

**State Defendants' Response to Gonzales Plaintiffs'
Motion for Preliminary Injunction**

Exhibit M

2025 0812 1CS Senate Chamber Transcript

TRANSCRIPTION OF VIDEOTAPE

(EXCERPT FROM 14 MINUTES TO 40 MINUTES)

SENATE FLOOR ACTION

89TH LEGISLATURE

Tuesday, August 12, 2025

1 P R O C E E D I N G S

2 SENATOR PERRY: Senator Menendez, for
3 what purpose?

4 SENATOR MENENDEZ: Mr. President, I was
5 sitting down reviewing the maps that we're going to be
6 asked to debate here in a little bit; and I just
7 couldn't help but think about the hearing we held in
8 Kerrville about a week and a half ago. So I was going
9 to ask a parliamentary inquiry.

10 SENATOR PERRY: State your inquiry.

11 SENATOR MENENDEZ: Mr. President, is it
12 possible for a member who is not the author of a Senate
13 bill to be able to make a motion to suspend the regular
14 order of business so that we could bring up the flood
15 relief bills to the very top of today's order of
16 business because of the grief and all of the things that
17 we heard in those 13-plus hours of testimony that we
18 heard? And you have a bill -- and there are others that
19 are out there -- and so I just thought maybe we could
20 hear them all together at the very front end and start
21 this day on a positive note, helping take care of
22 Texans. And so is there a motion, a way that we could
23 do that? That's my parliamentary inquiry.

24 SENATOR PERRY: The order in which we go
25 in is up to the presiding officer.

1 SENATOR MENENDEZ: Mr. President, are you
2 not the presiding officer right now?

3 SENATOR PERRY: I would be that guy. I
4 think I'd like to leave this day on a providence note.

5 SENATOR MENENDEZ: I'm not understanding
6 your answer, Mr. President.

7 SENATOR PERRY: Your parliamentary
8 inquiry is: Can we change the order so we can start out
9 on a positive note. I'd like to end on a positive note
10 today. And I think those bills that you refer to will
11 do that. I hope that the bills prior to that will still
12 do that. They're each serving a purpose.

13 SENATOR MENENDEZ: Mr. President, I just
14 thought that the bills you and others have will be able
15 to help provide flood relief; and the bill on the
16 redistricting, all it does is it involves politicians.
17 And so that's why I didn't see how they could --

18 SENATOR PERRY: I appreciate your
19 perspective.

20 SENATOR MENENDEZ: Thank you for
21 answering my parliamentary, Mr. President.

22 SENATOR PERRY: Senator King is
23 recognized on motion to suspend the regular order of
24 business on SB 4.

25 SENATOR KING: Thank you, Mr. President.

1 Members, I know that there's been a lot
2 of discussion about this bill coming forward today; and
3 everyone has different perspectives on it. I would like
4 to, with your permission, though, and patience, there
5 are some things -- I know we have a lot of people
6 watching online that haven't been watching the hearings
7 or keeping up with it like we have; and then there's
8 just some things that kind of need to get on the record.

9 So I'd like to take a little bit of time
10 to walk through this to make sure that every member
11 knows how we got to where we are and where I think this
12 is going; and then, after that, I'll be happy to answer
13 any questions I can. And I'll just try to answer them
14 as truthfully and as thoroughly as I can.

15 So with that, just by way of where we --
16 the process to date, I introduced SB 4 in our select
17 committee on Monday, August the 4th. SB 4 is the
18 companion to HB 4, line for line, which passed out of
19 the House Committee on August 2nd, 2025. There had been
20 discussions of waiting for the House bill to get here;
21 but just like each of you have done a hundred times on
22 different bills, when you have a companion and it stalls
23 in one body, you try to do what you can to get it moving
24 in the other body, which is why we went -- or I went
25 ahead and filed with the companion and began with

1 hearings.

2 As I said, I want to take a moment to
3 discuss the process to date, specifically the public
4 input we've received on SB 4 and redistricting in
5 general. First, this plan is based on the 2020 Census
6 data, not any annual estimates. Since 2020 the Senate
7 has held 21 regional and other public hearings, and the
8 House has held just as many. Those hearings have
9 afforded the Legislature an abundance of opportunities
10 to hear the public's thoughts about the 2020 Census data
11 and redistricting as a whole.

12 During the Special Session the Senate
13 Committee held four regional public hearings via virtual
14 testimony, a fifth hearing specifically for invited
15 testimony at the Capitol, and then a sixth hearing at
16 the Capitol for general public testimony. Over the
17 course of the four regional hearings, we heard from 205
18 individual witnesses and had approximately 3852 clicks
19 to the Senate livestream, meaning that many people --
20 now, obviously, some of them may have tuned in twice --
21 but we had well over 3000, obviously, watching the
22 livestream. Testimony also included sitting members of
23 Congress. We heard testimony from Marc Veasey, CD 33;
24 Lizzie Fletcher, CD 7; Sylvia Garcia, CD 29; and Al
25 Green, CD 9.

1 On August 6th, as I mentioned, the Senate
2 held a hearing specifically for invited testimony. We
3 invited individuals whose names I had received from the
4 Democrat caucus as their requests to be invited to
5 testify. These were organizations such as MALDEF,
6 NAACP, LULAC, and the Asian Americans Advocating [sic]
7 Justice, and many others. Senator Miles suggested -- at
8 his suggestion, we also invited the entire Democrat
9 Congressional Delegation to testify for the invited
10 testimony hearing.

11 With the exception of Mr. Bledsoe of
12 NAACP Texas, who attended the following day's public
13 hearing and testified, none of our invitees accepted our
14 invitation to attend our August 6th hearing, which,
15 again, had been set up specifically for invited
16 testimony.

17 The following day, August 7th, we held a
18 hearing for public testimony. We had 117 witnesses
19 register here at the Capitol and 42 chose to stay and
20 testify and 5 others submitted written testimony.

21 So over the course of the six public
22 hearings during just this Special Session, the Committee
23 heard testimony from 242 witnesses directly.

24 Ultimately, we voted on SB 4; and it was
25 reported out of the Senate Select Committee on

1 Congressional Redistricting with 6 ayes, 1 nay, 1
2 present not voting, and 1 absent from the vote.

3 Now, if I may, I want to take just a
4 moment now to discuss redistricting history in Texas and
5 principles and legal standards. I believe I'm correct
6 in stating that redistricting has been addressed during
7 Special Sessions of this Legislature dating back to at
8 least 1871, when they took up school districts in
9 Special Session Redistricting; and then in 1882, they
10 took up Congressional Redistricting in a Special
11 Session.

12 This history also includes Special
13 Sessions in the past six decennial redistricting cycles
14 of 1971, 1981, 1991, 1997, 2003, 2011, 2013, and, most
15 recently, in 2021. Now, I say this because this history
16 illustrates that it is not unusual at all for
17 redistricting to occur in a Special Session and also to
18 show that the Legislature can choose to redistrict at
19 any time, including during Special Sessions and mid-
20 decade.

21 It's correct to say that States have
22 broad authority recognized by the Courts under the U.S.
23 Constitution and its election clause to choose when to
24 do redistricting.

25 Now, the purpose -- for purposes of the

1 map that's before us today, the U.S. Constitution
2 requires that Congressional districts be drawn with
3 population as close to equal as possible to achieve the
4 one-person, one-vote standard. Now, this standard is
5 from the Supreme Court's 1964 decisions in Wesberry v.
6 Sanders and Reynolds v. Sims. It's also grounded in
7 the 14th Amendment and Article 1, Section 2 of the
8 Constitution. Because of that, the ideal district size
9 for us today in terms of this map is 766,987 persons per
10 district.

11 Senate Bill 4 before you today meets
12 the one-person, one-vote standard. Now, beyond this,
13 the area of redistricting law is robust and gets very
14 complex, to say the least. I have consulted with our
15 legal counsel and I am absolutely confident that SB 4
16 complies with all applicable law. The House's counsel
17 -- it's a different counsel -- but they came to the same
18 conclusions.

19 Now, that satisfied my first objective
20 with SB 4 is that the plan that be before you today be
21 legal in every respect, and it is.

22 My second objective with SB 4 -- the
23 first being that it be legal -- the second objective
24 was to support a plan that, simply put, elects more
25 Republicans to the U.S. Congress. In contrast to the

1 complications involved with race-based redistricting,
2 this map, SB 4, is built on political performance, which
3 is a well-established and permissible basis for drawing
4 electoral districts, as recognized firmly by the Supreme
5 Court of the United States.

6 And let me stress before moving
7 forward any further: This map is based on political
8 performance. Race was not used to draw the map and I
9 did not consider race when I filed this bill and I have
10 not looked to any racial criteria with regard to this
11 bill.

12 I have heard the terms "packed" and
13 "cracked" in testimony some; but I want you to know that
14 throughout all the hearings we've had, no one has put
15 forth data to support that this map packs or cracks.
16 And, honestly, it's difficult for me to see how there
17 can be an intent on my part or anyone's part to pack and
18 crack when race was not even considered in the drafting
19 of this map.

20 So my first objective was that it be a
21 legal map.

22 My second objective was that it perform
23 politically well and elect more Republicans, and I
24 believe there will be five more seats that trend
25 Republican.

1 My third objective -- and I wasn't
2 initially intending to focus on this, but we heard
3 repeated comments in public testimony that some of the
4 districts in the existing map that we're under today
5 from 2021, that some of those districts were not
6 compact. We had a lot of testimony meaning that they --
7 suggesting that they were unnecessarily irregularly
8 shaped, that they weren't compact; but compactness is a
9 traditional redistricting criteria. It helps keep
10 communities of interest together; it makes the district
11 be easier to represent because it's a centralized area.

12 Now, SB 4 accomplishes all three of these
13 objectives, that it be legal, that it be -- that it
14 elect more Republican members to the U.S. Congress, and,
15 also now, that it be more compact. And, again, that is
16 a product simply of the testimony that we heard in the
17 hearings.

18 Now, the impact of this proposed map at a
19 high level, I can tell you that nearly every one of the
20 38 Texas Congressional districts, nearly every one had
21 their lines changed; but most were in very minor ways.
22 The most significant changes affect five districts; and
23 I believe those districts, due to the changes, now lean
24 Republican in performance. Those would be CD 9 in
25 Houston, CD 28 in the RGV, CD 32 in Dallas, CD 34 in

1 Coastal and South Texas, and CD 35 in San Antonio. As I
2 said, it's my understanding that these five districts
3 should perform on a partisan basis for the Republican
4 Party.

5 Also, by drawing race blind, SB 4's
6 districts are more compact than the current map, with
7 more reasonable geographic configurations that I think
8 provide a better basis for representation.

9 So, in summary, I'll just say that SB 4,
10 as I just said, is more compact than the current plan.
11 And if you want to see a couple of great examples look
12 at Districts 32 and 35 on your desks in the existing map
13 and the new plan. They are great examples of
14 compactness.

15 SB 4 complies with all applicable law,
16 and I will say that we have an excellent law firm. The
17 lead attorney has been practicing redistricting law for
18 over 40 years. And they came, through their analysis,
19 to the same conclusion that the House did -- and others
20 have as well -- that the map is legal in respects to all
21 applicable law.

22 We've also had plenty of opportunity to
23 date, really beginning in 2021, with regard to testimony
24 on redistricting and its relation to the 2020 Census
25 data we used for this map; but we've also had a lot of

1 testimony -- six separate hearings just in this special
2 session -- and no one, no one has presented data or,
3 frankly, any compelling case that this map violates any
4 applicable laws.

5 Beyond that, I would also mention that
6 no amendments were filed that suggested any changes be
7 recommended by the body, Republican or Democrat, for
8 amendments to change this map.

9 And with that, Mr. President, I'm happy
10 to answer any questions.

11 SENATOR PERRY: Dean Zaffirini, for what
12 purpose?

13 SENATOR ZAFFIRINI: Ask a question.

14 SENATOR PERRY: Do you yield?

15 SENATOR KING: Absolutely.

16 SENATOR ZAFFIRINI: Thank you,
17 Mr. President.

18 Chairman King, we spoke briefly, sir,
19 just before this session convened, did we not?

20 SENATOR KING: Yes.

21 SENATOR ZAFFIRINI: And I explained to
22 you that I ordinarily ask as few questions as possible;
23 but because of my strong opposition for this bill, just
24 as I strongly opposed the Congressional Redistricting
25 Plan in 2021, that I was going to ask many, many, many

1 more questions, did I not?

2 SENATOR KING: You gave me ample warning.

3 SENATOR ZAFFIRINI: In fact, Senator, I
4 have a 12-page document of questions that I was prepared
5 to ask you today; but, frankly, having understood,
6 because of our discussions earlier this morning, that we
7 will take up redistricting anew in the next Special
8 Session, I'm going to reserve those questions until next
9 session. So I will not be asking you questions today.
10 Thank you, though, for your courtesy in expecting them.

11 Thank you, Mr. President.

12 SENATOR PERRY: Thank you, Dean.

13 Senator King moves to suspend the regular
14 order of business of SB 4. There is objection.

15 Clerk, call the roll.

16 SECRETARY SPAW: Alvarado, Bettencourt,
17 Birdwell, Blanco, Campbell, Cook --

18 SENATOR PERRY: 19 yeas and 2 nays. The
19 rules are suspended.

20 The Chair lays out on second reading
21 Senate Bill 4.

22 Secretary, read the caption.

23 SECRETARY SPAW: Senate Bill 4 relating
24 to the composition of the districts for the election of
25 members of the United States House of Representatives

1 from the State of Texas.

2 SENATOR PERRY: Mr. King, recognized for
3 a motion.

4 SENATOR KING: Move passage to
5 engrossment.

6 SENATOR PERRY: Mr. King moves passage to
7 engrossment. Is there objection? Hearing none -- I'm
8 sorry.

9 Clerk, call the roll.

10 SECRETARY SPAW: Alvarado, Bettencourt,
11 Birdwell, Blanco, Campbell, Cook --

12 SENATOR PERRY: 19 yeses, 2 nays. Bill
13 passed to engrossment. Will hold there.

14 SENATOR KING: Thank you, Mr. President,
15 and Members.

16 (Pause in the proceedings.)

17 LT. GOV. PATRICK: Senator King, you're
18 recognized with a motion to suspend the regular
19 three-day rule.

20 SENATOR KING: Thank you, Mr. President.
21 I move to suspend the three-day rule.

22 LT. GOV. PATRICK: The Secretary will
23 call the roll.

24 SECRETARY SPAW: Alvarado, Bettencourt,
25 Birdwell, Blanco, Campbell --

1 LT. GOV. PATRICK: 19 ayes, 2 nays, 9
2 absent. The rules are suspended.

3 The Chair now lays out on the second
4 reading Senate Bill 4.

5 The Secretary will read the caption.

6 SECRETARY SPAW: Senate Bill 4 relating
7 to the composition of the districts for the election of
8 members of the United States House of Representatives
9 from the State of Texas.

10 LT. GOV. PATRICK: You're recognized on
11 passage of engrossment.

12 SENATOR KING: I move final passage.

13 LT. GOV. PATRICK: Yes. I'm sorry,
14 Senator Zaffirini. I didn't see your light.

15 SENATOR ZAFFIRINI: Thank you.

16 LT. GOV. PATRICK: Yes, ma'am. For what
17 purpose?

18 SENATOR ZAFFIRINI: To make a brief
19 statement in opposition to the bill.

20 LT. GOV. PATRICK: You're recognized.

21 SENATOR ZAFFIRINI: Mr. President and
22 Members, just as I reserved my questions for the next
23 special session when we will take up redistricting anew,
24 I had a 13-page closing statement in opposition of this
25 bill; but, again, I will reserve the right to make that

1 statement during the next special session.

2 Thank you, Mr. President.

3 LT. GOV. PATRICK: You've reserved that
4 right; and, hopefully, we won't have another special
5 session if they show up in the House for a quorum.

6 You're recognized on final passage.

7 SENATOR KING: Move final passage.

8 LT. GOV. PATRICK: Secretary will call
9 the roll.

10 SECRETARY SPAW: Alvarado, Bettencourt,
11 Birdwell, Blanco, Campbell --

12 LT. GOV. PATRICK: 19 ayes, 2 nays, 9
13 absent. The bill is finally passed.

14 SENATOR KING: Thank you, Mr. President.

15 Thank you, Members.

16 (End of excerpt.)

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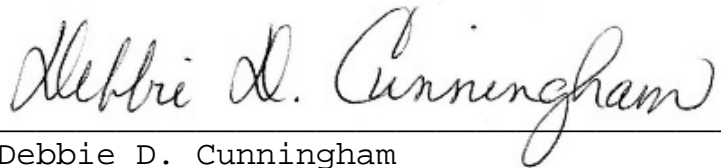
REPORTER'S CERTIFICATE

TRANSCRIPTION OF VIDEOTAPE

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I further certify that I am neither attorney
or counsel for, related to, nor employed by any parties
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further, that I am not a relative or employee of any
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interested in the action.

SUBSCRIBED AND SWORN TO under my hand and seal
of office on this 15th day of September, 2025.



Debbie D. Cunningham
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