

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-SIXTH DAY — MONDAY, MAY 8, 2017

The house met at 10:03 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 999).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas.

Absent — Dukes; Workman.

The speaker recognized Representative Rose who introduced Reverend J. Lee Slater, bishop, New Millennium Bible Fellowship Praise Center, Dallas, who offered the invocation as follows:

Eternal God, our Father, creator of the universe and all mankind. Master, we come before your presence today to seek your divine guidance and forgiveness of all our sins. God, you have the answers to all our world's problems, those problems that keep your creation separated by ethnicity, culture, race, and social status. Father, please make us one as you and your son are one. Unify our land so our efforts and strengths are maximized to make a change in our state's communities for the better. Unify our elected officials with the harmony of the Godhead, that they may produce the right decisions that will positively impact all people in every walk of life.

Holy Father, we pray for all our military personnel's protection and the peace of their families and friends. We pray for our country's police departments and the bereaved families who have lost loved ones in the line of duty. Also, we pray for the civilian families whose loved ones have been unjustly killed. Please bring peace to those families and a forgiving heart to those affected right now. Father, grant your blessings, grace, and favor upon our community leaders, city officials, county officers, and our state's elected officials.

Dear heavenly Father, we pray a special prayer for our president of the United States of America and his family, his cabinet, the White House staff, and all political parties and due process in our country. We pray that our president allows your Holy Spirit to lead him in all his decision-making matters. We pray unto God be glory in the church by Christ Jesus throughout all ages, world without end. Amen.

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

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Kuempel and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

(Cyrer in the chair)

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. 16).

(Workman now present)

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).

CAPITOL PHYSICIAN

The chair recognized Representative Guillen who presented Dr. Horacio Ramirez of San Antonio as the "Doctor for the Day."

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

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Gonzales on motion of Geren.

HR 1829 - ADOPTED
(by Farrar and Alonzo)

Representative Farrar moved to suspend all necessary rules to take up and consider at this time **HR 1829**.

The motion prevailed.

The following resolution was laid before the house:

HR 1829, In memory of former state representative Lauro Cruz.

HR 1829 was read and was unanimously adopted by a rising vote.

On motion of Representative Alonzo, the names of all the members of the house were added to **HR 1829** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Farrar who introduced family members and friends of the Honorable Lauro Cruz.

(Speaker in the chair)

GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING

The following bills were laid before the house and read third time:

HB 3294 ON THIRD READING
(by Parker)

HB 3294, A bill to be entitled An Act relating to the eligibility of certain NASCAR events to receive funding through the Major Events Reimbursement Program.

HB 3294 was passed by (Record 1000): 122 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Ashby; Burrows; Cain; Cyrier; Fallon; Gooden; Hefner; Isaac; Johnson, J.; Landgraf; Lang; Neave; Rinaldi; Romero; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Deshotel; Dukes; Elkins; Faircloth; Giddings.

STATEMENTS OF VOTE

When Record No. 1000 was taken, I was in the house but away from my desk. I would have voted yes.

Faircloth

When Record No. 1000 was taken, I was shown voting yes. I intended to vote no.

Keough

When Record No. 1000 was taken, I was shown voting yes. I intended to vote no.

Murr

When Record No. 1000 was taken, I was shown voting no. I intended to vote yes.

Romero

When Record No. 1000 was taken, I was shown voting yes. I intended to vote no.

Zedler

HB 3218 ON THIRD READING

(by Phillips)

HB 3218, A bill to be entitled An Act relating to health maintenance organization contracts with certain entities to provide health care services.

HB 3218 was passed by (Record 1001): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price;

Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Deshotel; Dukes; Faircloth; Giddings; Hinojosa.

STATEMENTS OF VOTE

When Record No. 1001 was taken, I was in the house but away from my desk. I would have voted yes.

Faircloth

When Record No. 1001 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

HB 1542 ON THIRD READING (by Price, Frullo, Romero, Bernal, Klick, et al.)

HB 1542, A bill to be entitled An Act relating to the definition of the least restrictive environment for the placement of children in foster care.

HB 1542 was passed by (Record 1002): 134 Yeas, 11 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González; Gooden; Guerra; Guillen; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Collier; Howard; Israel; Ortega; Rodriguez, J.; Rose; Stickland; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Giddings; Gutierrez.

STATEMENTS OF VOTE

When Record No. 1002 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 1002 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 1002 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 1002 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

When Record No. 1002 was taken, I was shown voting no. I intended to vote yes.

Zedler

HB 961 ON THIRD READING (by J. Rodriguez)

HB 961, A bill to be entitled An Act relating to the election of junior college district trustees by plurality vote.

HB 961 was passed by (Record 1003): 130 Yeas, 17 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Burkett; Cain; Lang; Leach; Paul; Rinaldi; Schaefer; Stickland; Swanson; Thompson, E.; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes.

HB 72 ON THIRD READING (by Keough)

HB 72, A bill to be entitled An Act relating to the establishment, operation, and funding of victim-offender mediation programs; authorizing fees.

HB 72 was passed by (Record 1004): 135 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Cain; Lang; Murr; Rinaldi; Schaefer; Schofield; Stickland; Tinderholt; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Hinojosa; Holland.

STATEMENTS OF VOTE

When Record No. 1004 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

When Record No. 1004 was taken, I was in the house but away from my desk. I would have voted yes.

Holland

HB 150 ON THIRD READING**(by Bell, Metcalf, Alonzo, Guillen, Shine, Blanco, et al.)**

HB 150, A bill to be entitled An Act relating to the exemption from ad valorem taxation of part of the appraised value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead.

HB 150 was passed by (Record 1005): 141 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; Stickland; Swanson; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Phillips; Thierry.

STATEMENTS OF VOTE

When Record No. 1005 was taken, my vote failed to register. I would have voted yes.

Phillips

When Record No. 1005 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 1005 was taken, I was shown voting no. I intended to vote yes.

Wilson

HB 161 ON THIRD READING
(by Dutton)

HB 161, A bill to be entitled An Act relating to the child support obligation of an obligor during the obligor's confinement in jail or prison.

HB 161 was passed by (Record 1006): 101 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Biedermann; Blanco; Burrows; Cain; Canales; Clardy; Coleman; Collier; Cortez; Cosper; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Klick; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Perez; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Sheffield; Shine; Stephenson; Stickland; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Capriglione; Cook; Cyrier; Dale; Faircloth; Goldman; Hefner; Holland; Isaac; King, P.; Koop; Krause; Landgraf; Lang; Laubenberg; Leach; Meyer; Miller; Morrison; Parker; Paul; Phelan; Phillips; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Simmons; Smithee; Springer; Swanson; Thompson, E.; Tinderholt; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes.

STATEMENTS OF VOTE

When Record No. 1006 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1006 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1006 was taken, I was shown voting yes. I intended to vote no.

Price

When Record No. 1006 was taken, I was shown voting yes. I intended to vote no.

Stucky

HB 3062 ON THIRD READING**(by Kacal)**

HB 3062, A bill to be entitled An Act relating to the sale of property for delinquent ad valorem taxes.

HB 3062 was passed by (Record 1007): 146 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Israel.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes.

HB 238 ON THIRD READING**(by Hernandez, Romero, and Faircloth)**

HB 238, A bill to be entitled An Act relating to the creation of records of the DNA of certain defendants for inclusion in the DNA database system.

HB 238 was passed by (Record 1008): 136 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.;

King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Cain; Dale; Hefner; Isaac; Lang; Rinaldi; Stickland; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Schofield; White.

HB 523 ON THIRD READING
(by Schofield, Fallon, Uresti, et al.)

HB 523, A bill to be entitled An Act relating to the requirement that certain elected school district boards make audio and video recordings of certain work sessions and special called meetings available on the Internet.

HB 523 was passed by (Record 1009): 137 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Canales; Capriglione; Coleman; Collier; Cook; Cortez; Cospere; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lang; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Ashby; Button; Clardy; Craddick; Lambert; Landgraf; Larson; Phillips; Price; Rose.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes.

HB 431 ON THIRD READING
(by Metcalf, et al.)

HB 431, A bill to be entitled An Act relating to a temporary justice of the peace.

HB 431 was passed by (Record 1010): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Wilson.

STATEMENT OF VOTE

When Record No. 1010 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

HB 1556 ON THIRD READING
(by González, Frank, Cook, Giddings, and Simmons)

HB 1556, A bill to be entitled An Act relating to the appointment of foster parents and other qualified persons to serve as educational decision-makers for certain children in the conservatorship of the Department of Family and Protective Services.

HB 1556 was passed by (Record 1011): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Keough.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Sanford; Wilson.

STATEMENTS OF VOTE

When Record No. 1011 was taken, I was shown voting no. I intended to vote yes.

Keough

When Record No. 1011 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

When Record No. 1011 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

HB 2484 ON THIRD READING (by Nevárez and C. Anderson)

HB 2484, A bill to be entitled An Act relating to the licensing and regulation of animal export-import processing facilities; providing penalties; requiring an occupational license; authorizing fees.

HB 2484 was passed by (Record 1012): 83 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Burns; Burrows; Canales; Clardy; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Kuempel; Lambert; Landgraf; Laubenberg; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Muñoz; Murr; Neave; Nevárez; Oliveira; Ortega; Perez; Phelan; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Cain; Capriglione; Cook; Cosper; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Hefner; Holland; Isaac; Keough; King, P.; Klick; Koop; Krause; Lang; Larson; Leach; Metcalf; Meyer; Miller; Morrison; Oliverson; Paddie; Parker; Paul; Phillips; Price; Rinaldi; Roberts; Sanford; Schaefer; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Swanson; Thompson, E.; Tinderholt; White; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Murphy.

STATEMENTS OF VOTE

When Record No. 1012 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1012 was taken, I was in the house but away from my desk. I would have voted no.

Murphy

When Record No. 1012 was taken, I was shown voting yes. I intended to vote no.

Wray

HB 18 ON THIRD READING

(by Capriglione, Zerwas, Roberts, Walle, Rose, et al.)

HB 18, A bill to be entitled An Act relating to oversight of and requirements applicable to state contracts and other state financial and accounting issues, including the delivery of certain Medicaid medical transportation program services; providing a civil penalty.

Amendment No. 1

Representative Springer offered the following amendment to **HB 18**:

Amend **HB 18** (house committee report) as follows:

(1) On page 6, line 10, between "month" and the underlined period, insert "under a contract, unless the contract specifically requires more than one payment per month"

(2) On page 6, line 21, between "time" and the underlined period, insert "but remains obligated to pay the vendor all amounts due under and as required by the contract regardless of whether the state agency complied with Subsection (b)"

(3) On page 8, line 15, strike "or member of the public"

Amendment No. 1 was adopted.

HB 18, as amended, was passed by (Record 1013): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Metcalf; Meyer; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Bell; Dukes; Johnson, J.; Martinez; Moody.

STATEMENTS OF VOTE

When Record No. 1013 was taken, I was in the house but away from my desk. I would have voted yes.

Bell

When Record No. 1013 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez

When Record No. 1013 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

HB 812 ON THIRD READING
(by Wu, S. Davis, Murphy, and Alvarado)

HB 812, A bill to be entitled An Act relating to standing in a roadway; amending provisions subject to a criminal penalty.

HB 812 was passed by (Record 1014): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes.

HB 4122 ON THIRD READING
(by Kacal and Guerra)

HB 4122, A bill to be entitled An Act relating to the transference of certain territory from one groundwater conservation district to another.

Amendment No. 1

Representative Kacal offered the following amendment to **HB 4122**:

Amend **HB 4122** on third reading by striking added Section 36.342(b), Water Code, and substituting the following:

(b) The petition must state the taxable value of the portion of the parcel of land in each district.

Amendment No. 1 was adopted.

HB 4122 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE ISAAC: Representative Kacal, I appreciate your efforts on this bill. This bill when originally filed was not permissive. It's now permissive now. Is that correct?

REPRESENTATIVE KACAL: Correct.

ISAAC: That means if there are two districts that are involved, groundwater conservation districts that are involved, they both have to agree to any request to move land from one district to another. Is that correct?

KACAL: That is absolutely correct. Once again, this just allows the property owner the opportunity to petition.

ISAAC: And you understand I am still concerned about the precedent we're setting here, and I still don't like this bill?

KACAL: I understand.

ISAAC: Is it your intent for this bill to stay permissive?

KACAL: It is my intent.

ISAAC: And you'll work with me if—

KACAL: As I have through the entire process.

ISAAC: You have, and I appreciate that.

REMARKS ORDERED PRINTED

Representative Isaac moved to print remarks between Representative Kacal and Representative Isaac.

The motion prevailed.

HB 4122, as amended, was passed by (Record 1015): 112 Yeas, 30 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Fallon; Farrar; Flynn; Frullo; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guillen; Gutierrez; Hernandez; Herrero; Holland; Hunter; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murr; Neave; Nevárez; Oliverson; Paddie; Parker; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Cain; Cyrier; Dale; Faircloth; Frank; Hefner; Hinojosa; Howard; Huberty; Isaac; Israel; Klick; Krause; Leach; Murphy; Ortega; Paul; Rinaldi; Rodriguez, E.; Schaefer; Shaheen; Stickland; Swanson; Thompson, E.; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Geren; Guerra; Keough; Oliveira; Smithee.

STATEMENTS OF VOTE

When Record No. 1015 was taken, I was shown voting yes. I intended to vote no.

R. Anderson

When Record No. 1015 was taken, I was temporarily out of the house chamber. I would have voted yes.

Geren

When Record No. 1015 was taken, my vote failed to register. I would have voted yes.

Guerra

When Record No. 1015 was taken, I was in the house but away from my desk. I would have voted yes.

Keough

When Record No. 1015 was taken, I was shown voting yes. I intended to vote no.

Sanford

When Record No. 1015 was taken, I was in the house but away from my desk. I would have voted yes.

Smithee

HB 478 ON THIRD READING

(by Israel, Laubenberg, Rinaldi, Gutierrez, Neave, et al.)

HB 478, A bill to be entitled An Act relating to civil liability for removing certain individuals or animals from a motor vehicle.

Representative Israel moved to postpone consideration of **HB 478** until 11:25 a.m. today.

The motion prevailed.

HB 591 ON THIRD READING

(by Minjarez and Springer)

HB 591, A bill to be entitled An Act relating to the punishment for the offense of aggravated assault.

HB 591 was passed by (Record 1016): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Cortez; Dukes; Rodriguez, E.

STATEMENT OF VOTE

When Record No. 1016 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

HB 850 ON THIRD READING

(by Turner, Guillen, Geren, Sheffield, and Burns)

HB 850, A bill to be entitled An Act relating to an exemption from ad valorem taxation of a portion of the appraised value of certain real property used to provide housing to certain individuals with an intellectual disability or related conditions.

HB 850 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE STEPHENSON: Does this bill restrict triple net leases for these buildings?

REPRESENTATIVE TURNER: What do you mean by restrict?

STEPHENSON: Well, if we're going to be leasing a building and keeping the property taxes, they can't put it in the lease price, so whoever owns the building gets additional profit.

TURNER: Let me address that. The residential real estate used in the HCS program is either leased or owned outright by the provider. So when the provider does not own the home, a lease arrangement is in place. And you're right, it is generally a standard triple net commercial lease agreement. However, in both instances, the private provider of the HCS Medicaid service is expected to pay ad valorem taxes on the residents each year. So there is no difference, and it's the Medicaid provider and not the property owner in that case who pays the tax. And in both cases, it's Medicaid revenue that ends up paying the tax.

STEPHENSON: Well, I don't understand that, Representative. If that's true, what you just said on a lease property, and he's paying the tax, but he doesn't have to pay the tax because it's exempt, he's keeping the cash. The triple net includes taxes, repairs, and insurance. That's what triple net means.

TURNER: You're right, that is what it means. So in the event that it is a triple net lease, then the only way they would get this exemption is if they are putting the funds back into the property to improve the quality of life for the residents and make necessary safety and infrastructure repairs.

STEPHENSON: Well, the easiest way to do that is don't have triple net leases. That will stop that. If they don't get the taxes paid to rent as rent to them so they can pay the taxes.

TURNER: Well, and that may be. Like I said, some of these are owned outright, some of them are triple net leases.

REMARKS ORDERED PRINTED

Representative Stephenson moved to print remarks between Representative Turner and Representative Stephenson.

The motion prevailed.

HB 850 was passed by (Record 1017): 83 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Burns; Canales; Clardy; Coleman; Collier; Cortez; Cospers; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Flynn; Frank; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, T.; Klick; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Minjarez; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Perez; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Button; Cain; Capriglione; Cook; Craddick; Cyrier; Dean; Elkins; Faircloth; Fallon; Frullo; Goldman; Hefner; Huberty; Isaac; Keough; King, K.; King, P.; Koop; Krause; Kuempel; Landgraf; Lang; Laubenberg; Leach; Metcalf; Miller; Morrison; Murr; Oliverson;

Paul; Phelan; Phillips; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schubert; Shaheen; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Moody.

STATEMENTS OF VOTE

When Record No. 1017 was taken, I was shown voting no. I intended to vote yes.

G. Bonnen

When Record No. 1017 was taken, I was shown voting yes. I intended to vote no.

Clardy

When Record No. 1017 was taken, I was shown voting no. I intended to vote yes.

Goldman

When Record No. 1017 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1017 was taken, I was shown voting no. I intended to vote yes.

Simmons

HB 3287 ON THIRD READING (by Goldman, Geren, Guillen, et al.)

HB 3287, A bill to be entitled An Act relating to the sale of ale and beer by certain brewers and manufacturers.

HB 3287 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HOWARD: I talked to you briefly about the fact that I'd like to clarify some parts of your bill.

REPRESENTATIVE GOLDMAN: Yes, ma'am.

HOWARD: During second reading of your bill Saturday, you stated that **CSHB 3287** does nothing to harm craft brewers in any way, and I want to know if you still feel that way today.

GOLDMAN: Absolutely.

HOWARD: Then I have a few questions here. Do you have the bill with you?

GOLDMAN: Yes, ma'am.

HOWARD: Could you look on page 2, lines 17-19, where it states, "all premises wholly or partly owned, directly or indirectly"? Is it your intent that this section applies to both entities that own more than one brewery and to a single brewery owner?

GOLDMAN: Representative Howard, this is just the conversation I believe I had with Representative Rodriguez. If any entity purchases another entity and stays under the 225,000 barrel mark, they're still fine. They're still not affected by this legislation whatsoever. And like I pointed out on Saturday, the largest craft brewer that we know of right now in the State of Texas is under 100,000 barrels. So when I say this doesn't affect any craft brewer today, that's what I mean. They are well under the 225,000 barrel mark. In fact, every single one that we know of, every craft brewer that we know of in this state, is under 100,000 barrels.

HOWARD: So specifically, you're changing the law to the 225,000 barrel limit to have a taproom so that it will apply to the total amount of beer being produced by a company and not to the individual permitted site like it is today?

GOLDMAN: I'm not changing the law. We're reemphasizing—

HOWARD: We're adding the 225,000?

GOLDMAN: We're not adding; that was the agreement. My understanding is that's in current statute set in 2013 when the agreement with the craft beer industry was made. As long as they don't go over 225,000 mark, they're completely—

HOWARD: And your understanding is that they're at 100,000 now.

GOLDMAN: My understanding is that the largest craft brewer in the state is possibly at 80,000 to 90,000 barrels, so nowhere near the 225,000 mark.

HOWARD: Can you look at page 3, Subsection (c)? Does this reference the grandfathering part of the bill you were discussing Saturday which allows breweries like Karbach and Revolver to continue to operate their taproom?

GOLDMAN: Correct, and everybody continues their taproom. We've never said that they had to close their taproom if they get purchased out. If anybody gets bought out, by a large international brewer association in this case, they don't ever have to close their taproom.

HOWARD: So specifically, I also want to reference line 7, Subsection (1)(A), where it gives the date of January 1, 2017. Is it your intent that if a brewery is issued a permit today, May 8, 2017, and then subsequently bought by another brewer sometime in the future, then they would have to close their taproom?

GOLDMAN: No taproom ever has to be or will be closed under this legislation.

HOWARD: Then why is the date there?

GOLDMAN: The date there is just making a clarifying date. That's all. It has nothing to do with closing the taprooms in any way, shape, or form. No taprooms under this legislation ever will be, should be, can be closed under this legislation.

HOWARD: And I appreciate your emphasizing that. I just have a couple more here. I'm still on page 3, Subsection (2), starting on line 13. Is this written to further memorialize that this is the grandfathering of the four breweries that are owned by mega breweries?

GOLDMAN: That's what this legislation does do. Yes, ma'am. Those breweries are grandfathered in, and so their business is not affected in any way, shape, or form.

HOWARD: Which I keep hearing you say, and I appreciate that. So you're telling us that Subsection (c), on page 3, lines 1-15, does not apply to a small Texas-owned craft brewery, whether they are a single brewery operation or partnered with another small Texas-owned brewery, so long as each brewery individually produces less than 225,000 barrels per year.

GOLDMAN: This legislation does not affect any brewery in current operation in this state.

REMARKS ORDERED PRINTED

Representative Howard moved to print remarks between Representative Goldman and Representative Howard.

The motion prevailed.

REPRESENTATIVE BIEDERMANN: So just to be clear, when a brewery, a small craft brewery, is bought by, say, an Anheuser-Busch, this bill now says the volume of Anheuser-Busch is added to their volume to determine if they're a small craft brewery anymore, correct?

GOLDMAN: Yes, sir.

BIEDERMANN: So that means they will not be able to have a taproom.

GOLDMAN: That's not true, Mr. Biedermann. They can continue their taproom.

BIEDERMANN: So what is the disadvantage then to becoming a large craft beer?

GOLDMAN: There is no disadvantage whatsoever.

BIEDERMANN: Yes, there is.

GOLDMAN: No, there isn't, Mr. Biedermann.

BIEDERMANN: Then why are you separating a large craft—where is the separation from a large craft brewery to a small craft brewery? What makes the difference?

GOLDMAN: Well, let me ask you this. If InBev or MillerCoors comes in and buys a small craft brewery in the state, do you still consider them a small craft brewery?

BIEDERMANN: Yes, we do, because they are making their own beer in their one brewery. Anheuser-Busch does not have a taproom. So answer the question, if they—

GOLDMAN: Wait, let me back up. We're not asking for any taproom to be closed in any way, shape, or form in this legislation.

BIEDERMANN: So what is the disadvantage then of becoming a large craft brewery?

GOLDMAN: I don't think there is a disadvantage. We welcome their entrepreneurship of a major international company once—

BIEDERMANN: They are now over the gallonage—

GOLDMAN: Can I finish, please? If a major international brewery wants to come in and buy them, as has happened in several cases in this state, we applaud that. They are obviously doing something right, and they are making \$100 million on their sale, and they're happy.

BIEDERMANN: Right, but the bill changes it from one location to adding all the locations. So now that craft brewery that was bought by Anheuser-Busch, the volume is now based on Anheuser-Busch's volume, not the craft beer.

GOLDMAN: Well, what do you think these large, mega international brewers are going to do once they buy a small craft brewery?

BIEDERMANN: Excuse me?

GOLDMAN: What do you think a large international brewer is going to do once they buy the small craft brewery?

BIEDERMANN: Same thing they did with Karbach. Karbach operates separately. Even though they are purchased by Anheuser-Busch, they operate separately.

GOLDMAN: And is their taproom closed?

BIEDERMANN: No, because they're grandfathered.

GOLDMAN: And does this legislation close any future taprooms in the state?

BIEDERMANN: Once you go over that gallonage, then you have disadvantages.

GOLDMAN: It does not close the taprooms in any way, shape, or form.

BIEDERMANN: Then they pay extra distributor fees.

GOLDMAN: They don't pay anything. This is my part about the miscommunication about this legislation, Mr. Biedermann. That's why I'm trying to clear it. The craft beer industry has been fed a lot of misinformation, when, in my opinion and many people's opinion, this legislation protects the craft beer industry, especially from those who they are competing with. If craft brew A versus craft brew B are down the street from one another, and craft B gets purchased by a major international brewery, does craft A really want to compete with that guy down the street who has all the multibillions of dollars that industry has behind them to compete in the market?

BIEDERMANN: Of course, that's what competition and free market is all about, and that's what this bill takes away from, and that's the problem with it.

GOLDMAN: It does not. No, it does not, Mr. Biedermann.

BIEDERMANN: And the other thing is, you know, the three-tier system works. We're not against the three-tier system, but you have a craft brewery, and they have no way to be able to sell their product because the distributors can't handle 200 to 300 different types of beers by the six pack. So that's where it hurts the craft beer industry, because they're not—the distribution model is not set up for craft beer. So you allow them to sell some cups of beer in their brewery, but you don't allow them to sell a six pack or a case. So that's a problem.

GOLDMAN: Mr. Biedermann, can I ask what the largest grocery store in your area is?

BIEDERMANN: H-E-B.

GOLDMAN: Okay, H-E-B. You've no doubt been through the beer section at H-E-B. How many different beer brands are in that?

BIEDERMANN: Not nearly as many as there are craft beer places in the State of Texas, and that's the problem. People come to Pedernales Brewing Company in Fredericksburg. They like the beer. It's not distributed because there's not enough volume. So you're limiting people's choice, the consumer's choice, to buy the beer they want because of the model, and the model is the problem.

GOLDMAN: Well, the model may be the problem, and this, again, this goes back to 2013 when that industry agreed on the model. That industry agreed on the model in 2013, okay? So how the current system is, is how the current system continues, because that's what they agreed to.

BIEDERMANN: I understand. So all we need to do, though, is—the craft beer industry is growing. We need to help them be able to sell more product so we can keep Texas jobs.

GOLDMAN: That's the intent of this legislation.

BIEDERMANN: No, if you would allow them, hopefully next session, to be able to sell by the six pack or case, that would be a big help to the consumer.

GOLDMAN: They can sell their—again, the exception was made in 2013 to allow them to sell their beer in their taprooms, which they are currently able to do today.

REMARKS ORDERED PRINTED

Representative Stickland moved to print remarks between Representative Biedermann and Representative Goldman.

The motion prevailed.

HB 3287 was passed by (Record 1018): 111 Yeas, 33 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Cook; Cortez; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman;

González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Holland; Huberty; Hunter; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, J.; Rose; Schubert; Shine; Simmons; Smithee; Springer; Stephenson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Collier; Cosper; Fallon; Farrar; Hinojosa; Howard; Isaac; Israel; Keough; Klick; Krause; Lang; Metcalf; Morrison; Nevárez; Paul; Phillips; Rinaldi; Rodriguez, E.; Romero; Sanford; Schaefer; Schofield; Shaheen; Sheffield; Stickland; Stucky; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C); Anchia.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Flynn; Leach.

STATEMENTS OF VOTE

When Record No. 1018 was taken, I was shown voting yes. I intended to vote no.

Bell

When Record No. 1018 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 1018 was taken, I was in the house but away from my desk. I would have voted yes.

Flynn

When Record No. 1018 was taken, I was in the house but away from my desk. I would have voted no.

Leach

When Record No. 1018 was taken, I was shown voting no. I intended to vote present, not voting.

Nevárez

When Record No. 1018 was taken, I was shown voting no. I intended to vote yes.

Paul

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

HB 478 ON THIRD READING

(by Israel, Laubenberg, Rinaldi, Gutierrez, Neave, et al.)

HB 478, A bill to be entitled An Act relating to civil liability for removing certain individuals or animals from a motor vehicle.

HB 478 was read third time earlier today and was postponed until this time.

Amendment No. 1

Representative Springer offered the following amendment to **HB 478**:

Amend **HB 478** on third reading in SECTION 1 of the bill adding Chapter 92A, Civil Practice and Remedies Code, as follows:

(1) In the heading to Chapter 92A, between "INDIVIDUALS" AND "FROM", insert "OR ANIMALS".

(2) In Section 92A.001, add the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

() "Domestic animal" means a dog, cat, or other domesticated animal that may be kept as a household pet. The term does not include a livestock animal, as defined by Section 87.001

(3) In Section 92A.002, between the section heading and "A", insert "(a)".

(4) In Section 92A.002, following "vulnerable individual", add "or a domestic animal".

(5) In Section 92A.002, following "individual", each place the term appears, add "or animal".

(6) In Section 92A.002, add the following appropriately numbered subdivision and renumber subsequent subdivisions to read as follows:

() with respect to the removal of a domestic animal, the person remains present with an unrelated, disinterested witness who can corroborate that entry into the motor vehicle is necessary to avoid imminent harm to the individual or animal

(7) Immediately after Section 92A.002, insert the following:

(b) An owner of a vehicle described by Subsection (a) is not liable to the person described by that subsection for damages resulting from a bite from a domestic animal for which the person entered the vehicle to remove.

Amendment No. 2

Representative Bell offered the following amendment to Amendment No 1:

Amend Amendment No. 1 by Springer to **HB 478** on third reading by adding the following item:

(6) Immediately after added Section 92A.003, Civil Practice and Remedies Code, add the following appropriately numbered Section:

Sec. 92A. . RELATED PERSONS. This Chapter does not affect the criminal or civil liability of the person who enters a motor vehicle for the purpose of removing a domestic animal from the vehicle or the witness if the person and the witness are demonstrated to be related.

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted. (The vote was reconsidered later today, and Amendment No. 1 was further amended and failed of adoption by Record No. 1022.)

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Public Health, during lunch recess today, Desk 122, for a formal meeting, to consider pending business.

Special Purpose Districts, during lunch recess today, Desk 98, for a formal meeting, to consider pending business.

Public Education, during lunch recess today, Desk 108, for a formal meeting, to consider **HB 4226** and pending business.

(Paddie in the chair)

HB 478 - (consideration continued)

Representative Israel moved to postpone consideration of **HB 478** until the end of today's third reading general state calendar.

The motion prevailed.

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

The following bills were laid before the house and read third time:

SB 1012 ON THIRD READING (Paul and Fallon - House Sponsors)

SB 1012, A bill to be entitled An Act relating to notification by an insurer of certain disciplinary actions imposed on the insurer for a violation of the insurance laws of another state.

SB 1012 was passed by (Record 1019): 142 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Nevárez; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield;

Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Neave.

Present, not voting — Mr. Speaker; Paddie(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Bell; Davis, Y.; Dukes; Vo.

STATEMENT OF VOTE

When Record No. 1019 was taken, I was in the house but away from my desk. I would have voted yes.

Bell

SB 1070 ON THIRD READING (Frullo - House Sponsor)

SB 1070, A bill to be entitled An Act relating to authorized reinsurance and financial statement credit and accounting for reinsurance.

SB 1070 was passed by (Record 1020): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Paddie(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Phillips.

STATEMENT OF VOTE

When Record No. 1020 was taken, my vote failed to register. I would have voted yes.

Phillips

SB 77 ON THIRD READING (Alvarado - House Sponsor)

SB 77, A bill to be entitled An Act relating to involuntary termination of parental rights based on sexual assault of the child's other parent and the child support obligations of the parent whose rights were terminated.

SB 77 was passed by (Record 1021): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Paddie(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Lucio.

FIVE-DAY POSTING RULE SUSPENDED

Representative Murphy moved to suspend the five-day posting rule to allow the Committee on Special Purpose Districts to consider **HB 4348** at 8 a.m. Thursday, May 11 in E2.028.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Special Purpose Districts, 8 a.m. Thursday, May 11, E2.028, for a public hearing, to consider **HB 4348** and the previously posted agenda.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

HB 478 ON THIRD READING

(by Israel, Laubenberg, Rinaldi, Gutierrez, Neave, et al.)

HB 478, A bill to be entitled An Act relating to civil liability for removing certain individuals or animals from a motor vehicle.

HB 478 was read third time earlier today, amendments were offered and disposed of, and **HB 478** was postponed until this time.

Amendment No. 1 - Vote Reconsidered

Representative Israel moved to reconsider the vote by which Amendment No. 1, as amended, was adopted.

The motion to reconsider prevailed.

Amendment No. 3

Representative Springer offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Springer to **HB 478** on page 1, line 25, by striking "individual or".

Amendment No. 3 was adopted.

Amendment No. 1, as amended, failed of adoption by (Record 1022): 85 Yeas, 60 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Canales; Capriglione; Coleman; Collier; Cook; Cortez; Davis, S.; Davis, Y.; Deshotel; Faircloth; Farrar; Frank; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Keough; Koop; Laubenberg; Longoria; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paul; Perez; Pickett; Raney; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Shaheen; Sheffield; Shine; Simmons; Springer; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wu.

Nays — Anderson, C.; Ashby; Bailes; Bell; Biedermann; Bonnen, D.; Burrows; Button; Cain; Clardy; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Dutton; Elkins; Fallon; Flynn; Frullo; Guillen; Hefner; Holland; Isaac; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Lozano; Metcalf; Oliverson; Parker; Phelan; Phillips; Price; Roberts; Sanford; Schaefer; Schubert; Smithee; Stephenson; Stickland; Swanson; Tinderholt; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Paddie(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Hunter.

STATEMENT OF VOTE

When Record No. 1022 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

HB 478 was passed by (Record 1023): 145 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Faircloth.

Present, not voting — Mr. Speaker; Paddie(C).

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 1023 was taken, I was shown voting no. I intended to vote yes.

Faircloth

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Insurance, during lunch recess today, Desk 26, for a formal meeting, to consider pending business.

RECESS

Representative Farrar moved that the house recess until 1:15 p.m. today in memory of Lindsay Davis Weems of Fort Worth.

The motion prevailed.

The house accordingly, at 12:12 p.m., recessed until 1:15 p.m. today.

AFTERNOON SESSION

The house met at 1:17 p.m. and was called to order by the speaker.

(Wilson in the chair)

**PROVIDING FOR A LOCAL, CONSENT,
AND RESOLUTIONS CALENDAR
RULES SUSPENDED**

Representative S. Thompson moved to suspend all necessary rules to set a local, consent, and resolutions calendar for 9 a.m. tomorrow.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative S. Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 1:30 p.m. today, in 3W.9, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, 1:30 p.m. today, 3W.9, for a formal meeting, to set a calendar.

**HR 1612 - PREVIOUSLY ADOPTED
(by C. Anderson)**

The chair laid out and had read the following previously adopted resolution:

HR 1612, In memory of Michael Anderson Wood of Waco.

INTRODUCTION OF GUESTS

The chair recognized Representative C. Anderson who introduced family members of Michael Anderson Wood.

(Speaker in the chair)

(Gonzales now present)

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Local and Consent Calendars:

Capriglione on motion of Cosper.

Gonzales on motion of Cosper.

Landgraf on motion of Cosper.

Murr on motion of Cosper.

Simmons on motion of Cosper.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

SB 1083 ON SECOND READING (Frullo - House Sponsor)

SB 1083, A bill to be entitled An Act relating to the applicability of the sales and use tax to certain insurance services.

SB 1083 was considered in lieu of **CSHB 2381**.

SB 1083 was read second time and was passed to third reading.

CSHB 2381 - LAID ON THE TABLE SUBJECT TO CALL

Representative Frullo moved to lay **CSHB 2381** on the table subject to call.

The motion prevailed.

CSHB 446 ON SECOND READING (by Bell, et al.)

CSHB 446, A bill to be entitled An Act relating to refunds of certain bingo licensing and registration fees.

CSHB 446 was read second time on May 2, postponed until May 4, postponed until May 6, and was again postponed until 5 a.m. today.

Representative Huberty moved to postpone consideration of **CSHB 446** until 1:42 p.m. today.

The motion prevailed.

CSSB 44 ON SECOND READING (Schofield - House Sponsor)

CSSB 44, A bill to be entitled An Act relating to requirements relating to an application for a place on the ballot.

CSSB 44 was considered in lieu of **CSHB 1242**.

CSSB 44 was read second time and was passed to third reading.

CSHB 1242 - LAID ON THE TABLE SUBJECT TO CALL

Representative Schofield moved to lay **CSHB 1242** on the table subject to call.

The motion prevailed.

CSHB 2780 ON SECOND READING (by Paddie, Darby, Ashby, Geren, Phelan, et al.)

CSHB 2780, A bill to be entitled An Act relating to the purchase of iron and steel products made in the United States for certain governmental entity projects.

CSHB 2780 was read second time on May 3, postponed until May 5, and was again postponed until 6 a.m. today.

Representative Darby moved to postpone consideration of **CSHB 2780** until 1:45 p.m. today.

The motion prevailed.

SB 712 ON SECOND READING
(Hunter - House Sponsor)

SB 712, A bill to be entitled An Act relating to the duration of certain protective orders against family violence.

SB 712 was considered in lieu of **HB 2021**.

SB 712 was read second time and was passed to third reading.

HB 2021 - LAID ON THE TABLE SUBJECT TO CALL

Representative Hunter moved to lay **HB 2021** on the table subject to call.

The motion prevailed.

CSHB 1985 ON SECOND READING
(by Flynn)

CSHB 1985, A bill to be entitled An Act relating to debt cancellation agreements offered in connection with certain retail installment contracts and leases for vehicles.

CSHB 1985 was read second time on May 3 and was postponed until 8 a.m. today.

Representative Flynn moved to postpone consideration of **CSHB 1985** until 7 a.m. Wednesday, May 10.

The motion prevailed.

SB 527 ON SECOND READING
(Cook - House Sponsor)

SB 527, A bill to be entitled An Act relating to a defendant's payment of costs associated with a court-appointed counsel.

SB 527 was considered in lieu of **HB 2071**.

SB 527 was read second time.

Amendment No. 1

Representative Cook offered the following amendment to **SB 527**:

Amend **SB 527** (house committee report) on page 2, line 6, by striking "not".

Amendment No. 1 was adopted.

SB 527, as amended, was passed to third reading.

HB 2071 - LAID ON THE TABLE SUBJECT TO CALL

Representative Cook moved to lay **HB 2071** on the table subject to call.

The motion prevailed.

HB 3746 ON SECOND READING

(by Phelan)

HB 3746, A bill to be entitled An Act relating to the permissible uses of the floodplain management account.

HB 3746 was read second time on May 2 and was postponed until 9 a.m. today.

Representative Meyer moved to postpone consideration of **HB 3746** until 1:50 p.m. today.

The motion prevailed.

HB 1480 ON SECOND READING

(by S. Thompson)

HB 1480, A bill to be entitled An Act relating to a writ of mandamus by a court of appeals against an associate judge in certain cases.

HB 1480 was read second time on May 2 and was postponed until 9 a.m. today.

Representative Bell moved to postpone consideration of **HB 1480** until 1:55 p.m. today.

The motion prevailed.

CSHB 3026 ON SECOND READING

(by Phelan, J. Rodriguez, Dean, and Walle)

CSHB 3026, A bill to be entitled An Act relating to the abolishment of the used oil recycling account, deposits of used oil recycling fees, and use of the water resource management account.

CSHB 3026 was read second time on May 3 and was postponed until 9 a.m. today.

CSHB 3026 was passed to engrossment.

CSHB 446 ON SECOND READING

(by Bell, et al.)

CSHB 446, A bill to be entitled An Act relating to refunds of certain bingo licensing and registration fees.

CSHB 446 was read second time on May 2, postponed until May 4, postponed until May 6, postponed until 5 a.m. today, and was again postponed until this time.

Representative Bell moved to postpone consideration of **CSHB 446** until 5 a.m. tomorrow.

The motion prevailed.

SB 579 ON SECOND READING
(Cortez - House Sponsor)

SB 579, A bill to be entitled An Act relating to the use of epinephrine auto-injectors on private school campuses and at or in transit to or from off-campus school events.

SB 579 was considered in lieu of **HB 1583**.

SB 579 was read second time.

(Gonzales, Landgraf, and Murr now present)

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Gonzales on motion of Geren.

SB 579 - (consideration continued)

SB 579 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE STICKLAND: Representative Cortez, are you aware that homeschool in Texas also is considered a private school—homeschoolers?

REPRESENTATIVE CORTEZ: I was not aware of that, sir.

STICKLAND: So is this a mandate on homeschool families as well?

CORTEZ: This is not a mandate on anyone, whether it's private schools—

STICKLAND: Is it permissive to homeschoolers? Are homeschoolers included?

CORTEZ: If it falls under private school, then yes. It's permissive, completely.

STICKLAND: Okay, so this is a "may," not a "shall."

CORTEZ: That's correct.

STICKLAND: And they may do it right now, right, without this legislation?

CORTEZ: They may.

STICKLAND: Then why do we need the bill?

CORTEZ: Because there are some doctors who won't prescribe unassigned epinephrine auto injectors to any private schools without liability protection. And that's something that was passed also for public schools.

STICKLAND: Would you support if it was a mandate?

CORTEZ: Would I support if it was a mandate?

STICKLAND: Yes. Right now, it's a "may," not a "shall." But is it your intention to take it to a "shall" eventually?

CORTEZ: That's not my intention.

STICKLAND: Okay, so you in no way want to regulate that homeschoolers or private schools in the State of Texas be required to carry or have an EpiPen?

CORTEZ: No, I don't. And just to follow up also on Representative Springer's question, Texas Catholic Conference is also supporting the bill.

STICKLAND: Okay, but just for legislative intent, it is not your intention to mandate that any homeschooler or private school in Texas be required to have—

CORTEZ: It is not my intent at all, no.

STICKLAND: And in future legislatures you're not looking to do that.

REMARKS ORDERED PRINTED

Representative Stickland moved to print remarks between Representative Cortez and Representative Stickland.

The motion prevailed.

SB 579 was passed to third reading.

HB 1583 - LAID ON THE TABLE SUBJECT TO CALL

Representative Cortez moved to lay **HB 1583** on the table subject to call.

The motion prevailed.

SB 500 ON SECOND READING

(Geren, E. Johnson, Howard, P. King, S. Davis, et al. - House Sponsors)

SB 500, A bill to be entitled An Act relating to the effect of certain felony convictions of public elected officers.

SB 500 was considered in lieu of **CSHB 500**.

SB 500 was read second time.

SB 500 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE DUTTON: Charlie, I was trying to figure out who does this apply to now. What position—does it apply, for example, to judges?

REPRESENTATIVE GEREN: It applies to any elected official who receives a retirement benefit. This is county officials, judges, the legislature, the governor's office, all the statewides.

DUTTON: All of them are included?

GEREN: Yes, sir.

DUTTON: Just so that I understand, it applies only to a person who is in office at the time?

GEREN: In office at the time that they commit the felony and are convicted of it.

DUTTON: So let me be sure I understand, but it only applies to any acts in the future after this bill passes. It doesn't apply to any prior acts, does it?

GEREN: No, sir, it does not.

DUTTON: Okay, just so that I understand, too, a person can always resign from office, can they not?

GEREN: You can resign from office, but if you commit the felony while in office after this bill passes, you could lose your pension.

DUTTON: I guess what I'm getting at is, for example, let's say a person went to trial and while the jury was out, they decided to give their letter resigning from office.

GEREN: I don't believe that would suffice at this point, Mr. Dutton. I believe if they committed it while they were in office, one of these specific offenses, and they're convicted of it, if they go to court while they're in office, and they're convicted of it, then they're going to lose.

DUTTON: But I think the way the bill says, though, is they'd have to still—they have to be a member, an elected member at that time?

GEREN: Yes, sir.

DUTTON: But if you resign, you wouldn't be an elected member at that time.

GEREN: That's correct.

DUTTON: So if the jury was out and you resign, you wouldn't be a member. So it seems to me this wouldn't apply to you. And I don't know if that's right or wrong, that's why I'm asking.

GEREN: You know, you're the attorney. I'm afraid you'd have to answer that question. I'm not sure that I'm capable of it.

SB 500 was passed to third reading.

CSHB 500 - LAID ON THE TABLE SUBJECT TO CALL

Representative Geren moved to lay **CSHB 500** on the table subject to call.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Lozano requested permission for the Committee on Higher Education to meet while the house is in session, at 3:30 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Higher Education, 3:30 p.m. today, 1W.14, for a formal meeting, to consider pending business.

SB 252 ON SECOND READING (S. Davis - House Sponsor)

SB 252, A bill to be entitled An Act relating to prohibiting governmental contracts with a company doing business with Iran, Sudan, or a foreign terrorist organization.

SB 252 was considered in lieu of **HB 1142**.

SB 252 was read second time.

Amendment No. 1

Representative S. Davis offered the following amendment to **SB 252**:

Amend **SB 252** by adding the following appropriately numbered section to Subchapter F, Chapter 2252, Government Code, as added by the bill:

Sec. 2252. ____ . EXCEPTION. Notwithstanding any other law, a company that the United States government affirmatively declares to be excluded from its federal sanctions regime relating to Sudan, its federal sanctions regime relating to Iran, or any federal sanctions regime relating to a foreign terrorist organization is not subject to contract prohibition under this subchapter.

Amendment No. 1 was adopted.

SB 252 - HOUSE SPONSORS AUTHORIZED

On motion of Representative S. Davis, Representatives Ashby, Bell, Burrows, Button, Cosper, Dale, Dean, Holland, Isaac, Landgraf, Lang, Laubenberg, Leach, Metcalf, Murr, Oliverson, Phelan, Roberts, Simmons, Springer, Stucky, VanDeaver, Villalba, White, Wilson, and Workman were authorized as house sponsors to **SB 252**.

REMARKS ORDERED PRINTED

Representative Dutton moved to print remarks between Representative Geren and Representative Dutton on **SB 500**.

The motion prevailed.

SB 252 - (consideration continued)

SB 252, as amended, was passed to third reading.

HB 1142 - LAID ON THE TABLE SUBJECT TO CALL

Representative S. Davis moved to lay **HB 1142** on the table subject to call.

The motion prevailed.

SB 253 ON SECOND READING

(S. Davis - House Sponsor)

SB 253, A bill to be entitled An Act relating to investment prohibitions and divestment requirements for certain investments of public money.

SB 253 was considered in lieu of **CSHB 1143**.

SB 253 was read second time and was passed to third reading.

(Simmons now present)

CSHB 1143 - LAID ON THE TABLE SUBJECT TO CALL

Representative S. Davis moved to lay **CSHB 1143** on the table subject to call.

The motion prevailed.

SB 500 - HOUSE SPONSORS AUTHORIZED

On motion of Representative S. Davis, Representatives R. Anderson, Bailes, Bohac, Burns, Button, Canales, Capriglione, Clardy, Collier, Cook, Dean, Faircloth, Fallon, Goldman, González, Guillen, Gutierrez, Holland, Isaac, Kacal, Keough, Kuempel, Lozano, Metcalf, Miller, Murphy, Parker, Phelan, Pickett, Raney, Rinaldi, Roberts, E. Rodriguez, J. Rodriguez, Sheffield, Simmons, Springer, Stucky, VanDeaver, Villalba, and Wray were authorized as house sponsors to **SB 500**.

CSHB 1935 ON SECOND READING

(by Frullo, Dutton, Kuempel, Moody, Springer, et al.)

CSHB 1935, A bill to be entitled An Act relating to the carrying of certain knives.

CSHB 1935 was read second time on May 5 and was postponed until 4 p.m. today.

Representative Frullo moved to postpone consideration of **CSHB 1935** until 4 p.m. today.

The motion prevailed.

CSHB 2780 ON SECOND READING

(by Paddie, Darby, Ashby, Geren, Phelan, et al.)

CSHB 2780, A bill to be entitled An Act relating to the purchase of iron and steel products made in the United States for certain governmental entity projects.

CSHB 2780 was read second time on May 3, postponed until May 5, postponed until 6 a.m. today, and was again postponed until this time.

Representative Paddie moved to postpone consideration of **CSHB 2780** until 4:59 a.m. tomorrow.

The motion prevailed.

HB 3746 ON SECOND READING

(by Phelan)

HB 3746, A bill to be entitled An Act relating to the permissible uses of the floodplain management account.

HB 3746 was read second time on May 2, postponed until 9 a.m. today, and was again postponed until this time.

Representative Phelan moved to postpone consideration of **HB 3746** until 7 a.m. tomorrow.

The motion prevailed.

HB 1480 ON SECOND READING

(by S. Thompson)

HB 1480, A bill to be entitled An Act relating to a writ of mandamus by a court of appeals against an associate judge in certain cases.

HB 1480 was read second time on May 2, postponed until 9 a.m. today, and was again postponed until this time.

HB 1480 was passed to engrossment.

**EMERGENCY CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**CSHB 7 ON SECOND READING
(by Wu, Raymond, S. Davis, Rose, Zerwas, et al.)**

CSHB 7, A bill to be entitled An Act relating to child protective services suits, motions, and services by the Department of Family and Protective Services.

Amendment No. 1

Representative Wu offered the following amendment to **CSHB 7**:

Floor Packet Page No. 2

Amend **CSHB 7** (house committee report) as follows:

(1) On page 7, between lines 9 and 10, insert "Subsection (b)" as follows:

(b) At each hearing under this chapter, the court shall review the placement of each child in the temporary or permanent managing conservatorship of the department who has not been returned to the child's home. The court shall make a finding on whether there is a continuing danger to the physical health or safety of the child in the home and whether it is contrary to the welfare of the child for the child to return home.

(2) On page 11, between lines 17 and 18, insert "Subsection (c)" as follows:

(c) At each hearing under this chapter, the court shall review the placement of each child in the temporary or permanent managing conservatorship of the department who has not been returned to the child's home. The court shall make a finding on whether there is a continuing danger to the physical health or safety of the child in the home and whether it is contrary to the welfare of the child for the child to return home.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Burrows offered the following amendment to **CSHB 7**:

Floor Packet Page No. 3

Amend **CSHB 7** (house committee report) as follows:

(1) On page 2, strike lines 2 through 10, and substitute the following:

SECTION 3. Section 154.001(b), Family Code, is amended to read as follows:

(b) Unless a court has determined a parent is indigent,

(2) On page 4, line 27, strike "harassment" and substitute "behavior that poses a threat".

(3) On page 6, line 17, strike "harassment" and substitute "behavior that poses a threat".

(4) On page 9, line 3, strike "solely".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Faircloth offered the following amendment to **CSHB 7**:

Floor Packet Page No. 4

Amend **CSHB 7** (house committee report) as follows:

(1) On page 3, line 12, strike "Subsection (c)" and substitute "Subsections (c) and (d)".

(2) On page 3, between lines 24 and 25, insert the following:

(d) A court may not order termination based solely on the grounds of Subsection (b)(1)(O) if a parent proves by a preponderance of the evidence that the parent was unable to comply with the requirements of the court order due to the department's failure to provide court-ordered services to the parent.

Amendment No. 4

Representative Faircloth offered the following amendment to Amendment No. 3:

Amend Amendment No. 3 by Faircloth to **CSHB 7** (page 4 of the prefiled amendments packet) by striking lines 6-10 of the amendment and substituting the following:

(d) A court may not order termination under Subsection (b)(1)(O) based on the failure by the parent to comply with a specific provision of a court order if a parent proves by a preponderance of evidence that:

(1) the parent was unable to comply with specific provisions of the court order; and

(2) the parent made a good faith effort to comply with the order and the failure to comply with the order is not attributable to any fault of the parent.

Amendment No. 4 was adopted.

Amendment No. 3, as amended, was adopted.

Amendment No. 5

Representative Burrows offered the following amendment to **CSHB 7**:

Floor Packet Page No. 5

Amend **CSHB 7** (house committee report) as follows:

(1) On page 3, line 12, strike "Subsection (c)" and substitute "Subsections (c) and (d)".

(2) On page 3, between lines 24 and 25, insert the following:

(d) A court may not order termination based solely on the grounds of Subsection (b)(1)(O) if a parent proves by a preponderance of the evidence that:

(1) the parent was unable to comply with the requirements of the court order due to:

(A) the department's failure to provide court-ordered services to the parent; or
(B) the court-ordered requirements being impossible to perform; or
(2) the parent has substantially complied with the requirements of the court order.

Amendment No. 5 was withdrawn.

Amendment No. 6

Representative Rinaldi offered the following amendment to **CSHB 7**:
 Floor Packet Page No. 6

Amend **CSHB 7** (house committee report) as follows:

(1) On page 3, strike line 17, and substitute "(2) declined immunization for the child for reasons of conscience, including a religious belief;".

(2) On page 9, line 3, strike "solely".

(3) On page 9, strike line 5, and substitute "(2) declined immunization for the child for reasons of conscience, including a religious belief;".

Amendment No. 6 was withdrawn.

Amendment No. 7

Representative Klick offered the following amendment to **CSHB 7**:
 Floor Packet Page No. 7

Amend **CSHB 7** (house committee report) as follows:

(1) On page 3, line 18, strike "or".

(2) On page 3, line 24, strike "of this code." and substitute the following:

; or

(5) provided or administered low-THC cannabis to a child for whom the low-THC cannabis was prescribed under Chapter 169, Occupations Code.

(3) On page 9, line 6, strike "or".

(4) On page 9, line 12, strike "of this code." and substitute the following:

; or

(5) provided or administered low-THC cannabis to a child for whom the low-THC cannabis was prescribed under Chapter 169, Occupations Code.

Amendment No. 8

Representatives Isaac and Klick offered the following amendment to Amendment No. 7:

Amend Amendment No. 7 by Klick to **CSHB 7** (page 7, prefiled amendment packet) as follows:

(1) Strike lines 6-8 and substitute the following:

(5) provided or administered:

(A) medical cannabis to a child for whom the medical cannabis was recommended under Chapter 169, Occupations Code; or

(B) a product that contains THC to a child, if the parent believes that the provision or administration of the product is in the best interest of the child, and the child meets the requirements of Section 169.003(1) and (2), Occupations Code.

(2) Strike lines 13-15 and substitute the following:

(5) provided or administered:

(A) medical cannabis to a child for whom the medical cannabis was recommended under Chapter 169, Occupations Code; or

(B) a product that contains THC to a child, if the parent believes that the provision or administration of the product is in the best interest of the child, and the child meets the requirements of Section 169.003(1) and (2), Occupations Code.

Amendment No. 8 was adopted.

Amendment No. 7, as amended, was adopted.

Amendment No. 9

Representative Tinderholt offered the following amendment to **CSHB 7**:

Floor Packet Page No. 8

Amend **CSHB 7** (house committee printing) as follows:

(1) On page 3, line 18, strike "or".

(2) On page 3, line 24, between "code" and the underlined period, insert the following:
; or

(5) declined immunization for the child for reasons of conscience, including a religious belief

(3) On page 9, line 6, strike "or".

(4) On page 9, line 12, between "code" and the underlined period, insert the following:
; or

(5) declined immunization for the child for reasons of conscience, including a religious belief

(5) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 261.001(4), Family Code, is amended to read as follows:

(4) "Neglect":

(A) includes:

(i) the leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child;

(ii) the following acts or omissions by a person:

(a) placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child;

(b) failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child;

(c) the failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused;

(d) placing a child in or failing to remove the child from a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child; or

(e) placing a child in or failing to remove the child from a situation in which the child would be exposed to acts or omissions that constitute abuse under Subdivision (1)(E), (F), (G), (H), or (K) committed against another child; or

(iii) the failure by the person responsible for a child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away; and

(B) does not include:

(i) the refusal by a person responsible for a child's care, custody, or welfare to permit the child to remain in or return to the child's home resulting in the placement of the child in the conservatorship of the department if:

(a) ~~(i)~~ the child has a severe emotional disturbance;

(b) ~~(ii)~~ the person's refusal is based solely on the person's inability to obtain mental health services necessary to protect the safety and well-being of the child; and

(c) ~~(iii)~~ the person has exhausted all reasonable means available to the person to obtain the mental health services described by Sub-subparagraph (b) [Subparagraph (ii)]; or

(ii) the failure to ensure that a child receives the immunization series prescribed by Section 161.004, Health and Safety Code.

Amendment No. 9 was withdrawn.

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Longoria on motion of Geren.

CSHB 7 - (consideration continued)**Amendment No. 10**

Representative Burrows offered the following amendment to **CSHB 7**:
Floor Packet Page No. 12

Amend **CSHB 7** (house committee report) as follows:

(1) On page 7, line 2, between "FINDINGS." and "At", insert "(a)".

(2) On page 7, between lines 9 and 10, insert the following:

(b) At each hearing under this chapter, the court shall review the placement of each child in the temporary or permanent managing conservatorship of the department who has not been returned to the child's home. The court shall make a finding as to any continuing danger to the physical health or safety of the child in the home and whether it is contrary to the welfare of the child for the child to return home.

(3) On page 11, between lines 17 and 18, insert the following:

(c) At each hearing under this chapter, the court shall review the placement of each child in the temporary or permanent managing conservatorship of the department who has not been returned to the child's home. The court shall make a finding as to any continuing danger to the physical health or safety of the child in the home and whether it is contrary to the welfare of the child for the child to return home.

Amendment No. 11

Representatives Wu and Burrows offered the following amendment to Amendment No. 10:

Amend Amendment No. 10 by Burrows to **CSHB 7** (page 12 of the prefiled amendments packet) as follows:

(1) Strike lines 2-11.

(2) On line 14, strike "each hearing" and substitute "the permanency hearing before a final order".

(3) On line 19, between "home" and "and", insert ", whether the return is in the best interest of the child,".

(4) Renumber the items of the amendment accordingly.

Amendment No. 11 was adopted.

Amendment No. 10, as amended, was adopted.

Amendment No. 12

Representative Leach offered the following amendment to **CSHB 7**:
Floor Packet Page No. 19

Amend **CSHB 7** (house committee report) as follows:

(1) On page 9, line 6, strike "or".

(2) On page 9, line 12, between "code" and the underlined period, insert the following:
; or

(5) declined immunization for the child for reasons of conscience, including a religious belief

Amendment No. 12 was withdrawn.

Amendment No. 13

Representative Leach offered the following amendment to **CSHB 7**:

Floor Packet Page No. 22

Amend **CSHB 7** (house committee printing) as follows:

(1) On page 11, line 19, strike "Subsection (e)" and substitute "Subsections (e) and (f)".

(2) On page 11, between lines 23 and 24, insert the following:

(f) In a hearing under this chapter, the court shall call an individual listed under Subsection (b)(2) and the individual, at the individual's discretion, may appear at the hearing and present evidence and be heard regardless of whether either party calls the individual to testify. If the individual testifies at the hearing, the individual may be cross-examined by either party.

Amendment No. 13 was withdrawn.

Amendment No. 14

Representative S. Davis offered the following amendment to **CSHB 7**:

Floor Packet Page No. 23

Amend **CSHB 7** (house committee report) by striking page 26, line 17, through page 27, line 4, and substituting the following:

Sec. 266.005. CONSULTATION FOR HEALTH CARE. (a) Before a court may render an order requiring or prohibiting specific healthcare services, procedures, or treatments, including mental health care services, procedures, or treatments, for a child in the conservatorship of the department, the court shall consider whether a healthcare professional, acting within the health professional's scope of practice as prescribed by state law, has been consulted regarding the proposed care. If the court finds that a healthcare professional has been consulted and the court declines to follow the recommendation of the healthcare professional, the court shall make findings in the record supporting the court's order.

(b) Subsection (a) does not apply if the court:

(1) finds there is an urgent need for medical or behavioral intervention and there is not time consistent with the circumstances and the child's health, safety, or well-being to consult with a healthcare professional; or

(2) directs a child to receive an examination or assessment by an appropriate healthcare professional.

(c) If a court renders an order under circumstances described by Subsection (b)(1), the court shall order consultation with an appropriate healthcare professional as soon as practicable.

Amendment No. 15

Representative S. Davis offered the following amendment to Amendment No. 14:

Amend Amendment No. 14 by S. Davis to **CSHB 7** (house committee report) on page 1 of the amendment as follows:

(1) Strike through lines 4 through 15 and substitute the following:

Sec. 266.005. CONSULTATION FOR HEALTH CARE. (a) A court may not render an order requiring or prohibiting specific healthcare services, procedures, or treatments, including mental health care services, procedures, or treatments, for a child in the conservatorship of the department, unless a healthcare professional, acting within the scope of the healthcare professional's practice as prescribed by state law, has been consulted as to the proposed care. If the court finds that a healthcare professional has been consulted and the court declines to follow the recommendation of the healthcare professional, the court shall make findings in the record supporting the court's order.

(2) On line 17, strike "urgent" and substitute "immediate".

(3) After line 26, insert the following:

(d) Evidence of a health professional's recommendation for proposed care under Subsection (a) is not inadmissible on the grounds that it is hearsay evidence or that it is not authenticated if the judge considers the evidence to be otherwise reliable.

Amendment No. 15 was adopted.

Amendment No. 14, as amended, was adopted. (Rinaldi recorded voting no.)

Amendment No. 16

Representative Burrows offered the following amendment to **CSHB 7**:
Floor Packet Page No. 24

Amend **CSHB 7** (house committee printing) as follows:

(1) On page 18, line 19, between "department" and "may", insert "or the parent".

(2) On page 18, line 20, strike "as necessary for a" and insert "beyond the dismissal date established under Section 263.401 as necessary for the".

Amendment No. 17

Representatives Wu and Burrows offered the following amendment to Amendment No. 16:

Amend Amendment No. 16 by Burrows to **CSHB 7** (page 24 of the prefiled amendments packet) by striking lines 4-6.

Amendment No. 17 was adopted.

Amendment No. 16, as amended, was adopted.

Amendment No. 18

Representative Bernal offered the following amendment to **CSHB 7**:
Floor Packet Page No. 25

Amend **CSHB 7** (house committee report) as follows:

(1) On page 20, line 2, strike "and" and substitute "[~~and~~]".

(2) On page 22, line 27, between "child" and the period, insert the following:
; and

(4) if the child is 16 years of age or older, determine whether the department has provided the child with the following:

(A) the child's birth certificate;

(B) a social security card or a replacement social security card;

(C) a driver's license or personal identification certificate under Chapter 521, Transportation Code;

(D) the information contained in the child's health passport, including the child's immunization records, as required under Section 266.006;

(E) proof of enrollment of the child in Medicaid, if appropriate; and

(F) written information advising the child of postsecondary education benefits and opportunities available to the child, including the tuition exemption for former foster children under Section 54.366, Education Code

Amendment No. 18 was adopted.

Amendment No. 19

Representative Turner offered the following amendment to **CSHB 7**:
Floor Packet Page No. 26

Amend **CSHB 7** (house committee report) as follows:

(1) On page 25, strike lines 18 and 19, and substitute the following:
skills assessment for all youth in the department's permanent managing conservatorship who are at least 14 years of age but younger than 16 years of age and all youth in the department's conservatorship who are 16 years of age or older. The department shall annually

(2) On page 26, strike line 3, and substitute the following:

(a-5) The department, in coordination with stakeholders, shall

Amendment No. 20

Representative Turner offered the following amendment to Amendment No. 19:

Amend Amendment No. 19 by Turner to **CSHB 7** (page 26 of the prefiled amendments packet) by striking lines 5-7 and substituting the following:
managing conservatorship who are 16 years of age or older. The department may conduct a skills assessment for all youth in the department's permanent managing conservatorship who are at least 14 years of age and older based on funding, prioritizing youth who have the greatest needs. The department

Amendment No. 20 was adopted.

Amendment No. 19, as amended, was adopted.

Amendment No. 21

Representative Ortega offered the following amendment to **CSHB 7**:

Floor Packet Page No. 29

Amend **CSHB 7** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 102.004, Family Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) An original suit requesting possessory conservatorship may not be filed by a grandparent or other person. However, the court may grant a grandparent or other person, subject to the requirements of Subsection (b-1) if applicable, deemed by the court to have had substantial past contact with the child leave to intervene in a pending suit filed by a person authorized to do so under this chapter ~~subchapter~~ if there is satisfactory proof to the court that appointment of a parent as a sole managing conservator or both parents as joint managing conservators would significantly impair the child's physical health or emotional development.

(b-1) A foster parent may only be granted leave to intervene under Subsection (b) if the foster parent would have standing to file an original suit as provided by Section 102.003(a)(12).

Amendment No. 21 was adopted.

Amendment No. 22

Representative Klick offered the following amendment to **CSHB 7**:

Floor Packet Page No. 31

Amend **CSHB 7** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Sections 107.002(b) and (c), Family Code, are amended to read as follows:

(b) A guardian ad litem appointed for the child under this chapter shall:

(1) within a reasonable time after the appointment, interview:

(A) the child in a developmentally appropriate manner, if the child is four years of age or older;

(B) each person who has significant knowledge of the child's history and condition, including educators, welfare service providers, and any foster parent of the child; and

(C) the parties to the suit;

(2) seek to elicit in a developmentally appropriate manner the child's expressed objectives;

(3) consider the child's expressed objectives without being bound by those objectives;

(4) encourage settlement and the use of alternative forms of dispute resolution; and

(5) perform any specific task directed by the court.

(c) A guardian ad litem appointed for the child under this chapter is entitled to:

(1) receive a copy of each pleading or other paper filed with the court in the case in which the guardian ad litem is appointed;

(2) receive notice of each hearing in the case;

(3) participate in case staffings by the Department of Family and Protective Services concerning the child;

(4) attend all legal proceedings in the case but may not call or question a witness or otherwise provide legal services unless the guardian ad litem is a licensed attorney who has been appointed in the dual role;

(5) review and sign, or decline to sign, an agreed order affecting the child; ~~and~~

(6) explain the basis for the guardian ad litem's opposition to the agreed order if the guardian ad litem does not agree to the terms of a proposed order;

(7) have access to the child in the child's placement;

(8) be consulted and provide comments on decisions regarding placement, including kinship, foster care, and adoptive placements;

(9) receive notification regarding and an invitation to attend meetings related to the child's service plan and a copy of the plan; and

(10) attend court-ordered mediation regarding the child's case.

Amendment No. 22 was adopted.

Amendment No. 23

Representative Giddings offered the following amendment to **CSHB 7**:

Floor Packet Page No. 33

Amend **CSHB 7** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 107.004, Family Code, is amended by adding Subsection (d-3) to read as follows:

(d-3) An attorney ad litem appointed to represent a child in the managing conservatorship of the Department of Family and Protective Services shall periodically continue to review the child's safety and well-being, including any effects of trauma to the child, and take appropriate action, including requesting a review hearing when necessary to address an issue of concern.

Amendment No. 23 was adopted.

Amendment No. 24

Representative Giddings offered the following amendment to **CSHB 7**:

Floor Packet Page No. 34

Amend **CSHB 7** by adding the following appropriately numbered SECTIONS to the bill and renumbering the sections of the bill accordingly:

SECTION _____. Section 107.016, Family Code, is amended to read as follows:

Sec. 107.016. CONTINUED REPRESENTATION; DURATION OF APPOINTMENT. In a suit filed by a governmental entity in which termination of the parent-child relationship or appointment of the entity as conservator of the child is requested:

(1) an order appointing the Department of Family and Protective Services as the child's managing conservator may provide for the continuation of the appointment of the guardian ad litem ~~[or attorney ad litem]~~ for the child for any period during the time the child remains in the conservatorship of the department, as set by the court; ~~and~~

(2) subject to Section 263.4042, an order appointing the Department of Family and Protective Services as the child's managing conservator shall provide for the continuation of the appointment of the attorney ad litem for the child as long as the child remains in the conservatorship of the department; and

(3) an attorney appointed under this subchapter to serve as an attorney ad litem for a parent or an alleged father continues to serve in that capacity until the earliest of:

(A) the date the suit affecting the parent-child relationship is dismissed;

(B) the date all appeals in relation to any final order terminating parental rights are exhausted or waived; or

(C) the date the attorney is relieved of the attorney's duties or replaced by another attorney after a finding of good cause is rendered by the court on the record.

SECTION _____. Subchapter E, Chapter 263, Family Code, is amended by adding Section 263.4042 to read as follows:

Sec. 263.4042. CONTINUED APPOINTMENT OF ATTORNEY AD LITEM AFTER FINAL ORDER. (a) On the entry of a final order terminating the parent-child relationship and naming the Department of Family and Protective Services as the child's managing conservator, the court may discharge the attorney ad litem appointed for the child if the court finds that:

(1) the child has a representative authorized by the court to represent the legal interests of the child and discharge of the attorney ad litem is in the child's best interest; or

(2) the child:

(A) resides in the home identified in the child's permanency plan as the child's permanent home;

(B) has an attorney ad litem or guardian ad litem who does not object to the child's permanency plan; and

(C) has resided in the home described by Paragraph (A) for at least three months.

(b) If a court renders an order discharging a child's attorney ad litem under Subsection (a), at each permanency hearing following the final order held under Section 263.501, the court shall make the findings required by Section 263.5031.

SECTION _____. Section 263.5031, Family Code, is amended to read as follows:

Sec. 263.5031. PERMANENCY HEARINGS FOLLOWING FINAL ORDER. (a) At each permanency hearing after the court renders a final order, the court shall:

- (1) identify all persons and parties present at the hearing;
- (2) review the efforts of the department or other agency in notifying persons entitled to notice under Section 263.0021; and
- (3) review the permanency progress report to determine:
 - (A) the safety and well-being of the child and whether the child's needs, including any medical or special needs, are being adequately addressed;
 - (B) the continuing necessity and appropriateness of the placement of the child, including with respect to a child who has been placed outside of this state, whether the placement continues to be in the best interest of the child;
 - (C) if the child is placed in institutional care, whether efforts have been made to ensure that the child is placed in the least restrictive environment consistent with the child's best interest and special needs;
 - (D) the appropriateness of the primary and alternative permanency goals for the child, whether the department has made reasonable efforts to finalize the permanency plan, including the concurrent permanency goals, in effect for the child, and whether:
 - (i) the department has exercised due diligence in attempting to place the child for adoption if parental rights to the child have been terminated and the child is eligible for adoption; or
 - (ii) another permanent placement, including appointing a relative as permanent managing conservator or returning the child to a parent, is appropriate for the child;
 - (E) for a child whose permanency goal is another planned permanent living arrangement:
 - (i) the desired permanency outcome for the child, by asking the child; and
 - (ii) whether, as of the date of the hearing, another planned permanent living arrangement is the best permanency plan for the child and, if so, provide compelling reasons why it continues to not be in the best interest of the child to:
 - (a) return home;
 - (b) be placed for adoption;
 - (c) be placed with a legal guardian; or
 - (d) be placed with a fit and willing relative;
 - (F) if the child is 14 years of age or older, whether services that are needed to assist the child in transitioning from substitute care to independent living are available in the child's community;
 - (G) whether the child is receiving appropriate medical care and has been provided the opportunity, in a developmentally appropriate manner, to express the child's opinion on any medical care provided;

(H) for a child receiving psychotropic medication, whether the child:

(i) has been provided appropriate nonpharmacological interventions, therapies, or strategies to meet the child's needs; or

(ii) has been seen by the prescribing physician, physician assistant, or advanced practice nurse at least once every 90 days;

(I) whether an education decision-maker for the child has been identified, the child's education needs and goals have been identified and addressed, and there are major changes in the child's school performance or there have been serious disciplinary events;

(J) for a child for whom the department has been named managing conservator in a final order that does not include termination of parental rights, whether to order the department to provide services to a parent for not more than six months after the date of the permanency hearing if:

(i) the child has not been placed with a relative or other individual, including a foster parent, who is seeking permanent managing conservatorship of the child; and

(ii) the court determines that further efforts at reunification with a parent are:

(a) in the best interest of the child; and

(b) likely to result in the child's safe return to the child's parent; and

(K) whether the department has identified a family or other caring adult who has made a permanent commitment to the child.

(b) At each permanency hearing after the court renders a final order, the court:

(1) for a child who is not represented by an attorney ad litem shall:

(A) determine whether the child requires representation by an attorney ad litem under Section 107.016; and

(B) if the court declines to appoint an attorney ad litem for the child, state the reason for declining to appoint an attorney ad litem; and

(2) for a child who is represented by an attorney ad litem:

(A) shall consider the need for continued appointment of the attorney ad litem for the child; and

(B) may discharge the attorney ad litem appointed for the child if the court finds that:

(i) the child is eligible for adoption and living in the home identified in the permanency plan as the child's permanent home;

(ii) the child's attorney ad litem or guardian ad litem does not object to the child's permanency plan; and

(iii) the child has resided in the home described by Subparagraph (i) for at least three months.

SECTION _____. The changes in law made by this Act apply to a suit affecting the parent-child relationship filed before, on, or after the effective date of this Act.

SECTION _____. This Act takes effect September 1, 2017.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Larson requested permission for the Committee on Natural Resources to meet while the house is in session, at 3 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Natural Resources, 3 p.m. today, 1W.14, for a formal meeting, to consider pending business.

CSHB 7 - (consideration continued)**Amendment No. 25**

Representative Frank offered the following amendment to Amendment No. 24:

Amend Amendment No. 24 by Giddings to **CSHB 7** (page 33 of the prefiled amendments packet) as follows:

(1) On line 2, strike "SECTION" and substitute "SECTIONS".

(2) Immediately following line 11, insert the following:

SECTION _____. (a) In this section:

(1) "Attorney ad litem" has the meaning assigned by Section 107.001, Family Code.

(2) "Commission" means the Permanent Judicial Commission for Children, Youth and Families established by the supreme court.

(b) The commission shall study the appointment and use of attorneys ad litem in cases involving the Department of Family and Protective Services. The commission shall:

(1) examine:

(A) the method for appointing attorneys ad litem;

(B) the oversight and accountability measures used across the state to monitor attorneys ad litem;

(C) the methods by which qualifications for appointment as an attorney ad litem and training requirements for an attorney ad litem are established and enforced;

(D) the timing of and duration of appointments;

(E) the rate of compensation for appointments and the method for establishing compensation rates across the state;

(F) the quality of representation and methods for assessing performance of attorneys ad litem;

(G) the pretrial and posttrial client satisfaction with representation by attorneys ad litem representing parents and attorneys ad litem representing children;

(H) organizational studies and national standards related to the workload of attorneys ad litem;

(I) the best practices for attorneys ad litem; and

(J) the estimated and average costs associated with legal representation by an attorney ad litem per child compared with the costs associated with foster care per child;

(2) conduct a survey of attorneys ad litem about the attorney's training, including:

(A) the attorney's legal education;

(B) whether the attorney is certified as a specialist by the Texas Board of Legal Specialization in any area of law; and

(C) the professional standards followed by the attorney;

(3) perform a statistical analysis of the data and information collected under Subdivisions (1) and (2) of this subsection; and

(4) develop policy recommendations for improving the attorney ad litem appointment process.

(c) The commission shall prepare a report based on the findings of the study conducted under this section and shall submit the report to each member of the legislature not later than September 1, 2018.

Amendment No. 25 was adopted.

Amendment No. 24, as amended, was adopted.

Amendment No. 26

Representative Coleman offered the following amendment to **CSHB 7**:

Floor Packet Page No. 42

Amend **CSHB 7** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 122, Government Code, is amended by adding Sections 122.005 and 122.006 to read as follows:

Sec. 122.005. FAMILY DRUG COURT STUDY. (a) Not later than September 1, 2018, the commissioners court of each county that has not established a family drug court program shall study the effect the creation of a family drug court would have in the county. The sheriff and, as applicable, the county attorney, district attorney, or criminal district attorney shall assist in conducting the study. The study must analyze the effectiveness of:

(1) creating a court that specializes in cases in which a parent or person standing in parental relation suffers from drug addiction; and

(2) case management used by a family drug court program, including the involvement of Department of Family and Protective Services caseworkers, court-appointed case managers, and court-appointed special advocates, to rehabilitate a parent or person standing in parental relation who has had a child removed from the parent's or person's care by the department or who is under investigation to determine if a child should be removed from the care of the parent or person standing in parental relation by the department.

(b) Each commissioners court in a county conducting the study required by Subsection (a) shall request assistance from:

(1) judges located in the county;

- (2) child protective services caseworkers and supervisors;
- (3) attorneys ad litem;
- (4) guardians ad litem;
- (5) drug treatment providers;
- (6) family and child therapists;
- (7) peer recovery coach providers;
- (8) domestic violence victim advocates;
- (9) housing partners;
- (10) drug coordinators;
- (11) drug court services managers; and
- (12) drug court case managers.

(c) This section expires January 1, 2019.

Sec. 122.006. GRANT FUNDING FOR FAMILY DRUG COURTS. (a) The family drug court fund is a dedicated account in the general revenue fund in the state treasury.

(b) The family drug court fund consists of:

- (1) appropriations of money to the fund by the legislature; and
- (2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) The Health and Human Services Commission shall administer the family drug court fund. Money in the account may be used only to pay counties to establish and administer a family drug court. To receive money from the family drug court fund a county must submit the study conducted under Section 122.005 on the effect of the creation of a family drug court in the county and a detailed proposal of the establishment of the court.

(d) Grants will only be made when funds are available.

SECTION _____. The Health and Human Services Commission shall adopt rules establishing the criteria for awarding a grant to counties to establish a family drug court under Section 122.006, Government Code, as added by this Act, not later than January 1, 2018.

Amendment No. 27

Representative Coleman offered the following amendment to Amendment No. 26:

Amend Amendment No. 26 by Coleman to **CSHB 7** (page 42, prefiled amendment packet) in the section of the amendment adding Sections 122.005 and 122.006, Government Code, in added Section 122.005(a), Government Code, between "shall" and "study", by inserting ", subject to the availability of funds,".

Amendment No. 27 was adopted.

Amendment No. 26, as amended, was adopted by (Record 1024): 120 Yeas, 24 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon;

Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Cain; Clardy; Cyrier; Dale; Hefner; Isaac; Keough; Krause; Lang; Leach; Metcalf; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Capriglione; Gonzales; Longoria.

Absent — Dukes; Phelan.

STATEMENTS OF VOTE

When Record No. 1024 was taken, I was shown voting yes. I intended to vote no.

G. Bonnen

When Record No. 1024 was taken, I was in the house but away from my desk. I would have voted yes.

Phelan

When Record No. 1024 was taken, I was shown voting yes. I intended to vote no.

Simmons

When Record No. 1024 was taken, I was shown voting yes. I intended to vote no.

Springer

Amendment No. 28

Representative Burrows offered the following amendment to **CSHB 7**:
Floor Packet Page No. 45

Amend **CSHB 7** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 263.402, Family Code, is amended to read as follows:

Sec. 263.402. LIMIT ON EXTENSION[~~-, WAIVER~~]. [~~(a)~~] The parties to a suit under this chapter may not extend the deadlines set by the court under this subchapter by agreement or otherwise.

~~[(b) A party to a suit under this chapter who fails to make a timely motion to dismiss the suit under this subchapter waives the right to object to the court's failure to dismiss the suit. A motion to dismiss under this subsection is timely if the motion is made before the trial on the merits commences.]~~

Amendment No. 28 was adopted.

Amendment No. 29

Representative Keough offered the following amendment to **CSHB 7**:
Floor Packet Page No. 47

Amend **CSHB 7** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 264.203, Family Code, is amended by amending Subsection (a) and adding Subsections (e) and (f) to read as follows:

(a) Except as provided by Subsection (d), if the court finds by a preponderance of the evidence that abuse or neglect has occurred or is likely to occur, the court on request of the department may order the parent, managing conservator, guardian, or other member of the subject child's household to:

(1) participate in the services of the department provides or purchases for:

(A) alleviating the effects of the abuse or neglect that has occurred;

or

(B) reducing the reasonable likelihood that the child may be abused or neglected in the immediate or foreseeable future; and

(2) permit the child and any siblings of the child to receive the services.

(e) Before the court may order the participation of a parent, managing conservator, guardian, or other member of the subject child's household in services, the court shall advise any person who is not represented by an attorney of:

(1) the right to be represented by an attorney; and

(2) if the person is indigent and opposes the order to participate in services, the court may appoint an attorney.

Amendment No. 30

Representative Dutton offered the following amendment to Amendment No. 29:

Amend Amendment No. 29 by Keough (page 47 of the prefiled amendment packet) to **CSHB 7** as follows:

(1) In the recital to the amendment, strike "numbered SECTION" and substitute "numbered SECTIONS"

(2) Immediately before the SECTION amending Section 264.203, Family Code, insert the following:

SECTION _____. Section 107.013(a), Family Code, is amended to read as follows:

(a) In a suit filed by a governmental entity under Subtitle E in which termination of the parent-child relationship or the appointment of a conservator for a child is requested, the court shall appoint an attorney ad litem to represent the interests of the following parties immediately after the filing of the petition but before the full adversary hearing:

(1) an indigent parent of the child who responds in opposition to the termination or appointment;

(2) a parent served by citation by publication;

(3) an alleged father who failed to register with the registry under Chapter 160 and whose identity or location is unknown; and

(4) an alleged father who registered with the paternity registry under Chapter 160, but the petitioner's attempt to personally serve citation at the address provided to the registry and at any other address for the alleged father known by the petitioner has been unsuccessful.

(Capriglione now present)

Amendment No. 30 was adopted.

Representative Wu moved to table Amendment No. 29, as amended.

The motion to table prevailed by (Record 1025): 125 Yeas, 19 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddock; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Cain; Dean; Dutton; Hefner; Keough; Lang; Metcalf; Rinaldi; Schaefer; Shaheen; Stephenson; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Anderson, C.; Dukes; Raymond.

STATEMENT OF VOTE

When Record No. 1025 was taken, I was in the house but away from my desk. I would have voted yes.

C. Anderson

Amendment No. 31

Representative Price offered the following amendment to **CSHB 7**:
Floor Packet Page No. 48

Amend **CSHB 7** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 572.001(c), Health and Safety Code, is amended to read as follows:

(c) A person or agency appointed as the guardian or a managing conservator of a person younger than 18 years of age and acting as an employee or agent of the state or a political subdivision of the state may request admission of the person younger than 18 years of age to an inpatient mental health facility [~~only with the person's consent. If the person does not consent, the person may be admitted for inpatient services~~] only pursuant to an application for court-ordered mental health services or emergency detention or an order for protective custody.

Amendment No. 31 was adopted.

Amendment No. 32

Representative Leach offered the following amendment to **CSHB 7**:
Floor Packet Page No. 19

Amend **CSHB 7** (house committee report) as follows:

(1) On page 9, line 6, strike "or".
(2) On page 9, line 12, between "code" and the underlined period, insert the following:
; or

(5) declined immunization for the child for reasons of conscience, including a religious belief

Amendment No. 33

Representative Swanson offered the following amendment to Amendment No. 32:

Amend Amendment No. 32 by Leach to **CSHB 7** (page 19 of the prefiled amendments packet) by adding the following appropriately numbered items to the amendment:

() On page 3, line 18, strike "or".
() On page 3, line 24, between "code" and the underlined period, insert the following:
; or

(5) declined immunization for the child for reasons of conscience, including a religious belief

Amendment No. 33 was adopted. (S. Davis recorded voting no.)

Amendment No. 34

Representative Wu offered the following amendment to Amendment No. 32:

Amend Amendment No. 32 by Leach to **CSHB 7** (page 19 of the prefiled amendment packet) by adding the following appropriately numbered item to the amendment:

() On page 3, line 12, strike "Subsection (c)" and Substitute "Subsection (c) and (d)".

() On page 3, between lines 24 and 25, insert the following:

(d) This section does not prohibit the Department of Family and Protective Services from offering evidence described by Subsection (c) as part of an action to terminate the parent child relationship under this subchapter.

() On page 9, between lines 17 and 18, insert the following:

(d) This section does not prohibit the department from offering evidence described by Subsection (a) as part of an action to take possession of a child under this subchapter.

AMENDMENT NO. 34 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE BURROWS: On your amendment, does this now make this evidence relevant for a jury to hear in a termination proceeding?

REPRESENTATIVE WU: That's a hard question to ask, because as we go through a trial, there's always stuff that's brought up. And whether it's relevant is up to the jury, but the jury charge will tell the jury, look, you can't consider these things. The reason for this amendment to the amendment is because a lot of times at a trial you can't tell half a story. You can't say something just not to tell a part of the story that is going on. For example, if somebody was severely physically abusing their child, the jury might have a question of, well, why didn't the school officials report it? If you couldn't say, well, the answer was that the child was being homeschooled, but that's not the reason why the child is being removed, but it's just an explanation—the jury would be very confused.

BURROWS: Let me ask you a couple of questions. If there's a motion in limine as to homeschooling, and currently the judge says, you know what, they're a good homeschool student; it's not non-schooling, and so the judge is going to keep that out for fear that maybe there's some fear or prejudice or bias against homeschool families out there. Would this amendment to the amendment in any way void the judge's right or ability to make the motion in limine?

WU: It would not.

BURROWS: Because my concern is, I don't want an unfair trial or prejudice or bias to creep in for things that are legal if it's not relevant. I don't want this to open the door up.

WU: Absolutely. The statute's permissive. There was concern that because the statute did not specify whether they could or could not. We're just saying, look, this does not prevent you from talking about this stuff in the larger trial, but if a judge wants a limine and out, there's no reason why they couldn't.

BURROWS: Is that clear in here, you think?

WU: I believe it is. This does not trump—there's nothing in this part of the code that trumps the Rules of Civil Procedure or anything else.

BURROWS: Well, but of course, the Rules of Civil Procedure or the Rules of Evidence are sometimes actually adopted, or the Rules of Evidence at least are, and interpreted based on what this is. And the one thing that I want to make sure is, this is not opening the door to allowing evidence of homeschooling when it's in fact not relevant because it's a very good homeschool family. That's not your intent.

WU: That's not the intent. The part of the bill as was written, I would assume, and I would believe, that if a jury charge was written, it would specifically say to the jury, you may not consider these things.

BURROWS: And of course, I'm not worried about the jury charge. I'm worried about, you know, some prosecutor somewhere trying to tell a jury who perhaps doesn't have homeschool children or hasn't been experienced with homeschool children, trying to use that as a way of creating bias throughout the trial that may not show up until the jury's findings. What I want to make sure is, very clear, that if we put this amendment on, that it does not allow the court to essentially keep out good evidence of good lawful things. And that would be your intent as the drafter?

WU: That is correct.

REMARKS ORDERED PRINTED

Representative Wu moved to print remarks between Representative Burrows and Representative Wu.

The motion prevailed.

(Kuempel in the chair)

Amendment No. 34 was adopted by (Record 1026): 100 Yeas, 42 Nays, 3 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, D.; Burkett; Burns; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.;

King, P.; King, T.; Klick; Koop; Lambert; Larson; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bohac; Bonnen, G.; Burrows; Cain; Capriglione; Cyrier; Dale; Elkins; Fallon; Goldman; Gooden; Hefner; Isaac; Keough; Krause; Landgraf; Lang; Laubenberg; Leach; Metcalf; Miller; Oliverson; Paul; Rinaldi; Roberts; Sanford; Schaefer; Shaheen; Simmons; Smithee; Springer; Stephenson; Stickland; Swanson; Thompson, E.; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker; Anderson, C.; Kuempel(C).

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Allen; Dukes; Lozano.

STATEMENTS OF VOTE

When Record No. 1026 was taken, I was shown voting present, not voting. I intended to vote yes.

C. Anderson

When Record No. 1026 was taken, I was shown voting yes. I intended to vote no.

D. Bonnen

When Record No. 1026 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1026 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 1026 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1026 was taken, I was shown voting yes. I intended to vote no.

Phelan

When Record No. 1026 was taken, I was shown voting yes. I intended to vote no.

Schofield

Amendment No. 32, as amended, was adopted. (S. Davis recorded voting no.)

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).

CSHB 7 - (consideration continued)

Amendment No. 35

Representative Leach offered the following amendment to **CSHB 7**:
Floor Packet Page No. 22

Amend **CSHB 7** (house committee printing) as follows:

(1) On page 11, line 19, strike "Subsection (e)" and substitute "Subsections (e) and (f)".

(2) On page 11, between lines 23 and 24, insert the following:

(f) In a hearing under this chapter, the court shall call an individual listed under Subsection (b)(2) and the individual, at the individual's discretion, may appear at the hearing and present evidence and be heard regardless of whether either party calls the individual to testify. If the individual testifies at the hearing, the individual may be cross-examined by either party.

Amendment No. 36

Representative Wu offered the following amendment to Amendment No. 35:

Amend Amendment No. 35 by Leach to **CSHB 7** (page 22, prefiled amendment packet) by adding the following appropriately numbered items:

() Strike page 12, line 23 through page 15, line 22, and substitute the following:

SECTION _____. (a) Section 263.306(a-1), Family Code, is amended to conform to the amendment of Section 263.306(a), Family Code, by Chapter 697 (**HB 825**), Acts of the 84th Legislature, Regular Session, 2015, to read as follows:

(a-1) At each permanency hearing before a final order is rendered, the court shall:

(1) identify all persons and parties present at the hearing, determine whether the child's caregiver is present, and allow the caregiver to testify if the caregiver wishes to provide information about the child;

(2) review the efforts of the department or other agency in:

(A) locating and requesting service of citation on all persons entitled to service of citation under Section 102.009; and

(B) obtaining the assistance of a parent in providing information necessary to locate an absent parent, alleged father, or relative of the child;

(3) ask all parties present whether the child or the child's family has a Native American heritage and identify any Native American tribe with which the child may be associated;

(4) review the extent of the parties' compliance with temporary orders and the service plan and the extent to which progress has been made toward alleviating or mitigating the causes necessitating the placement of the child in foster care;

(5) ~~(4)~~ review the permanency progress report to determine:

(A) the safety and well-being of the child and whether the child's needs, including any medical or special needs, are being adequately addressed;

(B) the continuing necessity and appropriateness of the placement of the child, including with respect to a child who has been placed outside of this state, whether the placement continues to be in the best interest of the child;

(C) the appropriateness of the primary and alternative permanency goals for the child developed in accordance with department rule and whether the department has made reasonable efforts to finalize the permanency plan, including the concurrent permanency goals, in effect for the child;

(D) whether the child has been provided the opportunity, in a developmentally appropriate manner, to express the child's opinion on any medical care provided;

(E) for a child receiving psychotropic medication, whether the child:

(i) has been provided appropriate nonpharmacological interventions, therapies, or strategies to meet the child's needs; or

(ii) has been seen by the prescribing physician, physician assistant, or advanced practice nurse at least once every 90 days;

(F) whether an education decision-maker for the child has been identified, the child's education needs and goals have been identified and addressed, and there have been major changes in the child's school performance or there have been serious disciplinary events;

(G) for a child 14 years of age or older, whether services that are needed to assist the child in transitioning from substitute care to independent living are available in the child's community; and

(H) for a child whose permanency goal is another planned permanent living arrangement:

(i) the desired permanency outcome for the child, by asking the child; and

(ii) whether, as of the date of the hearing, another planned permanent living arrangement is the best permanency plan for the child and, if so, provide compelling reasons why it continues to not be in the best interest of the child to:

(a) return home;

(b) be placed for adoption;

(c) be placed with a legal guardian; or

(d) be placed with a fit and willing relative;

(6) [~~6~~] determine whether to return the child to the child's parents if the child's parents are willing and able to provide the child with a safe environment and the return of the child is in the child's best interest;

(7) [~~6~~] estimate a likely date by which the child may be returned to and safely maintained in the child's home, placed for adoption, or placed in permanent managing conservatorship; and

(8) [~~7~~] announce in open court the dismissal date and the date of any upcoming hearings.

(b) Section 263.306(c), Family Code, is amended to conform to the amendment of Section 263.306, Family Code, by Chapter 944 (SB 206), Acts of the 84th Legislature, Regular Session, 2015, to read as follows:

(c) In addition to the requirements of Subsection (a-1) [~~+~~], at each permanency hearing the court shall review the department's efforts to ensure that the child has regular, ongoing opportunities to engage in age-appropriate normalcy activities, including activities not listed in the child's service plan.

(c) Section 263.306(a), Family Code, is repealed to conform to the repeal of Section 263.306(a), Family Code, by Chapter 944 (SB 206), Acts of the 84th Legislature, Regular Session, 2015.

() On page 19, line 26, between "hearing" and the semicolon, insert "determine whether the child's caregiver is present, and allow the caregiver to testify if the caregiver wishes to provide information about the child".

Amendment No. 36 was adopted.

Amendment No. 35, as amended, was adopted.

CSHB 7, as amended, was passed to engrossment.

CSHB 6 ON SECOND READING (by Frank, Raymond, Klick, Dale, et al.)

CSHB 6, A bill to be entitled An Act relating to the administration of services provided by the Department of Family and Protective Services, including foster care, child protective services, and prevention and early intervention services.

Representative Frank moved to postpone consideration of **CSHB 6** until 5:45 a.m. Wednesday, May 10.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 4 p.m. today, in 3W.9, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 4 p.m. today, 3W.9, for a formal meeting, to set a calendar.

(Kacal in the chair)

**CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING**

The following resolutions were laid before the house and read second time:

**HJR 21 ON SECOND READING
(by Bell, Metcalf, Guillen, Shine, and Blanco)**

HJR 21, A joint resolution proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution.

HJR 21 was adopted by (Record 1027): 143 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Coleman; Kacal(C).

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Anderson, C.; Dukes.

STATEMENT OF VOTE

When Record No. 1027 was taken, I was in the house but away from my desk. I would have voted yes.

C. Anderson

HJR 52 ON SECOND READING**(by Turner)**

HJR 52, A joint resolution proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation a portion of the assessed value of certain real property used to provide housing to certain individuals with disabilities.

Representative Moody moved to postpone consideration of **HJR 52** until 3:55 p.m. today.

The motion prevailed.

(Kuempel in the chair)

HJR 36 ON SECOND READING**(by González, Sheffield, S. Thompson, Walle, and Murr)**

HJR 36, A joint resolution proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board to provide assistance to economically distressed areas.

HJR 36 was adopted by (Record 1028): 113 Yeas, 27 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Cook; Cortez; Cospers; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Lambert; Landgraf; Larson; Lozano; Lucio; Martinez; Metcalf; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Romero; Rose; Schubert; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bonnen, D.; Bonnen, G.; Cain; Capriglione; Dale; Faircloth; Hefner; Holland; Isaac; Keough; Klick; Krause; Lang; Leach; Meyer; Paul; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker; Kuempel(C).

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Collier; Dukes; Laubenberg; Morrison; Rodriguez, J.; Wilson.

STATEMENTS OF VOTE

When Record No. 1028 was taken, I was shown voting yes. I intended to vote no.

Bohac

When Record No. 1028 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1028 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 1028 was taken, I was shown voting yes. I intended to vote no.

Miller

When Record No. 1028 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 1028 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1028 was taken, I was in the house but away from my desk. I would have voted no.

Wilson

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**CSHB 1856 ON SECOND READING
(by K. King)**

CSHB 1856, A bill to be entitled An Act relating to the creation of a defense under the Solid Waste Disposal Act for persons engaged in certain scrap metal recycling transactions.

CSHB 1856 was passed to engrossment.

**CSHB 2052 ON SECOND READING
(by Phelan and Fallon)**

CSHB 2052, A bill to be entitled An Act relating to a tree planting credit to offset tree mitigation fees imposed by a municipality.

CSHB 2052 was passed to engrossment.

CSHB 1810 ON SECOND READING
(by Dale, Moody, and Fallon)

CSHB 1810, A bill to be entitled An Act relating to the creation of the offense of possession or promotion of lewd visual material depicting a child.

CSHB 1810 was passed to engrossment.

CSHB 183 ON SECOND READING
(by Dutton)

CSHB 183, A bill to be entitled An Act relating to the consequences of successfully completing a period of deferred adjudication community supervision.

Amendment No. 1

Representative Dutton offered the following amendment to **CSHB 183**:

Amend **CSHB 183** (house committee printing) on page 1, by striking lines 8 through 13 and substituting the following:

(c-1) A dismissal and discharge under this article may not be used as grounds for denying or revoking an individual's professional or occupational license if the individual is otherwise entitled to or qualified for the license, unless the offense that is the subject of the dismissal and discharge:

(1) was an offense:

(A) under Chapter 21 or 43, Penal Code; or

(B) listed in Article 42A.054 or 62.001(5) of this code; or

(2) relates to the profession or occupation for which the individual holds or is seeking a license.

Amendment No. 1 was adopted.

CSHB 183, as amended, was passed to engrossment by (Record 1029): 108 Yeas, 32 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Biedermann; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cortez; Cospers; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Lambert; Landgraf; Larson; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bohac; Cain; Capriglione; Cook; Cyrier; Faircloth; Fallon; Goldman; Hunter; Keough; Krause; Lang; Leach; Metcalf; Miller; Murphy; Murr; Oliverson; Paul; Phillips; Rinaldi; Schofield; Schubert; Shaheen; Simmons; Springer; Stickland; Swanson; Thompson, E.; Zedler.

Present, not voting — Mr. Speaker; Kuempel(C).

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Dean; Dukes; Isaac; Klick; Laubenberg; Morrison.

STATEMENTS OF VOTE

When Record No. 1029 was taken, I was shown voting yes. I intended to vote no.

G. Bonnen

When Record No. 1029 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 1029 was taken, I was in the house but away from my desk. I would have voted yes.

Isaac

When Record No. 1029 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 1029 was taken, my vote failed to register. I would have voted yes.

Morrison

When Record No. 1029 was taken, I was shown voting yes. I intended to vote no.

Parker

HB 2612 ON SECOND READING

(by Meyer, et al.)

HB 2612, A bill to be entitled An Act relating to civil liability of a person who produces, distributes, sells, or provides or aids in the production, distribution, sale, or provision of certain synthetic substances to another person for damages caused by the other person.

HB 2612 was passed to engrossment.

CSHB 2122 ON SECOND READING

(by Clardy)

CSHB 2122, A bill to be entitled An Act relating to the adoption of the Uniform Foreign-Country Money Judgments Recognition Act.

Representative Ashby moved to postpone consideration of **CSHB 2122** until 4 p.m. today.

The motion prevailed.

CSHB 2009 ON SECOND READING
(by G. Bonnen and D. Bonnen)

CSHB 2009, A bill to be entitled An Act relating to an exemption for certain law enforcement and military personnel from the requirement to complete a hunter education program.

CSHB 2009 was passed to engrossment.

HB 3103 ON SECOND READING
(by Darby)

HB 3103, A bill to be entitled An Act relating to the jurisdiction of this state to tax tangible personal property that is used continually in this state.

HB 3103 was passed to engrossment.

CSHB 3150 ON SECOND READING
(by Burns, Leach, Canales, Thierry, et al.)

CSHB 3150, A bill to be entitled An Act relating to a merchant allowing a person suspected of committing or attempting to commit theft to complete a theft education program.

Amendment No. 1

Representative Burns offered the following amendment to **CSHB 3150**:

Amend **CSHB 3150** (house committee printing) as follows:

- (1) On page 2, strike lines 2 through 8.
- (2) On page 2, line 21, through page 3, line 5, strike the text.
- (3) On page 3, line 6, strike "(d)" and substitute "(b)".
- (4) On page 3, lines 12 through 23, strike the text and substitute the following:

(c) A program provider that charges a fee for participation in a theft education program:

(1) shall develop a plan to offer discounts, alternative payment schedules, or scholarship funds to a person who the provider has verified is indigent; and

(2) may reduce or waive the fee for the program based on the ability to pay of a person described by Subdivision (1).

Amendment No. 1 was adopted.

CSHB 3150, as amended, was passed to engrossment.

HB 3376 ON SECOND READING
(by Holland)

HB 3376, A bill to be entitled An Act relating to forms of notice that may be provided by the Department of Public Safety during certain enforcement proceedings and actions.

HB 3376 was passed to engrossment.

CSHB 2051 ON SECOND READING
(by Huberty)

CSHB 2051, A bill to be entitled An Act relating to the new instructional facility allotment under the foundation school program.

CSHB 2051 was passed to engrossment. (Rinaldi recorded voting no.)

HB 3548 ON SECOND READING
(by Parker)

HB 3548, A bill to be entitled An Act relating to the applicability of certain immunity and liability laws to the nonprofit corporation established by the Texas Public Finance Authority to issue revenue bonds to open-enrollment charter schools for those schools to provide educational facilities.

HB 3548 was passed to engrossment.

HB 4011 ON SECOND READING
(by Burrows)

HB 4011, A bill to be entitled An Act relating to prohibited reporting of information regarding debt incurred for nonemergency medical care.

Representative Burrows moved to postpone consideration of **HB 4011** until 5 p.m. tomorrow.

The motion prevailed.

SB 1049 ON SECOND READING
(Klick and Zerwas - House Sponsors)

SB 1049, A bill to be entitled An Act relating to safety requirements of assisted living facilities.

SB 1049 was considered in lieu of **HB 4095**.

SB 1049 was passed to third reading.

HB 4095 - LAID ON THE TABLE SUBJECT TO CALL

Representative Klick moved to lay **HB 4095** on the table subject to call.

The motion prevailed.

CSHB 3533 ON SECOND READING**(by Raymond)**

CSHB 3533, A bill to be entitled An Act relating to inspection procedures in certain long-term care facilities and the creation of a long-term care legislative oversight committee.

CSHB 3533 was passed to engrossment.

SB 1002 ON SECOND READING**(Murphy - House Sponsor)**

SB 1002, A bill to be entitled An Act relating to accounting principles applicable to pension and other postemployment benefit expenses for electric utilities.

SB 1002 was considered in lieu of **HB 2235**.

SB 1002 was passed to third reading by (Record 1030): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Viallalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kuempel(C).

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Dukes; Gutierrez.

HB 2235 - LAID ON THE TABLE SUBJECT TO CALL

Representative Murphy moved to lay **HB 2235** on the table subject to call.

The motion prevailed.

POSTPONED BUSINESS

The following resolutions were laid before the house as postponed business:

HJR 52 ON SECOND READING
(by Turner)

HJR 52, A joint resolution proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation a portion of the assessed value of certain real property used to provide housing to certain individuals with disabilities.

HJR 52 was read second time earlier today and was postponed until this time.

(Longoria now present)

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Calendars:

Alonzo on motion of Hernandez.

Ashby on motion of Hernandez.

Cook on motion of Hernandez.

S. Davis on motion of Hernandez.

Geren on motion of Hernandez.

Giddings on motion of Hernandez.

Howard on motion of Hernandez.

Hunter on motion of Hernandez.

Kacal on motion of Hernandez.

K. King on motion of Hernandez.

Koop on motion of Hernandez.

Nevárez on motion of Hernandez.

Paddie on motion of Hernandez.

Phelan on motion of Hernandez.

Rose on motion of Hernandez.

HJR 52 - (consideration continued)

HJR 52 was adopted by (Record 1031): 108 Yeas, 21 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Coleman; Collier; Cortez; Cospser; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, T.; Lambert; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody;

Morrison; Muñoz; Murphy; Neave; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Burrows; Cain; Clardy; Craddick; Hefner; King, P.; Krause; Landgraf; Lang; Metcalf; Murr; Rinaldi; Schaefer; Shaheen; Stephenson; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker; Kuempel(C).

Absent, Excused, Committee Meeting — Alonzo; Ashby; Cook; Davis, S.; Geren; Giddings; Gonzales; Howard; Hunter; Kacal; King, K.; Koop; Nevárez; Paddie; Phelan; Rose.

Absent — Dukes; Klick; Phillips.

STATEMENTS OF VOTE

When Record No. 1031 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1031 was taken, I was in the house but away from my desk. I would have voted no.

Phillips

COMMITTEE GRANTED PERMISSION TO MEET

Representative Frullo requested permission for the Committee on Culture, Recreation, and Tourism to meet while the house is in session, at 5:30 p.m. today, in 1W.14, to consider **HCR 129**, **HCR 131**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Culture, Recreation, and Tourism, 5:30 p.m. today, 1W.14, for a formal meeting, to consider **HCR 129**, **HCR 131**, and pending business.

CSHB 1935 ON SECOND READING

(by Frullo, Dutton, Kuempel, Moody, Springer, et al.)

CSHB 1935, A bill to be entitled An Act relating to the carrying of certain knives.

CSHB 1935 was read second time on May 5 and was postponed until 4 p.m. today.

LEAVE OF ABSENCE GRANTED

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

Laubenberg on motion of Leach.

CSHB 1935 - (consideration continued)**Amendment No. 1**

Representative Dutton offered the following amendment to **CSHB 1935**:

Amend **CSHB 1935** (house committee report) as follows:

(1) Strike page 1, line 4, through page 3, line 17.

(2) Strike "~~[, illegal knife,]~~" and substitute "location-restricted ~~[illegal]~~ knife," in each of the following places it appears:

(A) page 4, lines 6 and 7; and

(B) page 4, line 19.

(3) On page 5, line 2, strike "Section 46.02(a), Penal Code, is amended" and substitute "Section 46.02, Penal Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-4) and (d)".

(4) On page 5, between lines 13 and 14, insert the following:

(a-4) A person commits an offense if the person:

(1) intentionally, knowingly, or recklessly carries on or about his or her person a location-restricted knife;

(2) is younger than 18 years of age at the time of the offense; and

(3) is not:

(A) on the person's own premises or premises under the person's control;

(B) inside of or directly en route to a motor vehicle or watercraft that is owned by the person or under the person's control; or

(C) under the direct supervision of a parent or legal guardian of the person.

(b) Except as provided by Subsection (c) or (d), an offense under this section is a Class A misdemeanor.

(d) An offense under Subsection (a-4) is a Class C misdemeanor.

(5) On page 5, line 14, strike "Section 46.03(a), Penal Code, is amended" and substitute "Section 46.03, Penal Code, is amended by amending Subsections (a) and (g) and adding Subsections (a-1) and (g-1)".

(6) On page 5, lines 17 and 18, strike "~~[illegal knife,]~~" and substitute "location-restricted ~~[illegal]~~ knife,".

(7) On page 6, between lines 23 and 24, insert the following:

(a-1) A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a location-restricted knife:

(1) on the premises of a business that has a permit or license issued under Chapter 25, 28, 32, 69, or 74, Alcoholic Beverage Code, if the business derives 51 percent or more of its income from the sale or service of alcoholic beverages for on-premises consumption, as determined by the Texas Alcoholic Beverage Commission under Section 104.06, Alcoholic Beverage Code;

(2) on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place, unless the person is a participant in the event and a location-restricted knife is used in the event;

(3) on the premises of a correctional facility;

(4) on the premises of a hospital licensed under Chapter 241, Health and Safety Code, or on the premises of a nursing facility licensed under Chapter 242, Health and Safety Code, unless the person has written authorization of the hospital or nursing facility administration, as appropriate;

(5) on the premises of a mental hospital, as defined by Section 571.003, Health and Safety Code, unless the person has written authorization of the mental hospital administration;

(6) in an amusement park; or

(7) on the premises of a church, synagogue, or other established place of religious worship.

(g) Except as provided by Subsection (g-1), an [An] offense under this section is a felony of the third degree [felony].

(g-1) If the weapon that is the subject of the offense is a location-restricted knife, an offense under this section is a Class C misdemeanor, except that the offense is a felony of the third degree if the offense is committed under Subsection (a)(1).

(8) On page 7, lines 6 and 7, strike "or[-] club[-, or illegal knife]" and substitute ", club, or location-restricted [illegal] knife".

(9) Strike SECTION 7 of the bill (page 7, lines 25 and 26).

(10) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Section 46.01(6), Penal Code, is amended to read as follows:

(6) "Location-restricted [~~Illegal~~] knife" means a[-

~~(A)] knife with a blade over five and one-half inches[-~~

~~(B) hand instrument designed to cut or stab another by being thrown;~~

~~(C) dagger, including but not limited to a dirk, stiletto, and poniard;~~

~~(D) bowie knife;~~

~~(E) sword; or~~

~~(F) spear].~~

SECTION _____. Section 46.03(c)(2), Penal Code, is amended to read as follows:

(2) "Amusement park" and "premises" have ["Premises" has] the meanings [meaning] assigned by Section 46.035.

SECTION _____. Section 46.15(e), Penal Code, is amended to read as follows:

(e) [The provisions of] Section 46.02(a-4) does [46.02 prohibiting the carrying of an illegal knife do] not apply to an individual carrying a location-restricted knife [bowie knife or a sword] used in a historical demonstration or in a ceremony in which the knife [or sword] is significant to the performance of the ceremony.

(11) Renumber remaining SECTIONS of the bill accordingly.

Amendment No. 1 was adopted. (Phillips and Rinaldi recorded voting no.)

CSHB 1935 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HINOJOSA: Under current law, it is a criminal offense to carry an illegal knife on a college campus. Is that correct?

REPRESENTATIVE FRULLO: That is correct.

HINOJOSA: And under your floor amendment, it would remain illegal to possess a location-restricted knife on a college campus, is that correct?

FRULLO: Exactly, yes. The current law remains the same as the law does after this passes. So it's the same thing. There's no change there on any institutes of education, whether it's K-12 or higher ed.

HINOJOSA: And under your floor amendment, it would only be an offense to carry a location-restricted knife in an area listed in the revised Section 46.03, correct?

FRULLO: That's correct. Well, those areas that are outlined there as far as the additional items.

HINOJOSA: So for example, a person could still possess a location-restricted knife while walking down the sidewalk of Congress Avenue, is that correct?

FRULLO: Correct, that is correct.

HINOJOSA: So to summarize, the act of carrying a location-restricted knife in an area not restricted by your bill is conduct that will no longer be covered by the Penal Code as an offense subject to a criminal penalty. Is that correct?

FRULLO: Exactly, no longer subject to a criminal penalty.

REMARKS ORDERED PRINTED

Representative Hinojosa moved to print remarks between Representative Frullo and Representative Hinojosa.

The motion prevailed.

CSHB 1935, as amended, was passed to engrossment.

**CSHB 2122 ON SECOND READING
(by Clardy)**

CSHB 2122, A bill to be entitled An Act relating to the adoption of the Uniform Foreign-Country Money Judgments Recognition Act.

CSHB 2122 was read second time earlier today and was postponed until this time.

CSHB 2122 was passed to engrossment.

**GENERAL STATE CALENDAR
(consideration continued)****SB 2190 ON SECOND READING**

(Flynn, Coleman, Murphy, Huberty, and Walle - House Sponsors)

SB 2190, A bill to be entitled An Act relating to the public retirement systems of certain municipalities.

SB 2190 was considered in lieu of **HB 43**.

LEAVE OF ABSENCE GRANTED

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

E. Johnson on motion of Gooden.

(Howard now present)

SB 2190 - (consideration continued)

Amendment No. 1

Representative Flynn offered the following amendment to **SB 2190**:

Amend **SB 2190** (house committee printing) as follows:

(1) On page 1, line 8, strike "(12)".

(2) Strike page 4, line 26, through page 5, line 2.

(3) Strike page 12, line 11, through page 17, line 4, and substitute the following:

Sec. 1C. ALTERNATIVE RETIREMENT PLANS. (a) In this section, "salary-based benefit plan" means a retirement plan provided by the fund under this article that provides member benefits calculated in accordance with a formula that is based on multiple factors, one of which is the member's salary at the time of the member's retirement.

(b) Notwithstanding any other law, including Section 13G of this article, the board and the municipality may enter into a written agreement to offer an alternative retirement plan or plans, including a cash balance retirement plan or plans, if both parties consider it appropriate.

(c) Notwithstanding any other law, including Section 13G of this article, if, beginning with the final risk sharing valuation study prepared under Section 13B of this article on or after July 1, 2021, either the funded ratio of the fund is less than 65 percent as determined in the final risk sharing valuation study without making any adjustments under Section 13E or 13F of this article, or the funded ratio of the fund is less than 65 percent as determined in a revised and restated risk sharing valuation study prepared under Section 13B(a)(7) of this article, the board and the municipality shall, as soon as practicable but not later than the 60th day after the date the determination is made:

(1) enter into a written agreement to establish a cash balance retirement plan that complies with Section 1D of this article; and

(2) require each firefighter first hired by the municipality on or after the 90th day after the date the cash balance retirement plan is established to participate in the cash balance retirement plan established under this subsection instead of participating in the salary-based benefit plan, provided the firefighter would have otherwise been eligible to participate in the salary-based benefit plan.

Sec. 1D. REQUIREMENTS FOR CERTAIN CASH BALANCE RETIREMENT PLANS. (a) In this section:

(1) "Cash balance plan participant" means a firefighter who participates in a cash balance retirement plan.

(2) "Cash balance retirement plan" means a cash balance retirement plan established by written agreement under Section 1C(b) or 1C(c) of this article.

(3) "Interest" means the interest credited to a cash balance plan participant's notional account, which may not:

(A) exceed a percentage rate equal to the cash balance retirement plan's most recent five fiscal years' smoothed rate of return; or

(B) be less than zero percent.

(4) "Salary-based benefit plan" has the meaning assigned by Section 1C of this article.

(b) The written agreement establishing a cash balance retirement plan must:

(1) provide for the administration of the cash balance retirement plan;

(2) provide for a closed amortization period not to exceed 20 years from the date an actuarial gain or loss is realized;

(3) provide for the crediting of municipal and cash balance plan participant contributions to each cash balance plan participant's notional account;

(4) provide for the crediting of interest to each cash balance plan participant's notional account;

(5) include a vesting schedule;

(6) include benefit options, including options for cash balance plan participants who separate from service prior to retirement;

(7) provide for death and disability benefits;

(8) allow a cash balance plan participant who is eligible to retire under the plan to elect to:

(A) receive a monthly annuity payable for the life of the cash balance plan participant in an amount actuarially determined on the date of the cash balance plan participant's retirement based on the cash balance plan participant's accumulated notional account balance annuitized in accordance with the actuarial assumptions and actuarial methods established in the most recent actuarial experience study conducted under Section 13D of this article, except that the assumed rate of return applied may not exceed the fund's assumed rate of return in the most recent risk sharing valuation study; or

(B) receive a single, partial lump-sum payment from the cash balance plan participant's accumulated notional account balance and a monthly annuity payable for life in an amount determined in accordance with Paragraph (A) of this subdivision based on the cash balance plan participant's notional account balance after receiving the partial lump-sum payment; and

(9) include any other provision determined necessary by:

(A) the board and the municipality; or

(B) the fund for purposes of maintaining the tax-qualified status of the fund under Section 401 of the code.

(c) Notwithstanding any other law, including Section 13 of this article, a firefighter who participates in a cash balance retirement plan:

(1) subject to Subsection (d) of this section, is not eligible to be a member of and may not participate in the fund's salary based benefit plan; and

(2) may not accrue years of participation or establish service credit in the salary-based benefit plan during the period the firefighter is participating in the cash balance retirement plan.

(d) A cash balance plan participant is considered a member for purposes of Sections 13A through 13H of this article.

(e) At the time the cash balance retirement plan is implemented, the employer normal cost rate of the cash balance retirement plan may not exceed the employer normal cost rate for the salary-based benefit plan.

(4) On page 27, line 13, strike "13(c)" and substitute "13(c-1)".

(5) On page 33, line 4, strike "section" and substitute "subsection".

(6) On page 67, lines 14 through 16, strike "In this context, the term does not include an alternative retirement plan established under Section 2B of this article."

(7) Strike page 70, line 15, through page 75, line 4, and substitute the following:

Sec. 2B. ALTERNATIVE RETIREMENT PLANS. (a) In this section, "salary-based benefit plan" means a retirement plan provided by the pension system under this article that provides member benefits calculated in accordance with a formula that is based on multiple factors, one of which is the member's salary at the time of the member's retirement.

(b) Notwithstanding any other law, including Section 9F of this article, and except as provided by Subsection (c) of this section, the board and the city may enter into a written agreement under Section 27 of this article to offer an alternative retirement plan or plans, including a cash balance retirement plan or plans, if both parties consider it appropriate.

(c) Notwithstanding any other law, including Section 9F of this article, and except as provided by Subsection (d) of this section, if, beginning with the final risk sharing valuation study prepared under Section 9A of this article on or after July 1, 2021, either the funded ratio of the pension system is less than 65 percent as determined in the final risk sharing valuation study without making any adjustments under Section 9D or 9E of this article, or the funded ratio of the pension system is less than 65 percent as determined in a revised and restated risk sharing valuation study prepared under Section 9A(a)(7) of this article, the board and the city shall, as soon as practicable but not later than the 60th day after the date the determination is made:

(1) enter into a written agreement under Section 27 of this article to establish a cash balance retirement plan that complies with Section 2C of this article; and

(2) require each employee first hired by the city on or after the 90th day after the date the cash balance retirement plan is established to participate in the cash balance retirement plan established under this subsection instead of participating in the salary-based benefit plan, provided the employee would have otherwise been eligible to participate in the salary-based benefit plan.

(d) If the city fails to deliver the proceeds of the pension obligation bonds described by Section 9B(j)(1) of this article within the time prescribed by that subdivision, notwithstanding the funded ratio of the pension system, the board and the city may not establish a cash balance retirement plan under Subsection (c) of this section.

Sec. 2C. REQUIREMENTS FOR CERTAIN CASH BALANCE RETIREMENT PLANS. (a) In this section:

(1) "Cash balance plan participant" means an employee who participates in a cash balance retirement plan.

(2) "Cash balance retirement plan" means a cash balance retirement plan established by written agreement under Section 2B(b) of this article or Section 2B(c) of this article.

(3) "Interest" means the interest credited to a cash balance plan participant's notional account, which may not:

(A) exceed a percentage rate equal to the cash balance retirement plan's most recent five fiscal years' smoothed rate of return; or

(B) be less than zero percent.

(4) "Salary-based benefit plan" has the meaning assigned by Section 2B of this article.

(b) The written agreement establishing a cash balance retirement plan must:

(1) provide for the administration of the cash balance retirement plan;

(2) provide for a closed amortization period not to exceed 20 years from the date an actuarial gain or loss is realized;

(3) provide for the crediting of city and cash balance plan participant contributions to each cash balance plan participant's notional account;

(4) provide for the crediting of interest to each cash balance plan participant's notional account;

(5) include a vesting schedule;

(6) include benefit options, including options for cash balance plan participants who separate from service prior to retirement;

(7) provide for death and disability benefits;

(8) allow a cash balance plan participant who is eligible to retire under the plan to elect to:

(A) receive a monthly annuity payable for the life of the cash balance plan participant in an amount actuarially determined on the date of the cash balance plan participant's retirement based on the cash balance plan participant's accumulated notional account balance annuitized in accordance with the actuarial assumptions and actuarial methods established in the most recent actuarial experience study conducted under Section 9C of this article, except that the assumed rate of return applied may not exceed the pension system's assumed rate of return in the most recent risk sharing valuation study; or

(B) receive a single, partial lump-sum payment from the cash balance plan participant's accumulated account balance and a monthly annuity payable for life in an amount determined in accordance with Paragraph (A) of this subdivision based on the cash balance plan participant's notional account balance after receiving the partial lump-sum payment; and

(9) include any other provision determined necessary by:

(A) the board and the city; or

(B) the pension system for purposes of maintaining the tax-qualified status of the pension system under Section 401 of the code.

(c) Notwithstanding any other law, including Sections 2(1), 11, and 12 of this article, an employee who participates in a cash balance retirement plan:

(1) subject to Subsection (d) of this section, is not eligible to be an active member of and may not participate in the salary-based benefit plan; and

(2) may not accrue years of service or establish service credit in the salary-based benefit plan during the period the employee is participating in the cash balance retirement plan.

(d) A cash balance plan participant is considered an active member for purposes of Sections 9 through 9G of this article.

(e) At the time of implementation of the cash balance retirement plan, the employer normal cost rate of the cash balance retirement plan may not exceed the employer normal cost rate of the salary-based benefit plan.

(8) On page 164, lines 11 through 13, strike "In this context, the term does not include a cash balance retirement plan established under Section 1C of this Act."

(9) Strike page 168, line 18, through page 173, line 7, and substitute the following:

Sec. 1C. ALTERNATIVE RETIREMENT PLANS. (a) In this section, "salary-based benefit plan" means a retirement plan provided by the pension system under this Act that provides member benefits that are calculated in accordance with a formula that is based on multiple factors, one of which is the employee's salary at the time of the member's retirement.

(b) Notwithstanding any other law, including Section 8H of this Act, and except as provided by Subsection (c) of this section, the pension board and the city may enter into a written agreement under Section 3(n) of this Act to offer an alternative retirement plan or plans, including a cash balance retirement plan or plans, if both parties consider it appropriate.

(c) Notwithstanding any other law, including Section 8H of this Act, and except as provided by Subsection (d) of this section, if, beginning with the final risk sharing valuation study prepared under Section 8B of this Act on or after July 1, 2027, either the funded ratio of the pension system is less than 60 percent as determined in the final risk sharing valuation study without making any adjustments under Section 8E or 8F of this Act, or the funded ratio of the pension system is less than 60 percent as determined in a revised and restated risk sharing valuation study prepared under Section 8B(a)(8) of this Act, the pension board and the city shall, as soon as practicable but not later than the 60th day after the date the determination is made:

(1) enter into a written agreement under Section 3(n) of this Act to establish a cash balance retirement plan that complies with Section 1D of this Act; and

(2) require each employee first hired by the city on or after the 90th day after the date the cash balance retirement plan is established to participate in the cash balance retirement plan established under this subsection instead of participating in the salary-based benefit plan, provided the employee would have otherwise been eligible to participate in the salary-based benefit plan.

(d) If the city fails to deliver the proceeds of the pension obligation bonds described by Section 8C(j)(1) of this Act within the time prescribed by that subdivision, notwithstanding the funded ratio of the pension system, the pension board and the city may not establish a cash balance retirement plan under Subsection (c) of this section.

Sec. 1D. REQUIREMENTS FOR CERTAIN CASH BALANCE RETIREMENT PLANS. (a) In this section:

(1) "Cash balance plan participant" means an employee who participates in a cash balance retirement plan.

(2) "Cash balance retirement plan" means a cash balance retirement plan established by written agreement under Section 1C(b) or Section 1C(c) of this Act.

(3) "Interest" means the interest credited to a cash balance plan participant's notional account, which may not:

(A) exceed a percentage rate equal to the cash balance retirement plan's most recent five fiscal years' smoothed rate of return; or

(B) be less than zero percent.

(4) "Salary-based benefit plan" has the meaning assigned by Section 1C of this Act.

(b) The written agreement establishing a cash balance retirement plan must:

(1) provide for the administration of the cash balance retirement plan;

(2) provide for a closed amortization period not to exceed 20 years from the date an actuarial gain or loss is realized;

(3) provide for the crediting of city and cash balance plan participant contributions to each cash balance plan participant's notional account;

(4) provide for the crediting of interest to each cash balance plan participant's notional account;

(5) include a vesting schedule;

(6) include benefit options, including options for cash balance plan participants who separate from service prior to retirement;

(7) provide for death and disability benefits;

(8) allow a cash balance plan participant who is eligible to retire under the plan to elect to:

(A) receive a monthly annuity payable for the life of the cash balance plan participant in an amount actuarially determined on the date of the cash balance plan participant's retirement based on the cash balance plan participant's accumulated notional account balance annuitized in accordance with the actuarial assumptions and actuarial methods established in the most recent actuarial experience study conducted under Section 8D of this Act, except that the assumed rate of return applied may not exceed the pension system's assumed rate of return in the most recent risk sharing valuation study; or

(B) receive a single, partial lump-sum payment from the cash balance plan participant's accumulated account balance and a monthly annuity payable for life in an amount determined in accordance with Paragraph (A) of this subdivision based on the cash balance plan participant's account balance after receiving the partial lump-sum payment; and

(9) include any other provision determined necessary by:

(A) the pension board and the city; or

(B) the pension system for purposes of maintaining the tax-qualified status of the pension system under Section 401, Internal Revenue Code of 1986, as amended.

(c) Notwithstanding any other law, including Section 5 of this Act, an employee who participates in a cash balance retirement plan:

(1) subject to Subsection (d) of this section, is not eligible to be a member of and may not participate in the salary-based benefit plan; and

(2) may not earn credited service in the salary-based benefit plan during the period the employee is participating in the cash balance retirement plan.

(d) A cash balance plan participant is considered a member for purposes of Section 8A through 8I of this Act.

(e) At the time of implementation of the cash balance retirement plan, the employer normal cost rate of the cash balance retirement plan may not exceed the employer normal cost rate of the salary-based benefit plan.

(Ashby now present)

Amendment No. 1 was adopted.

Amendment No. 2

Representative Huberty offered the following amendment to **SB 2190**:

Amend **SB 2190** (house committee printing) as follows:

(1) On page 11, line 3, strike "and 1E" and substitute "1E, and 1F".

(2) On page 17, between lines 6 and 7, insert the following:

Sec. 1F. BENEFIT REDUCTION PROPOSAL. (a) Notwithstanding any other provision of this article, including Section 13G of this article, not later than the fifth day after the year 2017 effective date:

(1) the fund shall submit:

(A) actuarial data to the municipal actuary; and

(B) a benefit reduction proposal to the municipal actuary; and

(2) subject to Subsection (b) of this section, the municipality, in the municipality's sole discretion, may enter into a written agreement with the fund to:

(A) rescind some or all of the benefit changes made effective under **SB 2190**, Acts of the 85th Legislature, Regular Session, 2017, as of the year 2017 effective date; and

(B) prospectively adopt some or all of the benefit reductions included in the benefit reduction proposal described under Subdivision (1)(B) of this subsection.

(b) Any benefit change included in a written agreement described under Subsection (a)(2) of this section must, for the fiscal year ending June 30, 2016, result in a legacy liability, as determined by the municipal actuary in accordance with an initial risk sharing valuation study prepared under Section 13C of this article, that is:

(1) not more than \$658 million; and

(2) not less than \$435.5 million.

(c) If necessary to reflect changes in benefits included in a written agreement adopted under Subsection (a)(2) of this section, the initial risk sharing valuation study shall be revised and restated, including a restatement of the amortization of the legacy liability over the remaining period and a recalculation of the corridor midpoint for the remainder of the applicable 31-year period, and the resulting municipal contribution rate will become effective in the fiscal year following the completion of the restated initial risk sharing valuation study.

(3) On page 17, line 5, strike "1E" and substitute "1F".

AMENDMENT NO. 2 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE PEREZ: Just for clarification purposes, is the intention of your amendment that the City of Houston will make necessary adjustments provided that the Houston Firefighters' Relief and Retirement Fund's board complies with the analysis?

REPRESENTATIVE HUBERTY: That's correct, yes.

REPRESENTATIVE S. THOMPSON: Mr. Huberty, if this amendment goes on, does your amendment say that this forces the City of Houston into a 401(k)?

HUBERTY: No, ma'am.

S. THOMPSON: If your amendment goes on, in your opinion, do you think it would force them into a 401(k)?

HUBERTY: No, ma'am.

(Lucio in the chair)

(Alonzo, Cook, S. Davis, Geren, Giddings, Kacal, K. King, Koop, Nevárez, Paddie, Phelan, and Rose now present)

Representative Murphy moved to table Amendment No. 2.

The motion to table was lost by (Record 1032): 45 Yeas, 92 Nays, 6 Present, not voting.

Yeas — Allen; Anderson, C.; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Clardy; Coleman; Dale; Darby; Davis, S.; Dutton; Flynn; Frank; Frullo; Geren; Giddings; Herrero; Hinojosa; Howard; Isaac; Israel; Kacal; King, K.; King, P.; Klick; Lozano; Moody; Morrison; Murphy; Oliveira; Oliverson; Ortega; Paddie; Paul; Roberts; Sheffield; Shine; Smithee; Springer; Thierry; Turner; Villalba; Walle.

Nays — Alonzo; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Bohac; Burns; Button; Cain; Canales; Capriglione; Collier; Cortez; Cosper; Craddick; Cyrier; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon;

Farrar; Gervin-Hawkins; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Holland; Huberty; Keough; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Longoria; Martinez; Metcalf; Meyer; Miller; Minjarez; Muñoz; Murr; Neave; Nevárez; Parker; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Simmons; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Uresti; VanDeaver; Vo; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Alvarado; Anchia; Cook; Johnson, J.; Lucio(C).

Absent, Excused — Johnson, E.; Laubenberg.

Absent, Excused, Committee Meeting — Gonzales; Hunter.

Absent — Dukes; Hernandez; Schofield.

STATEMENTS OF VOTE

When Record No. 1032 was taken, I was shown voting yes. I intended to vote no.

Kacal

When Record No. 1032 was taken, I was shown voting yes. I intended to vote no.

Lozano

Amendment No. 2 was adopted by (Record 1033): 90 Yeas, 42 Nays, 9 Present, not voting.

Yeas — Alonzo; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Canales; Collier; Cortez; Cospers; Craddick; Cyrier; Davis, Y.; Dean; Faircloth; Fallon; Farrar; Geren; Gervin-Hawkins; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Holland; Huberty; Kacal; Keough; King, T.; Koop; Krause; Kuempel; Lambert; Lang; Larson; Leach; Longoria; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Parker; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schubert; Shaheen; Simmons; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Uresti; VanDeaver; Vo; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Anderson, C.; Blanco; Burkett; Button; Clardy; Coleman; Dale; Darby; Davis, S.; Deshotel; Dutton; Elkins; Flynn; Frank; Frullo; Giddings; Herrero; Hinojosa; Howard; Isaac; Israel; King, K.; King, P.; Klick; Lozano; Morrison; Murphy; Oliverson; Paddie; Paul; Roberts; Sheffield; Shine; Smithe; Springer; Thierry; Turner; Villalba; Walle; Workman.

Present, not voting — Mr. Speaker; Alvarado; Cook; Johnson, J.; Landgraf; Lucio(C); Murr; Reynolds; Sanford.

Absent, Excused — Johnson, E.; Laubenberg.

Absent, Excused, Committee Meeting — Gonzales; Hunter.

Absent — Capriglione; Dukes; Hernandez; Schofield; Wu.

STATEMENTS OF VOTE

When Record No. 1033 was taken, I was in the house but away from my desk. I would have voted yes.

Capriglione

When Record No. 1033 was taken, I was shown voting no. I intended to vote yes.

Elkins

When Record No. 1033 was taken, I was shown voting no. I intended to vote yes.

Lozano

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. 13).

SB 2190 - (consideration continued)

Amendment No. 3

Representative Schofield offered the following amendment to **SB 2190**:

Amend **SB 2190** as follows:

In Section 1.14 of the bill, in added Section 13C, Article 6243e.2(1), Revised Statutes, insert (page 45 following line 10) new Subsections (j) and (k) as follows:

(j) Notwithstanding any other provision of this article, including Section 13G of this article:

(1) if the municipality fails to deliver the proceeds of pension obligation bonds totaling \$750 million to the pension system governed in whole or part by Article 6243g-4, Revised Statutes, on or before May 31, 2018, the board shall have 30 days from May 31, 2018, to rescind, prospectively, any or all benefit changes made effective under **SB 2190**, Acts of the 85th Legislature, Regular Session, 2017, as of the year 2017 effective date; and

(2) subject to Subsection (k) of the section, if the board rescinds benefit changes under Subdivision (1) of this subsection or pension obligation bond proceeds are not delivered on or before the deadline prescribed by Subdivision (1) of this subsection, the initial risk sharing valuation study shall be prepared again and restated without assuming the rescinded benefit changes, as applicable, and the resulting municipal contribution rate will become effective in the fiscal year following the completion of the restated initial risk sharing valuation study.

(k) The restated initial risk sharing valuation study required under Subsection (j)(2) of this section must be completed at least 30 days before the start of the fiscal year ending June 30, 2019.

Amendment No. 3 was adopted. (Alvarado recorded voting present, not voting.)

Amendment No. 4

Representative Bohac offered the following amendment to **SB 2190**:

Amend **SB 2190** (house committee printing), on page 58, between lines 15 and 16, by inserting the following appropriately numbered SECTION and renumbering subsequent SECTIONS of ARTICLE 1 accordingly:

SECTION 1. _____. Sections 4 and 11, Article 6243e.2(1), Revised Statutes, as amended by this article, do not apply to a member of the firefighters' relief and retirement fund established under Article 6243e.2(1), Revised Statutes, as amended by this article, who retired before the effective date of this Act. A member of the firefighters' relief and retirement fund established under Article 6243e.2(1), Revised Statutes, who retired before the effective date of this Act is subject to the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

Amendment No. 4 was adopted. (Alvarado and J. Johnson recorded voting present, not voting.)

SB 2190, as amended, was passed to third reading by (Record 1034): 112 Yeas, 28 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Coleman; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gutierrez; Hefner; Hernandez; Hinojosa; Howard; Huberty; Israel; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Schofield; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; Villalba; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Bailes; Bell; Canales; Collier; Farrar; González; Gooden; Guerra; Guillen; Herrero; Holland; Isaac; Kacal; Keough; King, T.; Longoria; Lozano; Metcalf; Muñoz; Nevárez; Raymond; Romero; Schubert; Thompson, E.; VanDeaver; White; Wilson; Wray.

Present, not voting — Mr. Speaker; Alvarado; Johnson, J.; Lucio(C).

Absent, Excused — Johnson, E.; Laubenberg.

Absent, Excused, Committee Meeting — Gonzales; Hunter.

Absent — Dukes; Leach.

STATEMENTS OF VOTE

When Record No. 1034 was taken, I was shown voting yes. I intended to vote no.

Ashby

When Record No. 1034 was taken, I was shown voting yes. I intended to vote no.

Faircloth

When Record No. 1034 was taken, I was shown voting yes. I intended to vote no.

Martinez

When Record No. 1034 was taken, I was shown voting no. I intended to vote yes.

Nevárez

When Record No. 1034 was taken, I was shown voting yes. I intended to vote no.

Phelan

When Record No. 1034 was taken, I was shown voting yes. I intended to vote no.

Stucky

HB 43 - LAID ON THE TABLE SUBJECT TO CALL

Representative Flynn moved to lay **HB 43** on the table subject to call.

The motion prevailed.

(Speaker in the chair)

REMARKS ORDERED PRINTED

Representative Perez moved to print remarks between Representative Huberty and Representative Perez and between Representative Huberty and Representative S. Thompson on Amendment No. 2.

The motion prevailed.

HB 731 ON SECOND READING

(by Bohac)

HB 731, A bill to be entitled An Act relating to creating the offense of intimidation by a member of a criminal street gang.

HB 731 was passed to engrossment.

**PROVIDING FOR AN ADDENDUM TO
LOCAL, CONSENT, AND RESOLUTIONS CALENDAR**

On motion of Representative S. Thompson and by unanimous consent, the Committee on Local and Consent Calendars was granted permission to add **HB 1794, HB 1959, HB 2252, HB 2746, HB 2886, HB 3265, HB 3517, and HB 3917** in an addendum to the local, consent, and resolutions calendar set for 9 a.m. tomorrow.

COMMITTEE GRANTED PERMISSION TO MEET

Representative S. Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 5:05 p.m. today, in 3W.9, to consider an addendum to the local, consent, and resolutions calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, 5:05 p.m. today, 3W.9, for a formal meeting, to consider an addendum to the local, consent, and resolutions calendar.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Raymond requested permission for the Committee on Human Services to meet while the house is in session, at 5:30 p.m. today, in 3W.15, to consider **SB 293, SB 894**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Human Services, 5:30 p.m. today, 3W.15, for a formal meeting, to consider **SB 293, SB 894**, and pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Oliveira requested permission for the Committee on Business and Industry to meet while the house is in session, at 5:30 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Business and Industry, 5:30 p.m. today, 3W.9, for a formal meeting, to consider pending business.

CSHB 748 ON SECOND READING**(by Farrar)**

CSHB 748, A bill to be entitled An Act relating to certain costs associated with certain court proceedings for cruelly treated animals; authorizing fees and costs.

Representative Farrar moved to postpone consideration of **CSHB 748** until 5:45 p.m. today.

The motion prevailed.

CSHB 787 ON SECOND READING**(by Parker, Price, Frullo, and Krause)**

CSHB 787, A bill to be entitled An Act relating to the security of the electric grid.

Representative Parker moved to postpone consideration of **CSHB 787** until 5:30 p.m. today.

The motion prevailed.

CSHB 1258 ON SECOND READING**(by Clardy, Price, S. Thompson, Nevárez, Holland, et al.)**

CSHB 1258, A bill to be entitled An Act relating to information publicly available in a state court document database; authorizing a fee.

Amendment No. 1

Representative Clardy offered the following amendment to **CSHB 1258**:

Amend **CSHB 1258** (house committee report) on page 3, lines 4 and 5, by striking "after consultation with court clerks" and substituting "through negotiated rulemaking, conducted in accordance with Chapter 2008 as if the supreme court were a state agency in the executive branch of state government, between court clerks and the supreme court".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Holland offered the following amendment to **CSHB 1258**:

Amend **CSHB 1258** (house committee report) on page 3 by striking lines 15-19 and substituting the following:

provided by law and the Texas Rules of Civil Procedure. The court clerk, the county in which the court is located, and the commissioners court of the county in which the court is located are immune from suit and from liability for the release or disclosure by a third party of information that is confidential or otherwise prohibited from disclosure by law, rule, or court order and that is accessed from the state database.

Amendment No. 2 was adopted.

CSHB 1258, as amended, was passed to engrossment. (Rinaldi recorded voting no.)

CSHB 1532 ON SECOND READING**(by Farrar)**

CSHB 1532, A bill to be entitled An Act relating to posting notice of self-help resources on the Internet website of a state court and in the office of the court clerk.

CSHB 1532 was passed to engrossment. (Button recorded voting no.)

CSHB 129 ON SECOND READING**(by Craddick)**

CSHB 129, A bill to be entitled An Act relating to the manner in which a payor of proceeds derived from the sale of oil or gas production is required to provide certain information to a royalty interest owner.

Amendment No. 1

Representative Clardy offered the following amendment to **CSHB 129**:

Amend **CSHB 129** (house committee printing) as follows:

(1) On page 2, line 3, strike "obtains the written" and substitute "obtains, or a previous payor has obtained, the".

(2) Add the following appropriately numbered SECTION to the bill and renumber the subsequent SECTIONS of the bill accordingly:

SECTION _____. The change in law made by this Act applies only to a payment made on or after the effective date of this Act to a royalty interest owner from the proceeds derived from the sale of oil or gas production. A payment made before the effective date of this Act to a royalty interest owner from the proceeds derived from the sale of oil or gas production is governed by the law in effect on the date the payment is made, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

CSHB 129, as amended, was passed to engrossment.

HB 1689 ON SECOND READING**(by Burrows, Oliveira, and Frullo)**

HB 1689, A bill to be entitled An Act relating to liability of certain governmental entities in certain workers' compensation actions.

Amendment No. 1

Representative Burrows offered the following amendment to **HB 1689**:

Amend **HB 1689** (house committee report) on page 1, lines 16-17, by striking "and the State Office of Risk Management are" and substituting "is".

Amendment No. 1 was adopted.

HB 1689, as amended, was passed to engrossment.

(Hunter now present)

HB 2082 ON SECOND READING
(by Burrows, Oliveira, Frullo, and R. Anderson)

HB 2082, A bill to be entitled An Act relating to the designation of a liaison to assist first responders with workers' compensation claims.

HB 2082 was passed to engrossment by (Record 1035): 138 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Isaac; Israel; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Cain; Rinaldi; Schaefer; Stickland; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.; Laubenberg.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Huberty.

STATEMENT OF VOTE

When Record No. 1035 was taken, I was shown voting yes. I intended to vote no.

Isaac

CSHB 2533 ON SECOND READING
(by Geren)

CSHB 2533, A bill to be entitled An Act relating to civil suits brought by local governments or certain other persons for violations of certain laws under the jurisdiction of, or rules adopted or orders or permits issued by, the Texas Commission on Environmental Quality.

CSHB 2533 was passed to engrossment by (Record 1036): 141 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospes; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Isaac; Israel; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Longoria; Lozano; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Lucio; Rose.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.; Laubenberg.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Huberty; Smithee.

STATEMENT OF VOTE

When Record No. 1036 was taken, I was in the house but away from my desk. I would have voted yes.

Smithee

(Gonzales now present)

SB 1584 ON SECOND READING (Allen and White - House Sponsors)

SB 1584, A bill to be entitled An Act relating to the conditions of community supervision.

SB 1584 was considered in lieu of **HB 2883**.

Representative Allen moved to postpone consideration of **SB 1584** until 6:30 a.m. tomorrow.

The motion prevailed.

HB 3050 ON SECOND READING (by P. King)

HB 3050, A bill to be entitled An Act relating to driver's and learner licenses.

HB 3050 was passed to engrossment.

CSHB 3655 ON SECOND READING**(by Herrero)**

CSHB 3655, A bill to be entitled An Act relating to grants awarded to reimburse counties for the cost of monitoring defendants and victims in criminal cases involving family violence.

CSHB 3655 was passed to engrossment by (Record 1037): 128 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Isaac; Israel; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Cain; Keough; Krause; Lang; Rinaldi; Schaefer; Schofield; Shaheen; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.; Laubenberg.

Absent — Dukes; Huberty; Walle.

CSHB 3697 ON SECOND READING**(by Farrar)**

CSHB 3697, A bill to be entitled An Act relating to notice provided by an applicant to house inmates released on parole or to mandatory supervision.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Human Services:

Muñoz on motion of Guillen.

CSHB 3697 - (consideration continued)

CSHB 3697 was passed to engrossment.

HB 3810 ON SECOND READING
(by Cyrier)

HB 3810, A bill to be entitled An Act relating to the transfer of jurisdiction over and management of the property known as the French Legation to the Texas Historical Commission and to certain historic sites under the commission's jurisdiction.

Amendment No. 1

Representative Cyrier offered the following amendment to **HB 3810**:

Amend **HB 3810** (house committee printing) as follows:

(1) On page 2, line 26, between "commission." and "~~The~~", insert the following:

(c) The commission may solicit and accept gifts, donations, and grants of money or property from any public or private source to be used for the purposes of this section.

(d) In carrying out the commission's responsibilities under this section during the state fiscal biennium ending August 31, 2019, the commission may use only money or property received as a gift, donation, or grant from a public or private source. This subsection expires September 1, 2019

(2) On page 3, line 1, strike "~~custody.~~" and substitute "custody."

(3) On page 3, strike lines 5 and 6, and substitute "TEXAS DIVISION UNITED DAUGHTERS OF THE CONFEDERACY [~~TEXAS DIVISION, AND THE DAUGHTERS OF THE REPUBLIC OF TEXAS~~]."

(4) On page 3, strike lines 9 and 10, and substitute "(a) The Texas Division United Daughters of the Confederacy [~~Texas Division, and the Daughters of the Republic of Texas each~~] may".

(5) On page 3, line 11, strike "each" and substitute "the [~~each~~]".

(6) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 442, Government Code, is amended by adding Section 442.077 to read as follows:

Sec. 442.077. AGREEMENT RELATING TO FRENCH LEGATION. The commission may enter into an agreement with the Daughters of the Republic of Texas regarding the management, staffing, operation, and financial support of the property known as the French Legation.

Amendment No. 1 was adopted.

HB 3810, as amended, was passed to engrossment. (Rinaldi recorded voting no.)

CSHB 3438 ON SECOND READING
(by Koop, Ashby, and VanDeaver)

CSHB 3438, A bill to be entitled An Act relating to the creation of a state financing program administered by the Texas Public Finance Authority to assist school districts with certain expenses; granting authority to issue bonds or other obligations.

CSHB 3438 was passed to engrossment. (Cook, Hunter, Phillips, and Rinaldi recorded voting no.)

CSSB 680 ON SECOND READING

(G. Bonnen, Parker, S. Thompson, Bernal, Villalba, et al. - House Sponsors)

CSSB 680, A bill to be entitled An Act relating to step therapy protocols required by a health benefit plan in connection with prescription drug coverage.

CSSB 680 was considered in lieu of **HB 1464**.

CSSB 680 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE PHILLIPS: In the section of the bill about step therapy protocol exceptions on page 4, lines 23-26, it says that a health benefit plan issuer shall grant a request for an exception if the request includes the required written statement by prescribing provider "with supporting documentation." Dr. Bonnen, does the phrase "supporting documentation" in this section mean supporting clinical documentation commonly attached to TDI's standard prior authorization form, such as medical records, progress notes, lab reports, et cetera, that could be warranted to support the prescribing provider's written statement?

REPRESENTATIVE G. BONNEN: Yes, "supporting documentation" are those supporting documents that could be submitted, if necessary, to justify the review.

REMARKS ORDERED PRINTED

Representative Phillips moved to print remarks between Representative G. Bonnen and Representative Phillips.

The motion prevailed.

CSSB 680 was passed to third reading.

HB 1464 - LAID ON THE TABLE SUBJECT TO CALL

Representative G. Bonnen moved to lay **HB 1464** on the table subject to call.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Human Services:

Swanson on motion of Guillen.

HB 3919 ON SECOND READING

(by Thierry, Alvarado, and J. Johnson)

HB 3919, A bill to be entitled An Act relating to the eligibility of certain municipalities to establish homestead preservation districts and reinvestment zones.

HB 3919 was passed to engrossment. (Cook, Hunter, Phillips, Rinaldi, and Shine recorded voting no.)

HB 1622 ON SECOND READING
(by S. Thompson)

HB 1622, A bill to be entitled An Act relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.

HB 1622 was passed to engrossment. (Rinaldi recorded voting no.)

CSHB 1639 ON SECOND READING
(by Vo and E. Rodriguez)

CSHB 1639, A bill to be entitled An Act relating to providing a voter in a party primary notice of party conventions.

CSHB 1639 was passed to engrossment.

HB 1009 ON SECOND READING
(by Alonzo)

HB 1009, A bill to be entitled An Act relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection.

Representative Alonzo moved to postpone consideration of **HB 1009** until 9 a.m. tomorrow.

The motion prevailed.

CSHB 1708 ON SECOND READING
(by Miller)

CSHB 1708, A bill to be entitled An Act relating to the prizes awarded in certain pull-tab bingo games.

Representative Miller moved to postpone consideration of **CSHB 1708** until 5:49 p.m. today.

The motion prevailed.

CSHB 2523 ON SECOND READING
(by S. Davis, Raymond, and Gooden)

CSHB 2523, A bill to be entitled An Act relating to the investigation of fraud, waste, and abuse in certain public benefits programs by the office of inspector general for the Health and Human Services Commission.

(E. Johnson and Muñoz now present)

CSHB 2523 was passed to engrossment.

CSHB 3204 ON SECOND READING
(by Raymond)

CSHB 3204, A bill to be entitled An Act relating to vendor requirements under the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

Amendment No. 1

Representative Raymond offered the following amendment to **CSHB 3204**:

Amend **CSHB 3204** (house committee printing) as follows:

(1) On page 2, lines 3 and 4, strike "in a vendor agreement for the WIC program".

(2) On page 2, line 4, between "the" and "program", insert "WIC".

Amendment No. 1 was adopted.

CSHB 3204, as amended, was passed to engrossment. (Hunter, Phillips, Rinaldi, and Shine recorded voting no.)

HB 3629 ON SECOND READING

(by D. Bonnen)

HB 3629, A bill to be entitled An Act relating to authorization by the Texas Higher Education Coordinating Board for the Brazosport College District to offer a baccalaureate degree program in nursing.

HB 3629 was passed to engrossment.

CSHB 4117 ON SECOND READING

(by Coleman and Springer)

CSHB 4117, A bill to be entitled An Act relating to the provision of telemental health services to prisoners confined in county jails, including the creation of the county jail telemental health fund, and to certain rules and procedures relating to the safety of those prisoners.

CSHB 4117 was passed to engrossment.

CSSB 7 ON SECOND READING

(K. King, Dale, and Huberty - House Sponsors)

CSSB 7, A bill to be entitled An Act relating to improper relationships between educators and students and reporting of educator misconduct; creating a criminal offense and expanding the applicability of an existing offense; authorizing an administrative penalty.

CSSB 7 was considered in lieu of **HB 3769**.

Amendment No. 1

Representative Martinez offered the following amendment to **CSSB 7**:

Amend **CSSB 7** as follows:

(1) On page 5, line 12, strike "otherwise learns" and substitute "knew".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Martinez offered the following amendment to **CSSB 7**:

Amend **CSSB 7** as follows:

(1) On page 5, line 12, strike "learns" and substitute "becomes aware of the facts".

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative Dale offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 21, Education Code, is amended by adding Section 21.0061 to read as follows:

Sec. 21.0061. NOTICE TO PARENT OR GUARDIAN ABOUT EDUCATOR MISCONDUCT. (a) The board of trustees or governing body of a school district, district of innovation, open-enrollment charter school, regional education service center, or shared services arrangement shall adopt a policy under which notice is provided to the parent or guardian of a student with whom an educator is alleged to have engaged in misconduct described by Section 21.006(b)(2)(A) or (A-1) informing the parent or guardian:

(1) that the alleged misconduct occurred;

(2) whether the educator was terminated following an investigation of the alleged misconduct or resigned before completion of the investigation; and

(3) whether a report was submitted to the State Board for Educator Certification concerning the alleged misconduct.

(b) The policy required by this section must require that information specified by Subsection (a)(1) be provided as soon as feasible after the employing entity becomes aware that alleged misconduct may have occurred.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Dale offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter A, Chapter 21, Education Code, is amended by adding Section 21.009 to read as follows:

Sec. 21.009. PRE-EMPLOYMENT AFFIDAVIT. (a) An applicant for a position described by Section 21.003(a) or (b) with a school district, district of innovation, open-enrollment charter school, regional education service center, or shared services arrangement must submit, using a form adopted by the agency, a pre-employment affidavit disclosing whether the applicant has ever been charged with, adjudicated for, or convicted of having an inappropriate relationship with a minor.

(b) An applicant who answers affirmatively concerning an inappropriate relationship with a minor must disclose in the affidavit all relevant facts pertaining to the charge, adjudication, or conviction, including, for a charge, whether the charge was determined to be true or false.

(c) An applicant is not precluded from being employed based on a disclosed charge if the employing entity determines based on the information disclosed in the affidavit that the charge was false.

(d) A determination that an employee failed to disclose information required to be disclosed by an applicant under this section is grounds for termination of employment.

(e) The State Board for Educator Certification may revoke the certificate of an administrator if the board determines it is reasonable to believe that the administrator employed an applicant for a position described by Section 21.003(a) or (b) despite being aware that the applicant had been adjudicated for or convicted of having an inappropriate relationship with a minor.

Amendment No. 4 was adopted.

Amendment No. 5

Representative K. King offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report), on page 13, by striking lines 9 through 11 and substituting the following:

disciplinary proceeding against a teacher or administrator if the document may be admitted under rules of evidence

Amendment No. 5 was adopted.

Amendment No. 6

Representative Rinaldi offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 42.01, Code of Criminal Procedure, is amended by adding Section 12 to read as follows:

Sec. 12. In addition to the information described by Section 1, the judgment should reflect affirmative findings entered pursuant to Article 42.0192.

SECTION _____. Chapter 42, Code of Criminal Procedure, is amended by adding Article 42.0192 to read as follows:

Art. 42.0192. FINDING REGARDING OFFENSE RELATED TO PERFORMANCE OF PUBLIC SERVICE. (a) In the trial of an offense described by Section 824.009, Government Code, the judge shall make an affirmative finding of fact and enter the affirmative finding in the judgment in the case if the judge determines that the offense committed was related to the defendant's employment described by Section 824.009(b), Government Code, while a member of the Teacher Retirement System of Texas.

(b) A judge who makes the affirmative finding described by this article shall make the determination and provide the notice required by Section 824.009(l), Government Code, as applicable.

SECTION _____. Subchapter A, Chapter 824, Government Code, is amended by adding Section 824.009 to read as follows:

Sec. 824.009. CERTAIN EMPLOYEES AND ANNUITANTS INELIGIBLE FOR RETIREMENT ANNUITY; RESUMPTION OR RESTORATION OF ELIGIBILITY. (a) In this section, "qualifying felony" means an offense that is punishable as a felony under the following sections of the Penal Code:

- (1) Section 21.02 (continuous sexual abuse of young child or children);
- (2) Section 21.12 (improper relationship between educator and student); or
- (3) Section 22.011 (sexual assault) or Section 22.021 (aggravated sexual assault).

(a-1) In this section, a "qualifying felony" includes any federal offense that contains elements that are substantially similar to the elements of a felony offense described in Subsection (a).

(b) This section applies only to a person who is a member or an annuitant of the retirement system and is or was an employee of the public school system.

(c) Except as provided by Subsection (e), a person is not eligible to receive a service retirement annuity from the retirement system if the person is convicted of a qualifying felony the victim of which is a student.

(d) The retirement system shall suspend payments of an annuity to a person who is not eligible to receive a service retirement annuity under Subsection (c), as determined by the retirement system, on receipt by the retirement system of:

- (1) notice of a conviction for a qualifying felony under Subsection (f) or (l);
- (2) notice of a conviction for a qualifying felony from a district court or district attorney; or
- (3) any other information the retirement system determines by rule is sufficient to establish a conviction for a qualifying felony.

(e) A person whose conviction is overturned on appeal or who meets the requirements for innocence under Section 103.001(a)(2), Civil Practice and Remedies Code:

- (1) is entitled to receive an amount equal to the accrued total of payments and interest earned on the payments withheld during the suspension period; and
- (2) may resume receipt of annuity payments on payment to the retirement system of an amount equal to the contributions refunded to the person under Subsection (g).

(f) Not later than the 30th day after the date of a person's conviction for a qualifying felony, the school at which the person was employed shall provide written notice of the conviction to the retirement system. The notice must comply with rules adopted by the board of trustees under Subsection (k).

(g) A person who is not eligible to receive a service retirement annuity under Subsection (c) is entitled to a refund of the person's retirement annuity contributions, including interest earned on those contributions.

(h) Benefits payable to an alternate payee under Chapter 804 who is recognized by a domestic relations order established before September 1, 2017, are not affected by a person's ineligibility to receive a retirement annuity under Subsection (c).

(i) On conviction of a person for a qualifying felony, a court may, in the interest of justice and in the same manner as in a divorce proceeding, award half of the service retirement annuity forfeited by the person as the separate property of an innocent spouse if the annuity is partitioned or exchanged by written agreement of the spouses as provided by Subchapter B, Chapter 4, Family Code. The amount awarded to the innocent spouse may not be converted to community property.

(j) Ineligibility for a retirement annuity under this section does not impair a person's right to any other retirement benefit for which the person is eligible.

(k) The board of trustees of the retirement system shall adopt rules and procedures to implement this section.

(l) A court shall notify the retirement system of the terms of a person's conviction of a qualifying felony.

SECTION _____. Section 12, Article 42.01, Code of Criminal Procedure, and Article 42.0192, Code of Criminal Procedure, as added by this Act, apply only to a judgment of conviction entered on or after the effective date of this Act.

SECTION _____. Not later than December 31, 2017, the board of trustees of the Teacher Retirement System of Texas shall adopt the rules necessary to implement Section 824.009, Government Code, as added by this Act.

SECTION _____. Section 824.009, Government Code, as added by this Act, applies only to an offense committed on or after the effective date of rules adopted in accordance with that section. An offense committed before that date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of rules adopted in accordance with 824.009, Government Code, as added by this Act, if any element of the offense occurred before that date.

(Kacal in the chair)

(Swanson now present)

Amendment No. 7

Representative VanDeaver offered the following amendment to Amendment No. 6:

Amend Amendment No. 6 to **CSSB 7** on page 3, line 21, by striking "award half" and substituting "award any portion or all".

Amendment No. 7 was adopted.

Amendment No. 6, as amended, was adopted.

CSSB 7, as amended, was passed to third reading.

HB 3769 - LAID ON THE TABLE SUBJECT TO CALL

Representative K. King moved to lay **HB 3769** on the table subject to call.

The motion prevailed.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

**CSHB 787 ON SECOND READING
(by Parker, Price, Frullo, and Krause)**

CSHB 787, A bill to be entitled An Act relating to the security of the electric grid.

CSHB 787 was read second time earlier today and was postponed until this time.

Representative Parker moved to postpone consideration of **CSHB 787** until 6:25 p.m. today.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Herrero requested permission for the Committee on Land and Resource Management to meet while the house is in session, at 6:30 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Land and Resource Management, 6:30 p.m. today, 3W.9, for a formal meeting, to consider pending business.

**CSHB 748 ON SECOND READING
(by Farrar)**

CSHB 748, A bill to be entitled An Act relating to certain costs associated with certain court proceedings for cruelly treated animals; authorizing fees and costs.

CSHB 748 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Farrar offered the following amendment to **CSHB 748**:

Amend **CSHB 748** (house committee report) as follows:

(1) On page 1, line 23, between "(2)" and "in", insert "except as provided by Section 821.025(j)".

(2) On page 2, line 3, strike "Subsection (i)" and substitute "Subsections (i) and (j)".

(3) On page 2, between lines 9 and 10, insert the following subsection:

(j) Subsection (i) does not apply to a person who has a family income that is less than or equal to 150 percent of the federal poverty level.

Amendment No. 1 was adopted. (Phillips and Rinaldi recorded voting no.) (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

CSHB 748 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **CSHB 748** under Rule 8, Section 1(a) and Rule 8, Section 3 of the House Rules on the grounds that the bill caption is inaccurate and the bill contains more than one subject.

The chair overruled the point of order and submitted the following statement:

The bill contains a single, unified subject: recovery of cost and fees related to animal cruelty cases. It does not contain an impermissible second subject. As to Rule 8, Section 1(a) of the House Rules, the caption reads: "relating to certain costs associated with certain court proceedings for cruelly treated animals; authorizing fees and costs." This caption gives reasonable notice of the bill's subject and therefore does not violate the rule.

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence for the remainder of the day to attend a meeting of the Conference Committee on **SB 1**:

Ashby on motion of Geren.

CSHB 748 - (consideration continued)

Amendment No. 1 - Vote Reconsidered

Representative Farrar moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

CSHB 748 was passed to engrossment by (Record 1038): 93 Yeas, 45 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Miller; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phillips; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.;

Romero; Rose; Sanford; Sheffield; Shine; Simmons; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, G.; Burns; Burrows; Button; Cain; Cospers; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Frank; Goldman; Hefner; Holland; Hunter; Isaac; Keough; Klick; Krause; Landgraf; Lang; Leach; Metcalf; Meyer; Murphy; Murr; Phelan; Rinaldi; Schaefer; Schubert; Shaheen; Springer; Stickland; Swanson; Tinderholt; Villalba; White; Wilson; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Laubenberg.

Absent, Excused, Committee Meeting — Ashby.

Absent — Anderson, C.; Darby; Dukes; Gonzales; Raney; Roberts; Schofield; Workman.

STATEMENTS OF VOTE

When Record No. 1038 was taken, I was in the house but away from my desk. I would have voted yes.

C. Anderson

When Record No. 1038 was taken, I was shown voting no. I intended to vote yes.

R. Anderson

When Record No. 1038 was taken, I was in the house but away from my desk. I would have voted yes.

Darby

When Record No. 1038 was taken, I was in the house but away from my desk. I would have voted yes.

Gonzales

When Record No. 1038 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 1038 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1038 was taken, I was in the house but away from my desk. I would have voted yes.

Roberts

When Record No. 1038 was taken, I was in the house but away from my desk. I would have voted yes.

Schofield

When Record No. 1038 was taken, I was shown voting no. I intended to vote yes.

Villalba

FIVE-DAY POSTING RULE SUSPENDED

Representative Moody moved to suspend the five-day posting rule to allow the Committee on Criminal Jurisprudence to consider **HB 3965**, **SB 343**, **SB 1242**, and pending business upon final recess today in E2.014.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Criminal Jurisprudence, upon final recess today, E2.014, for a public hearing, to consider **HB 3965**, **SB 343**, **SB 1242**, and pending business.

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. 3).

CSHB 1708 ON SECOND READING (by Miller)

CSHB 1708, A bill to be entitled An Act relating to the prizes awarded in certain pull-tab bingo games.

CSHB 1708 was read second time earlier today and was postponed until this time.

CSHB 1708 was passed to engrossment. (Rinaldi recorded voting no.)

CSHB 787 ON SECOND READING (by Parker, Price, Frullo, and Krause)

CSHB 787, A bill to be entitled An Act relating to the security of the electric grid.

CSHB 787 was read second time earlier today, postponed until 5:30 p.m. today, and was again postponed until this time.

Amendment No. 1

Representative Parker offered the following amendment to **CSHB 787**:

Amend **CSHB 787** (house committee printing) as follows:

(1) On page 1, between lines 22 and 23, insert the following appropriately numbered subdivision:

() "Geomagnetic disturbance" means an event caused by the interaction of a cloud of charged particles produced by the sun's solar storms and the earth's magnetic field.

(2) On page 2, line 20, between "electromagnetic pulse" and "and cybersecurity threats", insert ", geomagnetic disturbance,".

(3) On page 2, line 24, between "consider" and "potential", insert "and assess the likelihood of".

(4) On page 3, line 3, between "recommend" and "measures", insert "appropriate".

(5) On page 3, line 4, strike "against damage" and substitute, ", taking into account the impact of the potential damage being addressed".

(6) On page 3, line 5, strike "develop a recommended strategy" and substitute "recommend one or more strategies".

(7) On page 3, line 7, strike "threats" and substitute "relevant threats and present the estimated costs associated with each strategy".

(8) On page 3, line 9, between "by" and "the", insert "the United States Department of Defense, the United States Department of Energy, the United States Department of Homeland Security, and".

(9) On page 4, strike lines 19 and 20 and substitute "upgrades will be funded by appropriating general revenue, through a ratepayer cost recovery mechanism, or by a combination of those methods.".

(10) On page 4, between lines 20 and 21, add the following:

(p) This section is not intended to prevent an electric utility, municipally owned utility, or electric cooperative from making prudent investments and reasonable and necessary expenditures to secure the electric grid and seeking recovery of associated costs as authorized by the Utilities Code.

(11) On page 4, line 21, strike "(p)" and substitute "(q)".

Amendment No. 1 was adopted.

CSHB 787, as amended, was passed to engrossment.

GENERAL STATE CALENDAR
(consideration continued)

CSHB 3859 ON SECOND READING
(by Frank, Cook, Dale, G. Bonnen, et al.)

CSHB 3859, A bill to be entitled An Act relating to protection of the rights of conscience for child welfare services providers.

Representative Frank moved to postpone consideration of **CSHB 3859** until 9:30 a.m. tomorrow.

The motion prevailed.

HB 1644 ON SECOND READING
(by Springer)

HB 1644, A bill to be entitled An Act relating to transferring charge and control of a painting entitled "The Spirit of the Alamo Lives On."

HB 1644 was passed to engrossment.

HB 1166 ON SECOND READING
(by Stephenson, Reynolds, Zerwas, and Miller)

HB 1166, A bill to be entitled An Act relating to liability of certain electric utilities that allow certain uses of land that the electric utility owns, occupies, or leases.

HB 1166 was passed to engrossment.

CSHB 2619 ON SECOND READING
(by Giddings, Price, and J. Johnson)

CSHB 2619, A bill to be entitled An Act relating to a grant program administered by the governor's criminal justice division to implement programs, practices, and services to maintain peace officers' mental health.

Amendment No. 1

Representative S. Davis offered the following amendment to **CSHB 2619**:

Amend **CSHB 2619** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 772, Government Code, is amended by adding Section 772.0074 to read as follows:

Sec. 772.0074. CRITICAL INCIDENT STRESS DEBRIEFING GRANT PROGRAM. (a) In this section:

(1) "Criminal justice division" means the criminal justice division established under Section 772.006.

(2) "Critical incident" means an incident involving a peace officer that occurs while the officer is performing official duties and that results in serious bodily injury to the officer or poses a substantial risk of serious bodily injury or death to the officer or of serious harm to the officer's mental health or well-being.

(3) "Law enforcement agency" means an agency of the state or an agency of a political subdivision of the state that is authorized by law to employ peace officers.

(4) "Peace officer" has the meaning assigned by Article 2.12, Code of Criminal Procedure.

(b) The criminal justice division shall establish and administer a grant program to assist law enforcement agencies in providing critical incident stress debriefing to peace officers who experience critical incidents while performing official duties.

(c) The criminal justice division may award a grant under this section to:

(1) a law enforcement agency for the agency to provide critical incident stress debriefing to peace officers employed by the agency; or

(2) any other agency or organization to assist the agency or organization in providing support for the grant program, including support related to the development, implementation, management, or evaluation of the grant program, as determined necessary by the division.

(d) A law enforcement agency that receives a grant under this section must:

(1) inform each peace officer employed by the agency about:

(A) the program, including opportunities to participate in the program; and

(B) if the officer participates in the program, the confidentiality protections described by Subsection (e); and

(2) certify in writing that the agency will not use disciplinary action or any other form of punishment, including the refusal of a promotion, to discourage or prohibit an officer's participation in the critical incident stress debriefing offered by the agency.

(e) Critical incident stress debriefing provided using money distributed under the grant program is subject to the confidentiality protections provided under Section 784.003, Health and Safety Code.

(f) The criminal justice division shall establish:

(1) eligibility criteria for grant applicants;

(2) grant application procedures;

(3) procedures for evaluating grant applications;

(4) the minimum qualifications necessary for a person to conduct critical incident stress debriefing that is provided using money distributed under the grant program; and

(5) guidance for the development of critical incident stress debriefing curricula, materials, and best practices.

(g) The criminal justice division shall include in the biennial report required by Section 772.006(a)(9) a detailed reporting of the results and performance of the grant program administered under this section.

SECTION _____. Not later than October 1, 2017, the criminal justice division of the governor's office shall establish the grant program required by Section 772.0074, Government Code, as added by this Act, and, not later than January 1, 2018, shall begin to award grants under the program.

Amendment No. 1 was adopted by (Record 1039): 110 Yeas, 31 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bailes; Bernal; Blanco; Bohac; Burkett; Burns; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Longoria; Lozano; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burrows; Cain; Dale; Dean; Faircloth; Fallon; Goldman; Hefner; Isaac; Keough; King, P.; Klick; Krause; Lang; Leach; Metcalf; Rinaldi; Schaefer; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Laubenberg.

Absent, Excused, Committee Meeting — Ashby.

Absent — Capriglione; Dukes; Gonzales; Lucio; Sanford.

STATEMENT OF VOTE

When Record No. 1039 was taken, I was shown voting yes. I intended to vote no.

Parker

CSHB 2619, as amended, was passed to engrossment by (Record 1040): 98 Yeas, 46 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bailes; Bernal; Blanco; Bohac; Burkett; Burns; Clardy; Coleman; Collier; Cortez; Cospier; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Paul; Perez; Pickett; Price; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burrows; Button; Cain; Canales; Capriglione; Cook; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Frank; Goldman; Gonzales; Hefner; Isaac; Keough; King, P.; Klick; Krause; Lang; Leach; Metcalf; Morrison; Oliverson; Phelan; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Laubenberg.

Absent, Excused, Committee Meeting — Ashby.

Absent — Dukes; Raney.

STATEMENTS OF VOTE

When Record No. 1040 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 1040 was taken, I was shown voting no. I intended to vote yes.

Canales

When Record No. 1040 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1040 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 1040 was taken, I was shown voting yes. I intended to vote no.

Parker

FIVE-DAY POSTING RULE SUSPENDED

Representative Huberty moved to suspend the five-day posting rule to allow the Committee on Public Education to consider **SB 1166** at 8 a.m. tomorrow in E2.036.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Education, 8 a.m. tomorrow, E2.036, for a public hearing, to consider **SB 1166** and the previously posted agenda.

HB 1574 ON SECOND READING

(by Wilson, Murr, Lang, et al.)

HB 1574, A bill to be entitled An Act relating to documentation regarding an arrest of a person without a warrant.

Amendment No. 1

Representative White offered the following amendment to **HB 1574**:

Amend **HB 1574** (house committee report) on page 1, between lines 21 and 22, by inserting the following:

(c) If a peace officer arrests a person without a warrant for an offense punishable by a fine only, the affidavit required by Subsection (a) must include a statement of the reason the officer determined that it was necessary to arrest the person and take the person or have the person taken before a magistrate as provided by Article 14.06, instead of issuing to the person a citation containing written notice of the time and place the person must appear before a magistrate.

Amendment No. 1 was adopted by (Record 1041): 141 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Phillips.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Laubenberg.

Absent, Excused, Committee Meeting — Ashby.

Absent — Darby; Dukes; Oliveira; Sheffield.

HB 1574, as amended, was passed to engrossment by (Record 1042): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Laubenberg.

Absent, Excused, Committee Meeting — Ashby.

Absent — Dukes; Huberty; Lang; Oliveira; Perez; Sheffield; Uresti.

STATEMENT OF VOTE

When Record No. 1042 was taken, I was in the house but away from my desk. I would have voted yes.

Lang

COMMITTEES GRANTED PERMISSION TO MEET

Pursuant to Rule 4, Section 9 of the House Rules, Representative White requested permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings. For purposes of this motion, those committees and subcommittees that are scheduled to meet upon adjournment or final recess today shall be considered to be scheduled to meet during bill referral today, and those committees and subcommittees that are scheduled to meet upon adjournment today shall be considered to be scheduled to meet upon final recess today.

Permission to meet was granted.

(Speaker in the chair)

PROVIDING FOR RECESS

At 7:06 p.m., Representative Parker moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house recess until 10 a.m. tomorrow.

The motion prevailed.

(Giddings in the chair)

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES CORRECTIONS IN REFERRAL

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. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Geren in the chair)

RECESS

In accordance with a previous motion, the house, at 7:47 p.m., recessed until 10 a.m. tomorrow.

ADDENDUM

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 4349 (By Cortez), Relating to the creation of the Alamo Management District; providing authority to issue bonds; providing authority to impose assessments and fees.

To Special Purpose Districts.

HCR 120 (By Zedler), Urging Congress to end the antitrust exemption for insurers.

To Select State and Federal Power and Responsibility.

HR 17 (By Straus), In memory of Joseph Ray Perry of Paint Creek.

To Rules and Resolutions.

HR 1500 (By S. Davis), Commemorating the 40th anniversary of the Log Cabin Republicans.

To Rules and Resolutions.

HR 1779 (By White), Recognizing May 7-13, 2017, as National Correctional Officers and Employees Week.

To Rules and Resolutions.

HR 1780 (By Springer), Commending Kilian Peters of the Shamrock Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1781 (By Springer), Commending Jonathon Hamby of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1782 (By Springer), Commending Cris Thomas of the Shamrock Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1783 (By Springer), Commending Ronnie Ward of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1784 (By Springer), Commending Chief Kevin Hamby of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1785 (By Springer), Commending Matt Orr of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1786 (By Springer), Commending Tino Salinas of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1787 (By Springer), Commending Henry Wiebe of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1788 (By Springer), Commending Carson Faulks of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1789 (By Springer), Commending Eddie Langford of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1790 (By Springer), Commending Korn Wiebe of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1791 (By Springer), Commending Frank Wiebe of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1792 (By Springer), Commending Jacen Lemons of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1793 (By Springer), Commending Dean Hathaway of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1794 (By Springer), Commending Colby Henard of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1795 (By Springer), Commending Mark Lemons of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1796 (By Springer), Commending Braden Moore of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1797 (By Springer), Commending Cody Phillips of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1798 (By Springer), Commending Urrick Marshall of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1799 (By Springer), Commending Landry Umsted of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1800 (By Springer), Commending Clayton Owens of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1801 (By Springer), Commending Ethan Grant of the Wellington Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1802 (By Springer), Commending Cole Wilson of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1803 (By Springer), Commending Garrett Andis of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1804 (By Springer), Commending Luke Horton of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1805 (By Springer), Commending Doug Reed of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1806 (By Springer), Commending Keith Wiggains of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1807 (By Springer), Commending Clay Zybach of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1808 (By Springer), Commending Ty Armstrong of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1809 (By Springer), Commending Ricky Salas of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1810 (By Springer), Commending Clay Wilson of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1811 (By Springer), Commending Keith Rose of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1812 (By Springer), Commending Robert Ford of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1813 (By Springer), Commending Cody Carr of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1814 (By Springer), Commending Wes Darnell of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1815 (By Springer), Commending James Umsted of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1816 (By Springer), Commending Justin Lee of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1817 (By Springer), Commending Lyndon Loyd of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1818 (By Springer), Commending Mark Marshall of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1819 (By Springer), Commending Gary Davis of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1820 (By Springer), Commending Bill Wilson of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1821 (By Springer), Commending Marcus Rose of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1822 (By Springer), Commending Ken Daughtry of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1823 (By Springer), Commending Bobby McNeil of the Wheeler Volunteer Fire Department for his contribution to fighting the Texas Panhandle fires of March 2017.

To Rules and Resolutions.

HR 1824 (By Springer), Paying tribute to the life of World War II veteran Willie V Jordan of Newport.

To Rules and Resolutions.

HR 1825 (By Raymond), Recognizing May 11, 2017, as Home Care and Hospice Day at the State Capitol.

To Rules and Resolutions.

HR 1826 (By Springer), Congratulating David Spiller of Jacksboro on his election to the Fellows of the Texas Bar Foundation.

To Rules and Resolutions.

HR 1827 (By Roberts), Congratulating the Klein Independent School District on its success at the Theatre Under the Stars 2017 Tommy Tune Awards.

To Rules and Resolutions.

HR 1834 (By Lucio), In memory of Officer Calvin M. McCullers Jr. of the Southern Methodist University Police Department.

To Rules and Resolutions.

HR 1835 (By Lucio), In memory of Officer Amir Abdul-Khaliq of the Austin Police Department.

To Rules and Resolutions.

HR 1836 (By Lucio), Congratulating Janson Guillen of Veterans Memorial Early College High School on his receipt of a full scholarship to Texas Christian University.

To Rules and Resolutions.

HR 1837 (By Lucio), Congratulating the City of Brownsville on setting the Guinness World Record for largest huapango dance.

To Rules and Resolutions.

HR 1838 (By Lucio), In memory of Juan Gonzales Sr.

To Rules and Resolutions.

HR 1840 (By Murr), In memory of Mildred Ruth Van Fleet Barton of Hondo.

To Rules and Resolutions.

HR 1843 (By J. Johnson), Congratulating Stephen Foster Hill, head football coach at St. Pius X High School in Houston, on his accomplishments.

To Rules and Resolutions.

HR 1845 (By Faircloth), Commemorating the 132nd anniversary of the founding of Central High School in Galveston.

To Rules and Resolutions.

HR 1846 (By Faircloth), In memory of Robert Caraway of Winnie.

To Rules and Resolutions.

HR 1848 (By Lambert), Honoring Chris Kyker of Abilene for her public service.

To Rules and Resolutions.

HR 1849 (By Lambert), In memory of former state representative Gary Thompson.

To Rules and Resolutions.

HR 1850 (By Lambert), In memory of Landry Kate Robinson of Abilene.
To Rules and Resolutions.

HR 1853 (By Phelan), In memory of Robert Michael "Mike" Jelinek of Beaumont.
To Rules and Resolutions.

HR 1856 (By Dean), Congratulating the Kilgore High School boys' soccer team on winning the 2016-2017 UIL 4A state championship.
To Rules and Resolutions.

HR 1857 (By Wray), In memory of Dorothy Louise Midkiff of Waxahachie.
To Rules and Resolutions.

HR 1858 (By Wray), In memory of Henderson County Justice of the Peace Tommy Barnett.
To Rules and Resolutions.

HR 1859 (By Wray), Congratulating Bill Woody on his retirement as justice of the peace for Ellis County Precinct 1.
To Rules and Resolutions.

HR 1860 (By Cain), Congratulating the Team Name Wanted: Dead or Alive robotics team on its 2016-2017 season.
To Rules and Resolutions.

HR 1861 (By Cain), Congratulating Thomas and Suzanne Fraser of Baytown on their 50th wedding anniversary.
To Rules and Resolutions.

HR 1862 (By Biedermann), In memory of the members of First Baptist Church of New Braunfels whose lives were lost in the bus crash on March 29, 2017.
To Rules and Resolutions.

HR 1863 (By White), In memory of Dorothy Wentreck Cavett of Austin.
To Rules and Resolutions.

HR 1864 (By Stucky), Congratulating Weldon Burgoon of Weldon's Saddle Shop and Western Wear in Denton on his retirement after 60 years in business.
To Rules and Resolutions.

HR 1865 (By Herrero), Congratulating the Tuloso-Midway High School theater arts group on winning first place in the UIL One-Act Play district competition.
To Rules and Resolutions.

HR 1866 (By Herrero), Congratulating the Tuloso-Midway High School journalism team on its participation in the 2017 UIL Region 4-5A Academics Spring Meet.
To Rules and Resolutions.

HR 1867 (By Herrero), Congratulating the Tuloso-Midway High School spelling and vocabulary team on its participation in the 2017 UIL District 30-5A Academics Spring Meet.

To Rules and Resolutions.

HR 1868 (By Herrero), Congratulating the Tuloso-Midway High School accounting team on its participation in the 2017 UIL District 30-5A Academics Spring Meet.

To Rules and Resolutions.

HR 1870 (By Herrero), Congratulating Kelsey Pierce of Tuloso-Midway High School on her participation in the 2017 UIL Region 4-5A Academics Spring Meet.

To Rules and Resolutions.

HR 1872 (By Larson), Commemorating the 60th anniversary of the Texas Water Development Board.

To Rules and Resolutions.

HR 1873 (By Thierry), In memory of Hattie Marshall of Houston.

To Rules and Resolutions.

HR 1874 (By Stucky), In memory of Browning Lamar Ball of Denton.

To Rules and Resolutions.

HR 1875 (By Gervin-Hawkins), In memory of Colonel Roy W. Burley Sr. of San Antonio.

To Rules and Resolutions.

HR 1877 (By Lucio), Congratulating Miguel Angel Mascorro on his receipt of a 2017 Dell Scholarship.

To Rules and Resolutions.

HR 1878 (By Lucio), Congratulating Karen Esperanza Garza on her receipt of a 2017 Dell Scholarship.

To Rules and Resolutions.

HR 1879 (By Lucio), Congratulating Aisha Cantu on her receipt of a 2017 Dell Scholarship.

To Rules and Resolutions.

HR 1880 (By Lucio), Congratulating Sandy Martinez on her receipt of a 2017 Dell Scholarship.

To Rules and Resolutions.

HR 1881 (By Lucio), Congratulating Manolo Alvarez on his receipt of a 2017 Dell Scholarship.

To Rules and Resolutions.

HR 1882 (By Lucio), Congratulating Ivan Saldaña on his receipt of a 2017 Dell Scholarship.

To Rules and Resolutions.

HR 1883 (By Workman), Commending Irene Armendariz of Austin for her service as a member of the Texas Commission on Jail Standards.

To Rules and Resolutions.

HR 1884 (By Isaac), Commending Vinit Shah for his service as a legislative intern in the office of State Representative Jason Isaac.

To Rules and Resolutions.

HR 1885 (By Isaac), Commending Mary Day Royston of Houston for her service as a legislative intern in the office of State Representative Jason Isaac.

To Rules and Resolutions.

HR 1886 (By Dale), Honoring Donna L. Nelson on the occasion of her retirement as chair of the Public Utility Commission of Texas.

To Rules and Resolutions.

HR 1887 (By Arévalo), Commemorating the 100th anniversary of the founding of Robert B. Green Memorial Hospital in San Antonio.

To Rules and Resolutions.

HR 1888 (By Schofield), Congratulating David Frishman of Katy on his receipt of the Rotary International Service and Dedication Award.

To Rules and Resolutions.

HR 1889 (By Price), Recognizing May 2017 as Cystic Fibrosis Awareness Month.

To Rules and Resolutions.

HR 1890 (By Pickett), Congratulating Candace Printz of El Dorado High School in El Paso on her selection as a finalist for an H-E-B Excellence in Education Award.

To Rules and Resolutions.

HR 1891 (By Herrero), Congratulating Johnny Canales on receiving a Mexican American Lifetime Achievement Award from Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 1892 (By Guerra), Commending Horacio "Lacho" Garza Jr. of Edinburg on his career with the Sharyland Independent School District.

To Rules and Resolutions.

HR 1893 (By Sanford), Congratulating Kacy Metcalf of McKinney on her receipt of the Girl Scout Gold Award.

To Rules and Resolutions.

HR 1894 (By Sanford), Congratulating Erin Heidrick of Prosper High School on her selection as a National Merit Scholar finalist.

To Rules and Resolutions.

HR 1896 (By Sanford), Congratulating Alexis Vu of Prosper High School on her selection as a National Merit Scholar finalist.

To Rules and Resolutions.

HR 1897 (By Sanford), Commemorating the opening of Melissa Eye Associates.

To Rules and Resolutions.

HR 1898 (By Sanford), Congratulating Coach Hubert "Hoot" Jones on his retirement from Anna High School.

To Rules and Resolutions.

HR 1899 (By Sanford), Congratulating students from the Prosper High School Eagle Production Group on their success at the 2017 UIL Young Filmmakers Festival.

To Rules and Resolutions.

HR 1900 (By Herrero), Congratulating Steve Covarrubias Jr. of Robstown Early College High School on his receipt of a 2017 Education to Employment Partners Scholarship.

To Rules and Resolutions.

HR 1902 (By Herrero), Congratulating Gabriel Garza of Richard King High School in Corpus Christi on his receipt of a 2017 Education to Employment Partners Scholarship.

To Rules and Resolutions.

HR 1903 (By Herrero), Congratulating Tamira Jackson of Roy Miller High School in Corpus Christi on her receipt of a 2017 Education to Employment Partners Scholarship.

To Rules and Resolutions.

HR 1904 (By Herrero), Congratulating Ryan Walters of Solomon Coles High School in Corpus Christi on his receipt of a 2017 Education to Employment Partners Scholarship.

To Rules and Resolutions.

HR 1906 (By Springer), Recognizing May 18, 2017, as American Heritage Girls Day at the State Capitol.

To Rules and Resolutions.

HR 1907 (By Springer), In memory of Cecil V. "Cy" Young of Bowie.

To Rules and Resolutions.

HR 1908 (By Lucio), Honoring former state representative Jim Keffer for his service in the Texas Legislature.

To Rules and Resolutions.

HR 1909 (By Herrero), Congratulating June Rodriguez on her receipt of a Superstar Award from the TRIO Islanders Organization at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 1910 (By Herrero), Congratulating Jason Rodriguez on his receipt of a Key Spouse Award from the TRIO Islanders Organization at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 1913 (By Dale), Commending the Leander Police Department for its leadership and participation in the National Night Out program.

To Rules and Resolutions.

HR 1914 (By Alonzo), Commemorating the 20th anniversary of Lone Star Park in Grand Prairie.

To Rules and Resolutions.

HR 1915 (By Y. Davis), Congratulating Thomas James Patterson Sr. of Lubbock on his 80th birthday.

To Rules and Resolutions.

HR 1918 (By Roberts), In memory of Grace and Leo Casagrande of Spring.

To Rules and Resolutions.

HR 1919 (By Burkett), Commending the Governor William P. Clements Jr. Scholars for their service to the State of Texas.

To Rules and Resolutions.

HR 1921 (By Herrero), In memory of Christina Lane of Corpus Christi.

To Rules and Resolutions.

HR 1922 (By Herrero), In memory of Esther Borjas Garza of Robstown.

To Rules and Resolutions.

HR 1923 (By Herrero), Congratulating Linda Sepulveda on her receipt of a Proud You're a Picker Award from the Robstown Independent School District.

To Rules and Resolutions.

HR 1924 (By Herrero), Congratulating Thelma Tagle of Lotspeich Elementary School on her receipt of a Proud You're a Picker Award from the Robstown Independent School District.

To Rules and Resolutions.

HR 1925 (By Herrero), Congratulating Yvette Curry on her receipt of a Proud You're a Picker Award from the Robstown Independent School District.

To Rules and Resolutions.

HR 1926 (By Geren), Congratulating Lee F. Jackson on his retirement as chancellor of the University of North Texas System.

To Rules and Resolutions.

HR 1927 (By J. Rodriguez), Congratulating the Northside Independent School District in San Antonio on receiving a Community Outdoor Outreach Program grant from the Texas Parks and Wildlife Department.

To Rules and Resolutions.

HR 1930 (By Wilson), Congratulating Damon Austin Crossland on being named Second Wing Sergeant Major in the Texas A&M University Corps of Cadets.

To Rules and Resolutions.

HR 1931 (By Moody), Congratulating Shawn Mena on her appointment as principal of Franklin High School in El Paso.

To Rules and Resolutions.

HR 1933 (By Moody), Congratulating Joseph Manago on his appointment as principal of Andress High School in El Paso.

To Rules and Resolutions.

HR 1934 (By Springer), In memory of Joseph Ray Perry of Paint Creek.

To Rules and Resolutions.

HR 1935 (By Y. Davis), Commemorating the 41st Isaac "Ike" Reed Family Reunion.

To Rules and Resolutions.

HR 1936 (By Y. Davis), Commemorating the dedication of an Official Texas Historical Marker at New Hope Missionary Baptist Church in Wheelock.

To Rules and Resolutions.

HR 1937 (By Turner), Commemorating the 35th anniversary of the Xi Theta Omega chapter of Alpha Kappa Alpha Sorority Incorporated in Arlington.

To Rules and Resolutions.

HR 1938 (By Kacal), Recognizing October 15-21, 2017, as National Veterinary Technician Week.

To Rules and Resolutions.

HR 1939 (By Swanson), Congratulating the Klein Oak High School color guard on winning its division title at the 2017 Winter Guard International World Championships.

To Rules and Resolutions.

HR 1940 (By Button), Congratulating Richard Briley on his retirement as managing director of Health and Code Compliance for the City of Garland.

To Rules and Resolutions.

HR 1941 (By Canales), Congratulating Jose Perez of the Pharr Fire Department on being named Firefighter of the Year by the Rio Grande Valley Firefighter's and Fire Marshals' Association.

To Rules and Resolutions.

HR 1942 (By Canales), Congratulating Arnoldo F. Benavides on his retirement as principal of Freddy Gonzalez Elementary School in Edinburg.

To Rules and Resolutions.

HR 1943 (By Canales), Congratulating Mariachi Oro from McAllen High School on its success at the 2017 UIL State Mariachi Festival.

To Rules and Resolutions.

HR 1944 (By Canales), Congratulating the PSJA Memorial Early College High School film team on winning the state championship title in the Division 2 Documentary category at the 2017 UIL State Film Contest.

To Rules and Resolutions.

HR 1945 (By Herrero), Congratulating Lilian C. Arroyo Lopez on her receipt of an Outstanding Supplemental Instruction Leader Award from the First in the World program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 1946 (By Herrero), Congratulating Imani C. Tebo on her receipt of a TRIO Islanders Organization Rising Star Award.

To Rules and Resolutions.

HR 1947 (By Herrero), Congratulating Jacob Soliz on his receipt of an Outstanding Award from the Project GRAD program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 1948 (By Herrero), Congratulating Miquel J. Tebo on his receipt of a Rising Star Award from the TRIO Islanders Organization at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 1949 (By Bernal), Commemorating the 15th anniversary of the Teens in the Driver Seat program.

To Rules and Resolutions.

HR 1950 (By Bernal), Commemorating the 300th anniversary of the founding of San Antonio.

To Rules and Resolutions.

HR 1951 (By Phillips), In memory of David Calvin Mattax of Austin.

To Rules and Resolutions.

HR 1952 (By Dutton), Congratulating LaTreshia Hamilton on her graduation from the Loyola University New Orleans College of Law.

To Rules and Resolutions.

HR 1953 (By Morrison), Congratulating Carol Lala on her retirement from the Goliad Independent School District.

To Rules and Resolutions.

HR 1954 (By Wilson), In memory of U.S. Army Lieutenant General (Ret.) Harold Gregory Moore Jr. of Auburn, Alabama.

To Rules and Resolutions.

HR 1955 (By Muñoz), Commending Horacio "Lacho" Garza Jr. of Edinburg on his career with the Sharyland Independent School District.

To Rules and Resolutions.

HR 1956 (By C. Anderson), Commemorating the 50th anniversary of Texas Englander dZignPak.

To Rules and Resolutions.

HR 1957 (By Dutton), In memory of Richard "Racehorse" Haynes.

To Rules and Resolutions.

HR 1958 (By Craddick), Congratulating Lamesa Municipal Airport on being named the 2017 Airport of the Year by the Texas Department of Transportation Aviation Division.

To Rules and Resolutions.

HR 1959 (By Ashby), Congratulating Mary Ann Whiteker on her retirement as superintendent of Hudson Independent School District.

To Rules and Resolutions.

HR 1960 (By Herrero), Congratulating Elizabeth Cristan on her receipt of an Outstanding Award from the Student Support Services program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 1961 (By Herrero), Congratulating Emily Lopez on her receipt of a Community Service Award from the TRIO Islanders Organization at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 1962 (By Herrero), Congratulating Juan Martinez Robles on his receipt of an Outstanding Award from the Project GRAD program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 1963 (By Herrero), Congratulating Marissa Guerra on her receipt of a Rising Star Award from the Project GRAD program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 1964 (By Hernandez), Commending Pastor Ronny Barner for his service to West University Baptist Church.

To Rules and Resolutions.

HR 1965 (By Phelan), In memory of Frank Dewayne Finchum of Orange.

To Rules and Resolutions.

HR 1966 (By Turner), In memory of Robbi Boone of Canyon Lake.

To Rules and Resolutions.

HR 1967 (By Coleman), In memory of Larry Huber Senkel of Houston.

To Rules and Resolutions.

SB 40 to Judiciary and Civil Jurisprudence.

SB 43 to Judiciary and Civil Jurisprudence.

SB 47 to Criminal Jurisprudence.

SB 55 to Pensions.

SB 59 to Government Transparency and Operation.

SB 75 to Economic and Small Business Development.

SB 87 to Transportation.

SB 132 to Appropriations.

SB 151 to Pensions.

SB 196 to Public Education.

SB 213 to Human Services.

SB 323 to Criminal Jurisprudence.
SB 377 to Human Services.
SB 463 to Public Education.
SB 496 to Higher Education.
SB 497 to Human Services.
SB 498 to Judiciary and Civil Jurisprudence.
SB 509 to Pensions.
SB 515 to General Investigating and Ethics.
SB 547 to Human Services.
SB 640 to Public Education.
SB 670 to State Affairs.
SB 719 to Higher Education.
SB 873 to Natural Resources.
SB 919 to Public Health.
SB 999 to Human Services.
SB 1021 to Human Services.
SB 1045 to Environmental Regulation.
SB 1047 to Ways and Means.
SB 1056 to Judiciary and Civil Jurisprudence.
SB 1085 to Natural Resources.
SB 1089 to Licensing and Administrative Procedures.
SB 1091 to Higher Education.
SB 1095 to Ways and Means.
SB 1118 to Special Purpose Districts.
SB 1123 to Higher Education.
SB 1214 to Criminal Jurisprudence.
SB 1261 to Special Purpose Districts.
SB 1289 to State Affairs.
SB 1325 to Judiciary and Civil Jurisprudence.
SB 1386 to Transportation.
SB 1395 to Transportation.
SB 1400 to Investments and Financial Institutions.
SB 1408 to Homeland Security and Public Safety.
SB 1426 to Ways and Means.

- SB 1430 to Natural Resources.
- SB 1440 to Government Transparency and Operation.
- SB 1444 to Human Services.
- SB 1446 to State Affairs.
- SB 1449 to Insurance.
- SB 1450 to Insurance.
- SB 1462 to County Affairs.
- SB 1465 to General Investigating and Ethics.
- SB 1467 to Higher Education.
- SB 1483 to Public Education.
- SB 1489 to Special Purpose Districts.
- SB 1500 to Business and Industry.
- SB 1510 to State Affairs.
- SB 1511 to Natural Resources.
- SB 1520 to Public Health.
- SB 1522 to Transportation.
- SB 1525 to Natural Resources.
- SB 1571 to Homeland Security and Public Safety.
- SB 1620 to Urban Affairs.
- SB 1630 to Culture, Recreation, and Tourism.
- SB 1654 to Transportation.
- SB 1666 to Elections.
- SB 1667 to Environmental Regulation.
- SB 1705 to Juvenile Justice and Family Issues.
- SB 1709 to Judiciary and Civil Jurisprudence.
- SB 1729 to Land and Resource Management.
- SB 1731 to State Affairs.
- SB 1732 to Transportation.
- SB 1733 to State Affairs.
- SB 1739 to Business and Industry.
- SB 1742 to County Affairs.
- SB 1758 to Human Services.
- SB 1764 to Human Services.
- SB 1781 to Higher Education.

SB 1782 to Higher Education.
SB 1799 to Higher Education.
SB 1805 to Homeland Security and Public Safety.
SB 1806 to Human Services.
SB 1813 to Higher Education.
SB 1834 to Transportation.
SB 1839 to Public Education.
SB 1842 to Natural Resources.
SB 1848 to Ways and Means.
SB 1870 to Natural Resources.
SB 1952 to Transportation.
SB 1977 to Juvenile Justice and Family Issues.
SB 1991 to Urban Affairs.
SB 2027 to Human Services.
SB 2048 to Higher Education.
SB 2054 to Homeland Security and Public Safety.
SB 2082 to Higher Education.
SB 2100 to Energy Resources.
SB 2118 to Higher Education.
SB 2131 to Public Education.
SB 2144 to Public Education.
SB 2166 to Ways and Means.
SB 2188 to Public Education.
SB 2189 to Criminal Jurisprudence.
SB 2204 to Ways and Means.
SB 2212 to Licensing and Administrative Procedures.
SB 2227 to Transportation.
SB 2238 to Criminal Jurisprudence.
SB 2245 to Special Purpose Districts.
SB 2255 to Juvenile Justice and Family Issues.
SB 2268 to Special Purpose Districts.
SB 2270 to Public Education.
SB 2282 to Natural Resources.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

SB 1326 to Public Health.

SIGNED BY THE SPEAKER

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

House List No. 16

HB 1982, HCR 141

Senate List No. 13

SB 128, SB 259, SB 594, SB 706, SB 758, SB 763, SB 881, SB 929, SB 1003, SB 1086, SB 1145, SB 1176, SB 1390, SB 1576

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, May 8, 2017

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 1122 Huffines

Relating to abolishing certain county boards of education, boards of county school trustees, and offices of county school superintendent.

SB 1338 Whitmire

Relating to bail and to judicial education regarding bail practices.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Monday, May 8, 2017 - 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 890 Geren SPONSOR: Estes
Relating to providing information to the public and to purchasers of real property regarding the impact of military installations.

HB 1140 Anderson, Charles "Doc" SPONSOR: Hinojosa
Relating to the allocation categories for state funding of public transportation.

HB 1995 Elkins SPONSOR: Hughes
Relating to the Texas Uniform Trade Secrets Act.

SB 195 Garcia
Relating to funding under the transportation allotment for public school students subject to a high risk of violence while walking to school.

SB 255 Zaffirini
Relating to training for governmental entities and vendors, including purchasing and contract management training; authorizing fees.

SB 631 Buckingham
Relating to venue for the disposition of stolen property.

SB 965 Zaffirini
Relating to the authority of certain counties to designate a county water recreation safety zone along certain rivers; authorizing a fee.

SB 1067 Schwertner
Relating to the dissolution of the Chisholm Trail Special Utility District.

SB 1656 Watson
Relating to the eligibility of certain municipalities to establish homestead preservation districts and reinvestment zones.

SB 1886 Bettencourt
Relating to the oversight of public education, including the creation of the office of inspector general at the Texas Education Agency.

SB 1980 Schwertner
Relating to performance bonds for certain public improvements in certain municipalities.

SB 2243

Buckingham

Relating to the powers and duties and election of the board of directors of the West Travis County Municipal Utility District No. 3.

SB 2244

West

Relating to the creation of the University Hills Municipal Management District; providing authority to issue bonds; providing authority to impose assessments or fees.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Monday, May 8, 2017 - 3

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 3220

Phillips

SPONSOR: Hancock

Relating to the regulation of insurance holding company systems, including internationally active insurance groups; authorizing a fee.

SB 529

Lucio

Relating to improving training and staff development for primary and secondary educators to enable them to more effectively serve all students.

SB 635

Huffines

Relating to the award of court costs and attorney's fees in certain actions challenging an order, ordinance, or similar measure of certain political subdivisions or the failure of an officer of certain political subdivisions to perform certain actions.

SB 654

Seliger

Relating to the participation of an advanced practice registered nurse as a primary care or network provider for certain governmental and other health benefit plans.

SB 1514

Estes

Relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land if the land begins to be used for oil and gas operations.

SB 1673

Lucio

Relating to natural disaster housing recovery.

SB 1942

Hughes

Relating to the transportation or storage of a handgun or other firearm or ammunition by a license holder in a motor vehicle in a parking area of a primary or secondary school.

SB 2039

Zaffirini

Relating to the development of instructional modules and training for public schools on the prevention of sexual abuse and sex trafficking and participation by the human trafficking prevention task force in that development.

SJR 51

Estes

Proposing a constitutional amendment authorizing the legislature to provide that the eligibility of open-space land for ad valorem taxation on the basis of its productive capacity does not end because an oil and gas lessee begins conducting oil and gas operations on the land if the land otherwise continues to be devoted to farm, ranch, or wildlife management purposes or timber production.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 6

Business and Industry - **HB 1572, HB 3888**

Criminal Jurisprudence - **HB 1171, HB 3054**

Economic and Small Business Development - **HB 1973, HB 3740**

Environmental Regulation - **HB 2479, HB 2497, SB 208**

Higher Education - **HB 3766**

Homeland Security and Public Safety - **HB 2812, HB 3115, HB 3359,**
SB 138

Human Services - **HB 1640, HB 3555, HB 3935, SB 1300**

Insurance - **HB 3560, SB 417, SB 718, SB 1406**

Judiciary and Civil Jurisprudence - **HB 1038, HB 3121, SB 1096**

Juvenile Justice and Family Issues - **SB 77**

Licensing and Administrative Procedures - **HB 2534, HB 3374, HB 3611**

Pensions - **HB 4203**

Public Education - **HB 811, HB 867, HB 1180, HB 1651, HB 2014, HB 2093, HB 3347, HB 3861, HB 4027**

Public Health - **HB 3541**

State and Federal Power and Responsibility, Select - **HB 2338**

State Affairs - **HB 1870, SB 252, SB 586**

Transportation - **HB 2778, HB 3679, HB 3809**

Ways and Means - **HB 445, HB 1830, HB 2133, HB 3168, HB 3201, HB 3389, HB 3446, HB 3471, HB 3843, SB 559**

ENGROSSED

May 6 - **HB 25, HB 45, HB 117, HB 168, HB 337, HB 362, HB 553, HB 639, HB 785, HB 972, HB 998, HB 1055, HB 1066, HB 1075, HB 1216, HB 1217, HB 1249, HB 1290, HB 1291, HB 1298, HB 1472, HB 1515, HB 1522, HB 1549, HB 1605, HB 1630, HB 1744, HB 1784, HB 1819, HB 1866, HB 1877, HB 1884, HB 1946, HB 1957, HB 1988, HB 1999, HB 2004, HB 2008, HB 2068, HB 2079, HB 2119, HB 2277, HB 2285, HB 2306, HB 2359, HB 2373, HB 2425, HB 2662, HB 2776, HB 2832, HB 2880, HB 2888, HB 2993, HB 3019, HB 3056, HB 3124, HB 3125, HB 3151, HB 3166, HB 3223, HB 3227, HB 3232, HB 3304, HB 3442, HB 3488, HB 3649, HB 3781, HB 4032, HB 4052, HB 4102, HCR 106, HJR 100**

May 7 - **HB 1036, HB 1174, HB 1463, HB 1507, HB 1693, HB 1730, HB 1891, HB 1986, HB 2223, HB 2305, HB 2409, HB 2466, HB 2486, HB 2492, HB 2508, HB 3078, HB 3131, HB 3189, HB 3305, HB 3306, HB 3356, HB 3969, HB 4180**

ENROLLED

May 6 - **HB 1982**