

HOUSE JOURNAL

EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-SIXTH DAY (CONTINUED) — FRIDAY, APRIL 30, 2021

The house met at 9:17 a.m. and was called to order by the speaker.

The invocation was offered by Representative Cortez as follows:

En el nombre del Padre, del Hijo, y del Espíritu Santo. Amén. And from the Book of Matthew, the Lord asks us to pray his prayer, and so I'll begin with: Our Father, who art in heaven, hallowed be thy name. Thy kingdom come. Thy will be done, on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation but deliver us from evil. Amen. And never forget, members, we can do all things through Christ who strengthens us. Amen.

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

LEAVES OF ABSENCE GRANTED

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

Bernal on motion of Anchia.

Ellzey on motion of Harris.

Murphy on motion of Harris.

The following member was granted leave of absence for today to attend a funeral:

Oliverson on motion of Dean.

(Guillen in the chair)

CONGRATULATORY AND MEMORIAL CALENDAR

The following congratulatory resolutions were laid before the house:

HCR 92 (by Craddick), Congratulating Sharla Hotchkiss on her receipt of a 2021 West Texas Women of Distinction Award from the Girl Scouts of the Desert Southwest.

HCR 93 (by Craddick), Congratulating Libby Campbell on her receipt of a 2021 West Texas Women of Distinction Award from the Girl Scouts of the Desert Southwest.

HCR 94 (by Craddick), Congratulating Susan Spratlen on her receipt of a 2021 West Texas Women of Distinction Award from the Girl Scouts of the Desert Southwest.

HCR 95 (by Craddick), Congratulating Shelby Landgraf on her receipt of a 2021 West Texas Women of Distinction Award from the Girl Scouts of the Desert Southwest.

HCR 96 (by Stucky and Israel), Congratulating University of North Texas softball player Hope Trautwein on pitching a perfect game in which she struck out all 21 opposing batters.

HR 480 (by Fierro), Commending El Pasoans Fighting Hunger for its continuing service to the community during the COVID-19 pandemic.

HR 728 (by M. González), Honoring Martina Silva of El Paso for her contributions to her community.

HR 729 (by C. Turner), Honoring Jeff Williams on the occasion of his retirement as mayor of Arlington.

HR 731 (by Fierro), Honoring FirstLight Community Foundation.

HR 732 (by Jetton), Honoring Alings Chinese Bistro for its service during Winter Storm Uri.

HR 733 (by Jetton), Honoring River Pointe Church in Richmond for its service during the Winter Storm Uri.

HR 734 (by Jetton), Honoring Grand Parkway Baptist Church in Richmond for its service during Winter Storm Uri.

HR 735 (by Jetton), Honoring Alexis Geissler and the staff of CraftWorx for their service during Winter Storm Uri.

HR 736 (by Jetton), Honoring Nelvin Adriatico for his service during Winter Storm Uri.

HR 737 (by Jetton), Honoring Apurva Parikh of Sugar Land for his service during Winter Storm Uri.

HR 738 (by Jetton), Honoring Jim McIngvale and the employees of Gallery Furniture in Houston for their service during Winter Storm Uri.

HR 739 (by Vo), Recognizing April 21, 2021, as McDonald's Virtual Legislative Day.

HR 740 (by Israel), Commending Judge Nicholas Chu for his service to Travis County during the COVID-19 pandemic. (Leman recorded voting no.)

HR 741 (by Morrison), Congratulating the Rockport Police Department on its recognition by the Texas Police Chiefs Association.

HR 742 (by Dean), Congratulating Joe Don Holley on his receipt of a 2021 Distinguished Alumni Award from Longview ISD.

HR 743 (by Anderson), Honoring Charles Wallis for his lifetime of artistic achievements.

HR 746 (by Jetton), Honoring Gyro Hut for its service during Winter Storm Uri.

HR 747 (by Jetton), Honoring the Indo-American Conservatives of Texas.

HR 748 (by S. Thompson), Recognizing May 2021 as Mental Health Awareness Month.

HR 752 (by Fierro), Congratulating El Paso Community College on receiving a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association.

HR 753 (by Fierro), Congratulating El Paso Community College on being selected as one of the top 15 colleges in the nation offering an associate's degree in chemistry.

HR 754 (by Fierro), Honoring El Paso Community College professor Manuela Gomez for her academic achievements and civic engagement. (Leman recorded voting no.)

HR 755 (by Fierro), Commending El Paso Community College on developing an exemplary geosciences program.

HR 756 (by Fierro), Honoring the El Paso Community College culinary arts program for its EPCC Cares, Chefs Share initiative.

HR 757 (by Fierro), Congratulating El Paso Community College on receiving the 2020 Higher Education Excellence in Diversity Award from INSIGHT Into Diversity magazine.

HR 758 (by Fierro), Commemorating the establishment of the Joe K. Foster Endowed Scholarship at El Paso Community College and paying tribute to the legacy of Joe K. Foster.

HR 759 (by Fierro), Commending El Paso Community College on ranking first in the nation for most associate's degrees granted to Hispanic students.

HR 763 (by Hull), Commemorating the National Hispanic Professional Organization 2021 Cinco de Mayo Hispanos Unidos networking event.

HR 764 (by Howard), Recognizing April 16, 2021, as National Healthcare Decisions Day.

HR 765 (by Ordaz Perez), Commending El Pasoans Fighting Hunger for its continuing service to the community during the COVID-19 pandemic.

HR 766 (by Toth), Commending Tammy McRae for her service as president of the Tax Assessor-Collectors Association of Texas.

HR 768 (by Dutton), Honoring 100 Black Men of America for its service to African American youth.

HR 773 (by Leach), Congratulating Dr. Paul Busch on his retirement as a professor of marketing at Texas A&M University.

HR 774 (by Leach), Congratulating Tiffany Syfert on being named the 2021 Teacher of the Year at the STEAM Center in Allen ISD.

HR 775 (by Leach), Congratulating Cara Lundberg on being named the 2021 Teacher of the Year at Boon Elementary School in Allen ISD.

HR 776 (by Leach), Congratulating Amy Larson on being named the 2021 Teacher of the Year at Cheatham Elementary School in Allen ISD.

HR 777 (by Leach), Congratulating Erica Butler on being named the 2021 Teacher of the Year at Evans Elementary School in Allen ISD.

HR 778 (by Leach), Congratulating Sarah Wallwork on being named the 2021 Teacher of the Year at Green Elementary School in Allen ISD.

HR 779 (by Leach), Congratulating Paula Stephens on being named the 2021 Teacher of the Year at Kerr Elementary School in Allen ISD.

HR 780 (by Leach), Congratulating Nicholas Hill on being named the 2021 Teacher of the Year at Norton Elementary School in Allen ISD.

HR 781 (by Leach), Congratulating Jennifer Bush on being named the 2021 Teacher of the Year at Preston Elementary School in Allen ISD.

HR 782 (by Leach), Congratulating Reagan Fuller on being named the 2021 Teacher of the Year at Reed Elementary School in Allen ISD.

HR 783 (by Leach), Congratulating Don Anderson on being named the 2021 Teacher of the Year at Allen High School in Allen ISD.

HR 784 (by Leach), Congratulating Vicki Neumann on being named the 2021 Teacher of the Year at Ereckson Middle School in Allen ISD.

HR 785 (by Leach), Congratulating Jon King on being named the 2021 Teacher of the Year at the Lowery Freshman Center in Allen ISD.

HR 787 (by Goldman), Congratulating Judy Taylor on her selection as the 2020-2021 Teacher of the Year at Southwest High School in Fort Worth.

HR 788 (by Goldman), Congratulating Ava Moreno on being named the 2020-2021 Teacher of the Year at Benbrook Elementary School in the Fort Worth Independent School District.

HR 792 (by Ramos), Congratulating Jodie Nguyen on graduating as salutatorian of the Berkner High School STEM Academy Class of 2021.

HR 793 (by Ramos), Congratulating Sydney Villaruel on graduating as valedictorian of the Berkner High School STEM Academy Class of 2021.

HR 795 (by Sherman), Congratulating Jackie Edwards Jr. of Scouts BSA Troop No. 215 in Lockhart on achieving the rank of Eagle Scout.

HR 796 (by Price and Kacal), Recognizing May 6, 2021, as National Day of Prayer in Texas.

HR 799 (by Price and Smithee), Commemorating the 50th anniversary of Meals on Wheels of Amarillo.

HR 800 (by Leach), Congratulating Dr. Tom Johnson on his retirement.

HR 801 (by Price), Congratulating the Bushland High School volleyball team on winning the 2020 UIL 3A state championship.

HR 804 (by Ellzey), Congratulating the Waxahachie High School boys' basketball team on its success during the 2020-2021 season.

HR 805 (by Ellzey), Congratulating the Waxahachie High School Cherokee Charmers precision dance and drill team.

HR 806 (by Ellzey), Congratulating Lonnie Gaylor on being selected as one of the top 100 Texas high school basketball coaches of all time by the UIL.

HR 807 (by Ellzey), Congratulating the Ennis High School football team on a successful 2020 season.

HR 810 (by Ellzey), Congratulating Ellis County Constable Terry Nay on his retirement.

HR 811 (by Ellzey), Honoring the Waxahachie Independent School District for its service to area youth.

HR 812 (by Ellzey), Honoring the Midlothian Independent School District for its service to area youth.

HR 813 (by Ellzey), Honoring Ennis ISD for its service to area youth.

HR 814 (by Ellzey), Honoring the Red Oak Independent School District for its service to area youth.

HR 815 (by Ellzey), Honoring Ferris ISD for its service to area youth.

HR 816 (by Ellzey), Honoring Maypearl ISD for its service to area youth.

HR 817 (by Ellzey), Honoring Italy ISD for its service to area youth.

HR 818 (by Ellzey), Honoring Milford ISD for its service to area youth.

HR 819 (by Herrero), Congratulating Evan Hsiang of W. B. Ray High School in Corpus Christi on becoming the top scorer in Texas and the nation in the 2021 United States Academic Decathlon.

HR 820 (by E. Morales), Congratulating the Pecos High School girls' powerlifting team on its performance at the 2021 THSWPA state meet.

HR 823 (by Huberty), Honoring Emma Brinsden for her service as a legislative intern in the office of State Representative Dan Huberty during the 87th Legislative Session.

HR 824 (by Huberty), Commending Elizabeth Mathews for her service as a legislative intern in the office of State Representative Dan Huberty during the 87th Legislative Session.

HR 825 (by Huberty), Commending Ben Baker-Katz for his service as a legislative intern in the office of State Representative Dan Huberty.

HR 826 (by Button, Vo, Wu, Jetton, and Paul), Recognizing May 2021 as Asian American and Pacific Islander Heritage Month.

HR 828 (by Fierro), Honoring Pastor Michael Grady of Prince of Peace Christian Fellowship for his service to the El Paso community.

HR 829 (by Fierro), Congratulating SSG Manuel R. Puentes Middle School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 830 (by Fierro), Congratulating Hurshel Antwine Middle School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 831 (by Fierro), Congratulating Socorro High School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 832 (by Fierro), Congratulating Cactus Trails Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 833 (by Fierro), Congratulating John Drugan School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 834 (by Fierro), Congratulating Myrtle Cooper Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 835 (by Fierro), Congratulating OShea Keleher Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 836 (by Fierro), Congratulating Escontrias Early Childhood Center in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 837 (by Fierro), Congratulating Elfida P. Chavez Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 838 (by Fierro), Congratulating Loma Verde Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 839 (by Fierro), Congratulating Chester Jordan Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 840 (by Fierro), Congratulating Vista Del Sol Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 841 (by Fierro), Congratulating El Dorado High School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 842 (by Fierro), Congratulating Socorro Middle School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 843 (by Fierro), Congratulating Campestre Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 844 (by Fierro), Congratulating Sgt. Jose F. Carrasco Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 845 (by Fierro), Congratulating Capt. Walter E. Clarke Middle School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 846 (by Fierro), Congratulating Col. John O. Ensor Middle School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 847 (by Fierro), Congratulating Montwood Middle School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 848 (by Fierro), Congratulating Salvador H. Sanchez Middle School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 849 (by Fierro), Congratulating Escontrias Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 850 (by Fierro), Congratulating Purple Heart Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 851 (by Fierro), Congratulating Helen Ball Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 852 (by Fierro), Congratulating Benito Martinez Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 853 (by Fierro), Congratulating Pebble Hills High School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 854 (by Fierro), Congratulating William D. Slider Middle School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 855 (by Fierro), Congratulating Hueco Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 856 (by Fierro), Congratulating Bill Sybert School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 857 (by Fierro), Congratulating Sierra Vista Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 858 (by Fierro), Congratulating H. D. Hilley Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 859 (by Fierro), Congratulating Paso Del Norte Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 860 (by Fierro), Congratulating Sun Ridge Middle School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 861 (by Fierro), Congratulating Americas High School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 862 (by Fierro), Congratulating Dr. Sue A. Shook Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 863 (by Fierro), Congratulating Montwood High School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 864 (by Fierro), Congratulating Mission Early College High School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 865 (by Fierro), Congratulating Sgt. Roberto Ituarte Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 866 (by Fierro), Congratulating Lujan-Chavez Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 867 (by Fierro), Congratulating James P. Butler Elementary School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 868 (by Fierro), Congratulating Spec. Rafael Hernando III Middle School in Socorro ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 869 (by Fierro), Congratulating Captain John L. Chapin High School in El Paso ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 870 (by Fierro), Congratulating Milam Elementary School in El Paso ISD on receiving the Texas Purple Star Campus Designation from the Texas Education Agency.

HR 871 (by Patterson), Recognizing Representative Andrew Murr's moustache as the Official Moustache of the House of Representatives of the 87th Texas Legislature.

HR 872 (by E. Morales), Commemorating the 150th anniversary of Pecos County.

HR 874 (by E. Morales), Congratulating Tristen Licon on his achievements as a member of the Sul Ross State University men's basketball team.

HR 876 (by Ortega), Congratulating Jacob Halter of El Paso on attaining the rank of Eagle Scout.

HR 877 (by Huberty), Commending Makenna Moser for her service as a legislative intern in the office of State Representative Dan Huberty.

SCR 10 (Morrison - House Sponsor), Honoring the heroism and sacrifice of Refugio High School graduate and Congressional Medal of Honor recipient Lloyd Herbert "Pete" Hughes Jr.

SCR 13 (Paddie - House Sponsor), Congratulating the Carthage High School football team on winning the 2020 UIL 4A Division 2 state championship.

SCR 14 (Hefner - House Sponsor), Congratulating the Lindale High School band on winning the 4A championship at the 2020 UIL State Military Class Marching Band Contest.

SCR 35 (Hefner - House Sponsor), Commemorating the 100th anniversary of American Legion Luckett Cochran Post 296 in Mineola.

SCR 40 (Smith - House Sponsor), Commending Mary Nan Story, Aurelia Holcomb, Mary Reed, Cathy Rains, and Martha Mears for their many years of service to the Texoma Exposition and Livestock Show.

The resolutions were adopted.

The following memorial resolutions were laid before the house:

HCR 87 (by Darby, Ashby, Bailes, Howard, et al.), In memory of former state representative John Clifford Otto.

HCR 97 (by Cyrier), In memory of Brandon Keith White of Fort Davis.

HCR 98 (by Cyrier), In memory of Dewey Douglas Stockbridge of Alpine.

HCR 99 (by Cyrier), In memory of Robert Otto Dittmar II of Kerrville.

HR 730 (by Fierro), In memory of George Ira Leeser of El Paso. (Leman recorded voting no.)

HR 744 (by Anderson), In memory of Jerry Don Noles of McGregor.

HR 745 (by Dutton), In memory of Robert Warren McGowan of Houston.

HR 749 (by Raney), In memory of Judge William Thomas McDonald Jr. of Bryan.

HR 750 (by Price and Smithee), In memory of Joseph Robert "Joe Bob" McCart of Amarillo.

HR 751 (by Price and Smithee), In memory of Roger Fenlaw of Amarillo.

HR 760 (by Fierro), In memory of El Paso Community College professor Dr. Dominic I. Lannutti.

HR 761 (by Price and Smithee), In memory of Edward K. Norfleet Jr. of Amarillo.

HR 762 (by Price), In memory of Billie Faye Schumacher.

HR 767 (by Spiller), In memory of John Edward Fortenberry of Valley View.

HR 769 (by Price), In memory of E. J. "Jeep" Webb of Borger.

HR 770 (by Buckley), In memory of U.S. Army Colonel (Ret.) and former Killeen mayor Raul Gabriel Villaronga.

HR 771 (by Buckley), In memory of Johnny Douglas Carnes of Harker Heights.

HR 772 (by Dominguez), In memory of Daniel "Danny" William Tower of New Braunfels.

HR 786 (by Price and Smithee), In memory of Dr. Dale Alvin Roller of Amarillo.

HR 789 (by Goldman), In memory of Captain Randal Dwayne Robinson of the Fort Worth Fire Department.

HR 790 (by Hunter), In memory of Vincent Joseph Weber of Port Lavaca.

HR 791 (by Hunter), In memory of Mary Ellen Weber.

HR 794 (by Sherman), In memory of the Reverend Dr. James Lyonel Davis Sr. of Dallas.

HR 797 (by Guillen), In memory of Angelina Reyes Ortega of El Paso.

HR 798 (by Guillen), In memory of Willacy County Commissioner Oscar De Luna.

HR 802 (by Ellzey), In memory of George Reid Simmons of Waxahachie.

HR 803 (by Ellzey), In memory of retired U.S. Air Force Master Sergeant Herbert Lenvil Critser of Midlothian.

HR 808 (by Ellzey), In memory of Patricia Ann King of Kemp.

HR 809 (by Ellzey), In memory of Pedro Piñon of Waxahachie.

HR 821 (by E. Morales), In memory of Caroline Virginia Ellwood Sullivan of San Antonio.

HR 822 (by Ashby), In memory of Patricia Evans Dickey.

HR 827 (by Wu), In memory of Willie Lee Dixon Jr. of Spring.

HR 873 (by Geren), In memory of Charles Beggs Moncrief.

HR 875 (by Geren), In memory of Robert William "Bobby" Brown of Fort Worth.

HR 878 (by E. Morales), In memory of Rosalinda P. Morin of Del Rio.

SCR 15 (Hefner - House Sponsor), In memory of Everette Wayne "Skip" McBride of Mount Pleasant.

SCR 16 (Hefner - House Sponsor), In memory of Bill W. Daniel of Mount Pleasant.

SCR 19 (VanDeaver - House Sponsor), In memory of Eddie Garner Clement of Paris, Texas.

SCR 25 (Hefner - House Sponsor), In memory of the Honorable Arthur L. Fort of Longview.

SCR 36 (Hefner - House Sponsor), In memory of Noble Grace Cammack of Longview.

The resolutions were unanimously adopted by a rising vote.

(Speaker pro tempore in the chair)

LEAVES OF ABSENCE GRANTED

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

Klick on motion of Vasut.

Lopez on motion of Reynolds.

COMMITTEE MEETING ANNOUNCEMENT

At 9:47 a.m., the following committee meeting was announced:

Environmental Regulation, upon final adjournment or during bill referral, if permission is granted, today, 1W.14, for a formal meeting, to consider pending and referred business.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR SECOND READING

The following bills were laid before the house, read second time, and passed to engrossment or third reading (members registering votes are shown following the caption), and the following resolutions were laid before the house on committee report:

HB 72 (by Reynolds, Stephenson, and Jetton), A bill to be entitled An Act relating to the power of certain counties to enact certain park use rules. (Anderson, Ashby, Bonnen, Buckley, Burns, Burrows, Cain, Clardy, Cyrier, Darby, Dean, Gates, Geren, Goldman, Harris, Hefner, Holland, Krause, Lambert, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Patterson, Paul, Schaefer, Shine, Smithee, E. Thompson, VanDeaver, and Vasut recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 355 (by Lopez, Morales Shaw, Reynolds, et al.), A bill to be entitled An Act relating to providing notice to a state representative and senator of an administrative penalty assessed by the Texas Commission on Environmental Quality. (Bonnen, Goldman, Landgraf, Metcalf, Murr, and Slaton recorded voting no.) (Leach requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 440 (by J.E. Johnson and Guillen), A bill to be entitled An Act relating to health benefit coverage for hearing aids for children and adults. (Biedermann, Buckley, Burns, Cain, Clardy, Cyrier, Gates, Harris, Holland, Krause, Middleton, Noble, Schaefer, Shaheen, Slaton, Spiller, Tinderholt, VanDeaver, and Vasut recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

CSHB 505 (by White), A bill to be entitled An Act relating to the sale of fireworks on and before the Labor Day holiday in certain counties. (C. Bell, K. Bell, Dean, Harless, Murr, Noble, and Patterson recorded voting no.)

HB 663 (by Cortez and Guillen), A bill to be entitled An Act relating to the eligibility of certain at-risk developments to receive low income housing tax credits. (Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Cason, Clardy, Cook, Cyrier, Darby, Dean, Gates, Geren, Goldman, Harless, Harris, Hefner, Holland, Hull, Krause, Lambert, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Patterson, Paul, Schaefer, Shaheen, Shine, Slaton, Slawson, Smithee, Spiller, Swanson, E. Thompson, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 681 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

HB 721 (by Wilson), A bill to be entitled An Act relating to the release to mandatory supervision of certain inmates confined in a county jail. (Bonnen, Goldman, Landgraf, Metcalf, Murr, and Ramos recorded voting no.)

CSHB 827 (by Huberty, et al.), A bill to be entitled An Act relating to the disclosure of vehicle speed information to a law enforcement agency by an entity that operates a toll project. (Buckley, Burns, Cain, Clardy, Cyrier, Gates, Harris, Holland, Krause, Landgraf, Leman, Middleton, Murr, VanDeaver, and Vasut recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 998 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

SB 635 (Lucio - House Sponsor), in lieu of **HB 1023**, A bill to be entitled An Act relating to the terms and qualifications of the members of the port commission of, and the powers, duties, and territory of, the Port of Harlingen

Authority; authorizing the imposition of a tax. (Allison, C. Bell, K. Bell, Bonnen, Burns, Burrows, Cain, Cyrier, Darby, Dean, Gates, Geren, Goldman, Harris, Hefner, Holland, Krause, Lambert, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Patterson, Schaefer, Shaheen, Shine, Slaton, Smithee, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

Representative Guillen moved to lay **HB 1023** on the table subject to call, and the motion prevailed.

CSHB 1133 (by Clardy), A bill to be entitled An Act relating to an election to revoke a county equalization tax imposed in certain counties. (Buckley, Burns, Cain, Cyrier, Dean, Gates, Harris, Holland, Krause, Leman, Middleton, Patterson, VanDeaver, and Vasut recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

CSHB 1208 (by Guillen), A bill to be entitled An Act relating to a state employment preference for certain individuals who reside with veterans with a disability. (Buckley, Burns, Burrows, Cain, Clardy, Cyrier, Gates, Harris, Hefner, Holland, Krause, Middleton, Murr, Noble, Shaheen, Slawson, VanDeaver, Vasut, and Wilson recorded voting no.) (Leach, Swanson, and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

The chair moved **HB 1278** until the end of today's local, consent, and resolutions calendar.

CSHB 1308 (by M. González), A bill to be entitled An Act relating to the establishment of a task force to conduct a comprehensive study on best practice standards for the confinement of pregnant prisoners in county jails. (Anderson, Ashby, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Clardy, Cook, Craddick, Cyrier, Darby, Dean, Gates, Geren, Goldman, Harris, Hefner, Holland, Krause, Lambert, Landgraf, Leman, Metcalf, Middleton, Murr, Noble, Parker, Paul, Price, Schaefer, Shaheen, Shine, Slawson, Smithee, E. Thompson, VanDeaver, Vasut, and Wilson recorded voting no.) (Leach and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 479 (VanDeaver - House Sponsor), in lieu of **HB 1414**, A bill to be entitled An Act relating to the powers of the TexAmericas Center, including its authority to issue bonds. (Allison, Anderson, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Cason, Clardy, Craddick, Cyrier, Darby, Dean, Gates, Geren, Goldman, Harris, Hefner, Holland, Krause, Lambert, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Parker, Patterson, Schaefer, Shaheen, Shine, Slaton, Smithee, Swanson, Vasut, and Wilson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

Representative VanDeaver moved to lay **HB 1414** on the table subject to call, and the motion prevailed.

CSHB 1456 (by Herrero), A bill to be entitled An Act relating to the operations of the Nueces County Hospital District, including the operations of a health care provider participation program administered by the district. (Ashby, C. Bell, K. Bell, Buckley, Burns, Burrows, Cain, Cason, Clardy, Cyrier, Dean, Gates, Geren, Harris, Hefner, Holland, Hunter, Krause, Lambert, Leach, Leman, Middleton, Patterson, Shaheen, Shine, Slaton, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 1493 was withdrawn. (The bill was read second time and passed to engrossment at the end of today's local, consent, and resolutions calendar.)

CSHB 1526 (by Kuempel), A bill to be entitled An Act relating to cemeteries in certain municipalities. (Cason and Patterson recorded voting no.)

HB 1618 (by Leman), A bill to be entitled An Act relating to the number of signatures required on a petition filed in connection with an election to create certain hospital districts. (Dean, Patterson, and Wilson recorded voting no.)

HB 1659 (by Murphy), A bill to be entitled An Act relating to the amendment of a residential subdivision's declaration to affect certain types of property located in the subdivision. (Leach, Patterson, and Schaefer recorded voting no.)

HB 1756 (by Burns), A bill to be entitled An Act relating to county appropriations to historical foundations or organizations. (Biedermann, Metcalf, Murr, Patterson, and Schaefer recorded voting no.)

CSHB 1932 (by S. Thompson and Bailes), A bill to be entitled An Act relating to notice of available alternatives to the lapse or surrender of a life insurance policy. (Ashby, Biedermann, Buckley, Burns, Burrows, Cain, Cason, Clardy, Cook, Cyrier, Dean, Gates, Geren, Harris, Hefner, Holland, Krause, Lambert, Leman, Middleton, Patterson, Shaheen, Shine, Slaton, Slawson, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 1998 (by Lucio and Martinez), A bill to be entitled An Act relating to weight limitations for liquefied petroleum gas motor vehicles. (Leach and Patterson recorded voting no.)

HB 2036 (by J.E. Johnson, Patterson, and Vo), A bill to be entitled An Act relating to the definition of close relative of a deceased victim for purposes of certain laws relating to the release of an inmate on parole or to mandatory supervision. (Biedermann, Harless, Swanson, and Tinderholt recorded voting no.)

HB 2048 (by Krause), A bill to be entitled An Act relating to the criminal offense of passing certain vehicles on a highway. (Ashby, Buckley, Burrows, Cain, Clardy, Cyrier, Darby, Dean, Gates, Geren, Harris, Hefner, Holland,

Lambert, Leman, Middleton, Murr, Schaefer, Shine, Slaton, Vasut, and Wilson recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

CSHB 2091 (by Walle), A bill to be entitled An Act relating to the redesignation and authority of the Harris County Board of Protective Services for Children and Adults. (C. Bell, K. Bell, and Tinderholt recorded voting no.)

HB 2203 (by Romero), A bill to be entitled An Act relating to the powers of certain regional transportation authorities. (Anderson, Ashby, Bonnen, Burns, Burrows, Cain, Cason, Cyrier, Gates, Geren, Goldman, Harris, Hefner, Krause, Lambert, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Patterson, Paul, Schaefer, Shaheen, Shine, Slaton, E. Thompson, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 2214 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

CSHB 2220 (by Canales), A bill to be entitled An Act relating to a contract between a private vendor and the Texas Department of Motor Vehicles for certain license plate services. (Patterson recorded voting no.)

HB 2236 (by Hernandez, Coleman, J.D. Johnson, and Thierry), A bill to be entitled An Act relating to the authority of a county to adopt a land bank program. (Buckley, Burns, Burrows, Cain, Cason, Clardy, Cyrier, Gates, Harris, Hefner, Holland, Hull, Krause, Leman, Middleton, Patterson, Shaheen, Slaton, Spiller, Swanson, VanDeaver, Vasut, and Wilson recorded voting no.) (Leach and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

Amendment No. 1

Representative Hernandez offered the following amendment to **HB 2236**:

Amend **HB 2236** (house committee printing) on page 2 as follows:

(1) On line 12, between "county" and "may", insert "with a population of more than four million".

(2) Strike lines 21-26 and substitute the following:

(c) A land bank program established under this chapter may not operate in a municipality that operates a land bank as a local government corporation under Subchapter D, Chapter 431, Transportation Code, or that has adopted an urban land bank program under any other provision of this code.

Amendment No. 1 was adopted.

HB 2238 (by Krause), A bill to be entitled An Act relating to notice prohibiting hunting on or over certain submerged land. (Patterson and Slaton recorded voting no.)

CSHB 2361 (by Landgraf and Reynolds), A bill to be entitled An Act relating to the new technology implementation grant program administered by the Texas Commission on Environmental Quality. (Buckley, Burrows, Cain, Clardy, Cyrier, Gates, Harris, Hefner, Holland, Krause, Leman, Metcalf, Middleton, Patterson, Schaefer, Shaheen, Swanson, Tinderholt, Vasut, and Wilson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

CSHB 2367 (by Harris), A bill to be entitled An Act relating to the use of license plates equipped with integrated circuit technology. (Leach, Murr, Patterson, Ramos, and Schaefer recorded voting no.)

HB 2382 (by Moody), A bill to be entitled An Act relating to the use of a broker for the sale of real property by the El Paso County Hospital District. (Anderson, Burns, Metcalf, Murr, Patterson, Paul, Schaefer, E. Thompson, Tinderholt, and VanDeaver recorded voting no; Holland recorded voting present, not voting.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1367 (Oliverson - House Sponsor), in lieu of **HB 2547**, A bill to be entitled An Act relating to the regulation of commercial property and casualty insurance and insurance for certain large risks. (Leach, Patterson, and Ramos recorded voting no.)

Representative Harris moved to lay **HB 2547** on the table subject to call, and the motion prevailed.

HB 2580 (by Leach), A bill to be entitled An Act relating to the operation and administration of the State Office of Administrative Hearings, including procedures during a declared disaster and the use of videoconferencing technology to conduct administrative hearings. (Wilson recorded voting no.)

SB 1212 (K. King - House Sponsor), in lieu of **HB 2768**, A bill to be entitled An Act relating to the composition of the board of directors of the Booker Hospital District. (Patterson and Schaefer recorded voting no.)

Representative K. King moved to lay **HB 2768** on the table subject to call, and the motion prevailed.

HB 2827 (by M. González), A bill to be entitled An Act relating to the transfer to the Texas Higher Education Coordinating Board of certain responsibilities relating to postsecondary education and career counseling. (Bonnen, Burns, Burrows, Cook, Cyrier, Gates, Goldman, Harris, Hefner, Holland, Krause, Landgraf, Leach, Metcalf, Middleton, Murr, Noble, Patterson, Paul, Schaefer, Shaheen, Slawson, E. Thompson, VanDeaver, Vasut, and Wilson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 2847 (by Geren), A bill to be entitled An Act relating to the authority of the Tarrant County Hospital District or a nonprofit corporation formed by the district regarding certain technology or intellectual property owned by or licensed to the district or corporation. (Leach, Patterson, and Schaefer recorded voting no.)

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. 13).

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR**(consideration continued)**

HB 2857 (by Frullo), A bill to be entitled An Act relating to certain information regarding taxpayers subject to an audit that is provided to members of the public. (Biedermann, Bonnen, Burns, Goldman, Landgraf, Leach, Metcalf, Murr, Patterson, Schaefer, VanDeaver, and Wilson recorded voting no.)

SB 863 (Hull - House Sponsor), in lieu of **HB 2985**, A bill to be entitled An Act relating to the temporary relocation of a residential child-care facility during a declared state of disaster. (Dean recorded voting no.)

Representative Hull moved to lay **HB 2985** on the table subject to call, and the motion prevailed.

CSHB 3002 (by Burns, Collier, Tinderholt, Crockett, and C. Turner), 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. (Slawson recorded voting no.)

HB 3045 (by Hull), A bill to be entitled An Act relating to financial regulation of certain life, health, and accident insurers and health maintenance organizations. (Cyrier and Ramos recorded voting no.)

CSHB 3051 (by S. Thompson), A bill to be entitled An Act relating to authorization for the creation of a county ethics commission in certain counties. (Anderson, Bonnen, Buckley, Burns, Burrows, Cain, Cason, Clardy, Craddick, Cyrier, Gates, Goldman, Harless, Harris, Hefner, Holland, Hull, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Parker, Patterson, Schaefer, Shaheen, Slaton, Slawson, Swanson, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 3057 (by Gervin-Hawkins), A bill to be entitled An Act relating to the regulation of licensed dog and cat breeders. (Anderson, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Clardy, Cook, Cyrier, Gates, Goldman, Harless, Harris, Hefner, Holland, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Patterson, Paul, Sanford, Schaefer, Slaton, Slawson, Swanson, E. Thompson, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

Amendment No. 1

Representative Gervin-Hawkins offered the following amendment to **HB 3057**:

Amend **HB 3057** (house committee report) on page 1 as follows:

(1) On line 10, between "name" and "of", insert "and license number".

(2) On line 13, strike "and".

(3) On line 14, between "breeder" and the underlined period, insert the following:

; and

(6) a statement adopted by commission rule advising that dog and cat breeders are regulated by the department and including the department's name, mailing address, telephone numbers, and Internet website address

(4) Strike lines 16 through 18 and substitute "sale".

Amendment No. 1 was adopted.

HB 3078 (by Bailes, Guillen, and Murr), A bill to be entitled An Act relating to the registration of certain motor vehicles as farm or ranch vehicles. (Cason and Patterson recorded voting no.)

HB 3097 (by Stephenson, Jetton, and Reynolds), A bill to be entitled An Act relating to entitlement of certain municipalities to receive tax revenue from certain establishments located near a hotel and convention center project. (Allison, C. Bell, K. Bell, Biedermann, Burns, Cain, Cason, Cyrier, Dean, Gates, Harris, Krause, Leach, Leman, Metcalf, Middleton, Noble, Patterson, Schaefer, Shaheen, Slaton, Tinderholt, VanDeaver, and Vasut recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 3130 (by Capriglione), A bill to be entitled An Act relating to state agency contracts for Internet application development. (Leach and Patterson recorded voting no.)

HB 3207 (by Herrero, Anchia, Parker, Capriglione, and Stephenson), A bill to be entitled An Act relating to preventing the loss of benefits by certain retirees of the Teacher Retirement System of Texas who resume service during a declared disaster.

CSHB 3217 (by Harris), A bill to be entitled An Act relating to the authority of certain counties to impose a hotel occupancy tax and the use of revenue from that tax. (Allison, C. Bell, K. Bell, Bonnen, Buckley, Burns, Burrows, Cain, Cason, Clardy, Cyrier, Darby, Gates, Goldman, Hefner, Holland, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Patterson, Schaefer, Shaheen, Slaton, Swanson, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

CSHB 3289 (by M. González), A bill to be entitled An Act relating to the penalties for a violation of a quarantine or rule to protect pecans or pecan trees from diseases or pests; increasing civil penalties. (Allison, Anderson, Ashby, Bonnen, Buckley, Burns, Burrows, Cain, Cason, Clardy, Cook, Craddick, Darby, Dean, Gates, Geren, Goldman, Harris, Hefner, Holland, Krause, Lambert, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Noble, Parker, Patterson, Paul, Price, Sanford, Schaefer, Shaheen, Shine, Slawson, Smithee, Swanson,

E. Thompson, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 3399 (by Ortega and Lopez), A bill to be entitled An Act relating to the authority of the Texas Department of Transportation to provide road services on federal military property. (Patterson recorded voting no.)

CSHB 3408 (by Goldman), A bill to be entitled An Act relating to the regulation of motor fuel metering devices and motor fuel quality. (Biedermann and Patterson recorded voting no.)

HB 3415 (by Goldman), A bill to be entitled An Act relating to the authority of certain counties to require photo identification to file certain documents with the county clerk. (Patterson recorded voting no.)

SB 1280 (Anchia - House Sponsor), in lieu of **HB 3443**, A bill to be entitled An Act relating to certain provisions of The Securities Act for which a person offering or selling a security may be held liable to a person buying the security. (Bonnen, Burns, Goldman, Landgraf, Leach, Metcalf, Murr, Patterson, E. Thompson, and VanDeaver recorded voting no.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

Representative Anchia moved to lay **HB 3443** on the table subject to call, and the motion prevailed.

CSHB 3452 (by White), A bill to be entitled An Act relating to granting limited state law enforcement authority to certain federal special agents. (Bonnen, Buckley, Burns, Cain, Cason, Clardy, Cyrier, Gates, Goldman, Harris, Holland, Krause, Landgraf, Leach, Leman, Metcalf, Murr, Ramos, Schaefer, Shaheen, Slaton, Swanson, Tinderholt, VanDeaver, and Vasut recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 3486 (by S. Thompson), A bill to be entitled An Act relating to an agreement with a private entity for dynamic message signs used in certain statewide alert systems. (Anderson, Bonnen, Burns, Goldman, Landgraf, Leach, Metcalf, Murr, Paul, Schaefer, Spiller, E. Thompson, and VanDeaver recorded voting no.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

CSHB 3510 (by Lambert, Guillen, et al.), A bill to be entitled An Act relating to work from remote locations by certain employees of certain entities licensed by the Office of Consumer Credit Commissioner. (Bonnen, Buckley, Burns, Cain, Clardy, Cyrier, Gates, Goldman, Harris, Holland, Krause, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Patterson, Schaefer, Shaheen, Slaton, VanDeaver, and Vasut recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 3522 (by Hunter), A bill to be entitled An Act relating to the requirement that certain persons taking oysters on a licensed commercial oyster boat obtain a commercial fisherman's license. (Cason, Patterson, Slaton, and Tinderholt recorded voting no.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 3530 (by Moody), A bill to be entitled An Act relating to the nonsubstantive revision of certain local laws concerning water and wastewater special districts, including a conforming amendment. (Harless and Patterson recorded voting no.)

HB 3564 (by Paul), A bill to be entitled An Act relating to the authority of the Texas Department of Insurance to rescind a certificate of compliance issued for an improvement for purposes of coverage through the Texas Windstorm Insurance Association. (Leach, Patterson, and Schaefer recorded voting no.)

CSHB 3571 (by Bonnen, et al.), A bill to be entitled An Act relating to the regulation of security measures by a property owners' association. (Cook and Patterson recorded voting no.)

HB 3606 (by Leach and Rodriguez), A bill to be entitled An Act relating to the provision of vocational training to inmates confined in a Texas Department of Criminal Justice transfer facility.

HB 3607 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

HB 3617 (by Anchia), A bill to be entitled An Act relating to certain qualifications and requirements of licensed mortgage companies and the regulation of the Department of Savings and Mortgage Lending. (Dean, Leach, Patterson, Schaefer, Slaton, Spiller, Tinderholt, and Wilson recorded voting no.)

HB 3618 (by Oliverson), A bill to be entitled An Act relating to the comptroller's rulemaking authority under the Insurance Code. (Craddick, Noble, Patterson, Schaefer, and Slaton recorded voting no.)

CSHB 3622 (by Hefner and Cook), A bill to be entitled An Act relating to the eligibility of certain physicians to provide and receive remuneration for workers' compensation health care services. (Patterson recorded voting no.)

CSHB 3642 (by Parker), A bill to be entitled An Act relating to the sale of alcoholic beverages in areas annexed by certain municipalities. (Dean and Patterson recorded voting no.)

CSHB 3665 (by Ordaz Perez), A bill to be entitled An Act relating to expanding the definition of bicycle to include modifications necessary for adaptive riding by persons with disabilities. (Anderson, Bonnen, Buckley, Burns, Cain, Clardy, Gates, Goldman, Harris, Holland, Krause, Landgraf, Leman, Metcalf, Middleton, Murr, Paul, Schaefer, Shaheen, VanDeaver, Vasut, and Wilson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 3684 (by Bonnen), A bill to be entitled An Act relating to the continuation of the windstorm insurance legislative funding and funding structure oversight board and to studies relating to the Texas Windstorm Insurance Association and the Fair Access to Insurance Requirements Plan. (Noble and Patterson recorded voting no.)

HB 3688 (by Anderson, Guillen, E. Morales, Lozano, M. González, et al.), A bill to be entitled An Act relating to the confidentiality of the identity of certain landowners who participate in a State Soil and Water Conservation Board program to manage or eradicate an invasive species. (Cason, Patterson, and Spiller recorded voting no.)

HB 3689 (by Cortez), A bill to be entitled An Act relating to the appeal of rates charged for water or sewer service by certain retail public utilities. (Bonnen, Burns, Goldman, Landgraf, Metcalf, Murr, Patterson, Paul, Schaefer, Tinderholt, VanDeaver, and Wilson recorded voting no.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 3756 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

HB 3794 (by Geren), A bill to be entitled An Act relating to oil and gas liens. (Patterson recorded voting no.)

Amendment No. 1

Representative Geren offered the following amendment to **HB 3794**:

Amend **HB 3794** (house committee printing) as follows:

(1) On page 1, strike lines 4-15 and substitute the following:

SECTION 1. Section 9.109(d), Business & Commerce Code, is amended to read as follows:

(d) This chapter does not apply to:

- (1) a landlord's lien, other than an agricultural lien;
- (2) a lien, other than an agricultural lien, given by statute or other rule of law for services or materials, but Section 9.333 applies with respect to priority of the lien;
- (3) an assignment of a claim for wages, salary, or other compensation of an employee;
- (4) a sale of accounts, chattel paper, payment intangibles, or promissory notes as part of a sale of the business out of which they arose;
- (5) an assignment of accounts, chattel paper, payment intangibles, or promissory notes that is for the purpose of collection only;
- (6) an assignment of a right to payment under a contract to an assignee that is also obligated to perform under the contract;
- (7) an assignment of a single account, payment intangible, or promissory note to an assignee in full or partial satisfaction of a preexisting indebtedness;

(8) a transfer of an interest in or an assignment of a claim under a policy of insurance, other than an assignment by or to a health care provider of a health-care-insurance receivable and any subsequent assignment of the right to payment, but Sections 9.315 and 9.322 apply with respect to proceeds and priorities in proceeds;

(9) an assignment of a right represented by a judgment, other than a judgment taken on a right to payment that was collateral;

(10) a right of recoupment or set-off, but:

(A) Section 9.340 applies with respect to the effectiveness of rights of recoupment or set-off against deposit accounts; and

(B) Section 9.404 applies with respect to defenses or claims of an account debtor;

(11) the creation or transfer of an interest in or lien on real property, including a lease or rents, as defined by Section 64.001, Property Code, the interest of a vendor or vendee in a contract for deed to purchase an interest in real property, or the interest of an optionor or optionee in an option to purchase an interest in real property, except to the extent that provision is made for:

(A) liens on real property in Sections 9.203 and 9.308;

(B) fixtures in Section 9.334;

(C) fixture filings in Sections 9.501, 9.502, 9.512, 9.516, and 9.519; and

(D) security agreements covering personal and real property in Section 9.604;

(12) an assignment of a claim arising in tort, other than a commercial tort claim, but Sections 9.315 and 9.322 apply with respect to proceeds and priorities in proceeds; ~~[or]~~

(13) an assignment of a deposit account, other than a nonnegotiable certificate of deposit, in a consumer transaction, but Sections 9.315 and 9.322 apply with respect to proceeds and priorities in proceeds; or

(14) an oil and gas lien arising under Chapter 67, Property Code.

(2) On page 4, line 16, between "person" and "owning", insert ", including a transferee interest owner,".

(3) On page 4, line 18, strike "The term includes a transferee interest owner.".

(4) On page 8, line 9, between "gas" and the underlined period, insert the following: production, but the lien does not continue to attach to the production after the production is sold by the first purchaser, unless the first subsequent purchaser:

(1) is an affiliate of the first purchaser; or

(2) has actual knowledge, not constructive notice or inquiry notice, that the first purchaser has not paid the interest owner or representative first entitled to receive the sales price

(5) On page 15, line 11, strike "Section" and substitute "Sections 9.203(j) and".

(6) On page 15, line 11, strike "is" and substitute "are".

Amendment No. 1 was adopted.

HB 3800 (by Darby), A bill to be entitled An Act relating to the release of a reversionary interest in certain real property by the Health and Human Services Commission and conditions related to that release. (Bonnen, Burns, Goldman, Landgraf, Metcalf, Murr, Patterson, Schaefer, E. Thompson, and VanDeaver recorded voting no.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 3817 (by Hunter), A bill to be entitled An Act relating to the procedure for conducting surveys of public land, including the requirements regarding field notes and coordinate systems. (Patterson recorded voting no.)

HB 3856 (by Rogers), A bill to be entitled An Act relating to administrative penalties imposed by the Texas Animal Health Commission. (Biedermann, Bonnen, Buckley, Cain, Cason, Clardy, Cook, Cyrier, Gates, Goldman, Harris, Hefner, Holland, Krause, Landgraf, Leman, Metcalf, Middleton, Murr, Noble, Patterson, Schaefer, Shaheen, Slaton, Tinderholt, and Vasut recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

CSHB 3971 (by Meyer), A bill to be entitled An Act relating to the appraisal for ad valorem tax purposes of residential real property located in a designated historic district. (Patterson recorded voting no.)

CSHB 4016 (by Kuempel, Darby, Fierro, and Geren), A bill to be entitled An Act relating to operating agreements between holders of a distiller's and rectifier's permit and certain alcoholic beverage permit holders. (Patterson recorded voting no.)

Amendment No. 1

Representative Kuempel offered the following amendment to **CSHB 4016**:

Amend **CSHB 4016** (house committee report) as follows:

- (1) On page 1, line 19, strike "and".
- (2) On page 1, line 21, strike the underlined period and substitute "∴".
- (3) On page 1, between lines 21 and 22, insert the following:

(5) sell the finished products in this state to holders of wholesaler's permits and to authorized wholesalers and manufacturers outside the state;

(6) purchase distilled spirits, to be used only for manufacturing or rectification purposes, from holders of nonresident seller's permits or distiller's and rectifier's permits; and

(7) sell bulk alcohol produced by the permit holder for purposes described by Section 38.01.

- (4) On page 2, line 21, strike "and".
- (5) On page 2, line 23, strike the underlined period and substitute "∴ and".
- (6) On page 2, between lines 23 and 24, insert the following:

(5) sell the finished products in this state to holders of distiller's and rectifier's permits and holders of wholesaler's permits and to authorized wholesalers and manufacturers outside the state.

Amendment No. 1 was adopted.

CSHB 4030 (by Smithee), A bill to be entitled An Act relating to the licensing and regulation of insurance professionals. (Bonnen, Buckley, Burns, Cain, Cason, Clardy, Goldman, Landgraf, Metcalf, Murr, Patterson, Schaefer, and VanDeaver recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4085 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

CSHB 4182 (by C. Turner), A bill to be entitled An Act relating to the employment status of certain remote service workers. (Anderson, Bonnen, Burns, Cook, Goldman, Harless, Landgraf, Leach, Metcalf, Murr, Noble, Patterson, Paul, Schaefer, Slawson, E. Thompson, and VanDeaver recorded voting no.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4184 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

CSHB 4202 (by Rose), A bill to be entitled An Act relating to including work colleges in the TexShare library consortium. (Patterson recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

CSHB 4204 (by Guillen and T. King), A bill to be entitled An Act relating to a study and report on the water level of Falcon Lake in Zapata and Starr Counties. (Ashby, Buckley, Burns, Burrows, Cain, Cason, Clardy, Cyrier, Darby, Dean, Geren, Harris, Hefner, Holland, Lambert, Landgraf, Leach, Leman, Metcalf, Middleton, Murr, Patterson, Schaefer, Shaheen, Shine, Smithee, Spiller, Tinderholt, Vasut, and Wilson recorded voting no.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4220 (by Kuempel), A bill to be entitled An Act relating to the composition of the juvenile board of Guadalupe County. (Patterson recorded voting no.)

CSHB 4315 (by Craddick), A bill to be entitled An Act relating to the eligibility of certain county assessor-collectors to serve on the board of directors of an appraisal district. (Leach, Patterson, and Schaefer recorded voting no.)

CSHB 4544 (by Swanson), A bill to be entitled An Act relating to providing children committed to the Texas Juvenile Justice Department with state-issued identification on discharge or release.

HB 4570 was withdrawn by the author and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

HB 4573 (by Metcalf), A bill to be entitled An Act relating to the effect of municipal annexation of territory in the City of Conroe Municipal Management District No. 3. (Allison, C. Bell, K. Bell, Buckley, Burns, Cain, Cason, Clardy, Cyrier, Gates, Harris, Holland, Krause, Middleton, Patterson, Shaheen, VanDeaver, and Vasut recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4574 (by Metcalf), A bill to be entitled An Act relating to the effect of municipal annexation of territory in the Roman Forest Public Utility District No. 3. (Allison, C. Bell, K. Bell, Buckley, Burns, Cain, Cason, Clardy, Cyrier, Gates, Harris, Holland, Krause, Middleton, Patterson, Shaheen, VanDeaver, and Vasut recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4577 (by Deshotel), A bill to be entitled An Act relating to the authority of the Chambers County Improvement District No. 1 to issue bonds and impose certain taxes or assessments. (Allison, Ashby, C. Bell, K. Bell, Bonnen, Buckley, Burns, Cain, Cason, Clardy, Cyrier, Darby, Dean, Gates, Geren, Goldman, Harris, Holland, Krause, Lambert, Landgraf, Leach, Metcalf, Middleton, Murr, Noble, Patterson, Schaefer, Shaheen, Shine, Slaton, Smithee, E. Thompson, Tinderholt, VanDeaver, and Vasut recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4578 (by Rogers), A bill to be entitled An Act relating to the creation of the Lakeview Point Municipal Utility District of Palo Pinto County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Allison, Ashby, C. Bell, K. Bell, Cason, Darby, Dean, Geren, Holland, Lambert, Leach, Noble, Patterson, Schaefer, Shine, Slaton, Smithee, and Tinderholt recorded voting no.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4592 (by Oliverson), A bill to be entitled An Act relating to the creation of the Harris County Water Control and Improvement District No. 164; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Allison, C. Bell, K. Bell, Buckley, Burns, Burrows, Cain, Cason, Clardy, Cyrier, Darby, Gates, Geren, Harris, Hefner, Holland, Krause, Lambert, Leach, Middleton, Noble, Patterson, Schaefer, Shaheen, Shine, Smithee, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Swanson and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HCR 50 (by Kuempel), A bill to be entitled An Act designating November as Texas Wildlife and Conservation Month for a 10-year period beginning in 2021.

HCR 50 was adopted by (Record 580): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave; Noble; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

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

Absent, Excused — Bernal; Ellzey; Huberty; Klick; Lopez; Murphy; Oliverson.

Absent — White.

SB 599 (Krause - House Sponsor), A bill to be entitled An Act relating to the removal and disposal of abandoned fishing devices and the seizure and disposition of unlawful fishing devices. (Patterson recorded voting no.)

SB 669 (Lucio - House Sponsor), A bill to be entitled An Act relating to certain reports created by the Texas Water Development Board. (Patterson and Schaefer recorded voting no.)

SB 872 (Lambert, Darby, Dominguez, Raney, and Rogers - House Sponsors), A bill to be entitled An Act relating to the expiration of the dry cleaner environmental response program. (Patterson and Swanson recorded voting no.)

SB 1203 (C. Turner - House Sponsor), A bill to be entitled An Act relating to business entities. (Buckley, Burns, Cain, Clardy, Cyrier, Gates, Harless, Harris, Holland, Krause, Leman, Middleton, Patterson, Swanson, VanDeaver, and Vasut recorded voting no.) (Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 1448 (Bonnen - House Sponsor), A bill to be entitled An Act relating to the powers and duties of the windstorm insurance legislative oversight board and to certain studies by the board relating to the Texas Windstorm Insurance Association and the Fair Access to Insurance Requirements Plan. (Noble, Patterson, and Schaefer recorded voting no.)

Amendment No. 1

On behalf of Representative Hunter, Representative Bonnen offered the following amendment to **SB 1448**:

Amend **SB 1448** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 2210.351, Insurance Code, is amended by amending Subsection (d) and adding Subsection (f) to read as follows:

(d) The association may use a rate filed by the association without prior commissioner approval if:

(1) the filing is made not later than the 30th day before the date of any use or delivery for use of the rate;

(2) the filed rate does not exceed ~~[105 percent of]~~ the rate in effect on the date on which the filing is made; and

~~(3) [the filed rate does not reflect a rate change for an individual rating class that is 10 percent higher than the rate in effect for that rating class on the date on which the filing is made; and~~

~~[(4)]~~ the commissioner has not disapproved the filing in writing, advising of the reasons for the disapproval and the criteria the association is required to meet to obtain approval.

(f) The association may not file a rate under this section that exceeds the rate in effect on the date on which the filing is made unless two-thirds of the board of directors votes to approve the rate.

SECTION _____. Section 2210.352, Insurance Code, is amended by amending Subsection (a-1) and adding Subsection (a-3) to read as follows:

(a-1) The association may use a rate filed by the association under this section without prior commissioner approval if:

(1) the filing is made not later than the 30th day before the date of any use or delivery for use of the rate; and

(2) the filed rate does not exceed ~~[105 percent of]~~ the rate used by the association in effect on the date on which the filing is made~~[-and~~

~~[(3) the filed rate does not reflect a rate change for an individual rating class that is 10 percent higher than the rate in effect for that rating class on the date on which the filing is made].~~

(a-3) The association may not file a rate under this section that exceeds the rate in effect on the date on which the filing is made unless two-thirds of the board of directors votes to approve the rate.

SECTION _____. Sections 2210.351 and 2210.352, Insurance Code, as amended by this Act, apply only to a rate filed by the Texas Windstorm Insurance Association with the Texas Department of Insurance on or after the effective date of this Act. A rate filed with the Texas Department of Insurance before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted.

SB 1523 (C. Turner - House Sponsor), A bill to be entitled An Act relating to registered and protected series of domestic limited liability companies; authorizing fees. (Harless and Patterson recorded voting no.)

HB 1493 (by Herrero), A bill to be entitled An Act relating to the use of an entity name that falsely implies governmental affiliation. (Anderson, Bonnen, Cason, Craddick, Goldman, Krause, Landgraf, Metcalf, Middleton, Murr, Parker, Paul, Schaefer, Slaton, and E. Thompson recorded voting no.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 1278 (by Campos), A bill to be entitled An Act relating to public hearings on homelessness issues held by the Texas Interagency Council for the Homeless. (Anderson, Ashby, C. Bell, K. Bell, Biedermann, Bonnen, Buckley, Burns, Burrows, Cain, Clardy, Cook, Craddick, Cyrier, Darby, Dean, Gates, Geren, Goldman, Harless, Harris, Hefner, Holland, Krause, Lambert, Landgraf, Leman, Metcalf, Middleton, Murr, Noble, Parker, Patterson, Paul, Schaefer, Shaheen, Shine, Slaton, Slawson, Smithee, Spiller, Swanson, E. Thompson, Tinderholt, VanDeaver, Vasut, and Wilson recorded voting no.) (Leach and Toth requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

ADJOURNMENT

Representative Geren moved that the house adjourn until 10:55 a.m. today.

The motion prevailed.

The house accordingly, at 10:48 a.m., adjourned until 10:55 a.m. today.

ADDENDUM

SIGNED BY THE SPEAKER

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

House List No. 13

HB 567, HB 1024