 62.** In memory of Roy and Lucy Cantu of Rio Grande City.  
Author(s): Guillen  
Referred to Resolutions Calendars 59. Laid before the house 279. Adopted 279.
- HR 63.** In memory of Alberto Barrera of Rio Grande City.  
Author(s): Guillen  
Referred to Resolutions Calendars 59. Laid before the house 279. Adopted 279.
- HR 64.** In memory of Principal Chief Herbert G. Johnson Sr. of the Alabama-Coushatta Tribe of Texas.  
Author(s): White  
Referred to Resolutions Calendars 59. Laid before the house 279. Adopted 279.
- HR 65.** Congratulating the Cenikor Foundation facility in Fort Worth on the organization's 55th anniversary.  
Author(s): Collier  
Referred to Resolutions Calendars 59. Laid before the house 275. Adopted 275.
- HR 66.** In memory of Principal Chief Herbert G. Johnson Sr. of the Alabama-Coushatta Tribe of Texas.  
Author(s): White  
Referred to Resolutions Calendars 59. Laid before the house 279. Adopted 279.
- HR 67.** In memory of Gregory Alan Lewis of Jacksboro.  
Author(s): Spiller  
Referred to Resolutions Calendars 59. Laid before the house 279. Adopted 279.
- HR 68.** Congratulating Elva Yolanda Morado on her retirement from the Texas A&M AgriLife Extension Service.  
Author(s): Guillen  
Referred to Resolutions Calendars 181. Laid before the house 275. Adopted 275.
- HR 69.** Commending Ted D. Matthews for his service as CEO of Eastland Memorial Hospital.  
Author(s): Rogers  
Referred to Resolutions Calendars 181. Laid before the house 275. Adopted 275.
- HR 70.** Commemorating the Eastland Memorial Hospital 2021 annual gala.  
Author(s): Rogers  
Referred to Resolutions Calendars 181. Laid before the house 275. Adopted 275.
- HR 71.** Amending the permanent rules of the House of Representatives to require that the back microphone be continuously on at any time the house is in session.  
Author(s): Slaton  
Referred to House Administration 182.
- HR 72.** Amending House Rule 1 Section 15, and Rule 5, Sections 3 and 8.  
Author(s): Vasut; Middleton; Cook; Noble  
Coauthor(s): C. Bell, Biedermann, Cain, Cason, Gates, Hefner, Holland, Hull, P. King, Krause, Leach, Lozano, Parker, Patterson, Paul, Rogers, Sanford, Schaefer, Shaheen, Slaton, Slawson, Spiller, Stephenson, Swanson, Tinderholt, Toth, White, Wilson  
Referred to House Administration 59.
- HR 73.** Commemorating the 150th anniversary of the First Baptist Church of Kaufman.  
Author(s): Bell, Keith  
Referred to Resolutions Calendars 182. Laid before the house 275. Adopted 275.

- HR 74.** Commemorating the 75th anniversary of the Kaufman Lions Club youth baseball and softball program.  
Author(s): Bell, Keith  
Referred to Resolutions Calendars 182. Laid before the house 275. Adopted 275.
- HR 75.** In memory of Chalys Diane Baker of Amarillo.  
Author(s): Price  
Referred to Resolutions Calendars 182. Laid before the house 279. Adopted 279.
- HR 76.** Congratulating Kenneth Barr on his receipt of the 2021 Drive to Excellence Award from the North Texas Tollway Authority.  
Author(s): Davis  
Referred to Resolutions Calendars 182. Laid before the house 275. Adopted 275.
- HR 77.** Congratulating Chase and Lindsey Barker of Houston on the birth of their son, Chase Austin Barker II.  
Author(s): Huberty  
Referred to Resolutions Calendars 182. Laid before the house 276. Adopted 276.
- HR 78.** Commending Loukya Kotla for her service as an intern in the office of State Representative Jacey Jetton.  
Author(s): Jetton  
Referred to Resolutions Calendars 182. Laid before the house 276. Adopted 276.
- HR 79.** Commending Melinda Dae for her service as a legislative intern in the office of State Representative Jacey Jetton.  
Author(s): Jetton  
Referred to Resolutions Calendars 182. Laid before the house 276. Adopted 276.
- HR 80.** Congratulating Goldfish Swim School in Sugar Land on its one-year anniversary.  
Author(s): Jetton  
Referred to Resolutions Calendars 182. Laid before the house 276. Adopted 276.
- HR 81.** Commemorating Indian Independence Day on August 15, 2021.  
Author(s): Jetton  
Referred to Resolutions Calendars 182. Laid before the house 276. Adopted 276.
- HR 82.** Commending Michael Nguyen on his service as a legislative intern in the office of State Representative Jacey Jetton.  
Author(s): Jetton  
Referred to Resolutions Calendars 182. Laid before the house 276. Adopted 276.
- HR 83.** Commending Menita Thakare on her service as a summer intern in the office of State Representative Jacey Jetton.  
Author(s): Jetton  
Referred to Resolutions Calendars 182. Laid before the house 276. Adopted 276.
- HR 84.** Commending Huy Hoang Nguyen and Ngoc Tram Thi Chu of the Creamery Teahouse and Tram's Teahouse for their cultural and community contributions.  
Author(s): Jetton  
Referred to Resolutions Calendars 182. Laid before the house 276. Adopted 276.
- HR 85.** Commending Maria Siddeeqe for her service as a legislative intern in the office of State Representative Jacey Jetton.  
Author(s): Jetton  
Referred to Resolutions Calendars 183. Laid before the house 276. Adopted 276.
- HR 86.** Honoring Anya Kureshi for her service as a legislative intern in the office of State Representative Jacey Jetton.  
Author(s): Jetton  
Referred to Resolutions Calendars 183. Laid before the house 276. Adopted 276.
- HR 87.** Congratulating Al and Frances Luna of Rosenberg on their 60th wedding anniversary.  
Author(s): Jetton

Referred to Resolutions Calendars 183. Laid before the house 276. Adopted 276.

**HR 88.** In memory of Ada Cecilia Collins Anderson of Austin.

Author(s): Cole

Referred to Resolutions Calendars 183. Laid before the house 279. Adopted 279.

**HR 89.** Commending Victoria Denise Herline Engman for her service as an administrative aide in the office of State Representative James White.

Author(s): White

Referred to Resolutions Calendars 183. Laid before the house 276. Adopted 276.

**HR 90.** Commending Sebastian Quaid for his service as a legislative aide in the office of State Representative James White.

Author(s): White

Referred to Resolutions Calendars 183. Laid before the house 276. Adopted 276.

**HR 91.** Commending Jordan Parr for his service as legislative director in the office of State Representative James White.

Author(s): White

Referred to Resolutions Calendars 183. Laid before the house 276. Adopted 276.

**HR 92.** Congratulating William and Sarah Jane Holleman on the birth of their son, James Robert Holleman.

Author(s): Huberty

Referred to Resolutions Calendars 183. Laid before the house 276. Adopted 276.

**HR 93.** In memory of David Edward Feille of Atascocita.

Author(s): Huberty

Referred to Resolutions Calendars 183. Laid before the house 279. Adopted 279.

**HR 94.** Commending Jason Zhang for his service as a legislative intern in the office of State Representative Jacey Jetton.

Author(s): Jetton

Referred to Resolutions Calendars 183. Laid before the house 276. Adopted 276.

**HR 95.** Commending Nikita Munsif for her service as a legislative aide in the office of State Representative Gene Wu.

Author(s): Wu

Referred to Resolutions Calendars 183. Laid before the house 276. Adopted 276.

**HR 96.** Amending House Rule 4 Section 9, and Rule 5, Sections 3 and 8.

Author(s): Darby; Shine

Coauthor(s): Allison, Anderson, Ashby, Bailes, C. Bell, K. Bell, Bonnen, Buckley, Burns, Capriglione, Clardy, Cook, Cyrier, Dean, Frank, Frullo, Geren, Goldman, Harless, Harris, Hefner, Holland, Hull, Jetton, Kacal, K. King, P. King, Kuempel, Lambert, Landgraf, Leach, Leman, Lozano, Metcalf, Meyer, Morrison, Murphy, Noble, Oliverson, Paddie, Parker, Patterson, Paul, Price, Raney, Rogers, Sanford, Shaheen, Slawson, Smith, Spiller, Stephenson, Stucky, Swanson, E. Thompson, VanDeaver, White, Wilson

Referred to House Administration 183.

**HR 97.** In memory of H Scott Apley of Dickinson.

Author(s): Cain; Middleton; Bonnen; Paul; Vasut

Referred to Resolutions Calendars 270. Laid before the house 279. Adopted 279.

**HR 98.** In memory of Peggy Ferguson of Dumas.

Author(s): Price

Referred to Resolutions Calendars 270. Laid before the house 279. Adopted 279.

**HR 99.** Commemorating the 70th anniversary of the Amarillo Wesley Community Center.

Author(s): Price

Referred to Resolutions Calendars 270. Laid before the house 276. Adopted 276.

**HR 100.** Commemorating the 70th anniversary of Wonderland Amusement Park in Amarillo.

Author(s): Price

- Referred to Resolutions Calendars 270. Laid before the house 276. Adopted 276.
- HR 101.** Congratulating Michael Maples on his retirement as deputy executive commissioner for the Health and Specialty Care System at the Texas Health and Human Services Commission.  
Author(s): Price  
Referred to Resolutions Calendars 270. Laid before the house 277. Adopted 277.
- HR 102.** Congratulating Mission Arlington on its 35th anniversary.  
Author(s): Tinderholt; Cook; Krause; Cason; Turner, Chris  
Referred to Resolutions Calendars 270. Laid before the house 277. Adopted 277.
- HR 103.** In memory of Jeffrey Sean Barry of Dallas.  
Author(s): Meyer  
Referred to Resolutions Calendars 270. Laid before the house 279. Adopted 279.
- HR 104.** In memory of Vietnam War correspondent and author Joe Galloway.  
Author(s): Fierro  
Referred to Resolutions Calendars 327. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 105.** Congratulating Erica Marin on her appointment as director of the El Paso Museum of History.  
Author(s): Fierro  
Referred to Resolutions Calendars 327. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 106.** In memory of former state representative Toby Ray Goodman of Mansfield.  
Author(s): Cook  
Referred to Resolutions Calendars 327. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 107.** In memory of Shirley Smith Shoquist of Rockwall.  
Author(s): Holland  
Referred to Resolutions Calendars 327. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 108.** Commending the McLennan Community College baseball team on winning the 2021 Junior College World Series.  
Author(s): Kacal  
Referred to Resolutions Calendars 327. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 109.** Congratulating McLennan Community College baseball coach Mitch Thompson on his selection as the NJCAA Division I Coach of the Year.  
Author(s): Kacal  
Referred to Resolutions Calendars 327. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 110.** In memory of Joseph Harold Pool of Amarillo.  
Author(s): Price  
Referred to Resolutions Calendars 327. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 111.** Commemorating the 50th anniversary of Los Barrios de Amarillo.  
Author(s): Price  
Referred to Resolutions Calendars 327. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 112.** Congratulating Jennifer Sims on her retirement as deputy commissioner at the Texas Department of State Health Services.  
Author(s): Price

- Referred to Resolutions Calendars 327. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 113.** Congratulating Dakota Stroud of the Weatherford Fire Department on his receipt of a Medal of Valor and Citation Bar.  
Author(s): King, Phil  
Referred to Resolutions Calendars 327. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 114.** In memory of Kenneth Duncan Dickson of Rockwall.  
Author(s): Holland  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 115.** In memory of Jesse C. Turrubiate of La Marque.  
Author(s): Middleton  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 116.** In memory of Vincent Michael Robins of Mont Belvieu.  
Author(s): Middleton  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 117.** Commemorating the release of the motion picture 12 Mighty Orphans, filmed in Fort Worth.  
Author(s): Geren  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 118.** In memory of retired game warden James Lovett of Bay City.  
Author(s): White  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 119.** Congratulating the Livingston 10U All-Stars baseball team on winning the state championship in the 2021 Dixie Youth Baseball playoffs.  
Author(s): White  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 120.** In memory of George W. Atteberry of Woodville.  
Author(s): White  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 121.** Honoring the BIZPAC organization and its leaders, Joseph L. Trahan, Dr. Elias Jackson, and Mark Goloby.  
Author(s): Hull  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 122.** Congratulating Texas Terry of Lexington on winning the 2021 U.S. Kids Golf World Championship in the under-eight division.  
Author(s): Cole  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 123.** Expressing the beliefs of the House regarding prosecution for the offense of illegal voting.  
Author(s): Burrows; Anderson; Stephenson  
One hour notice-to suspend rules 280. Rules suspended 320. Adopted 322. Record vote (RV#119) 322. Statement of vote recorded in journal 323.

- HR 124.** Congratulating television sportscaster Dale Hansen on his retirement from WFAA in Dallas.  
Author(s): Davis  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 397. Adopted 397.
- HR 125.** Commending Jac Darsnek for preserving Texas history through his Traces of Texas online photography project.  
Author(s): Harris  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 126.** In memory of James William Kellogg Jr.  
Author(s): Vasut  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 127.** In memory of former Quintana mayor Deborah Estelle Alongis.  
Author(s): Vasut  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 128.** Congratulating Honorable Marc Holder on his retirement from Brazoria County Court at Law No. 2.  
Author(s): Vasut  
Referred to Resolutions Calendars 328. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 129.** Congratulating the Honorable Judge K. Randall Hufstetler on his retirement from the 300th Judicial District Court.  
Author(s): Vasut  
Referred to Resolutions Calendars 329. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 130.** Congratulating the Honorable Judge Terri Tipton Holder on her retirement as judge of the 149th District Court.  
Author(s): Vasut  
Referred to Resolutions Calendars 329. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 131.** Commending Officer William McKeon Jr. on his receipt of a Star of Texas Award.  
Author(s): White  
Referred to Resolutions Calendars 329. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 132.** Impeaching and suspending from office Judge Chris Morton, Judge of the 230th Judicial District.  
Author(s): Cain; Patterson  
Coauthor(s): Biedermann, Capriglione, Cason, Gates, Harless, Harris, Hefner, Hull, Leman, Middleton, Noble, Oliverson, Paul, Schaefer, Slaton, Slawson, Smith, Spiller, Toth, White
- HR 133.** Impeaching and suspending from office Judge Brad Urrutia, Judge of the 450th Judicial District.  
Author(s): Slaton
- HR 134.** In memory of U.S. Marine Lance Corporal David Lee Espinoza of Laredo.  
Author(s): King, Tracy O.; Raymond; Guillen  
Referred to Resolutions Calendars 356. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 135.** Removing certain members as chair of standing and procedural committees.  
Author(s): Middleton



Coauthor(s): Schaefer, Shaheen, Vasut

- HR 136.** Commemorating the William "Billy" Leo Foundation BBQ Cookoff in La Joya.  
Author(s): Longoria  
Referred to Resolutions Calendars 356. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 137.** In memory of Thomas Rice Winkelvoss of Mabank.  
Author(s): Bell, Keith  
Referred to Resolutions Calendars 356. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 138.** Congratulating Morgan O'Connor, Kelly Schaar, and Bridey Greeson of the Dunn O'Connor River Ranch on their receipt of a Lone Star Land Steward Award from the Texas Parks and Wildlife Department.  
Author(s): Morrison  
Referred to Resolutions Calendars 356. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 139.** Honoring Claud B. Jacobs for his community service.  
Author(s): Morrison  
Referred to Resolutions Calendars 356. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 140.** Congratulating Dr. Speck Phillips of Victoria on his 100th birthday.  
Author(s): Morrison  
Referred to Resolutions Calendars 356. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 141.** In memory of Kelly Janette Raley Franklin of Victoria.  
Author(s): Morrison  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 142.** Congratulating Dr. Larry Riedel of Victoria on his 92nd birthday.  
Author(s): Morrison  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 143.** Congratulating Presbyterian Day School in Victoria on its 75th anniversary.  
Author(s): Morrison  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 144.** Congratulating Our Lady of the Gulf Catholic School on its 25th anniversary.  
Author(s): Morrison  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 145.** Congratulating Dr. Felix F. Regueira on his retirement.  
Author(s): Morrison  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 146.** In memory of Joaquin Villarreal III of Robstown.  
Author(s): Herrero  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 147.** In memory of Magdalena Sanchez Zapata.  
Author(s): Herrero  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 401. Adopted 401.

- HR 148.** In memory of Felipe Salazar Jr. of Robstown.  
Author(s): Herrero  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 149.** Congratulating the one-act play team from Tuloso-Midway High School in Corpus Christi on winning the 2021 UIL 4A state championship.  
Author(s): Herrero  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 150.** Congratulating Colonel Carlos Tamez on his retirement as commander of the 3rd Medical Training Brigade at Joint Base San Antonio.  
Author(s): Martinez  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 151.** Commending El Paso City Council member Cecilia Lizarraga for her leadership during the COVID-19 pandemic.  
Author(s): Fierro  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 152.** Commending El Paso City Council member Isabel Salcido for her leadership during the COVID-19 pandemic.  
Author(s): Fierro  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 153.** Commending El Paso City Council Representative Peter Svarzbein for his leadership during the COVID-19 pandemic.  
Author(s): Fierro  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 398. Adopted 398.
- HR 154.** Commending El Paso County Commissioner Carl L. Robinson for his leadership during the COVID-19 pandemic.  
Author(s): Fierro  
Referred to Resolutions Calendars 357. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 155.** Commending El Paso County Commissioner David Stout for his leadership during the COVID-19 pandemic.  
Author(s): Fierro  
Referred to Resolutions Calendars 358. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 156.** Commending El Paso County Commissioner Carlos Leon for his leadership during the COVID-19 pandemic.  
Author(s): Fierro  
Referred to Resolutions Calendars 358. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 157.** Commending El Paso County Judge Ricardo A. Samaniego for his leadership during the COVID-19 pandemic.  
Author(s): Fierro  
Referred to Resolutions Calendars 358. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 158.** Congratulating Ray Cogburn of Amarillo on his retirement as executive director of Region 16 Education Service Center.  
Author(s): Price

- Referred to Resolutions Calendars 358. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 159.** Honoring Dr. Barney Graham for his role in developing COVID-19 vaccines.  
Author(s): Dominguez  
Referred to Resolutions Calendars 358. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 160.** Honoring Dr. Bill Gruber for his role in developing COVID-19 vaccines.  
Author(s): Dominguez  
Referred to Resolutions Calendars 358. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 161.** Congratulating Bellanira Flores-Arias on her selection as the 2021 Teacher of the Year at Robstown Early College High School in the Robstown Independent School District.  
Author(s): Herrero  
Referred to Resolutions Calendars 358. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 162.** Congratulating James McCarley on his retirement from McCarley Consultants.  
Author(s): Davis  
Referred to Resolutions Calendars 384. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 163.** In memory of Anthony Standley of Oyster Creek.  
Author(s): Vasut  
Referred to Resolutions Calendars 384. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 164.** Congratulating the Clear Lake High School Lake Robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.  
Author(s): Paul  
Referred to Resolutions Calendars 384. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 165.** Congratulating the Clear Brook High School Astrobots robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.  
Author(s): Paul  
Referred to Resolutions Calendars 384. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 166.** Congratulating the Westbrook Intermediate School Flaming Phoenix robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.  
Author(s): Paul  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 167.** Congratulating the Westbrook Intermediate Rock-it-Bots robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.  
Author(s): Paul  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 168.** Congratulating the North Pointe Elementary School ROCK-IT-BOTS robotics team on its success at the 2021 Live Remote VEX Robotics World Championship.  
Author(s): Paul  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 169.** Congratulating Vincent Hancock of Benbrook on winning a gold medal in skeet shooting at the Summer Olympic Games in Tokyo.  
Author(s): Goldman

- Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 170.** Congratulating Jose A. "Joe" Orobio on his retirement from the Texas Comptroller of Public Accounts.  
Author(s): Goldman  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 171.** In memory of Michael Luther Walker of Jefferson.  
Author(s): Paddie  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 172.** In memory of Sergeant Christopher Ray Wilson of the Texas Parks and Wildlife Department.  
Author(s): Shine  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 173.** Commending David Leebron for his service as President of Rice University and extending sincere best wishes for the future.  
Author(s): Johnson, Ann  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 399. Adopted 399.
- HR 174.** Congratulating Irfan Motiwala on his 50th birthday.  
Author(s): Jetton  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 175.** Congratulating the Reverend Albert Kinder Haynes Sr. of Bethany Missionary Baptist Church in Dallas on his half century of service in the ministry.  
Author(s): Crockett  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 176.** Paying tribute to Officer Mitchell Aaron Penton of the Dallas Police Department and commemorating his posthumous receipt of the Star of Texas Award.  
Author(s): Crockett  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 177.** In memory of William Walter Davis Jr. of Houston.  
Author(s): Dutton  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 178.** Commending Walton-Gray Martin for his service as a legislative aid and extending sincerest best wishes for continued success.  
Author(s): Johnson, Ann  
Referred to Resolutions Calendars 385. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 179.** Commending the Central Texas Veterans Service Organization Alliance for its service during the COVID-19 pandemic and the February 2021 winter storm.  
Author(s): Zwiener  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 180.** Commemorating National Hispanic-Serving Institutions Week in September 2021.  
Author(s): Zwiener

- Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 181.** Commemorating the reopening of the Calaboose African American History Museum in San Marcos.  
Author(s): Zwiener  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 182.** Commending Robert Charles Gonzalez for his service as deputy legislative director and extending sincerest best wishes for continued success.  
Author(s): Johnson, Ann  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 183.** In memory of Sharon Ann Thompson of Kyle.  
Author(s): Zwiener  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 184.** Commending Jacob Pesikoff for his service as a legislative intern and extending sincerest best wishes for continued success.  
Author(s): Johnson, Ann  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 185.** Commending Caitlin Rowley for her service as a legislative aide and extending sincerest best wishes for continued success.  
Author(s): Johnson, Ann  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 186.** Congratulating Jose Flores on his service with the Fort Bend County Constable's Office, Precinct 3.  
Author(s): Jetton  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 187.** In memory of Michael Shane Capps of Carthage.  
Author(s): Paddie  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 188.** In memory of Kate Garrison of Collin County.  
Author(s): González, Jessica  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 189.** In memory of Ralph T. Cloud of El Paso.  
Author(s): Ordaz Perez  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 401. Adopted 401.
- HR 190.** Commemorating the 2021 Garland Labor Day Parade.  
Author(s): Button  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 191.** Honoring the Brotherhood for the Fallen.  
Author(s): Neave  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 400. Adopted 400.

- HR 192.** Commending Natura Resources, LLC, Abilene Christian University, and NEXTRA for their work on the proposed molten salt research reactor at Abilene Christian University.  
Author(s): Lambert  
Referred to Resolutions Calendars 386. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 193.** Honoring Nicholas Granados of the Dallas Fire-Rescue Department on his receipt of a 2021 Star of Texas Award.  
Author(s): Crockett  
Referred to Resolutions Calendars 387. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 194.** Congratulating Mable L. Armstrong on her 80th birthday.  
Author(s): Crockett  
Referred to Resolutions Calendars 387. Rules suspended 362. Laid before the house 400. Adopted 400.
- HR 195.** Congratulating the Cenikor Foundation facility in Corpus Christi on the organization's 55th anniversary.  
Author(s): Herrero

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**SENATE BILLS, HISTORY OF  
IN THE HOUSE**

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**SB 1.** Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.

Author(s): Hughes

House Sponsor(s): Clardy; Jetton; Lozano; Murr; White

Companion document(s): **HB 3**

Received from the senate 42. Read first time 41. Referred to Constitutional Rights & Remedies 41. Committee report filed with committee coordinator 184. Read second time 67. Amendment fails of adoption (1-Anchia) 67. Record vote (RV#10) 67. Statement of vote recorded in journal 68. Amendment offered (2-Murr) 68. Amendment amended (3-Murr) 72. Amendment amended (4-Cain) 73. Amendment to amendment fails of adoption (5-Cole) 74. Record vote (RV#11) 74. Statement of vote recorded in journal 74. Amendment amended (6-Cook, Parker, Noble, and Capriglione) 75. Amendment to amendment fails of adoption (7-S. Thompson) 75. Record vote (RV#12) 75. Statement of vote recorded in journal 76. Amendment adopted as amended (2-Murr) 76. Nonrecord vote recorded in journal 76. Amendment fails of adoption (8-Dutton) 76. Record vote (RV#13) 76. Statement of vote recorded in journal 77. Amendment fails of adoption (9-Cole) 77. Record vote (RV#14) 78. Statement of vote recorded in journal 78. Amendment offered (10-White) 78. Point of order withdrawn-amendment (Rule 11, Section 2) 79. Amendment withdrawn (10-White) 79. Amended (11-Bucy) 79. Record vote (RV#15) 79. Statement of vote recorded in journal 80. Amendment offered (12-Slaton) 81. Point of order withdrawn-amendment (Rule 11, Section 2, and Rule 11, Section 3) 81. Amendment withdrawn (12-Slaton) 81. Amendment fails of adoption (13-Rose) 82. Record vote (RV#16) 82. Statement of vote recorded in journal 82. Amendment fails of adoption (14-E. Morales) 83. Record vote (RV#17) 84. Statement of vote recorded in journal 84. Amendment withdrawn (15-Cain) 85. Amendment fails of adoption (16-E. Morales) 85. Record vote (RV#18) 87. Statement of vote recorded in journal 87. Amendment fails of adoption (17-Bucy) 88. Record vote (RV#19) 89. Statement of vote recorded in journal 89. Amendment fails of adoption (18-Howard) 90. Record vote (RV#20) 90. Statement of vote recorded in journal 91. Amendment fails of adoption (19-Goodwin) 91. Record vote (RV#21) 92. Statement of vote recorded in journal 93. Amended (20-Slaton) 93. Record vote (RV#22) 93. Statement of vote recorded in journal 94. Amendment withdrawn (21-Middleton) 94. Amendment withdrawn (22-Swanson) 95. Amendment fails of adoption (23-Perez) 95. Record vote (RV#23) 95. Statement of vote recorded in journal 96. Amendment fails of adoption (24-Dutton) 96. Record vote (RV#24) 96. Statement of vote recorded in journal 97. Amendment fails of adoption (25-Dutton) 97. Record vote (RV#25) 98. Statement of vote recorded in journal 98. Amendment fails of adoption (26-Zwiener) 99. Record vote (RV#26) 99. Statement of vote recorded in journal 100. Amendment fails of adoption (27-Bucy) 100. Record vote (RV#27) 101. Statement of vote recorded in journal 101. Amendment fails of adoption (28-Neave) 102. Record vote (RV#28) 102. Statement of vote recorded in journal 103. Amended (29-Klick) 103. Nonrecord vote recorded in journal 104. Amended (30-Slaton) 104. Record vote (RV#29) 104. Statement of vote recorded in journal 105. Amended (31-Schofield) 105. Record vote (RV#30) 109. Statement of vote recorded in journal 109. Amended (32-Klick and S. Thompson) 110. Amendment fails of adoption (33-Dutton) 111. Record vote (RV#31) 111. Statement of vote recorded in journal 112. Amendment fails of adoption (34-Anchia) 112. Record vote (RV#32) 112. Statement of vote recorded in journal 113. Amendment fails of adoption (35-Dominguez) 113. Record vote (RV#33) 113. Statement of vote recorded in journal 114. Amendment fails of adoption (36-Rosenthal) 114. Record vote (RV#34) 114. Statement of vote recorded in journal 115. Amendment fails of adoption (37-J. Turner) 115. Record vote (RV#35) 115. Statement of vote recorded in journal 116. Amendment fails of adoption (38-Zwiener) 116. Record vote (RV#36) 117. Statement of vote recorded in journal

117. Amended (39-Clardy) 118. Record vote (RV#37) 118. Statement of vote recorded in journal 119. Amendment fails of adoption (40-Ortega) 119. Record vote (RV#38) 124. Statement of vote recorded in journal 125. Amendment fails of adoption (41-Zwiener) 125. Record vote (RV#39) 127. Statement of vote recorded in journal 127. Amendment fails of adoption (42-Zwiener) 128. Record vote (RV#40) 128. Statement of vote recorded in journal 128. Amendment fails of adoption (43-M. González) 129. Record vote (RV#41) 129. Statement of vote recorded in journal 129. Amendment fails of adoption (44-M. González) 130. Record vote (RV#42) 130. Statement of vote recorded in journal 131. Amendment fails of adoption (45-Moody) 131. Record vote (RV#43) 131. Statement of vote recorded in journal 132. Amendment fails of adoption (46-M. González) 132. Record vote (RV#44) 132. Statement of vote recorded in journal 133. Amendment fails of adoption (47-Neave) 133. Record vote (RV#45) 133. Statement of vote recorded in journal 134. Amendment fails of adoption (48-Dominguez) 134. Record vote (RV#46) 135. Statement of vote recorded in journal 135. Amendment fails of adoption (49-J. Turner) 136. Record vote (RV#47) 136. Statement of vote recorded in journal 137. Amendment offered (50-Allison) 137. Amendment amended (51-Cain) 138. Record vote (RV#48) 139. Statement of vote recorded in journal 139. Amendment adopted as amended (50-Allison) 140. Record vote (RV#49) 140. Statement of vote recorded in journal 140. Amendment fails of adoption (52-S. Thompson) 141. Record vote (RV#50) 141. Statement of vote recorded in journal 142. Amendment fails of adoption (53-Walle) 142. Record vote (RV#51) 142. Statement of vote recorded in journal 143. Amendment fails of adoption (54-Rose) 143. Record vote (RV#52) 144. Statement of vote recorded in journal 144. Amendment offered (55-Jetton) 145. Amendment amended (56-Jetton) 151. Nonrecord vote recorded in journal 152. Amendment adopted as amended (55-Jetton) 152. Record vote (RV#53) 152. Statement of vote recorded in journal 152. Amendment offered (57-Schofield) 153. Point of order withdrawn-amendment (Rule 11, Section 2) 162. Amendment withdrawn (57-Schofield) 162. Amended (58-Cain and Burrows) 162. Amendment fails of adoption (59-Zwiener) 162. Record vote (RV#54) 163. Statement of vote recorded in journal 163. Amendment fails of adoption (60-Rose) 164. Record vote (RV#55) 164. Statement of vote recorded in journal 165. Amendment fails of adoption (61-Neave) 165. Record vote (RV#56) 166. Statement of vote recorded in journal 166. Amendment offered (62-Krause) 167. Point of order withdrawn-amendment (Rule 11, Section 2) 167. Amendment withdrawn (62-Krause) 167. Amended (63-Clardy and Middleton) 167. Nonrecord vote recorded in journal 168. Passed to third reading as amended 168. Record vote (RV#57) 168. Statement of vote recorded in journal 169. Reason for vote recorded in journal 169. Read third time 187. Passed 187. Record vote (RV#61) 187. Statement of vote recorded in journal 187. Reason for vote recorded in journal 188. Senate refuses to concur-reported 271. Senate requests conference committee-reported 271. Senate appoints conferees-reported 271. House grants request for conference committee 267. Motion to instruct conferees 267. Motion prevails 267. House appoints conferees 267. House adopts conference committee report 316. Record vote (RV#118) 319. Statement of vote recorded in journal 320. Senate adopts conference committee report-reported 359. Signed in the house 358.

**SB 2.** Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.

Author(s): Perry

Companion document(s): **HB 25; HB 96**

Received from the senate 42. Read first time 41. Referred to Public Education 41.

**SB 3.** Relating to civics training programs for certain public school social studies teachers and principals, parental access to certain learning management systems, and certain curriculum in public schools, including certain instructional requirements and prohibitions.

Author(s): Hughes

House Sponsor(s): Huberty; Metcalf; Toth; White



Received from the senate 42. Read first time 41. Referred to Public Education 41. Committee report filed with committee coordinator 360. Read second time 364. Amended (1-Huberty) 364. Statement of legislative intent recorded in journal 366. Amendment offered (2-Huberty) 366. Amendment amended (3-M. González) 367. Amendment adopted as amended (2-Huberty) 367. Amendment fails of adoption (4-Goodwin) 367. Record vote (RV#142) 368. Statement of vote recorded in journal 368. Amendment fails of adoption (5-Hinojosa) 369. Record vote (RV#143) 369. Statement of vote recorded in journal 369. Amendment fails of adoption (6-Patterson) 370. Record vote (RV#144) 370. Statement of vote recorded in journal 370. Amendment fails of adoption (7-Goodwin) 371. Record vote (RV#145) 371. Statement of vote recorded in journal 372. Amendment fails of adoption (8-Allen) 372. Nonrecord vote recorded in journal 372. Amendment fails of adoption (9-M. González) 372. Record vote (RV#146) 372. Statement of vote recorded in journal 373. Amendment offered (10-Bernal) 373. Point of order withdrawn-amendment (Rule 11, Section 2) 374. Amendment withdrawn (10-Bernal) 374. Amended (11-Patterson and Shaheen) 374. Amended (12-VanDeaver) 374. Amended (13-VanDeaver) 374. Passed to third reading as amended 374. Record vote (RV#147) 374. Statement of vote recorded in journal 375. Reason for vote recorded in journal 376. Read third time 390. Passed 390. Record vote (RV#150) 390. Statement of vote recorded in journal 390. Reason for vote recorded in journal 391. Signed in the house 403. Senate concurs in house amendments-reported 403.

**SB 4.** Relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense.

Author(s): Lucio

House Sponsor(s): Cook; Frank; Klick; Noble; Oliverson

Companion document(s): **HB 6**

Received from the senate 42. Read first time 41. Referred to Public Health 41. Committee report filed with committee coordinator 184. Read second time 291. Amendment fails of adoption (1-Zwiener) 291. Record vote (RV#99) 292. Statement of vote recorded in journal 292. Amendment fails of adoption (2-Moody) 293. Record vote (RV#100) 293. Statement of vote recorded in journal 293. Amendment fails of adoption (3-Hinojosa) 294. Record vote (RV#101) 294. Statement of vote recorded in journal 294. Amendment fails of adoption (4-J.E. Johnson) 295. Record vote (RV#102) 295. Statement of vote recorded in journal 295. Amendment fails of adoption (5-A. Johnson) 295. Record vote (RV#103) 296. Statement of vote recorded in journal 296. Amendment fails of adoption (6-Bucy) 297. Record vote (RV#104) 297. Statement of vote recorded in journal 297. Amendment fails of adoption (7-Howard) 297. Record vote (RV#105) 298. Statement of vote recorded in journal 298. Point of order withdrawn (Rule 4, Section 32(c)) 298. Amendment fails of adoption (8-Goodwin) 299. Record vote (RV#106) 299. Statement of vote recorded in journal 299. Amendment fails of adoption (9-Rosenthal) 300. Record vote (RV#107) 300. Statement of vote recorded in journal 300. Amendment fails of adoption (10-Coleman) 301. Record vote (RV#108) 301. Statement of vote recorded in journal 301. Amendment fails of adoption (11-C. Turner) 302. Record vote (RV#109) 302. Statement of vote recorded in journal 303. Amendment fails of adoption (12-Cole) 303. Record vote (RV#110) 303. Statement of vote recorded in journal 304. Amendment fails of adoption (13-J. González) 304. Record vote (RV#111) 304. Statement of vote recorded in journal 305. Amendment fails of adoption (14-A. Johnson) 305. Record vote (RV#112) 305. Statement of vote recorded in journal 306. Amendment fails of adoption (15-Morales Shaw) 306. Record vote (RV#113) 306. Statement of vote recorded in journal 306. Amendment withdrawn (16-A. Johnson) 307. Amendment fails of adoption (17-Rosenthal) 307. Record vote (RV#114) 307. Statement of vote recorded in journal 308. Point of order withdrawn (Rule 8, Section 1(a)(1)) 308. Passed to third reading 308. Record vote (RV#115) 308. Statement of vote recorded in journal 309. Reason for vote recorded in journal

310. Read third time 324. Passed 324. Record vote (RV#121) 324. Statement of vote recorded in journal 325. Reason for vote recorded in journal 325. Signed in the house 358.

- SB 5.** Relating to complaint procedures and disclosure requirements for, and to the censorship of users' expressions by, social media platforms.

Author(s): Hughes

Received from the senate 42. Read first time 41. Referred to Constitutional Rights & Remedies 41.

- SB 6.** 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.

Author(s): Huffman

House Sponsor(s): Cook; Harless; Kacal; Smith

Companion document(s): **HB 12**

Received from the senate 42. Read first time 41. Referred to Constitutional Rights & Remedies 41. Committee report filed with committee coordinator 184. Read second time 236. Postponed 237. Laid out as postponed business 245. Amendment offered (1-Smith) 245. Amendment amended (2-Moody) 248. Amendment adopted as amended (1-Smith) 248. Amended (3-Smith) 248. Amended (4-Smith) 248. Amendment fails of adoption (5-A. Johnson) 248. Amended (6-A. Johnson) 252. Amendment fails of adoption (7-Moody) 252. Record vote (RV#89) 255. Statement of vote recorded in journal 256. Amended (8-Clardy) 256. Amendment fails of adoption (9-C. Turner) 263. Record vote (RV#90) 263. Statement of vote recorded in journal 263. Passed to third reading as amended 264. Record vote (RV#91) 264. Statement of vote recorded in journal 264. Reason for vote recorded in journal 265. Read third time 287. Amended (1-Moody) 288. Passed as amended 288. Record vote (RV#97) 288. Statement of vote recorded in journal 288. Senate concurs in house amendments-reported 359. Signed in the house 358.

- SB 7.** Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

Author(s): Huffman

House Sponsor(s): Ashby; Bonnen; Darby; Parker; Rogers

Companion document(s): **HB 8**; **HB 206**

Received from the senate 42. Read first time 41. Referred to Appropriations 41. Committee report filed with committee coordinator 184. Read second time 266. Amendment offered (1-Allen) 266. Point of order withdrawn-amendment (Rule 11, Section 2) 267. Amendment withdrawn (1-Allen) 267. Passed to third reading 267. Read third time 289. Statement of legislative intent recorded in journal 289. Passed 289. Record vote (RV#98) 289. Statement of vote recorded in journal 290. Reason for vote recorded in journal 291. Signed in the house 358.

- SB 8.** Relating to the authority of a person who acquires a residence homestead to receive an ad valorem tax exemption for the homestead in the year in which the property is acquired and to the protection of school districts against the resulting loss in revenue.

Author(s): Bettencourt

House Sponsor(s): Burrows; Metcalf; Meyer; Noble; Shine

Companion document(s): **HB 4**

Received from the senate 42. Read first time 41. Referred to Ways & Means 41. Committee report filed with committee coordinator 184. Read second time 176. Passed to third reading 176. Nonrecord vote recorded in journal 176. Read third time 195. Passed 195. Record vote (RV#62) 195. Statement of vote recorded in journal 195. Signed in the house 313.

- SB 9.** Relating to public school instruction and materials regarding the prevention of child abuse, family violence, dating violence, and sex trafficking and the adoption of public school policies to prevent dating violence.  
Author(s): Huffman; West  
House Sponsor(s): Anchia; Dutton; Perez  
Received from the senate 43. Read first time 41. Referred to Public Education 41. Committee report filed with committee coordinator 360. Read second time 377. Amended (1-Dutton) 378. Amended (2-Shaheen) 378. Amended (3-Schaefer) 379. Passed to third reading as amended 379. Read third time 392. Passed 392. Record vote (RV#151) 392. Statement of vote recorded in journal 393. Signed in the house 403. Senate concurs in house amendments-reported 403.
- SB 12.** Relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate and to the protection of school districts against the resulting loss in local revenue.  
Author(s): Bettencourt; Kolkhorst  
House Sponsor(s): Burrows; Button; Guillen; Metcalf; Meyer  
Companion document(s): **HB 11**  
Received from the senate 43. Read first time 41. Referred to Ways & Means 41. Committee report filed with committee coordinator 184. Read second time 176. Amended (1-Meyer) 177. Passed to third reading as amended 177. Nonrecord vote recorded in journal 177. Read third time 196. Passed 196. Record vote (RV#63) 196. Statement of vote recorded in journal 197. Senate concurs in house amendments-reported 313. Signed in the house 313.
- SB 13.** Relating to dates of certain elections to be held in 2022.  
Author(s): Huffman  
House Sponsor(s): Hunter  
Companion document(s): **HB 15**  
Received from the senate 43. Read first time 41. Referred to Constitutional Rights & Remedies 41. Committee report filed with committee coordinator 59. Read second time 177. Amended (1-Hunter) 179. Passed to third reading as amended 180. Record vote (RV#59) 180. Statement of vote recorded in journal 180. Read third time 197. Passed 197. Record vote (RV#64) 197. Statement of vote recorded in journal 198. Reason for vote recorded in journal 198. Senate concurs in house amendments-reported 313. Signed in the house 313.
- SB 14.** Relating to the regulation by a municipality or county of certain employment benefits and policies.  
Author(s): Creighton  
House Sponsor(s): Burrows; Geren; King, Phil; Metcalf; Paddie  
Companion document(s): **HB 10**  
Received from the senate 43. Read first time 41. Referred to State Affairs 41. Committee report filed with committee coordinator 271. Read second time 333. Amendment fails of adoption (1-A. Johnson) 333. Record vote (RV#123) 334. Statement of vote recorded in journal 334. Amendment fails of adoption (2-Cole) 334. Record vote (RV#124) 334. Statement of vote recorded in journal 335. Amendment fails of adoption (3-Rosenthal) 335. Record vote (RV#125) 335. Statement of vote recorded in journal 336. Amendment fails of adoption (4-Bernal) 336. Record vote (RV#126) 336. Statement of vote recorded in journal 337. Amendment fails of adoption (5-Morales Shaw) 337. Record vote (RV#127) 338. Statement of vote recorded in journal 338. Amendment fails of adoption (6-Zwiener) 339. Record vote (RV#128) 339. Statement of vote recorded in journal 339. Amendment fails of adoption (7-Howard) 340. Record vote (RV#129) 340. Statement of vote recorded in journal 341. Amendment fails of adoption (8-Goodwin) 341. Record vote (RV#130) 341. Statement of vote recorded in journal 342. Amendment fails of adoption (9-Neave)

342. Record vote (RV#131) 342. Statement of vote recorded in journal 343. Amended (10-Burrows) 343. Amendment fails of adoption (11-Perez) 343. Record vote (RV#132) 344. Statement of vote recorded in journal 344. Amendment fails of adoption (12-Ortega) 345. Record vote (RV#133) 345. Statement of vote recorded in journal 345. Amendment fails of adoption (13-Cole) 346. Record vote (RV#134) 346. Statement of vote recorded in journal 346. Amendment fails of adoption (14-Cole) 347. Record vote (RV#135) 347. Statement of vote recorded in journal 348. Amendment fails of adoption (15-Hinojosa) 348. Record vote (RV#136) 348. Statement of vote recorded in journal 349. Amendment fails of adoption (16-Fierro) 349. Record vote (RV#137) 349. Statement of vote recorded in journal 350. Amendment fails of adoption (17-M. González) 350. Record vote (RV#138) 350. Statement of vote recorded in journal 351. Amendment fails of adoption (18-Ordaz Perez) 351. Record vote (RV#139) 351. Statement of vote recorded in journal 352. Amendment offered (19-Middleton) 352. Point of order withdrawn-amendment (Rule 11, Section 2) 353. Amendment withdrawn (19-Middleton) 353. Amendment fails of adoption (20-Walle) 353. Record vote (RV#140) 353. Statement of vote recorded in journal 353. Point of order sustained (Article III, Section 40) 354. Returned to committee 354.

**SB 15.** Relating to virtual and off-campus electronic instruction at a public school, the satisfaction of teacher certification requirements through an internship teaching certain virtual courses, and the allotment for certain special-purpose school districts under the Foundation School Program.

Author(s): Taylor

House Sponsor(s): Bell, Keith; Bonnen; Huberty; King, Ken; VanDeaver

Companion document(s): **HB 30**; **HB 172**

Received from the senate 43. Read first time 41. Referred to Public Education 41. Committee report filed with committee coordinator 184. Read second time 237. Amendment offered (1-K. Bell) 237. Amendment amended (2-K. Bell) 241. Amendment adopted as amended (1-K. Bell) 241. Amendment fails of adoption (3-M. González) 241. Amendment fails of adoption (4-M. González) 242. Amendment fails of adoption (5-J. Turner) 242. Record vote (RV#87) 242. Statement of vote recorded in journal 243. Amended (6-Huberty and K. Bell) 243. Passed to third reading as amended 243. Record vote (RV#88) 243. Statement of vote recorded in journal 244. Read third time 286. Passed 286. Record vote (RV#96) 286. Statement of vote recorded in journal 287. Senate concurs in house amendments-reported 359. Signed in the house 358.

**SB 91.** Relating to a temporary reduction in the maximum compressed tax rate of a school district and the form of the ballot proposition to be used in an election to approve a tax rate adopted by a school district that exceeds the district's voter-approval tax rate; making an appropriation.

Author(s): Bettencourt

Received from the senate 387.

**SB 97.** Relating to processes to address election irregularities; providing a civil penalty.

Author(s): Bettencourt

Companion document(s): **HB 244**

Received from the senate 403.

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**SENATE JOINT RESOLUTIONS, HISTORY OF  
IN THE HOUSE**

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**SJR 2.** Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.

Author(s): Bettencourt; Kolkhorst

House Sponsor(s): Burrows; Metcalf; Meyer; Noble; Sanford

Companion document(s): **HJR 2; HJR 26**

Received from the senate 43. Read first time 41. Referred to Ways & Means 41. Committee report filed with committee coordinator 184. Read second time 66. Postponed 66. Record vote (RV#9) 66. Statement of vote recorded in journal 66. Laid out as postponed business 174. Adopted 175. Record vote (RV#58) 175. Statement of vote recorded in journal 175. Signed in the house 313.

**SJR 3.** 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.

Author(s): Huffman

House Sponsor(s): Cook; Kacal; Smith

Companion document(s): **HJR 1**

Received from the senate 43. Read first time 41. Referred to Constitutional Rights & Remedies 41. Committee report filed with committee coordinator 59. Read second time 200. Amendment offered (1-A. Johnson) 200. Postponed 200. Laid out as postponed business 225. Amendment fails of adoption (1-A. Johnson) 225. Record vote (RV#81) 225. Statement of vote recorded in journal 226. Amended (2-Dominguez) 226. Passed to third reading as amended 226. Record vote (RV#82) 226. Statement of vote recorded in journal 227. Reason for vote recorded in journal 227. Read third time 281. Postponed 281. Laid out as postponed business 311. Amended (1-Kacal) 311. Failed of adoption 312. Record vote (RV#116) 312. Statement of vote recorded in journal 312.

HOUSE BILLS AND RESOLUTIONS  
AUTHORS OF

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**Allen, Alma A.:**

No bills were filed by this representative.

**Allison, Steve:**

**HB 157**, Relating to the ad valorem taxation of residential real property. —A15

**HB 158**, Relating to a study of the desirability, feasibility, and effects of various measures to limit or reduce the burden of ad valorem taxes on property owners. —A16

**HJR 20**, Proposing a constitutional amendment authorizing the legislature to limit the maximum appraised value of residential real property for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year, to exempt from ad valorem taxation the total appraised value of property purchased by an individual for the first tax year the individual qualifies the property as the individual's residence homestead if the property is the individual's first residence homestead and has an appraised value of less than \$300,000, and to limit the total amount of ad valorem taxes that a political subdivision may impose on the residence homestead of an individual and the surviving spouse of the individual if the individual qualifies the property as the individual's residence homestead for at least 25 consecutive tax years. —A27

**Anchia, Rafael:**

**HB 227**, Relating to a policy requiring the use of face masks, face shields, or other face coverings and providing notice to a parent or guardian regarding a positive coronavirus disease (COVID-19) test for a person assigned to a student's classroom in public schools. —A21

**Anderson, Charles "Doc":**

No bills were filed by this representative.

**Ashby, Trent:**

No bills were filed by this representative.

**Bailes, Ernest:**

No bills were filed by this representative.

**Beckley, Michelle:**

No bills were filed by this representative.

**Bell Jr., Cecil:**

**HB 210**, Relating to the allocation and deposit of certain surplus state revenue to the property tax relief fund for use in reducing school district maintenance and operations ad valorem taxes. —A19

**Bell, Keith:**

**HB 30**, Relating to virtual instruction and off-campus electronic instruction at a public school, certain requirements for certification as a teacher for virtual instruction only, and the allotment for special-purpose school districts under the Foundation School Program. —A6

**HR 73**, Commemorating the 150th anniversary of the First Baptist Church of Kaufman. —A33

**HR 74**, Commemorating the 75th anniversary of the Kaufman Lions Club youth baseball and softball program. —A34

**Bell, Keith: — (continued)**

**HR 137**, In memory of Thomas Rice Winkelvoss of Mabank. —A39

**Bernal, Diego M.:**

No bills were filed by this representative.

**Biedermann, Kyle:**

No bills were filed by this representative.

**Bonnen, Greg:**

**HB 1**, Relating to making appropriations for the legislature and legislative agencies. —A1

**HB 5**, Relating to making supplemental appropriations and giving direction regarding appropriations. —A1

**HB 9**, Relating to making supplemental appropriations relating to border security and giving direction regarding those appropriations. —A2

**Bowers, Rhetta Andrews:**

No bills were filed by this representative.

**Buckley, Brad:**

**HB 143**, Relating to the period for which the comptroller of public accounts is required to use a school district's local value in determining the total taxable value of property in the district if the comptroller determines that the district is an eligible district. —A14

**HB 153**, Relating to the school district property value study conducted by the comptroller of public accounts. —A15

**HR 12**, Congratulating James Cook Jr. of Killeen ISD on being named the 2022 ESC Region 12 Elementary Teacher of the Year. —A29

**Bucy III, John H.:**

**HB 212**, Relating to electronic voter registration. —A20

**HB 213**, Relating to acceptable forms of identification for voting. —A20

**HB 214**, Relating to the days and hours during which the polls are open for early voting by personal appearance. —A20

**HB 215**, Relating to early voting by mail by any qualified voter. —A20

**HB 216**, Relating to the procedures for voting after changing residence to another county. —A20

**HB 217**, Relating to the secretary of state posting on the secretary of state's Internet website databases containing certain information about elections. —A20

**HB 218**, Relating to notifications given to a person convicted of a felony concerning the person's eligibility to vote. —A20

**HB 219**, Relating to the registration of voters at a polling place and related procedures. —A20

**HB 220**, Relating to the electronic transmission of a ballot to a voter voting early by mail on the ground of absence from the county of residence. —A20

**HB 221**, Relating to accommodating voters with a disability. —A20

**HB 224**, Relating to the designation of certain election days as state holidays. —A20

**Bucy III, John H.: — (continued)**

**HB 225**, Relating to establishing a joint select committee to study the feasibility and sustainability of providing a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas. —A20

**HB 234**, Relating to the expansion of eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act. —A21

**HJR 28**, Proposing a constitutional amendment requiring the state to expand eligibility for Medicaid to certain persons under the federal Patient Protection and Affordable Care Act. —A28

**Burns, DeWayne:**

**No bills were filed by this representative.**

**Burrows, Dustin:**

**HB 235**, Relating to the date on which a home rule municipality may order an election for proposed charter amendments. —A21

**HJR 24**, Proposing a constitutional amendment reducing The University of Texas System's share of the income and other benefits of the permanent university fund, transferring to the national research university fund and general revenue fund a portion of the annual distribution made from the permanent university fund to the available university fund, and dedicating the portion transferred to the general revenue fund to provide for the support and maintenance of public institutions of higher education. —A27

**HR 123**, Expressing the beliefs of the House regarding prosecution for the offense of illegal voting. —A37

**Button, Angie Chen:**

**HR 190**, Commemorating the 2021 Garland Labor Day Parade. —A43

**Cain, Briscoe:**

**HB 20**, Relating to censorship of or certain other interference with digital expression, including expression on social media platforms or through electronic mail messages. —A5

**HB 187**, Relating to the authority of a political subdivision to provide a guaranteed universal basic income. —A18

**HR 97**, In memory of H Scott Apley of Dickinson. —A35

**HR 132**, Impeaching and suspending from office Judge Chris Morton, Judge of the 230th Judicial District. —A38

**Campos, Elizabeth "Liz":**

**No bills were filed by this representative.**

**Canales, Terry:**

**No bills were filed by this representative.**

**Capriglione, Giovanni:**

**HB 162**, Relating to limitations on increases in the appraised value for ad valorem tax purposes of residence homesteads and single-family residences other than residence homesteads. —A16

**HB 163**, Relating to the reporting of political expenditures made by certain persons or entities before and during a special session of the legislature. —A16

**HB 223**, Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas. —A20



**Capriglione, Giovanni: — (continued)**

**HJR 22**, Proposing a constitutional amendment to authorize the legislature to establish a lower limit on the maximum appraised value of residence homesteads for ad valorem tax purposes and to establish a limit on the value of single-family residences other than residence homesteads for those purposes. —A27

**Cason, Jeff:**

**HB 127**, Relating to prohibiting face covering mandates for public school students. —A13

**HB 243**, Relating to workers' compensation benefits for injuries caused by employer-required COVID-19 vaccines and payment of those benefits. —A22

**Clardy, Travis:**

**No bills were filed by this representative.**

**Cole, Sheryl:**

**HR 88**, In memory of Ada Cecilia Collins Anderson of Austin. —A35

**HR 122**, Congratulating Texas Terry of Lexington on winning the 2021 U.S. Kids Golf World Championship in the under-eight division. —A37

**Coleman, Garnet F.:**

**No bills were filed by this representative.**

**Collier, Nicole:**

**HR 65**, Congratulating the Cenikor Foundation facility in Fort Worth on the organization's 55th anniversary. —A33

**Cook, David:**

**HB 161**, Relating to a restriction on the authority of an appraisal district to increase the appraised value of a residence homestead for ad valorem tax purposes for the tax year following a tax year in which the appraised value of the property is lowered as a result of an agreement, protest, or appeal. —A16

**HB 240**, Relating to the compensation and professional representation of students participating in University Interscholastic League activities. —A22

**HR 106**, In memory of former state representative Toby Ray Goodman of Mansfield. —A36

**Cortez, Philip:**

**No bills were filed by this representative.**

**Craddick, Tom:**

**HR 10**, Congratulating James M. Alsop for receiving the West Texan by Nature Award from the Sibley Nature Center. —A23

**HCR 11**, In memory of Katharyn Carterette Bock of New Braunfels. —A23

**HCR 12**, Commemorating the 125th anniversary of the founding of St. Ann's Catholic Church in Midland. —A24

**Crockett, Jasmine:**

**HR 175**, Congratulating the Reverend Albert Kinder Haynes Sr. of Bethany Missionary Baptist Church in Dallas on his half century of service in the ministry. —A42

**HR 176**, Paying tribute to Officer Mitchell Aaron Penton of the Dallas Police Department and commemorating his posthumous receipt of the Star of Texas Award. —A42

**Crockett, Jasmine: — (continued)**

**HR 193**, Honoring Nicholas Granados of the Dallas Fire-Rescue Department on his receipt of a 2021 Star of Texas Award. —A44

**HR 194**, Congratulating Mable L. Armstrong on her 80th birthday. —A44

**Cyrier, John P.:**

**No bills were filed by this representative.**

**Darby, Drew:**

**HB 78**, Relating to a pilot project to provide emergency telemedicine medical services and telehealth services in rural areas. —A9

**HB 115**, Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas. —A12

**HR 96**, Amending House Rule 4 Section 9, and Rule 5, Sections 3 and 8. —A35

**Davis, Yvonne:**

**HR 76**, Congratulating Kenneth Barr on his receipt of the 2021 Drive to Excellence Award from the North Texas Tollway Authority. —A34

**HR 124**, Congratulating television sportscaster Dale Hansen on his retirement from WFAA in Dallas. —A38

**HR 162**, Congratulating James McCarley on his retirement from McCarley Consultants. —A41

**Dean, Jay:**

**No bills were filed by this representative.**

**Deshotel, Joe:**

**No bills were filed by this representative.**

**Dominguez, Alex:**

**HB 177**, Relating to certain benefits paid by the Teacher Retirement System of Texas. —A17

**HB 178**, Relating to the methods by which students may be admitted to public schools or transfer within a school district and the disclosure of information regarding public school admission methods. —A17

**HB 179**, Relating to funding for school districts to provide inclusive and accessible playgrounds. —A17

**HB 184**, Relating to excused absences from public school caused by circumstances arising out of a statewide or local disaster. —A17

**HB 194**, Relating to the display of emergency and other notices by a governmental entity on the entity's Internet website. —A18

**HB 195**, Relating to the establishment by the Texas Workforce Commission of a workplace soft skills training pilot program. —A18

**HB 196**, Relating to requiring the disclosure of fees charged for the sale of concert and other event tickets. —A18

**HB 197**, Relating to the members of the governing body of an independent organization certified for the ERCOT power region. —A18

**HB 198**, Relating to the enforcement of parking privileges for people with disabilities; increasing criminal fines; authorizing a fee. —A18

**HB 199**, Relating to the composition and duties of the Public Health Funding and Policy Committee. —A18

**Dominguez, Alex: — (continued)**

- HB 201**, Relating to a biennial report by the Texas Division of Emergency Management regarding building trade services following disasters. —A19
- HB 202**, Relating to emergency management for cybersecurity events threatening this state. —A19
- HB 203**, Relating to requiring public schools to offer a virtual learning option during a disaster. —A19
- HJR 27**, Proposing a constitutional amendment prohibiting the governor from vetoing an item of appropriation made to the legislative or judicial branch of state government, including to an agency the primary purpose of which is to assist those branches of government. —A28
- HR 159**, Honoring Dr. Barney Graham for his role in developing COVID-19 vaccines. —A41
- HR 160**, Honoring Dr. Bill Gruber for his role in developing COVID-19 vaccines. —A41

**Dutton Jr., Harold V.:**

- HB 134**, Relating to the name used by a candidate on an application for a place on the ballot and the form of a candidate's name on a ballot; creating a civil penalty. —A14
- HB 164**, Relating to a policy requiring the use of face coverings in public schools. —A16
- HR 177**, In memory of William Walter Davis Jr. of Houston. —A42

**Fierro, Art:**

- HB 89**, Relating to the designation of certain election days as state holidays. —A10
- HB 90**, Relating to the eligibility of certain persons younger than 18 years of age to preregister to vote. —A10
- HB 91**, Relating to the opportunity to correct a vote by mail application. —A10
- HB 92**, Relating to temporary branch polling places. —A10
- HB 93**, Relating to voting outside of the polling place. —A10
- HR 104**, In memory of Vietnam War correspondent and author Joe Galloway. —A36
- HR 105**, Congratulating Erica Marin on her appointment as director of the El Paso Museum of History. —A36
- HR 151**, Commending El Paso City Council member Cecilia Lizarraga for her leadership during the COVID-19 pandemic. —A40
- HR 152**, Commending El Paso City Council member Isabel Salcido for her leadership during the COVID-19 pandemic. —A40
- HR 153**, Commending El Paso City Council Representative Peter Svarzbein for his leadership during the COVID-19 pandemic. —A40
- HR 154**, Commending El Paso County Commissioner Carl L. Robinson for his leadership during the COVID-19 pandemic. —A40
- HR 155**, Commending El Paso County Commissioner David Stout for his leadership during the COVID-19 pandemic. —A40
- HR 156**, Commending El Paso County Commissioner Carlos Leon for his leadership during the COVID-19 pandemic. —A40

**Fierro, Art: — (continued)**

**HR 157**, Commending El Paso County Judge Ricardo A. Samaniego for his leadership during the COVID-19 pandemic. —A40

**Frank, James:**

**HB 239**, Relating to a temporary reduction in the maximum compressed tax rate of a school district; making an appropriation. —A22

**Frullo, John M.:**

**No bills were filed by this representative.**

**Gates, Gary:**

**HB 129**, Relating to the operation by a school district of a vocational education program to provide eligible high school students with vocational and educational training under a plan for the issuance of a high school diploma and the application of certain student-based allotments under the public school finance system. —A13

**Geren, Charlie:**

**HR 117**, Commemorating the release of the motion picture 12 Mighty Orphans, filmed in Fort Worth. —A37

**Gervin-Hawkins, Barbara:**

**No bills were filed by this representative.**

**Goldman, Craig:**

**HR 169**, Congratulating Vincent Hancock of Benbrook on winning a gold medal in skeet shooting at the Summer Olympic Games in Tokyo. —A41

**HR 170**, Congratulating Jose A. "Joe" Orobio on his retirement from the Texas Comptroller of Public Accounts. —A42

**González, Jessica:**

**HR 188**, In memory of Kate Garrison of Collin County. —A43

**González, Mary E.:**

**No bills were filed by this representative.**

**Goodwin, Vikki:**

**HB 245**, Relating to personal leave provided for a public school teacher who must isolate due to exposure to or testing positive for certain diseases. —A22

**Guerra, R. D. "Bobby":**

**HB 135**, Relating to expanding eligibility for medical assistance to certain persons under the federal Patient Protection and Affordable Care Act. —A14

**Guillen, Ryan:**

**HB 172**, Relating to virtual and off-campus electronic instruction at a public school, the satisfaction of teacher certification requirements through an internship teaching certain virtual courses, and the allotment for certain special-purpose school districts under the Foundation School Program. —A17

**HB 204**, Relating to the safety of a referee, judge, or other official at a public school extracurricular activity and prohibiting certain conduct by a spectator related to those officials' safety. —A19

**HR 58**, In memory of Dr. Joe David Townsend of South Padre Island. —A32

**HR 59**, In memory of Joseph LaMantia Jr. of McAllen. —A32

**Guillen, Ryan: — (continued)**

**HR 60**, In memory of Abel N. Gonzalez Sr. and Maria Elia Solis Gonzalez of Rio Grande City. —A32

**HR 61**, In memory of Arcadio Jesus Salinas Jr. of Rio Grande City. —A33

**HR 62**, In memory of Roy and Lucy Cantu of Rio Grande City. —A33

**HR 63**, In memory of Alberto Barrera of Rio Grande City. —A33

**HR 68**, Congratulating Elva Yolanda Morado on her retirement from the Texas A&M AgriLife Extension Service. —A33

**Harless, Sam:**

**No bills were filed by this representative.**

**Harris, Cody:**

**HR 125**, Commending Jac Darsnek for preserving Texas history through his Traces of Texas online photography project. —A38

**Hefner, Cole:**

**HB 96**, Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex. —A10

**HB 185**, Relating to requirements for a voting system to be used in an election in this state. —A17

**Hernandez, Ana:**

**No bills were filed by this representative.**

**Herrero, Abel:**

**HR 146**, In memory of Joaquin Villarreal III of Robstown. —A39

**HR 147**, In memory of Magdalena Sanchez Zapata. —A39

**HR 148**, In memory of Felipe Salazar Jr. of Robstown. —A40

**HR 149**, Congratulating the one-act play team from Tuloso-Midway High School in Corpus Christi on winning the 2021 UIL 4A state championship. —A40

**HR 161**, Congratulating Bellanira Flores-Arias on her selection as the 2021 Teacher of the Year at Robstown Early College High School in the Robstown Independent School District. —A41

**HR 195**, Congratulating the Cenikor Foundation facility in Corpus Christi on the organization's 55th anniversary. —A44

**Hinojosa, Gina:**

**No bills were filed by this representative.**

**Holland, Justin:**

**HB 222**, Relating to a border operations training program for peace officers employed by local law enforcement agencies. —A20

**HR 107**, In memory of Shirley Smith Shoquist of Rockwall. —A36

**HR 114**, In memory of Kenneth Duncan Dickson of Rockwall. —A37

**Howard, Donna:**

**HB 186**, Relating to voter registration application forms in high schools. —A18

**HJR 26**, Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes

**Howard, Donna: — (continued)**

on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead. —A27

**Huberty, Dan:**

**HB 181**, Relating to the funding of projects by the Texas Water Development Board to promote utility reliability, resiliency, efficiency, conservation, and demand reduction; authorizing the issuance of revenue bonds. —A17

**HB 190**, Relating to the creation of the Lake Houston Dredging and Maintenance District; providing the authority to issue bonds; providing authority to impose assessments and fees. —A18

**HB 233**, Relating to providing accelerated instruction for public school students who fail to achieve satisfactory performance on certain assessment instruments. —A21

**HJR 25**, Proposing a constitutional amendment creating the State Utilities Reliability Fund and the State Utilities Reliability Revenue Fund to provide financial support for projects that enhance the reliability and resiliency of water, electric, and natural gas utilities, broadband providers, and power generation resources in this state. —A27

**HR 77**, Congratulating Chase and Lindsey Barker of Houston on the birth of their son, Chase Austin Barker II. —A34

**HR 92**, Congratulating William and Sarah Jane Holleman on the birth of their son, James Robert Holleman. —A35

**HR 93**, In memory of David Edward Feille of Atascocita. —A35

**Hull, Lacey:**

**HB 41**, Relating to the appeal of an election contest. —A7

**HB 42**, Relating to certain procedures relating to children placed under a parental child safety placement. —A7

**HB 43**, Relating to the contents of a petition in certain suits affecting the parent-child relationship. —A7

**HB 44**, Relating to medical examinations for certain children entering the conservatorship of the Department of Family and Protective Services. —A7

**HCR 2**, Designating the third Monday in October as Domestic Violence Survivors' Day for a 10-year period beginning in 2021. —A23

**HR 13**, Recognizing October 2022 as Domestic Violence Awareness Month. —A29

**HR 14**, Recognizing October 2021 as Domestic Violence Awareness Month. —A29

**HR 121**, Honoring the BIZPAC organization and its leaders, Joseph L. Trahan, Dr. Elias Jackson, and Mark Goloby. —A37

**Hunter, Todd:**

**HB 15**, Relating to dates of certain elections to be held in 2022. —A4

**Israel, Celia:**

**HB 98**, Relating to electronic voter registration. —A11

**HB 99**, Relating to the election of certain unopposed candidates. —A11

**Jetton, Jacey:**

**HB 13**, Relating to an acute psychiatric bed registry to list available beds for the psychiatric treatment of certain individuals. —A4

**Jetton, Jacey: — (continued)**

- HB 17**, Relating to the unlawful restraint of a dog; creating a criminal offense. —A4
- HB 22**, Relating to the powers and duties of a presiding judge and alternate presiding judge in an election. —A5
- HB 23**, Relating to fiscal notes for city ballot propositions. —A5
- HB 95**, Relating to improvements to election integrity, including through a partial count of auditable voting system ballots; creating a criminal offense. —A10
- HB 118**, Relating to foster parent recruitment. —A12
- HB 119**, Relating to an educational program on sex trafficking awareness and prevention for certain public school students. —A12
- HB 138**, Relating to the powers and duties of the State Commission on Judicial Conduct. —A14
- HB 139**, Relating to the service of election watchers at a meeting place of a signature verification committee. —A14
- HB 140**, Relating to the administration of the voter suspense list. —A14
- HB 188**, Relating to the enforcement by the secretary of state of certain voter roll maintenance provisions; providing a civil penalty. —A18
- HB 226**, Relating to education benefits at public institutions of higher education for certain survivors of public servants. —A20
- HR 78**, Commending Loukya Kotla for her service as an intern in the office of State Representative Jacey Jetton. —A34
- HR 79**, Commending Melinda Dae for her service as a legislative intern in the office of State Representative Jacey Jetton. —A34
- HR 80**, Congratulating Goldfish Swim School in Sugar Land on its one-year anniversary. —A34
- HR 81**, Commemorating Indian Independence Day on August 15, 2021. —A34
- HR 82**, Commending Michael Nguyen on his service as a legislative intern in the office of State Representative Jacey Jetton. —A34
- HR 83**, Commending Menita Thakare on her service as a summer intern in the office of State Representative Jacey Jetton. —A34
- HR 84**, Commending Huy Hoang Nguyen and Ngoc Tram Thi Chu of the Creamery Teahouse and Tram's Teahouse for their cultural and community contributions. —A34
- HR 85**, Commending Maria Siddeeqe for her service as a legislative intern in the office of State Representative Jacey Jetton. —A34
- HR 86**, Honoring Anya Kureshi for her service as a legislative intern in the office of State Representative Jacey Jetton. —A34
- HR 87**, Congratulating Al and Frances Luna of Rosenberg on their 60th wedding anniversary. —A34
- HR 94**, Commending Jason Zhang for his service as a legislative intern in the office of State Representative Jacey Jetton. —A35
- HR 174**, Congratulating Irfan Motiwala on his 50th birthday. —A42
- HR 186**, Congratulating Jose Flores on his service with the Fort Bend County Constable's Office, Precinct 3. —A43

**Johnson, Ann:**

- HR 173**, Commending David Leebron for his service as President of Rice University and extending sincere best wishes for the future. —A42
- HR 178**, Commending Walton-Gray Martin for his service as a legislative aid and extending sincerest best wishes for continued success. —A42
- HR 182**, Commending Robert Charles Gonzalez for his service as deputy legislative director and extending sincerest best wishes for continued success. —A43
- HR 184**, Commending Jacob Pesikoff for his service as a legislative intern and extending sincerest best wishes for continued success. —A43
- HR 185**, Commending Caitlin Rowley for her service as a legislative aide and extending sincerest best wishes for continued success. —A43

**Johnson, Jarvis D.:**

No bills were filed by this representative.

**Johnson, Julie E.:**

No bills were filed by this representative.

**Kacal, Kyle:**

- HJR 1**, 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. —A25
- HR 108**, Commending the McLennan Community College baseball team on winning the 2021 Junior College World Series. —A36
- HR 109**, Congratulating McLennan Community College baseball coach Mitch Thompson on his selection as the NJCAA Division I Coach of the Year. —A36

**King, Ken:**

- HB 192**, Relating to the eligibility of the Professional Bull Riders World Finals for funding under the Major Events Reimbursement Program. —A18
- HB 193**, Relating to the eligibility of certain events for funding under the Major Events Reimbursement Program. —A18

**King, Phil:**

- HB 10**, Relating to the regulation by a municipality or county of certain employment benefits and policies. —A3
- HB 160**, Relating to the repeal of the additional ad valorem taxes imposed as a result of a sale or change of use of certain land. —A16
- HJR 21**, Proposing a constitutional amendment repealing the provision that subjects land designated for agricultural use to an additional tax when the land is diverted to a purpose other than agricultural use or sold. —A27
- HR 113**, Congratulating Dakota Stroud of the Weatherford Fire Department on his receipt of a Medal of Valor and Citation Bar. —A37

**King, Tracy O.:**

- HR 134**, In memory of U.S. Marine Lance Corporal David Lee Espinoza of Laredo. —A38

**Klick, Stephanie:**

- HB 6**, Relating to abortion complication reporting and the regulation of drug-induced abortion procedures, providers, and facilities; creating a criminal offense. —A2



**Klick, Stephanie: — (continued)**

- HB 14**, Relating to the use of information from the lists of noncitizens and nonresidents excused or disqualified from jury service. —A4
- HB 16**, Relating to voting after polls close during early voting. —A4
- HB 18**, Relating to the timing of changes to county election precincts. —A4
- HB 241**, Relating to a voting system requirement that a person voting by personal appearance confirm the voter's eligibility to vote before accessing a ballot. —A22

**Krause, Matt:**

- HB 114**, Relating to requirements for the use on this state's international border of security cameras and for camera data storage from those cameras. —A12
- HB 133**, Relating to the provision of and professional liability insurance coverage for gender transitioning or gender reassignment medical procedures and treatments for certain children. —A13
- HB 189**, Relating to the academic assessment of public school students. —A18

**Kuempel, John:**

**No bills were filed by this representative.**

**Lambert, Stan:**

- HR 192**, Commending Natura Resources, LLC, Abilene Christian University, and NEXTRA for their work on the proposed molten salt research reactor at Abilene Christian University. —A44

**Landgraf, Brooks:**

- HB 7**, Relating to the storage or disposal of high-level radioactive waste. —A2
- HB 200**, Relating to the prohibition on the transportation, storage, and disposal of high-level radioactive waste in certain areas. —A18
- HB 236**, Relating to the prohibition on the transportation, storage, and disposal of high-level radioactive waste in certain areas. —A21
- HB 238**, Relating to the storage of radioactive waste or elemental mercury for any period exceeding one year; authorizing a fee. —A22

**Larson, Lyle:**

**No bills were filed by this representative.**

**Leach, Jeff:**

- HB 141**, Relating to prohibiting face covering mandates for public school students. —A14

**Leman, Ben:**

- HB 154**, Relating to the prosecution and punishment of certain criminal offenses committed in the course of or for the purpose of avoiding certain law enforcement checkpoints or evading an arrest or detention; increasing criminal penalties. —A15

**Longoria, Oscar:**

- HR 136**, Commemorating the William "Billy" Leo Foundation BBQ Cookoff in La Joya. —A39

**Lopez, Ray:**

- HJR 15**, Proposing a constitutional amendment to allow the legislature to override a veto of the governor following a legislative session. —A26

**Lozano, J. M.:**

**No bills were filed by this representative.**

**Lucio III, Eddie:**

**No bills were filed by this representative.**

**Martinez Fischer, Trey:**

**No bills were filed by this representative.**

**Martinez, Armando "Mando":**

**HB 167**, Relating to the establishment of a public law school in the Rio Grande Valley. —A16

**HB 168**, Relating to cost-of-living increases applicable to benefits paid by the Teacher Retirement System of Texas. —A16

**HB 169**, Relating to the acceptance of a provisional ballot after a natural disaster. —A16

**HJR 23**, Proposing a constitutional amendment prohibiting the governor from vetoing an item of appropriation made to the legislative or judicial branch of state government, including to an agency the primary purpose of which is to assist those branches of government. —A27

**HR 55**, In memory of Joel A. Garza of Weslaco. —A32

**HR 56**, Commemorating the 25th anniversary of the Valley Initiative for Development and Advancement (VIDA). —A32

**HR 150**, Congratulating Colonel Carlos Tamez on his retirement as commander of the 3rd Medical Training Brigade at Joint Base San Antonio. —A40

**Metcalf, Will:**

**No bills were filed by this representative.**

**Meyer, Morgan:**

**HB 4**, Relating to the authority of a person who acquires a residence homestead to receive an ad valorem tax exemption for the homestead in the year in which the property is acquired and to the protection of school districts against the resulting loss in revenue. —A1

**HB 11**, Relating to the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an individual who is elderly or disabled to reflect any reduction from the preceding tax year in the district's maximum compressed rate and to the protection of school districts against the resulting loss in local revenue. —A4

**HJR 2**, Proposing a constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead. —A25

**HR 17**, Congratulating Shelby Whitson and Hunter Robinson on their wedding. —A30

**HR 103**, In memory of Jeffrey Sean Barry of Dallas. —A36

**Meza, Terry:**

**No bills were filed by this representative.**

**Middleton, Mayes:**

- HB 77**, Relating to the use by a political subdivision of public funds for lobbying activities. —A9
- HB 97**, Relating to vaccination requirements for health benefit plans or insurance policies provided to business entities. —A11
- HB 146**, Relating to the location of the headquarters of the Texas Windstorm Insurance Association. —A14
- HB 147**, Relating to the expiration date of driver's licenses and renewal driver's licenses issued to noncitizens. —A15
- HB 148**, Relating to the identification of and prohibited cooperation by state and local entities with certain federal acts that violate the United States Constitution. —A15
- HB 149**, Relating to the school district property value study conducted by the comptroller of public accounts. —A15
- HB 150**, Relating to the establishment of the Family Educational Relief Program and an insurance premium tax credit for contributions made for purposes of that program. —A15
- HB 151**, Relating to a vacancy in the office of senator or representative due to excessive absence. —A15
- HB 152**, Relating to the maximum amount of the local option residence homestead exemption from ad valorem taxation by a taxing unit. —A15
- HB 176**, Relating to equal parenting orders in suits affecting the parent-child relationship. —A17
- HJR 16**, Proposing a constitutional amendment providing that members of the legislature are not entitled to receive a state salary, per diem, or reimbursement for mileage for an unexcused absence when the applicable house of the legislature lacks a quorum. —A26
- HJR 17**, Proposing a constitutional amendment to increase the maximum amount of the local option residence homestead exemption from ad valorem taxation by a political subdivision. —A26
- HR 115**, In memory of Jesse C. Turrubiate of La Marque. —A37
- HR 116**, In memory of Vincent Michael Robins of Mont Belvieu. —A37
- HR 135**, Removing certain members as chair of standing and procedural committees. —A38

**Minjarez, Ina:**

No bills were filed by this representative.

**Moody, Joe:**

- HB 159**, Relating to certain executive orders affecting public schools. —A16

**Morales Shaw, Penny:**

No bills were filed by this representative.

**Morales, Christina:**

No bills were filed by this representative.

**Morales, Eddie:**

- HB 116**, Relating to the creation of a county court at law in Maverick County. —A12
- HB 117**, Relating to the creation of magistrates in Maverick County. —A12

**Morales, Eddie: — (continued)**

**HB 173**, Relating to vehicle safety inspections for vehicles registered in certain counties; imposing a fee. —A17

**Morrison, Geanie W.:**

**HR 138**, Congratulating Morgan O'Connor, Kelly Schaar, and Bridey Greeson of the Dunn O'Connor River Ranch on their receipt of a Lone Star Land Steward Award from the Texas Parks and Wildlife Department. —A39

**HR 139**, Honoring Claud B. Jacobs for his community service. —A39

**HR 140**, Congratulating Dr. Speck Phillips of Victoria on his 100th birthday. —A39

**HR 141**, In memory of Kelly Janette Raley Franklin of Victoria. —A39

**HR 142**, Congratulating Dr. Larry Riedel of Victoria on his 92nd birthday. —A39

**HR 143**, Congratulating Presbyterian Day School in Victoria on its 75th anniversary. —A39

**HR 144**, Congratulating Our Lady of the Gulf Catholic School on its 25th anniversary. —A39

**HR 145**, Congratulating Dr. Felix F. Regueira on his retirement. —A39

**Muñoz Jr., Sergio:**

**HB 205**, Relating to a cost-of-living adjustment applicable to certain benefits paid by the Teacher Retirement System of Texas, including a related study. —A19

**HB 206**, Relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas. —A19

**Murphy, Jim:**

**HB 94**, Relating to requirements for beneficial tax treatment related to a leasehold or other possessory interest in a public facility being developed or used to provide multifamily housing. —A10

**Murr, Andrew S.:**

**HB 3**, Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses. —A1

**HB 80**, Relating to the presidential electors of this state. —A10

**HB 81**, Relating to the calculation of net to land in the appraisal of open-space land for ad valorem tax purposes. —A10

**HB 82**, Relating to excused absences from public school for certain students to visit a professional's workplace for a career investigation day. —A10

**HB 83**, Relating to the elimination of school district maintenance and operations ad valorem taxes and the creation of a joint interim committee on the elimination of those taxes. —A10

**HCR 1**, Designating Llano as the official Barrel Racing Capital of Texas for a 10-year period beginning in 2021. —A23

**HR 23**, Congratulating Shanon Biggerstaff on her retirement as president of the Ozona Chamber of Commerce. —A30

**HR 24**, In memory of Carl James "Jimmy" Cahill Jr. of Sonora. —A30

**HR 25**, In memory of Stephen C. Helbing Sr. —A30

**HR 26**, Commending Tom Moser for his service as a Kerr County commissioner. —A30

**Murr, Andrew S.: — (continued)**

- HR 27**, Congratulating Vernon Ollar on the occasion of his 100th birthday and honoring him for his patriotic service during World War II. —A30
- HR 28**, In memory of Tracey Adams of the Texas Department of Criminal Justice. —A30
- HR 29**, In memory of Stacy Crosby of the Texas Department of Criminal Justice. —A31
- HR 30**, In memory of Sara Margaret Keenom of the Texas Department of Criminal Justice. —A31
- HR 31**, In memory of Luis Hernandez of the Texas Department of Criminal Justice. —A31
- HR 32**, In memory of Jimmy Garcia of the Texas Department of Criminal Justice. —A31
- HR 33**, In memory of Rodrick L. Rodgers of the Texas Department of Criminal Justice. —A31
- HR 34**, In memory of Barry Deckard of the Texas Department of Criminal Justice. —A31
- HR 35**, In memory of Gerald Bedison of the Texas Department of Criminal Justice. —A31
- HR 36**, In memory of Michael Harper of the Texas Department of Criminal Justice. —A31
- HR 37**, In memory of Kenneth Russell of the Texas Department of Criminal Justice. —A31
- HR 38**, In memory of Timothy Beggs of the Texas Department of Criminal Justice. —A31
- HR 39**, In memory of Harold Smith of the Texas Department of Criminal Justice. —A31
- HR 40**, In memory of Frank Edward Rose of the Texas Department of Criminal Justice. —A31
- HR 41**, In memory of Clemente Rocha III of the Texas Department of Criminal Justice. —A31
- HR 42**, In memory of Dorothy Sue Caylor of the Texas Department of Criminal Justice. —A31
- HR 43**, In memory of Phillip Dexter Holbert of the Texas Department of Criminal Justice. —A31
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- HB 47**, Relating to the designation of certain election days as state holidays. —A7
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