

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-EIGHTH DAY — WEDNESDAY, MAY 10, 2017

The house met at 10:05 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1111).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bails; 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; Dukes; 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; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused, Committee Meeting — Ashby.

The speaker recognized Representative R. Anderson who introduced Edgar Hernandez, pastor, Templo Cristiano Agape, Irving, who offered the invocation as follows:

We pray, O God, in your holy name, that the Holy Spirit governs in this legislative session of the Texas House of Representatives. May the legislators of this body be given an atmosphere of goodwill to all of our representatives as well as our senators. God Almighty, we ask in the name of Jesus Christ, your son, that you may give this body wisdom and good judgment, that each member in the legislature of Texas have goodwill to work for the well-being of all Texans in a way that the laws that pass through this chamber be pleasing to you and according to your will. Help us, O Lord, establish justice without neglecting mercy as it is written in Psalms 18:25-27: "With the merciful thou wilt shew thyself merciful; with an upright man thou wilt shew thyself upright; with the pure thou wilt shew thyself pure; and with the froward thou wilt shew thyself

froward. For thou wilt save the afflicted people; but wilt bring down high looks." Now, I declare blessed the legislature of Texas and place it in your hands, Holy Spirit. In the mighty name of Jesus. Amen.

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

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**:

Ashby on motion of Geren.

(Cyrier 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. 18).

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.

CAPITOL PHYSICIAN

The speaker recognized Representative Howard who presented Dr. James Brown of Austin as the "Doctor for the Day."

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

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.

RESOLUTIONS ADOPTED

Representative Lucio moved to suspend all necessary rules to take up and consider at this time the following congratulatory resolutions.

The motion prevailed.

The following resolutions were laid before the house:

HR 1872 (by Larson), Commemorating the 60th anniversary of the Texas Water Development Board.

HR 1912 (by Wu, Turner, Vo, Howard, and Anchia), Recognizing May 10, 2017, as Refugee Advocacy Day at the State Capitol.

HR 1950 (by Bernal), Commemorating the 300th anniversary of the founding of San Antonio.

HR 1977 (by Koop), Honoring Kim Caston for her service on the Richardson Independent School District Board of Trustees.

The resolutions were adopted.

On motion of Representative Lucio, the names of all the members of the house were added to the resolutions as signers thereof, with the understanding that a member may remove his or her name from any resolution.

HR 1532 - INTRODUCTION OF GUESTS

The chair recognized Representative Fallon who introduced Blake Pyron, owner of Blake's Snow Shack, and members of his family.

HR 2020 - ADOPTED (by Lang)

Representative Lang moved to suspend all necessary rules to take up and consider at this time **HR 2020**.

The motion prevailed.

The following resolution was laid before the house:

HR 2020, In memory of James Sloan Everett Jr. of Breckenridge.

HR 2020 was unanimously adopted by a rising vote.

HR 1977 - INTRODUCTION OF GUESTS

The chair recognized Representative Koop who introduced representatives of Richardson Independent School District.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Lucio requested permission for the Committee on Rules and Resolutions to meet while the house is in session, at 11:15 a.m. today, in 1W.14, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Rules and Resolutions, 11:15 a.m. today, 1W.14, for a formal meeting, to set a calendar.

HR 1950 - INTRODUCTION OF GUESTS

The chair recognized Representative Gervin-Hawkins who introduced a delegation from San Antonio.

HR 1911 - PREVIOUSLY ADOPTED (by Lucio)

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

HR 1911, Congratulating Ramiro Ramirez Gonzalez on his 50th year in business in the Rio Grande Valley.

INTRODUCTION OF GUESTS

The chair recognized Representative Lucio who introduced Ramiro Ramirez Gonzalez and members of his family.

HR 1872 - INTRODUCTION OF GUESTS

The chair recognized Representative Larson who introduced representatives of the Texas Water Development Board.

HR 1912 - PREVIOUSLY ADOPTED

(by Wu, Turner, Vo, Howard, and Anchia)

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

HR 1912, Recognizing May 10, 2017, as Refugee Advocacy Day at the State Capitol.

INTRODUCTION OF GUESTS

The chair recognized Representative Wu who introduced participants in Refugee Advocacy Day.

HB 3204 - VOTE RECONSIDERED

Representative Burrows moved to reconsider the vote by which **HB 3204** failed to pass by Record No. 1082 on May 9.

The motion to reconsider prevailed.

HB 3204 ON THIRD READING

(by Raymond)

The chair laid before the house, on its third reading and final passage,

HB 3204, A bill to be entitled An Act relating to vendor requirements under the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

HB 3204 was read third time on May 9 and failed to pass by Record No. 1082.

Amendment No. 1

Representative Burrows offered the following amendment to **HB 3204**:

Amend **HB 3204** (house committee report) on page 2, between lines 14 and 15, by inserting the following:

(e) This section may not be interpreted to expand the WIC program in this state in any manner.

Amendment No. 1 was adopted.

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**:

Zerwas on motion of Geren.

HB 3204 - (consideration continued)

HB 3204, as amended, was passed by (Record 1112): 141 Yeas, 2 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; Cosper; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; 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; 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.

Nays — Dale; Isaac.

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

Absent, Excused, Committee Meeting — Ashby; Gonzales; Zerwas.

Absent — Deshotel; Giddings.

STATEMENTS OF VOTE

When Record No. 1112 was taken, I was shown voting no. I intended to vote yes.

Dale

When Record No. 1112 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

When Record No. 1112 was taken, I was shown voting no. I intended to vote yes.

Isaac

(Speaker in the chair)

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 549 ON THIRD READING
(Bell - House Sponsor)**

SB 549, A bill to be entitled An Act relating to refunds of certain bingo licensing and registration fees.

Amendment No. 1

Representative Bell offered the following amendment to **SB 549**:

Amend **SB 549** on third reading in SECTION 10 of the bill, in the effective date language, by striking "September 1, 2017" and substituting "January 1, 2018".

Amendment No. 1 was adopted.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Rules and Resolutions:

Sheffield on motion of Collier.

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

Hernandez on motion of Collier.

SB 549 - (consideration continued)

SB 549, as amended, was passed by (Record 1113): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; 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; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

Absent, Excused, Committee Meeting — Ashby; Gonzales; Sheffield; Zerwas.

Absent — Allen; Faircloth; Laubenberg; Longoria; Rose.

STATEMENT OF VOTE

When Record No. 1113 was taken, I was in the house but away from my desk. I would have voted yes.

Faircloth

SB 1584 ON THIRD 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 passed by (Record 1114): 83 Yeas, 58 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bernal; Blanco; Bonnen, D.; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Krause; Lambert; Longoria; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Shine; Stickland; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Frank; Frullo; Goldman; Hefner; Holland; Huberty; Hunter; Isaac; Klick; Kuempel; Landgraf; Lang; Larson; Laubenberg; Leach; Metcalf; Miller; Murr; Paddie; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Simmons; Smithee; Springer; Stephenson; Swanson; Thompson, E.; Tinderholt; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

Absent, Excused, Committee Meeting — Ashby; Gonzales; Sheffield; Zerwas.

Absent — Bailes; Keough; Oliverson.

STATEMENTS OF VOTE

When Record No. 1114 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 1114 was taken, I was in the house but away from my desk. I would have voted yes.

Bailes

When Record No. 1114 was taken, I was shown voting yes. I intended to vote no.

Cook

When Record No. 1114 was taken, I was in the house but away from my desk. I would have voted no.

Keough

When Record No. 1114 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1114 was taken, I was in the house but away from my desk. I would have voted no.

Oliverson

SB 1406 ON THIRD READING
(Smithee and Fallon - House Sponsors)

SB 1406, A bill to be entitled An Act relating to the authority of the commissioner of insurance to request a state innovation waiver for certain small group health benefit plans of certain federal actuarial value and level of coverage requirements.

SB 1406 was passed by (Record 1115): 142 Yeas, 1 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; Button; Cain; Canales; Caprigliane; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; 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; 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.

Nays — Klick.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

Absent, Excused, Committee Meeting — Ashby; Gonzales; Sheffield; Zerwas.

Absent — Oliveira.

(Ashby now present)

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 3746 ON THIRD READING
(by Phelan, Wu, Walle, E. Rodriguez, and Workman)**

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

HB 3746 was passed by (Record 1116): 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; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Fairecloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez.

Absent, Excused, Committee Meeting — Gonzales; Sheffield; Zerwas.

(Sheffield now present)

(Cyrier in the chair)

HB 3859 ON THIRD READING

(by Frank, Cook, Dale, G. Bonnen, Sanford, et al.)

HB 3859, A bill to be entitled An Act relating to protection of the rights of conscience for child welfare services providers.

LEAVES 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.

The following member was granted leave of absence temporarily for today because of illness:

Hinojosa on motion of Arévalo.

HB 3859 - (consideration continued)

HB 3859 was passed by (Record 1117): 93 Yeas, 49 Nays, 3 Present, not voting.

Yeas — Allen; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cook; Cospers; Craddick; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliveira; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; White; Wilson; Workman; Wray; Zedler.

Nays — Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Coleman; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Gutierrez; Herrero; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Villalba; Vo; Walle; Wu.

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

Absent, Excused — Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Gonzales; Zerwas.

STATEMENT OF VOTE

When Record No. 1117 was taken, I was shown voting yes. I intended to vote no.

Allen

POSTPONED BUSINESS

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

**HB 3591 ON SECOND READING
(by E. Thompson)**

HB 3591, A bill to be entitled An Act relating to the composition of the aviation advisory committee.

HB 3591 was read second time on May 2 and was postponed until 10 a.m. May 9.

HB 3591 was passed to engrossment.

**CSSB 1107 ON SECOND READING
(Price, Coleman, Springer, et al. - House Sponsors)**

CSSB 1107, A bill to be entitled An Act relating to telemedicine and telehealth services.

CSSB 1107 was considered in lieu of **CSHB 2697**.

CSSB 1107 was read second time.

CSSB 1107 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE G. BONNEN: Under this bill, it is not your intent to affect existing store and forward telemedicine standards, is that correct?

REPRESENTATIVE PRICE: Yes, this legislation is not intended to interrupt current practice of using store and forward technology.

G. BONNEN: So the ability of a physician to read an x-ray or provide medical advice from a site that is different from where the patient might be located is unaffected. For example, a physician at UTMB can read an x-ray for a cruise ship passenger or provide medical advice to a group of scientists on an expedition to Antarctica. Is that correct?

PRICE: That is correct.

G. BONNEN: Your bill makes it clear that a health plan may not exclude service from coverage simply because it was provided by telemedicine. Is it your intent that when a patient receives a covered service using telemedicine that the patient's health plan treat the service on the same basis and to the same extent that the plan provides coverage for an in-person setting?

PRICE: Yes, if it is a covered service and the physician is contracted with the health plan to provide that service, the telemedicine medical service or telehealth service should be treated on the same basis as a service provided in a physician's office.

REMARKS ORDERED PRINTED

Representative G. Bonnen moved to print remarks between Representative Price and Representative G. Bonnen.

The motion prevailed.

CSSB 1107 was passed to third reading.

CSHB 2697 - LAID ON THE TABLE SUBJECT TO CALL

Representative Price moved to lay **CSHB 2697** on the table subject to call.

The motion prevailed.

SB 276 ON SECOND READING

(Parker - House Sponsor)

SB 276, A bill to be entitled An Act relating to an adult high school diploma and industry certification charter school pilot program.

SB 276 was considered in lieu of **CSHB 852**.

SB 276 was read second time and was passed to third reading.

CSHB 852 - LAID ON THE TABLE SUBJECT TO CALL

Representative Parker moved to lay **CSHB 852** on the table subject to call.

The motion prevailed.

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.

HB 4011 was read second time on May 8 and was postponed until 5 p.m. May 9.

HB 4011 - POINT OF ORDER

Representative Kacal raised a point of order against further consideration of **HB 4011** under Rule 4, Section 32(c)(3) of the House Rules on the grounds that the committee report is incorrect.

The point of order was withdrawn.

Representative Burrows moved to postpone consideration of **HB 4011** until 3 p.m. today.

The motion prevailed.

HB 1009 ON SECOND READING

(by Alonzo and Workman)

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.

HB 1009 was read second time on May 8, postponed until 9 a.m. May 9, and was again postponed until 7:31 p.m. May 9.

HB 1009 - POINT OF ORDER

Representative Tinderholt raised a point of order against further consideration of **HB 1009** under Rule 8, Section 1(d) of the House Rules on the grounds that the bill caption is inaccurate.

The chair overruled the point of order and submitted the following statement:

Rule 8, Section 1(d) of the House Rules states that a "house bill that would create a requirement that an individual or an entity obtain a license" and would "expand an existing requirement to additional individuals or entities must include a short statement at the end of its title of caption indicating the general effect of the bill on the occupation or profession" **HB 1009** amends the Government Code to prohibit municipal employees from performing "wildland firefighting" duties, including conducting prescribed burns, unless the employee is a full-time fire department civil service employee regularly assigned to firefighting duties. However, the bill would not preclude a municipal employee who is acting in the capacity of a volunteer firefighter, and not as a municipal employee, from performing a wildland firefighting duty. The bill's caption reads: "relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection."

Representative Tinderholt argues that this caption does not provide adequate notice that the bill expands a licensing requirement to additional entities. Although **HB 1009** allows municipal employees to conduct wildland firefighting duties in certain circumstances; it does not create a requirement, within the four corners of the bill, for anyone to obtain additional licensing. There is no requirement that these employees obtain a license, certificate, registration, permit, other authorization, or otherwise expand an existing licensing requirement to individuals or entities that are not required to obtain that license under current law. Therefore, the bill is not subject to the caption requirement of Rule 8, Section 1(d). See 84 H.J. Reg. 1403, 1403-1404 (2015) (Stickland point of order on **CSHB 4**); 84 H.J. Reg. 1777 (2015) (Stickland point of order on **CSHB 2360**).

Amendment No. 1

Representatives Workman and Springer offered the following amendment to **HB 1009**:

Amend **HB 1009** (house committee report) as follows:

(1) On page 1, strike lines 10 through 15 and substitute the following:
classified as a wildland firefighting duty, including fighting a wildfire event that began as a prescribed burn, unless that person is:

(1) a permanent, full-time fire department civil service employee regularly assigned to perform one or more duties listed under Section 419.021(3)(C); or

(2) certified by the commission to conduct fire suppression in a wildland or wildland-urban interface setting and is performing the wildland firefighting duty under the supervision of a fire department that is authorized to act in the area in which the wildland firefighting duty is being performed.

(2) Strike page 1, line 23 through page 2, line 3 and substitute the following appropriately lettered subsection and reletter subsequent subsections of the section appropriately:

() This section may not be construed to prohibit a municipal employee from performing a prescribed burn in accordance with Chapter 153, Natural Resources Code, if:

(1) the prescribed burn is monitored by one or more permanent, full-time fire department civil service employees regularly assigned to perform one or more duties listed under Section 419.021(3)(C); and

(2) a fire department employee described by Subdivision (1):

(A) reviews the burn plan for the prescribed burn and collaborates with the prescribed burn manager to ensure the prescribed burn is conducted safely and within the burn plan limits; and

(B) has the authority to stop any action relating to the prescribed burn determined by the fire department employee to be unsafe and to take corrective action, including by:

(i) stopping an unsafe firefighting practice;

(ii) terminating the prescribed burn to avoid extreme fire behavior; and

(iii) assuming incident command and converting to emergency firefighting operations if such action is determined necessary by the fire department employee.

Amendment No. 1 was adopted.

HB 1009 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE TINDERHOLT: I just have a clarifying question for legislative intent. A lot of people here don't know that I've been a firefighter volunteer two separate times, once in Nebraska and once in Benbrook, Texas. And if you're familiar with mutual aid, it's an agreement between different fire departments to assist one another when there's a fire. I want to make sure, for legislative intent, if one of these volunteer fire departments is to arrive first on the scene, that they can begin putting out that fire, because we know that fire can be really unsafe. I don't see anywhere in the bill where that's covered. My concern is that if a fire department shows up—one of the volunteer fire departments begins trying to put this fire out before the larger fire department arrives, because that's going to happen on the outskirts, I think, sometimes—will this bill cover that so that they can begin to put that fire out while the other fire department that owns the area is arriving on scene or they're in route to the scene?

REPRESENTATIVE ALONZO: What you're saying is correct, and that was one of the concerns that we fixed a couple of years ago. So you're right on point.

REMARKS ORDERED PRINTED

Representative Tinderholt moved to print remarks between Representative Alonzo and Representative Tinderholt.

The motion prevailed.

HB 1009, as amended, was passed to engrossment by (Record 1118): 101 Yeas, 39 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Burkett; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wu; Zedler.

Nays — Anderson, C.; Anderson, R.; Bell; Burns; Burrows; Button; Cain; Capriglione; Cospers; Dale; Dean; Faircloth; Fallon; Goldman; Hefner; Holland; Hunter; Isaac; Keough; Krause; Landgraf; Lang; Leach; Metcalf; Meyer; Miller; Murr; Paul; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Stickland; Swanson; Thompson, E.

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

Absent, Excused — Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Gonzales; Zerwas.

Absent — Bonnen, G.; Wilson; Wray.

STATEMENTS OF VOTE

When Record No. 1118 was taken, my vote failed to register. I would have voted no.

G. Bonnen

When Record No. 1118 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1118 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

When Record No. 1118 was taken, my vote failed to register. I would have voted no.

Wray

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.

CSHB 6 was read second time on May 8 and was postponed until 5:45 a.m. today.

Representative Frank moved to postpone consideration of **CSHB 6** until 10 a.m. tomorrow.

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, postponed until May 8, and was again postponed until 7 a.m. today.

Representative Flynn moved to postpone consideration of **CSHB 1985** until 2 p.m. today.

The motion prevailed.

CSSB 1630 ON SECOND READING
(Howard - House Sponsor)

CSSB 1630, A bill to be entitled An Act relating to cemeteries.

CSSB 1630 was considered in lieu of **CSHB 3265**.

CSSB 1630 was read second time and was passed to third reading.

COMMITTEE GRANTED PERMISSION TO MEET

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

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

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

CSHB 3265 - LAID ON THE TABLE SUBJECT TO CALL

Representative Howard moved to lay **CSHB 3265** on the table subject to call.

The motion prevailed.

(Speaker in the chair)

**EMERGENCY CALENDAR
HOUSE BILLS
SECOND READING**

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

**CSHB 39 ON SECOND READING
(by Wu, Raymond, S. Davis, Rose, et al.)**

CSHB 39, A bill to be entitled An Act relating to the child protective service functions of the Department of Family and Protective Services.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Insurance:

R. Anderson on motion of Guillen.

Muñoz on motion of Guillen.

Oliverson on motion of Guillen.

Paul on motion of Guillen.

Phillips on motion of Guillen.

Sanford on motion of Guillen.

Turner on motion of Guillen.

Vo on motion of Guillen.

CSHB 39 - (consideration continued)**CSHB 39 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE TINDERHOLT: So this bill has a lot of parts to it. I've got questions on two specific parts. Can you briefly explain to me the mental health screening? What your expectations of this are?

REPRESENTATIVE WU: Right, this is agreed-to language among all the stakeholders. The type of screening this discusses is a type of screening that pediatric physicians are very familiar with. It is not a psychological examination. From what I have been told, it is a basic set of questions, eight or nine questions, that they ask very quickly as part of the conversation with the child. The questions are something like, "How are you feeling today?" "Have you eaten?" "Did you enjoy your food?" It's basically to see where the child is psychologically. I think they are trained—again, I am not a doctor, and I don't play one on TV—the physician is trained to see from those basic questions if the child has any kind of mental issues, any kind of stress, anything that they need to

be worried about or be concerned about. And what I was told by the physicians is that those are the type of questions that can be asked in about two to three minutes.

TINDERHOLT: Okay, that makes sense. So medical examination—can you give a brief description of what you mean by medical examination?

WU: I know that this is an area of concern from a lot of people. I think in committee we had people talking about how these kids have already been traumatized. We don't want to subject them to more trauma. Any of you all that have children, you have met your pediatricians. You know how careful they are, how gentle they are, and how well they take care of your child. These are the same pediatricians, same physicians. It's going to be a very cursory basic examination. There is no, as far as I understand, there's no blood draw. There's nothing invasive about it, I think, other than maybe those tongue depressors in the mouth.

TINDERHOLT: So let me ask this question. If they had tonsillitis, for example, could CPS force them to have a tonsillectomy at this time?

WU: I don't think it's force. I think that they are going to go with what a doctor would recommend. If a doctor says—

TINDERHOLT: But could they force it at that time?

WU: Again, I don't understand your term "force," because if a child has been removed by CPS and a judge has granted a temporary managing conservatorship, CPS is now legally the guardian, the parent of the child.

TINDERHOLT: So let me ask this question. You said nothing invasive, so no blood taking?

WU: As far as I understand. I could be wrong about this, but again, we are trying not to prescribe what medical care is.

TINDERHOLT: So you said this was cursory, though. If you were to guess—your legislative intent—how long does this examination take? Ten minutes? Thirty minutes? Ten hours? What?

WU: The physicians that we spoke to all said roughly within about 10 to 15 minutes depending on the child. So if it is an infant, probably 10 minutes. If it's an older child that they're concerned about their eyes, and they're concerned about their teeth, it may take a little bit longer.

TINDERHOLT: So no blood draws? How about vaccinations?

WU: As far as I know we don't do vaccinations.

TINDERHOLT: Is it your legislative intent to allow them to force vaccinations?

WU: No, my legislative intent is to allow doctors to make decisions that they feel are medically necessary.

TINDERHOLT: So what they're doing is an examination, and they're not doing vaccinations as this time. Is that your legislative intent?

WU: Again, just like I said earlier—

TINDERHOLT: Well, you said there was nothing invasive, so I want to be very clear.

WU: Like I said earlier, if a doctor finds something that alerts them and says, we need to do this, then we are not going to prohibit them from—

TINDERHOLT: But you're contradicting yourself, because a moment ago, you said nothing invasive, cursory, 10 minutes—

WU: Again, I am not a doctor.

TINDERHOLT: So what is your legislative intent with this bill? It's a cursory medical examination, correct?

WU: My legislative intent is for DFPS and physicians, medical practitioners, to get together and figure out what the full scope of this exam needs to be.

TINDERHOLT: So there's no actions. Like you said earlier, they're not being invasive. There's no actions being taken other than a medical examination which is what your bill says.

WU: What I was described by doctors who were present in the committee, who testified, and who I talked to afterward, they said that this is the same type of exam that you would take your child to for a well child exam. So whether that includes a vaccination or includes other services, I don't know. It depends on the child. It depends on the situation.

TINDERHOLT: A moment ago you said there was nothing invasive except for a tongue depressor. There's no needles; there's nothing—

WU: As far as I understand. But I, again, am not going to say for every single child that comes to a doctor's office what can and cannot be done. I am not a doctor, and I do not practice medicine from this podium.

(Paul and Vo now present)

REMARKS ORDERED PRINTED

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

The motion prevailed.

Amendment No. 1

Representative Stickland offered the following amendment to **CSHB 39**:
Floor Packet Page No. 2

Amend **CSHB 39** (house committee printing) on page 2 by striking lines 7-16 and inserting the following:

(b) The department shall ensure that each child described by Subsection (a) who requires emergency medical care is examined by and receives a medical examination and a mental health screening from a physician or other health care provider authorized under state law to conduct medical examinations.

Amendment No. 1 was withdrawn.

(Muñoz and Oliverson now present)

Amendment No. 2

Representative Zedler offered the following amendment to **CSHB 39**:
Floor Packet Page No. 3

Amend **CSHB 39** (house committee report) on page 2, line 16, after the underlined period, by inserting the following:

A physician or other health care provider conducting the medical examination under this section may not administer a vaccination as part of the examination.

Amendment No. 3

Representative S. Davis offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Zedler (page 3, prefiled amendments packet) to **CSHB 39** on page 1, line 5, between "examination" and the underlined period, by inserting "unless the vaccination has been proven to prevent cancer".

Amendment No. 3 - Point of Order

Representative Tinderholt raised a point of order against further consideration of Amendment No. 3 under Rule 11, Section 3 of the House Rules on the grounds that the amendment would change the original purpose of the bill.

The point of order was withdrawn.

Amendment No. 3 - Point of Order

Representative Tinderholt raised a point of order against further consideration of Amendment No. 3.

The point of order was withdrawn.

(Turner now present)

Representative Zedler moved to table Amendment No. 3.

The vote of the house was taken on the motion to table Amendment No. 3 and the vote was announced yeas 69, nays 67.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1119): 74 Yeas, 64 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Coper; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gooden; Hefner; Holland; Huberty; Isaac; Kacal; Keough; King, P.; Klick; Koop; Krause; Kuempel; Landgraf; Lang; Larson; Leach; Metcalf; Meyer; Miller; Murphy; Oliverson; Paddie; Parker; Paul; Phelan; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Smithee; Springer; Stephenson; Stickland; Swanson; Thompson, E.; Tinderholt; VanDeaver; White; Wilson; Workman; Wray; Zedler.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cook; Cortez; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Herrero; Howard; Hunter; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Lambert; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Murr; Neave; Nevárez; Ortega; Perez; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Stucky; Thierry; Turner; Uresti; Villalba; Vo; Walle; Wu.

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

Absent, Excused — Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Anderson, R.; Gonzales; Phillips; Zerwas.

Absent — Clardy; Dukes; Oliveira.

The speaker stated that the motion to table Amendment No. 3 prevailed by the above vote.

STATEMENTS OF VOTE

When Record No. 1119 was taken, I was temporarily out of the house chamber. I would have voted yes.

Clardy

When Record No. 1119 was taken, I was shown voting no. I intended to vote yes.

Geren

When Record No. 1119 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 1119 was taken, I was shown voting no. I intended to vote yes.

Lambert

When Record No. 1119 was taken, I was shown voting no. I intended to vote yes.

Price

When Record No. 1119 was taken, I was shown voting no. I intended to vote yes.

Stucky

When Record No. 1119 was taken, I was shown voting present, not voting. I intended to vote no.

S. Thompson

REASON FOR VOTE

I am a strong advocate for children and the prevention of cancer. In fact, I passed the original legislation for Human Papillomavirus making it possible for women to get this procedure.

S. Thompson

Amendment No. 4

Representative Wu offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Zedler (page 3, prefiled amendments packet) to **CSHB 39** on page 1, line 5, between "examination" and the underlined period, by inserting "unless the physician or provider obtains consent to the vaccination from a person authorized to provide consent under Chapter 32".

(R. Anderson now present)

LEAVES 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**:

Ashby on motion of Geren.

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

Dukes on motion of Reynolds.

(Paddie in the chair)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Lozano requested permission for the Committee on Higher Education to meet while the house is in session, at 2:30 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, 2:30 p.m. today, 1W.14, for a formal meeting, to consider pending business.

CSHB 39 - (consideration continued)

Amendment No. 4 was withdrawn.

Amendment No. 2 was withdrawn.

Representative Wu moved to postpone consideration of **CSHB 39** until 2:30 p.m. today.

The motion prevailed.

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

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

**HJR 73 ON SECOND READING
(by Burns, Ashby, Kacal, Shine, Cosper, et al.)**

HJR 73, A joint resolution proposing a constitutional amendment to restrict the power of the legislature to mandate requirements on a municipality or county.

HJR 73 was passed to engrossment by (Record 1120): 95 Yeas, 38 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson, C.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Burns; Burrows; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Farrar; Flynn; Frank; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Herrero; Holland; Howard; Huberty; Isaac; Israel; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Lambert; Landgraf; Lang; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Minjarez; Moody; Morrison; Muñoz; Murr; Nevárez; Oliverson; Ortega; Phelan; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Schubert; Shine; Smithee; Springer; Stephenson; Stucky; Thompson, S.; Tinderholt; Turner; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu.

Nays — Anderson, R.; Bonnen, D.; Bonnen, G.; Burkett; Button; Cain; Craddick; Dale; Dean; Dutton; Elkins; Faircloth; Fallon; Frullo; Goldman; Hunter; Keough; Krause; Kuempel; Leach; Miller; Murphy; Parker; Paul; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Shaheen; Simmons; Stickland; Swanson; Thierry; Thompson, E.; Uresti; Zedler.

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

Absent, Excused — Dukes; Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Ashby; Gonzales; Phillips; Zerwas.

Absent — Alvarado; Johnson, E.; Neave; Oliveira; Perez; Romero; Sheffield.

STATEMENTS OF VOTE

When Record No. 1120 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1120 was taken, I was shown voting no. I intended to vote yes.

Faircloth

When Record No. 1120 was taken, I was shown voting no. I intended to vote yes.

Kuempel

When Record No. 1120 was taken, I was shown voting yes. I intended to vote no.

Lang

When Record No. 1120 was taken, my vote failed to register. I would have voted yes.

Neave

When Record No. 1120 was taken, I was shown voting no. I intended to vote yes.

Raney

When Record No. 1120 was taken, I was in the house but away from my desk. I would have voted yes.

Romero

When Record No. 1120 was taken, I was in the house but away from my desk. I would have voted yes.

Sheffield

When Record No. 1120 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

CSHJR 113 ON SECOND READING (by Capriglione)

CSHJR 113, A joint resolution proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation precious metal held in the Texas Bullion Depository.

CSHJR 113 was adopted by (Record 1121): 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; 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; 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; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; 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.

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

Absent, Excused — Dukes; Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Ashby; Gonzales; Phillips; Zerwas.

Absent — Oliveira.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 1747 ON SECOND READING
(by Minjarez, Villalba, and Larson)**

HB 1747, A bill to be entitled An Act relating to the creation of the offense of mail theft.

Amendment No. 1

Representative Minjarez offered the following amendment to **HB 1747**:

Amend **HB 1747** (house committee report) on page 1, line 2, between "the" and "offense", by inserting "criminal".

Amendment No. 1 was adopted.

HB 1747, as amended, failed to pass to engrossment by (Record 1122): 51 Yeas, 84 Nays, 2 Present, not voting.

Yeas — Alonzo; Anchia; Arévalo; Bernal; Blanco; Bonnen, D.; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Herrero; Howard; Huberty; Israel; King, T.; Larson; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Shine; Thierry; Turner; Uresti; Villalba; Vo; Walle; Wu.

Nays — Allen; Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gooden; Hefner; Holland; Hunter; Isaac; Johnson, J.; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Price;

Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Thompson, E.; Tinderholt; VanDeaver; White; Wilson; Workman; Wray; Zedler.

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

Absent, Excused — Dukes; Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Ashby; Gonzales; Phillips; Zerwas.

Absent — Alvarado; Johnson, E.; Oliveira; Swanson; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1122 was taken, I was shown voting yes. I intended to vote no.

Shine

When Record No. 1122 was taken, I was in the house but away from my desk. I would have voted no.

Swanson

CSSB 1516 ON SECOND READING (Geren - House Sponsor)

CSSB 1516, A bill to be entitled An Act relating to the registration and regulation of appraisal management companies; authorizing fees; expanding the applicability of an occupational registration.

CSSB 1516 was considered in lieu of **HB 3261**.

CSSB 1516 was passed to third reading.

HB 3261 - LAID ON THE TABLE SUBJECT TO CALL

Representative Geren moved to lay **HB 3261** on the table subject to call.

The motion prevailed.

CSHB 1643 ON SECOND READING (by Springer)

CSHB 1643, A bill to be entitled An Act relating to the prosecution of the offense of operation of an unmanned aircraft over certain facilities.

Amendment No. 1

Representative Springer offered the following amendment to **CSHB 1643**:

Amend **CSHB 1643** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 423.0045(c)(9), Government Code, is amended to read as follows:

(9) an operator of an unmanned aircraft that is being used for a commercial purpose, if the ~~operator is authorized by the Federal Aviation Administration to conduct operations over that airspace~~ operation is conducted in compliance with:

(i) each applicable Federal Aviation Administration rule, restriction, or exemption; and

(ii) all required Federal Aviation Administration authorizations.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Craddick offered the following amendment to **CSHB 1643**:

Amend **CSHB 1643** (house committee report) on page 2 by striking lines 16-18 and substituting the following:

(B) if enclosed by a fence or other physical barrier obviously designed to exclude intruders:

(i) any portion of an aboveground oil, gas, or chemical pipeline;

(ii) an oil or gas drilling site;

(iii) a group of tanks used to store crude oil, such as a tank battery;

(iv) an oil, gas, or chemical production facility;

(v) an oil or gas wellhead; or

(vi) any oil and gas facility that has an active flare [that is enclosed by a fence or other physical barrier that is obviously designed to exclude intruders].

Amendment No. 2 was adopted.

(Phillips now present)

Amendment No. 3

Representative Nevárez offered the following amendment to **CSHB 1643**:

Amend **CSHB 1643** by adding the following appropriately numbered subsection:

(e) Except as provided by this section, a political subdivision may not adopt or enforce any ordinance, order, or other similar measure regarding the operation of an unmanned aircraft.

(f) A political subdivision may adopt and enforce an ordinance, order, or other similar measure regarding:

(1) the political subdivision's use of an unmanned aircraft; or

(2) the use of an unmanned aircraft near a facility or infrastructure owned by the political subdivision, if the political subdivision:

(A) applies for and receives authorization from the Federal Aviation Administration to adopt the regulation; and

(B) after providing reasonable notice, holds a public hearing on the political subdivision's intent to apply for the authorization.

(g) An ordinance, order, or other similar measure that violates Subsection (e) is void and unenforceable.

Amendment No. 3 was withdrawn.

Amendment No. 4

Representative Nevárez offered the following amendment to **CSHB 1643**:

Amend **CSHB 1643** by adding the following appropriately numbered subsection:

(e) Except as provided by this section, a political subdivision may not adopt or enforce any ordinance, order, or other similar measure regarding the operation of an unmanned aircraft.

(f) A political subdivision may adopt and enforce an ordinance, order, or other similar measure regarding:

(1) the political subdivision's use of an unmanned aircraft; or

(2) the use of an unmanned aircraft near a facility or infrastructure owned by the political subdivision, if the political subdivision:

(A) applies for and receives authorization from the Federal Aviation Administration to adopt the regulation; and

(B) after providing reasonable notice, holds a public hearing on the political subdivision's intent to apply for the authorization.

(g) An ordinance, order, or other similar measure that violates Subsection (e) is void and unenforceable.

Amendment No. 4 was adopted.

CSHB 1643, as amended, was passed to engrossment.

POSTPONED BUSINESS

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

CSSB 1052 ON SECOND READING

(Flynn - House Sponsor)

CSSB 1052, A bill to be entitled An Act relating to debt cancellation agreements offered in connection with certain retail installment contracts and leases for vehicles and deferred payments under motor vehicle retail installment contracts; providing for a civil penalty.

CSSB 1052 was considered in lieu of **CSHB 1985**.

CSSB 1052 was read second time.

Amendment No. 1

Representative Button offered the following amendment to **CSSB 1052**:

Amend **CSSB 1052** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 2301.002(36), Occupations Code, is amended to read as follows:

(36) "Vehicle lessor" means a person who leases or offers to lease a motor vehicle~~[, under a lease, transfers]~~ to another person under a lease agreement [the right to possession and use of a motor vehicle titled in the name of the lessor].

SECTION _____. Subchapter L, Chapter 2301, Occupations Code, is amended by adding Section 2301.5555 to read as follows:

Sec. 2301.5555. AUTHORITY TO SIGN VEHICLE LEASE AS LESSOR. Notwithstanding Section 2301.251, a licensed vehicle lease facilitator may sign a vehicle lease agreement as a vehicle lessor before the vehicle lease is assigned, transferred, or conveyed to an ultimate lessor.

Amendment No. 1 was adopted.

CSSB 1052, as amended, was passed to third reading.

CSHB 1985 - LAID ON THE TABLE SUBJECT TO CALL

Representative Flynn moved to lay **CSHB 1985** on the table subject to call.

The motion prevailed.

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).

COMMITTEE GRANTED PERMISSION TO MEET

Representative Cook requested permission for the Committee on State Affairs to meet while the house is in session, at 4 p.m. today, in 1W.14, to consider **SB 1476** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

State Affairs, 4 p.m. today, 1W.14, for a formal meeting, to consider **SB 1476** and pending business.

CSHB 39 ON SECOND READING (by Wu, Raymond, S. Davis, Rose, et al.)

CSHB 39, A bill to be entitled An Act relating to the child protective service functions of the Department of Family and Protective Services.

CSHB 39 was read second time earlier today, amendments were offered and disposed of, and **CHSB 39** was postponed until this time.

Amendment No. 5

Representative Zedler offered the following amendment to **CSHB 39**:
Floor Packet Page No. 3

Amend **CSHB 39** (house committee report) on page 2, line 16, after the underlined period, by inserting the following:

A physician or other health care provider conducting the medical examination under this section may not administer a vaccination as part of the examination.

Amendment No. 6

Representatives Wu and Zedler offered the following amendment to Amendment No. 5:

Amend Amendment No. 5 by Zedler (page 3, prefiled amendments packet) to **CSHB 39** on page 1, line 5, between "examination" and the underlined period, by inserting ", except that a physician may administer a tetanus vaccination if the physician determines that an emergency circumstance requires the administration of the vaccination. The prohibition on the administration of a vaccine does not apply after the department has been named managing conservator of the child after a hearing under Section 262.106 or 262.201".

Amendment No. 6 was adopted.

Amendment No. 5, as amended, was adopted by (Record 1123): 74 Yeas, 58 Nays, 3 Present, not voting.

Yeas — Anderson, R.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gooden; Hefner; Holland; Huberty; Isaac; King, P.; Klick; Koop; Krause; Kuempel; Landgraf; Lang; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; White; Wilson; Workman; Wray; Zedler.

Nays — Allen; Alonzo; Alvarado; Arévalo; Bailes; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Cospers; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Herrero; Howard; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Larson; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Thierry; Thompson, S.; Turner; Uresti; Villalba; Vo; Walle; Wu.

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

Absent, Excused — Dukes; Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Ashby; Gonzales; Zerwas.

Absent — Anchia; Anderson, C.; Cook; Hunter; Keough; Oliveira; Simmons; Smithee.

STATEMENTS OF VOTE

When Record No. 1123 was taken, I was in the house but away from my desk. I would have voted yes.

C. Anderson

When Record No. 1123 was taken, I was in the house but away from my desk. I would have voted yes.

Cook

When Record No. 1123 was taken, I was shown voting no. I intended to vote yes.

Cosper

When Record No. 1123 was taken, my vote failed to register. I would have voted yes.

Hunter

When Record No. 1123 was taken, I was in the house but away from my desk. I would have voted yes.

Keough

When Record No. 1123 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 1123 was taken, I was shown voting present, not voting. I intended to vote yes.

Lambert

When Record No. 1123 was taken, I was in the house but away from my desk. I would have voted yes.

Simmons

When Record No. 1123 was taken, I was in the house but away from my desk. I would have voted yes.

Smithee

COMMITTEE GRANTED PERMISSION TO MEET

Representative Smithee requested permission for the Committee on Judiciary and Civil Jurisprudence to meet while the house is in session, at 3:45 p.m. today, in 1W.14, to consider **SB 257, SB 327, SB 511, SB 658, SB 944, SB 1193, SB 1329, SB 2053, and SB 2174.**

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Judiciary and Civil Jurisprudence, 3:45 p.m. today, 1W.14, for a formal meeting, to consider **SB 257, SB 327, SB 511, SB 658, SB 944, SB 1193, SB 1329, SB 2053, and SB 2174.**

(Gonzales now present)

CSHB 39 - (consideration continued)**Amendment No. 7**

Representative Sanford offered the following amendment to **CSHB 39**:

Floor Packet Page No. 6

Amend **CSHB 39** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 262, Family Code, is amended by adding Sections 262.1041 and 262.1042 to read as follows:

Sec. 262.1041. VOLUNTARY TEMPORARY CAREGIVER PROGRAM.

(a) The Department of Family and Protective Services shall create a program that allows a child who is removed from the child's home under this chapter to be placed in the care of an individual approved as a voluntary temporary caregiver under this section.

(b) The department shall establish an application and verification process to approve individuals to serve as voluntary temporary caregivers. The department's verification process must:

(1) include a background and criminal history record check of each caregiver;

(2) verify the caregiver:

(A) has a home with adequate sleeping space for each child placed with the caregiver;

(B) has six or fewer children in the caregiver's home, including the caregiver's own children and any children for whom the caregiver provides day care;

(C) agrees to nonphysical discipline;

(D) has had all pets in the caregiver's home vaccinated; and

(E) maintains and submits to the department proof of current certification in first aid and cardiopulmonary resuscitation issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification;

(3) require each member of the caregiver's household to undergo a screening test for tuberculosis infection approved by the executive commissioner of the Health and Human Services Commission; and

(4) include any other administrative procedure the department determines is necessary to ensure the caregiver will provide a safe home for the child.

(c) The department shall require each voluntary temporary caregiver to receive four hours of training relating to child development and disciplinary techniques for children who are classified above a basic service level. A caregiver who applies to become a licensed or verified foster home shall receive a credit of four hours toward the training hours required by Section 42.0537, Human Resources Code, for a person to become a licensed or verified foster home.

(d) A voluntary temporary caregiver must agree to care for a child placed with the caregiver for at least 14 days.

(e) Except as provided by Subsection (f), a child may be placed with a voluntary temporary caregiver for not more than 14 days after the date the child is removed from the child's home.

(f) If the child's caseworker determines that it is in the child's best interest for the child to remain in the care of the voluntary temporary caregiver for more than 14 days, the caseworker may, if the voluntary temporary caregiver agrees:

(1) allow the child to remain in the care of the voluntary temporary caregiver;

(2) designate the voluntary temporary caregiver as the caregiver of the child under a parental child safety placement agreement in accordance with Subchapter L, Chapter 264; or

(3) designate the voluntary temporary caregiver as a designated caregiver of the child in accordance with Subchapter I, Chapter 264.

(g) A voluntary temporary caregiver with whom a child is placed under this section is not entitled to any reimbursement for the care the caregiver provides for the child.

(h) A voluntary temporary caregiver is not liable for the cost of any medical care the child receives while the child is placed with the caregiver. The cost of any medical care shall be covered by the existing health insurance provided for the child.

(i) A voluntary temporary caregiver shall ensure that the child:

(1) continues to attend the school in which the child was enrolled immediately before the child was removed from the child's home; or

(2) attends another school chosen by the child's caseworker if the child's caseworker determines that it is unsafe for the child to continue to attend the school in which the child was enrolled immediately before the child was removed from the child's home.

(j) The department shall publicize the voluntary temporary caregiver program and notify the parents of a child being removed from the child's home whether the child will be placed with a voluntary temporary caregiver.

(k) The executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement this section.

Sec. 262.1042. RELEASE OF CHILD BY LAW ENFORCEMENT OR JUVENILE PROBATION OFFICER TO VOLUNTARY TEMPORARY CAREGIVER. A law enforcement or juvenile probation officer who takes possession of a child under this chapter may release the child to a voluntary temporary caregiver approved under Section 262.1041.

SECTION _____. As soon as practicable after the effective date of this Act:

(1) the executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement Sections 262.1041 and 262.1042, Family Code, as added by this Act; and

(2) the Department of Family and Protective Services shall implement the voluntary temporary caregiver program as required by Sections 262.1041 and 262.1042, Family Code, as added by this Act.

Amendment No. 8

Representatives Wu and Sanford offered the following amendment to Amendment No. 7:

Amend Amendment No. 7 by Sanford to **CSHB 39** (page 6, prefiled amendment packet) as follows:

(1) On page 1, line 14, between "caregivers." and "The" insert "The department may charge each person applying to serve as a voluntary temporary caregiver an application fee in an amount reasonable and necessary to cover the cost of administering the program."

(2) On page 3, line 25, between "Commission" and "shall", insert "or the commissioner of the Department of Family and Protective Services, as appropriate,".

(3) On page 4, immediately following line 10, insert the following:

SECTION _____. The Department of Family and Protective Services may not implement the voluntary temporary caregiver program created under Section 262.1041, Family Code, as added by this Act, until the rules necessary to implement the program have been adopted.

Amendment No. 8 was adopted.

Amendment No. 7, as amended, was adopted.

Amendment No. 9

Representative White offered the following amendment to **CSHB 39**:
Floor Packet Page No. 10

Amend **CSHB 39** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 264.203(a), Family Code, is amended to read as follows:

(a) Except as provided by Subsection (d), if the court makes findings under Section 262.201(b) or 262.205(b), the department may request that 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 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.

Amendment No. 10

Representative White offered the following amendment to Amendment No. 9:

Amend Amendment No. 9 by White (page 10, prefiled amendment packet) to **CSHB 39** (house committee report) by striking lines 4-19, and substituting the following:

SECTION _____. Section 264.201, Family Code, is amended by adding Subsection (f) to read as follows:

(f) In providing services to a family under this section, the department shall ensure that the services provided:

(1) are narrowly tailored to address the allegations of abuse or neglect the department is investigating; and

(2) do not duplicate other services the family is receiving.

Amendment No. 10 was adopted.

Amendment No. 9, as amended, was adopted.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a committee meeting:

Lang on motion of Schubert.

CSHB 39 - (consideration continued)

Amendment No. 11

Representative Walle offered the following amendment to **CSHB 39**:
Floor Packet Page No. 11

Amend **CSHB 39** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0481 to read as follows:

Sec. 531.0481. CASELOAD LIMIT GOALS FOR CERTAIN CASEWORKERS. Notwithstanding Section 531.048(d) and to the extent appropriated money is available for the purpose, the commission or Department of Family and Protective Services, as appropriate, shall work toward ensuring that the average caseload for the following categories of caseworkers does not exceed the number specified by this section:

(1) for caseworkers conducting child protective services investigations, an average of 15 cases at any time;

(2) for child protective services caseworkers providing family-based safety services, an average of 10 cases at any time;

(3) for child protective services caseworkers providing services through conservatorship programs, an average of 20 cases at any time;

(4) for child protective services caseworkers providing services through foster and adoption programs, an average of 20 cases at any time;

(5) for child-care licensing inspectors, an average caseload of 64 nonresidential child-care facilities or registered family homes at any time;

(6) for child-care licensing day-care investigators, an average caseload of 17 investigations at any time; and

(7) for adult protective services specialists providing adult protective services through in-home programs, an average of 22 cases at any time.

SECTION _____. Subchapter C, Chapter 40, Human Resources Code, is amended by adding Section 40.073 to read as follows:

Sec. 40.073. ABUSE, NEGLECT, AND EXPLOITATION HOTLINE: CALL PROCESSING GOALS. (a) With respect to the hotline maintained by the department for purposes of receiving reports under Section 261.103, Family Code, and Section 48.051, to the extent appropriated money is available for the purpose, the department shall work toward ensuring that:

(1) the average hold time for calls to the hotline does not exceed five minutes; and

(2) the call abandonment rate for each state fiscal year does not exceed 25 percent.

(b) The executive commissioner by rule shall adopt the methodology to be used to calculate the call abandonment rate referred to in Subsection (a)(2).

SECTION _____. Not later than December 1, 2018:

(1) the Health and Human Services Commission and the Department of Family and Protective Services shall jointly submit a report to the standing committees of the senate and house of representatives having primary jurisdiction over those state agencies regarding the agencies' progress in achieving the caseload limit goals described in Section 531.0481, Government Code, as added by this Act; and

(2) the Department of Family and Protective Services shall submit a report to the committees described in Subdivision (1) of this section regarding the department's progress in achieving the call processing goals described in Section 40.073, Human Resources Code, as added by this Act.

Amendment No. 12

Representative Walle offered the following amendment to Amendment No. 11:

Amend Amendment No. 11 by Walle (page 11, prefiled amendments packet) to **CSHB 39** (house committee printing) as follows:

- (1) On page 1, line 26, after "time;" insert "and".
- (2) On page 1, line 28, strike "; and" and substitute "·".
- (3) Strike page 1, line 29 through page 2, line 17.
- (4) On page 2, lines 18 and 19, strike ": (1)" and substitute ",".
- (5) On page 2, line 25, strike "; and" and substitute "·".
- (6) On page 2, strike lines 26 through 30.

Amendment No. 12 was adopted.

Amendment No. 13

Representative González offered the following amendment to Amendment No. 11:

Amend Amendment No. 11 by Walle to **CSHB 39** by adding the following appropriately numbered SECTIONS to the amendment and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 40, Human Resources Code, is amended by adding Section 40.0324 to read as follows:

Sec. 40.0324. MINIMUM CASEWORKER EDUCATION REQUIREMENT. The department may not hire a person to be a child protective services caseworker unless the person has a bachelor's degree. The department shall give preference to an applicant for a child protective services caseworker position if the applicant has a bachelor's degree or an advanced degree in social work conferred by a college or university accredited by an accrediting organization recognized by the Texas Higher Education Coordinating Board.

SECTION _____. Section 40.0324, Human Resources Code, as added by this Act, applies only to a child protective services caseworker hired by the Department of Family and Protective Services on or after the effective date of this Act. A caseworker hired before the effective date of this Act is not required to possess the degree required by Section 40.0324, Human Resources Code, as added by this Act, as long as the person remains employed by the Department of Family and Protective Services as a caseworker.

Amendment No. 13 failed of adoption by (Record 1124): 44 Yeas, 87 Nays, 3 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Herrero; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martínez; Minjarez; Moody; Muñoz; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Thierry; Thompson, S.; Uresti; Vo; Walle.

Nays — Allen; Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cospier; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler.

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

Absent, Excused — Dukes; Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Ashby; Lang; Zerwas.

Absent — Cook; Deshotel; Dutton; Farrar; Oliveira; Romero; Sheffield; Turner; Wu.

STATEMENTS OF VOTE

When Record No. 1124 was taken, I was shown voting no. I intended to vote yes.

Allen

When Record No. 1124 was taken, I was in the house but away from my desk. I would have voted no.

Cook

When Record No. 1124 was taken, I was shown voting present, not voting. I intended to vote yes.

Neave

When Record No. 1124 was taken, I was in the house but away from my desk. I would have voted yes.

Romero

(Cyrier in the chair)

(Lang 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 State Affairs:

Cook on motion of Frullo.

Craddick on motion of Frullo.

Farrar on motion of Frullo.

Geren on motion of Frullo.

Giddings on motion of Frullo.

Guillen on motion of Frullo.

K. King on motion of Frullo.

Kuempel on motion of Frullo.

Meyer on motion of Frullo.

Oliveira on motion of Frullo.

Paddie on motion of Frullo.

E. Rodriguez on motion of Frullo.

Smithee on motion of Frullo.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Murphy requested permission for the Committee on Special Purpose Districts to meet while the house is in session, at 4:13 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Special Purpose Districts, 4:13 p.m. today, 3W.15, for a formal meeting, to consider pending business.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Special Purpose Districts:

Lang on motion of Schubert.

Schubert on motion of R. Anderson.

(Cook, Farrar, Geren, Giddings, Oliveira, Paddie, and E. Rodriguez now present)

CSHB 39 - (consideration continued)

(Geren in the chair)

Amendment No. 11, as amended, failed of adoption by (Record 1125): 54 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Gutierrez; Herrero; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Nays — Anderson, C.; Bales; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospere; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, P.; Klick; Koop; Krause; Lambert; Landgraf; Larson; Leach; Metcalf; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Shaheen; Shine; Simmons; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Workman; Wray; Wu; Zedler.

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

Absent, Excused — Dukes; Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Ashby; Craddick; Guillen; King, K.; Kuempel; Lang; Meyer; Schubert; Smithee; Zerwas.

Absent — Wilson.

STATEMENTS OF VOTE

When Record No. 1125 was taken, I was excused to attend a meeting of the Committee on State Affairs. I would have voted yes.

Guillen

When Record No. 1125 was taken, I was excused to attend a meeting of the Committee on State Affairs. I would have voted no.

Meyer

Amendment No. 14

Representative Walle offered the following amendment to **CSHB 39**:

Floor Packet Page No. 4

Amend **CSHB 39** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 40, Human Resources Code, is amended by adding Section 40.05286 to read as follows:

Sec. 40.05286. STUDY ON REASONABLE CASEWORKER CASELOAD GOALS. (a) The department in collaboration with the Legislative Budget Board shall conduct a study to determine reasonable caseworker caseload goals and make recommendations regarding minimum and maximum caseloads for caseworkers in each division of the department. The recommendations must be consistent with other provisions of law governing department cases and caseloads, including provisions related to risk assessment.

(b) The study described under Subsection (a) must:

(1) consider:

(A) optimal workload time and effort for assigned caseworker duties; and

(B) the differences in caseworker workload between regions of this state; and

(2) include recommendations on:

(A) reasonable caseworker caseload goals and minimum and maximum caseload goals for caseworkers in each division of the department, including employees of single source continuum contractors who provide case management services under contract with the department;

(B) caseworker caseload goal estimates that will provide flexibility to the department in an emergency;

(C) any changes required for department risk assessment provisions; and

(D) the provision of case management services by single source continuum contractors under contract with the department.

(c) The department shall:

(1) use the results and recommendations of the study to determine the funding level of the department that is appropriate to reduce caseloads; and

(2) not later than August 1, 2018, and jointly with the Legislative Budget Board, report the results and recommendations of the study to the legislature.

(d) This section expires December 31, 2019.

(K. King and Meyer now present)

Amendment No. 14 failed of adoption by (Record 1126): 57 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Burkett; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Gutierrez; Herrero; Howard; Israel; Johnson, E.; Johnson, J.; Keough; King, T.; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; White; Wilson.

Nays — Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cook; Cospers; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; King, K.; King, P.; Klick; Koop; Krause; Lambert; Landgraf; Larson; Leach; Metcalf; Meyer; Miller; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Shaheen; Shine; Simmons; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; Workman; Wray; Wu; Zedler.

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

Absent, Excused — Dukes; Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Ashby; Craddick; Guillen; Kuempel; Lang; Schubert; Smithee; Zerwas.

STATEMENTS OF VOTE

When Record No. 1126 was taken, I was shown voting no. I intended to vote yes.

Bohac

When Record No. 1126 was taken, I was excused to attend a meeting of the Committee on State Affairs. I would have voted yes.

Guillen

CSHB 39, as amended, was passed to engrossment by (Record 1127): 120 Yeas, 15 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez;

Cosper; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frullo; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Gutierrez; Hefner; Herrero; Holland; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Koop; Krause; Lambert; Landgraf; Larson; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; 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; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Nays — Biedermann; Cain; Cook; Dale; Davis, S.; Frank; Hunter; Isaac; Klick; Rinaldi; Schaefer; Schofield; Shaheen; Stickland; Tinderholt.

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

Absent, Excused — Dukes; Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Ashby; Craddick; Guillen; Kuempel; Lang; Schubert; Smithee; Zerwas.

Absent — Minjarez.

STATEMENTS OF VOTE

When Record No. 1127 was taken, I was shown voting no. I intended to vote yes.

Frank

When Record No. 1127 was taken, I was excused to attend a meeting of the Committee on State Affairs. I would have voted yes.

Guillen

When Record No. 1127 was taken, I was shown voting yes. I intended to vote no.

Keough

When Record No. 1127 was taken, I was excused to attend a meeting of the Committee on Special Purpose Districts. I would have voted no.

Lang

When Record No. 1127 was taken, I was shown voting no. I intended to vote yes.

Shaheen

GENERAL STATE CALENDAR
(consideration continued)
SB 1133 ON SECOND READING
(Herrero - House Sponsor)

SB 1133, A bill to be entitled An Act relating to the exemption from taxes and special assessments of property of a navigation district.

SB 1133 was considered in lieu of **HB 2591**.

SB 1133 was passed to third reading by (Record 1128): 92 Yeas, 44 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bailes; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Gutierrez; Herrero; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Simmons; Stephenson; Thierry; Thompson, S.; Turner; Uresti; Villalba; Vo; Walle; Wilson; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Bohac; Burns; Burrows; Cain; Cosper; Cyrier; Dale; Dean; Faircloth; Hefner; Holland; Isaac; Keough; Klick; Krause; Lambert; Landgraf; Leach; Metcalf; Miller; Murr; Oliverson; Paul; Phelan; Phillips; Price; Rinaldi; Roberts; Sanford; Schaefer; Shaheen; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; White; Workman; Zedler.

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

Absent, Excused — Dukes; Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Ashby; Craddick; Guillen; Kuempel; Lang; Schubert; Smithee; Zerwas.

STATEMENTS OF VOTE

When Record No. 1128 was taken, I was excused to attend a meeting of the Committee on State Affairs. I would have voted yes.

Guillen

When Record No. 1128 was taken, I was shown voting no. I intended to vote yes.

Phelan

HB 2591 - LAID ON THE TABLE SUBJECT TO CALL

Representative Herrero moved to lay **HB 2591** on the table subject to call.
 The motion prevailed.

CSHB 3296 ON SECOND READING
(by Klick)

CSHB 3296, A bill to be entitled An Act relating to persons required to establish nursing peer review committees.

CSHB 3296 was passed to engrossment.

(Craddick, Kuempel, Lang, and Smithee now present)

CSHB 2032 ON SECOND READING
(by Gervin-Hawkins, et al.)

CSHB 2032, A bill to be entitled An Act relating to increasing the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system.

Amendment No. 1

Representative Moody offered the following amendment to **CSHB 2032**:

Amend **CSHB 2032** (house committee report) on page 1, line 15, between "29" and the underlined period, insert ", other than an offense under Section 22.01(a)(2) or (3)".

Amendment No. 1 was adopted.

The vote of the house was taken on the passage to engrossment of **CSHB 2032** and the vote was announced yeas 65, nays 70.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1129): 61 Yeas, 76 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Bohac; Canales; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Farrar; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Gutierrez; Herrero; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Phillips; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Thierry; Thompson, S.; Turner; Uresti; Walle; Wilson; Wu.

Nays — Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospier; Craddick; Cyrier; Dale; Dean; Dutton; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Hefner; Holland; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Shaheen; Simmons; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Workman; Wray; Zedler.

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

Absent, Excused — Dukes; Hernandez; Hinojosa; Laubenberg.

Absent, Excused, Committee Meeting — Ashby; Guillen; Schubert; Zerwas.

Absent — Elkins; Smithee; Vo.

The chair stated that **CSHB 2032** failed to pass to engrossment by the above vote.

STATEMENTS OF VOTE

When Record No. 1129 was taken, I was excused to attend a meeting of the Committee on State Affairs. I would have voted yes.

Guillen

When Record No. 1129 was taken, I was shown voting yes. I intended to vote no.

Lozano

When Record No. 1129 was taken, I was temporarily out of the house chamber. I would have voted no.

Smithee

**HB 1661 ON SECOND READING
(by Phelan and Fallon)**

HB 1661, A bill to be entitled An Act relating to a withdrawal of a candidate.

HB 1661 was passed to engrossment.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of a family emergency:

Vo on motion of Bernal.

COMMITTEES GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 5 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

Representative Darby requested permission for the Select Committee on State and Federal Power and Responsibility to meet while the house is in session, at 5 p.m. today, in 1W.14, to consider **SCR 24** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Calendars, 5 p.m. today, 3W.15, for a formal meeting, to set a calendar.

Select Committee on State and Federal Power and Responsibility, 5 p.m. today, 1W.14, for a formal meeting, to consider **SCR 24** and pending business.

POSTPONED BUSINESS

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

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.

HB 4011 was read second time on May 8 and was postponed until 5 p.m. May 9. **HB 4011** was laid out as postponed business earlier today and was postponed until this time.

HB 4011 - POINT OF ORDER

Representative Villalba raised a point of order against further consideration of **HB 4011** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today because of illness:

Fallon on motion of Leach.

HB 4011 - (consideration continued)**HB 4011 - POINT OF ORDER DISPOSITION**

The chair overruled the point of order and submitted the following statement:

Rule 4, Section 32(c)(2) of the House Rules requires each committee report to "include in summary or section-by-section form a detailed analysis of the subject matter of the bill," including "an analysis of the content of the bill or resolution." Representative Villalba argues that the bill analysis is deficient in three ways. First, the bill analysis fails to define nonemergency medical care in Section 2 of the bill. Second, the bill analysis fails to define and describe the attorney general's right to bring suit in Section 3 of the bill. Finally, the bill analysis fails to describe venue provisions in Section 5 of the bill. After reviewing the bill, the complete analysis, and house precedents, the chair finds that the bill analysis does not deceive or mislead and complies with the requirements of Rule 4, Section 32.

Amendment No. 1

Representative Burrows offered the following amendment to **HB 4011**:

Amend **HB 4011** (house committee report) on page 3, between lines 9 and 10, by adding the following appropriately numbered section to added Subchapter F, Chapter 20, Business & Commerce Code, and renumbering sections and references to sections of that subchapter accordingly:

Sec. 20. . APPLICABILITY. This subchapter applies only to the 25 shoppable health care services, as determined by Department of State Health Services rule, for which consumers most frequently receive nonemergency medical care.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Leach offered the following amendment to **HB 4011**:

Amend **HB 4011** (house committee printing) as follows:

(1) Strike SECTION 2 of the bill and renumber subsequent SECTIONS of the bill accordingly.

(2) In SECTION 6 of the bill (page 4, line 9) after "necessary.", insert the following:

"Sec. 20.53. APPLICABILITY. This subchapter applies only to information provided to a consumer reporting agency beginning one year after the date the disclosure form prescribed by the executive commissioner of the Health and Human Services Commission is published in final form on the department's Internet website pursuant to Section 20.52(b)."

Amendment No. 2 was adopted.

HB 4011, as amended, failed to pass to engrossment by (Record 1130): 45 Yeas, 85 Nays, 2 Present, not voting.

Yeas — Anderson, R.; Bell; Bernal; Biedermann; Blanco; Bohac; Burrows; Cain; Capriglione; Cortez; Dale; Davis, Y.; Dutton; Goldman; Gonzales; Guerra; Hefner; Howard; Isaac; Israel; Klick; Krause; Lang; Murphy; Neave; Oliveira; Ortega; Paul; Pickett; Raymond; Rinaldi; Rodriguez, E.; Rose; Schaefer; Simmons; Springer; Stickland; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Uresti; Workman; Zedler.

Nays — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bailes; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Canales; Clardy; Coleman; Collier; Cook; Cospere; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Faircloth; Farrar; Flynn; Frank; Gervin-Hawkins; Giddings; Gooden; Gutierrez; Herrero; Holland; Hunter; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Murr; Nevárez; Oliverson; Paddie; Parker; Perez; Phelan; Phillips; Price; Raney; Reynolds; Roberts; Rodriguez, J.; Romero; Sanford; Shaheen; Sheffield; Shine; Smithee; Stucky; Turner; VanDeaver; Villalba; Walle; White; Wilson; Wray; Wu.

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

Absent, Excused — Dukes; Fallon; Hernandez; Hinojosa; Laubenberg; Vo.

Absent, Excused, Committee Meeting — Ashby; Guillen; Schubert; Zerwas.

Absent — Elkins; Frullo; González; Huberty; Lozano; Muñoz; Schofield; Stephenson.

STATEMENTS OF VOTE

When Record No. 1130 was taken, I was shown voting yes. I intended to vote no.

R. Anderson

When Record No. 1130 was taken, I was shown voting yes. I intended to vote no.

Bohac

When Record No. 1130 was taken, I was shown voting yes. I intended to vote no.

Capriglione

When Record No. 1130 was taken, I was shown voting no. I intended to vote yes.

Collier

When Record No. 1130 was taken, I was shown voting yes. I intended to vote no.

Cortez

When Record No. 1130 was taken, I was shown voting yes. I intended to vote no.

Gonzales

When Record No. 1130 was taken, I was excused to attend a meeting of the Committee on State Affairs. I would have voted yes.

Guillen

When Record No. 1130 was taken, I was shown voting yes. I intended to vote no.

Israel

When Record No. 1130 was taken, I was shown voting no. I intended to vote yes.

J. Johnson

When Record No. 1130 was taken, I was in the house but away from my desk. I would have voted no.

Lozano

When Record No. 1130 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

When Record No. 1130 was taken, I was shown voting no. I intended to vote yes.

Parker

When Record No. 1130 was taken, I was shown voting yes. I intended to vote no.

Raymond

When Record No. 1130 was taken, I was shown voting yes. I intended to vote no.

Simmons

When Record No. 1130 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

When Record No. 1130 was taken, I was shown voting yes. I intended to vote no.

Uresti

When Record No. 1130 was taken, I was shown voting yes. I intended to vote no.

Workman

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 Leach.

Cook on motion of Leach.

S. Davis on motion of Leach.

Giddings on motion of Leach.

Howard on motion of Leach.

Hunter on motion of Leach.

Kacal on motion of Leach.

K. King on motion of Leach.

Koop on motion of Leach.

Nevárez on motion of Leach.

Paddie on motion of Leach.

Phelan on motion of Leach.

Rose on motion of Leach.

GENERAL STATE CALENDAR
(consideration continued)
CSHB 162 ON SECOND READING
(by Lucio)

CSHB 162, A bill to be entitled An Act relating to conditions of community supervision for defendants convicted of certain criminal offenses involving animals; authorizing fees.

CSHB 162 was passed to engrossment.

(S. Davis now present)

CSSB 1524 ON SECOND READING
(Morrison, Martinez, Paddie, D. Bonnen, Deshotel, et al. - House Sponsors)

CSSB 1524, A bill to be entitled An Act relating to the movement of certain vehicles transporting an intermodal shipping container; authorizing a fee; creating an offense.

CSSB 1524 was considered in lieu of **HB 3854**.

LEAVE OF ABSENCE GRANTED

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

S. Davis on motion of Geren.

(Alonzo, Ashby, Giddings, Guillen, Howard, Hunter, Kacal, Koop, Nevárez, Paddie, Phelan, Rose, and Schubert now present)

CSSB 1524 - (consideration continued)

CSSB 1524 - POINT OF ORDER

Representative Minjarez raised a point of order against further consideration of **CSSB 1524** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Select Committee on State and Federal Power and Responsibility:

Anchia on motion of Blanco.

CSSB 1524 - (consideration continued)

CSSB 1524 - POINT OF ORDER DISPOSITION

The chair overruled the point of order and submitted the following statement:

CSSB 1524 authorizes the Texas Department of Transportation to issue permits for the movement of certain "sealed intermodal shipping containers." Representative Minjarez argues that the bill analysis is substantially misleading

because the bill analysis fails to define "intermodal shipping containers." Representative Minjarez asserts that the presence of similar terms, intermodal containers and intermodal hubs, in other statutes justifies requiring the bill analysis to explain the definition of "intermodal shipping container." The rules do not require the bill analysis to define key terms, nor to distinguish key terms contained in a bill from different terms found in other unrelated statutes. As noted by the chair's previous rulings, the bill analysis's failure to state that the bill is defining a key term is not a fatal flaw. See 83 H.J. Reg. 3005-3006 (2013) (Martinez Fischer point of order on **CSHB 3316**); 83 H.J. Reg. 2815-2816 (2013) (Schaefer point of order on **CSHB 75**). Therefore, this point of order is respectfully overruled.

Amendment No. 1

Representative Morrison offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee report) as follows:

(1) On page 6, lines 11-12, strike "port of entry" and substitute the following:

⋮

(1) "Port authority" means a port authority or navigation district created or operating under Section 52, Article III, or Section 59, Article XVI, Texas Constitution.

(2) "Port of entry"

(2) On page 6, line 15, between "at a" and "port", insert "port authority or".

(3) On page 6, line 21, between "from the" and "port", insert "port authority or".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Raymond offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee printing) as follows:

(1) On page 6, lines 16-17, strike "⋮

(A)"

(2) On page 6, lines 18-20, strike "or

(B) between this state and the United Mexican States;".

(Hinojosa now present)

Amendment No. 2 was adopted.

Amendment No. 3

Representative Israel offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee report) as follows:

(1) On page 1, line 23, strike "The" and substitute "Except as provided by Section 623.405(a)(3), the".

(2) On page 5, line 9, between "application" and the underlined semicolon, insert ", other than a county that adopts an order or resolution under Section 623.405(a)(3)".

(3) On page 5, line 13, between "application" and the underlined period, insert ", other than a municipality that adopts an order, ordinance, or resolution under Section 623.405(a)(3)".

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

(5) Strike page 6, line 6, and substitute the following:
Section 621.301; or

(3) a county or municipal road for which the governing body of the entity with jurisdiction over the road has adopted an order, ordinance, or resolution prohibiting the operation of a truck-tractor and semitrailer combination operating under a permit issued under this subchapter on the road.

(6) On page 9, line 9, between "for or" and "otherwise", insert ", except as provided by Section 623.405(a)(3)".

Representative Morrison moved to table Amendment No. 3.

(Anchia, Cook, and Koop now present)

The motion to table prevailed by (Record 1131): 89 Yeas, 46 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Cain; Canales; Capriglione; Clardy; Coleman; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Dutton; Elkins; Faircloth; Gonzales; Guerra; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, P.; Klick; Kuempel; Lambert; Landgraf; Lang; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Morrison; Murphy; Paddie; Parker; Paul; Phelan; Phillips; Raney; Raymond; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler.

Nays — Allen; Bernal; Blanco; Bonnen, D.; Button; Collier; Cortez; Davis, Y.; Farrar; Flynn; Frullo; Gervin-Hawkins; Giddings; González; Gooden; Gutierrez; Herrero; Hinojosa; Howard; Israel; King, T.; Koop; Krause; Meyer; Miller; Minjarez; Moody; Muñoz; Murr; Neave; Nevárez; Oliverson; Ortega; Perez; Pickett; Price; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Shine; Turner; Uresti; Walle; Wu.

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

Absent, Excused — Dukes; Fallon; Hernandez; Laubenberg; Vo.

Absent, Excused, Committee Meeting — Davis, S.; King, K.; Zerwas.

Absent — Frank; Goldman; Leach; Oliveira; Thompson, S.

Amendment No. 4

Representative Paul offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee printing) in SECTION 2 of the bill as follows:

(1) On page 5, line 5, strike "\$5,000" and substitute "\$6,000".

(2) On page 5, strike lines 6 to 13, and substitute:

"(1) 50 percent shall be deposited to the credit of the state highway fund;

(2) 30 percent shall be equally divided among and distributed to each county designated in the permit application;

(3) 16 percent shall be equally divided among and distributed to each municipality designated in the permit application; and

(4) 4 percent shall be deposited to the credit of the Texas Department of Motor Vehicles fund."

Amendment No. 4 was adopted. (White recorded voting no.)

Amendment No. 5

Representative Dutton offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee report) as follows:

(1) On page 1, line 23, strike "The" and substitute "Except as provided by Section 623.405(a)(3), the".

(2) On page 5, line 9, between "application" and the underlined semicolon, insert ", other than a county that adopts an order or resolution under Section 623.405(a)(3)".

(3) On page 5, line 13, between "application" and the underlined period, insert ", other than a municipality that adopts an order, ordinance, or resolution under Section 623.405(a)(3)".

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

(5) Strike page 6, line 6, and substitute the following:
Section 621.301; or

(3) a county or municipal road for which the governing body of the entity with jurisdiction over the road has adopted an order, ordinance, or resolution prohibiting the operation of a truck-tractor and semitrailer combination operating under a permit issued under this subchapter on the road.

(6) On page 9, line 9, between "for or" and "otherwise", insert ", except as provided by Section 623.405(a)(3),".

(K. King now present)

Representative Morrison moved to table Amendment No. 5.

The motion to table prevailed by (Record 1132): 79 Yeas, 58 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Canales; Capriglione; Clardy; Coleman; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Gonzales; Hefner; Hunter; Isaac; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Lang; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Morrison; Oliveira; Oliverson; Paddie; Parker; Paul; Phelan; Phillips;

Raney; Raymond; Schaefer; Schofield; Schubert; Shaheen; Simmons; Springer; Stephenson; Stucky; Swanson; Thompson, E.; VanDeaver; Villalba; White; Wilson; Wray; Zedler.

Nays — Anchia; Arévalo; Bernal; Biedermann; Blanco; Button; Cain; Collier; Davis, Y.; Dutton; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Koop; Krause; Leach; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Ortega; Perez; Pickett; Price; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Sheffield; Shine; Smithee; Stickland; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; Walle; Wu.

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

Absent, Excused — Dukes; Fallon; Hernandez; Laubenberg; Vo.

Absent, Excused, Committee Meeting — Davis, S.; Zerwas.

Absent — Alvarado; Goldman; Roberts; Workman.

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).

CSSB 1524 - (consideration continued)

Amendment No. 6

Representative Dutton offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee report) as follows:

(1) On page 5, line 5, strike "\$5,000" and substitute "\$20,000".

Amendment No. 6 failed of adoption by (Record 1133): 52 Yeas, 86 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Arévalo; Bell; Biedermann; Bonnen, D.; Burrows; Button; Cain; Canales; Capriglione; Collier; Davis, Y.; Dutton; Farrar; Flynn; Giddings; González; Gooden; Gutierrez; Herrero; Hinojosa; Holland; Huberty; Johnson, E.; Krause; Leach; Minjarez; Moody; Murphy; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Price; Reynolds; Rodriguez, J.; Romero; Rose; Sanford; Sheffield; Smithee; Springer; Stickland; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; Walle.

Nays — Alonzo; Anchia; Anderson, C.; Anderson, R.; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Clardy; Coleman; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Elkins; Faircloth; Frank; Frullo; Gonzales; Guerra; Guillen; Hefner; Howard; Hunter; Isaac; Israel; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Morrison; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Raney; Raymond; Rinaldi; Roberts; Rodriguez, E.;

Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Stephenson; Stucky; Swanson; Thompson, E.; VanDeaver; Villalba; White; Wilson; Workman; Wray; Wu; Zedler.

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

Absent, Excused — Dukes; Fallon; Hernandez; Laubenberg; Vo.

Absent, Excused, Committee Meeting — Davis, S.; Zerwas.

Absent — Gervin-Hawkins; Goldman; Muñoz.

STATEMENTS OF VOTE

When Record No. 1133 was taken, I was shown voting yes. I intended to vote no.

Bell

When Record No. 1133 was taken, I was shown voting no. I intended to vote yes.

Guerra

When Record No. 1133 was taken, I was shown voting yes. I intended to vote no.

Krause

Amendment No. 7

Representative E. Rodriguez offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee report) on page 7, between lines 9 and 10, by inserting the following appropriately lettered subsection and relettering subsequent subsections of the section accordingly:

() A permit issued under this subchapter does not authorize the transportation of a sealed intermodal shipping container between:

(1) 6 a.m. and 9 a.m.; or

(2) 4 p.m. and 7 p.m.

Amendment No. 7 failed of adoption.

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).

CSSB 1524 - (consideration continued)

Amendment No. 8

Representative Huberty offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee report) on page 8, between lines 17 and 18, by inserting the following appropriately numbered section, renumbering subsequent sections of added Subchapter U, Chapter 623, Transportation Code, accordingly, and correcting cross-references to sections in the added subchapter as necessary:

Sec. 623. . . STUDY. Beginning in 2022, not later than September 1 of each even-numbered year, the Texas Department of Transportation shall conduct a study concerning vehicles operating under a permit issued under this subchapter and publish the results of the study. In conducting the study, the Texas Department of Transportation shall collect and examine the following information:

(1) the weight and configuration of vehicles operating under a permit issued under this subchapter that are involved in a motor vehicle accident;

(2) the types of vehicles operating under a permit issued under this subchapter;

(3) traffic volumes and variations of vehicles operating under a permit issued under this subchapter;

(4) weigh-in-motion data for highways and roads located in and around the area described by Section 623.405(b);

(5) impacts to state and local bridges, including long-term bridge performance, for bridges located in and around the area described by Section 623.405(b); and

(6) impacts to state and local roads, including changes in pavement design standards, construction specification details, maintenance frequency and types, and properties of pavement and underlying soils resulting from or necessitated by vehicles operating under a permit issued under this subchapter.

Amendment No. 8 was adopted.

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 7:30 p.m. today, in 3W.9, to consider **SB 715**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Land and Resource Management, 7:30 p.m. today, 3W.9, for a formal meeting, to consider **SB 715**.

CSSB 1524 - (consideration continued)

Amendment No. 9

Representative Faircloth offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** as follows:

(1) In SECTION 7 of the bill, on page 9, line 24, between "January 1, 2018" and ":", insert ", except that Section 623.070, Transportation Code, as added by this Act, shall take effect January 1, 2020"

Amendment No. 9 failed of adoption.

Amendment No. 10

Representative R. Anderson offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 623.019(f), Transportation Code, is amended to read as follows:

(f) A justice or municipal court [~~of the peace~~] has jurisdiction of an an [~~any~~] offense under this section. [~~A municipal court has jurisdiction of an offense under this section in which the fine does not exceed \$500.~~]

Amendment No. 10 was adopted.

Amendment No. 11

Representative Anchia offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee printing) on page 5, line 5 by striking "\$5,000" and substituting "an amount determined by the department in consultation with the Center for Transportation and Research and Texas Transportation Institute"

Amendment No. 11 was withdrawn.

Amendment No. 12

Representative Dutton offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee report) as follows:

(1) On page 5, line 5, strike "\$5,000" and substitute "\$10,000".

Amendment No. 12 failed of adoption.

Amendment No. 13

Representatives Perez, S. Thompson, Huberty, Cain, and Dutton offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee report) on page 7, between lines 9 and 10, by inserting the following appropriately lettered subsection and relettering subsequent subsections of the section accordingly:

() A permit issued under this subchapter does not authorize the transportation of a sealed intermodal shipping container on a highway or road located not more than 30 miles from State Highway 225.

Amendment No. 13 failed of adoption by (Record 1134): 45 Yeas, 85 Nays, 3 Present, not voting.

Yeas — Arévalo; Bernal; Biedermann; Blanco; Cain; Collier; Cortez; Cosper; Davis, Y.; Dutton; Elkins; Farrar; Gooden; Guerra; Guillen; Herrero; Howard; Huberty; Israel; Johnson, E.; Krause; Minjarez; Moody; Muñoz;

Murphy; Neave; Oliveira; Ortega; Perez; Pickett; Price; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Sheffield; Thierry; Thompson, S.; Turner; Uresti; Walle.

Nays — Allen; Alonzo; Anchia; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Cook; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Faircloth; Flynn; Frank; Frullo; Gervin-Hawkins; Gonzales; Hefner; Holland; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Morrison; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Raney; Roberts; Schaefer; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Wu; Zedler.

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

Absent, Excused — Dukes; Fallon; Hernandez; Laubenberg; Vo.

Absent, Excused, Committee Meeting — Davis, S.; Zerwas.

Absent — Alvarado; Goldman; González; Gutierrez; Hinojosa; Johnson, J.; King, T.; Leach; Nevárez; Schofield.

STATEMENT OF VOTE

When Record No. 1134 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

Amendment No. 14

Representative Anchia offered the following amendment to **CSSB 1524**:

Amend **CSSB 1524** (house committee printing) on page 5, line 5 by striking "\$5,000" and substituting "an amount determined by the department in consultation with the Center for Transportation and Research and Texas Transportation Institute"

Amendment No. 14 was withdrawn.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Land and Resource Management:

Bailes on motion of Lozano.

Bell on motion of Lozano.

Blanco on motion of Lozano.

Faircloth on motion of Lozano.

Herrero on motion of Lozano.

Krause on motion of Lozano.

Stucky on motion of Lozano.

CSSB 1524 - (consideration continued)**CSSB 1524 - POINT OF ORDER**

Representative Dutton raised a point of order against further consideration of **CSSB 1524** under Rule 4, Section 34 of the House Rules on the grounds that the committee chair did not provide an impact statement.

(Bailes, Bell, Blanco, Faircloth, Fallon, Herrero, and Krause now present)

The chair overruled the point of order and submitted the following statement:

CSHB 1524 authorizes the Texas Department of Transportation to issue permits authorizing the movement of certain "sealed intermodal shipping containers." Representative Dutton argues that the bill required a tax equity note. House precedent shows that the committee chair has the burden of determining whether an impact statement is required. See 78 H.J. Reg. 1987 (2003) (Dunnam point of order on **CSHB 15**); 81 H.J. Reg 2625 (2009) (Burnam point of order on **CSHB 4525**). The committee chair has discretion in making this decision.

Therefore, "if the committee chair determined that an impact statement is not necessary, it is not considered a violation of the rules if an impact statement was not requested or attached to the committee report." 78 H.J. Reg. 1987 (2003) (Dunnam point of order on **CSHB 15**). Representative Dutton argues that the determination may be overruled by the speaker if the bill creates a condition requiring an impact statement on its face. He further argues that because Rule 8, Section 34, states that "it is the intent of this section that all members of the house are timely informed as to the impact of proposed legislation on the state or other unit of government," that the tax equity note was required. The rule's statement of intent (to inform the members) does not negate the remaining portion of the rule which places sole discretion with the committee chair. For these reasons, the point of order is respectfully overruled.

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.

CSSB 1524 - POINT OF ORDER

Representative Dutton raised a point of order against further consideration of **CSSB 1524** under Rule 4, Section 32(c)(4) of the House Rules on the grounds that the bill analysis is incorrect.

The chair overruled the point of order and submitted the following statement:

Representative Dutton raised a point of order against further consideration of **SB 1524** pursuant to Rule 4, Section 32(c)(4) of the House Rules on the grounds that the bill analysis inaccurately describes the section of the bill entitled "Offense."

Rule 4, Section 32(c)(4) requires "each committee report on a bill must include . . . a statement indicating whether or not the bill or resolution expressly creates a criminal offense, expressly increases the punishment for an existing criminal offense or category of offenses, or expressly changes the eligibility of a person for community supervision, parole, or mandatory supervision."

The relevant provision of the bill reads:

Sec. 623.409. OFFENSE. (a) A person commits an offense if the person fails to:

(1) display the sticker described by Section 623.407(a) in the manner required by that section;

(2) carry a permit issued under this subchapter as required by Section 623.408(a); or

(3) carry or present a weight record as required by Section 623.408(b).

(b) An offense under this section is a Class C misdemeanor.

The bill analysis for **SB 1524** states: "it is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense" Representative Dutton argues that this analysis is flawed because, rather than creating a new offense, the bill expands the class of persons to whom the penalty of "Class C misdemeanors" applies. He concludes that every offense to which a Class C misdemeanor applies is not a new offense, but an expansion of the class of persons to whom the penalty applies. Under this theory, no new offense would ever be created unless the penalty for the offense were also something other than a currently existing felony, misdemeanor, or other penalty. In this instance, the bill creates out of whole cloth an entirely new offense which was not previously subject to any penalty whatsoever. It does not merely alter the elements of an existing offense or change the class of persons to whom an existing offense would apply. Accordingly, the chair finds that the bill analysis's statement that the bill creates an offense gives readers, the public, and even legal philosophers reasonable notice of this new offense.

CSSB 1524, as amended, was passed to third reading by (Record 1135): 80 Yeas, 58 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Canales; Coleman; Cook; Cortez; Cospier; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Faircloth; Flynn; Frank; Frullo; Gervin-Hawkins; Gonzales; Guerra; Hefner; Herrero; Hunter; Isaac; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Kuempel; Lambert; Landgraf; Lang; Larson; Lozano; Lucio; Martinez; Metcalf; Morrison; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Raney; Raymond; Rinaldi; Roberts; Schaefer; Schubert; Simmons; Stickland; Swanson; Thierry; Thompson, E.; Tinderholt; VanDeaver; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Nays — Ashby; Bernal; Blanco; Button; Cain; Capriglione; Clardy; Collier; Davis, Y.; Dutton; Elkins; Fallon; Farrar; Giddings; González; Gooden; Gutierrez; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Klick; Koop; Krause; Leach; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr;

Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Price; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Shaheen; Sheffield; Shine; Smithee; Springer; Stephenson; Thompson, S.; Turner; Uresti; Villalba.

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

Absent, Excused — Dukes; Hernandez; Laubenberg; Vo.

Absent, Excused, Committee Meeting — Davis, S.; Longoria; Stucky; Zerwas.

Absent — Goldman; Guillen.

STATEMENTS OF VOTE

When Record No. 1135 was taken, my vote failed to register. I would have voted yes.

Guillen

When Record No. 1135 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

HB 3854 - LAID ON THE TABLE SUBJECT TO CALL

Representative Morrison moved to lay **HB 3854** on the table subject to call.

The motion prevailed.

CSHB 245 ON SECOND READING

(by E. Johnson)

CSHB 245, A bill to be entitled An Act relating to certain reporting requirements for law enforcement agencies; providing a civil penalty.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Raymond requested permission for the Committee on Human Services to meet while the house is in session, at 8:15 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Human Services, 8:15 p.m. today, 3W.9, for a formal meeting, to consider pending business.

CSHB 245 - (consideration continued)

Amendment No. 1

Representative E. Johnson offered the following amendment to **CSHB 245**:

Amend **CSHB 245** (house committee report) as follows:

(1) On page 1, line 5, strike "Article 2.139(c)" and substitute "Articles 2.139(c) and (e)".

(2) On page 1, line 7, strike "is" and substitute "are".

(3) On page 1, between lines 15 and 16, insert the following:

(e) Not later than March [~~February~~] 1 of each year, the office of the attorney general shall submit a report regarding all officer-involved injuries or deaths that occurred during the preceding year to the governor and the standing legislative committees with primary jurisdiction over criminal justice matters. The report must include:

- (1) the total number of officer-involved injuries or deaths;
- (2) a summary of the reports submitted to the office under this article;

and

- (3) a copy of each report submitted to the office under this article.

(4) On page 1, lines 16 and 17, strike "Article 2.1395(b), Code of Criminal Procedure, is" and substitute "Articles 2.1395(b) and (c), Code of Criminal Procedure, are".

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

(c) Not later than March [~~February~~] 1 of each year, the office of the attorney general shall submit a report regarding all incidents described by Subsection (a) that occurred during the preceding year to the governor and the standing legislative committees with primary jurisdiction over criminal justice matters. The report must include:

- (1) the total number of incidents that occurred;
- (2) a summary of the reports submitted to the office under this article;

and

- (3) a copy of each report submitted to the office under this article.

Amendment No. 1 was adopted.

The vote of the house was taken on the passage to engrossment of **CSHB 245**, as amended, and the vote was announced yeas 66, nays 69.

(Stucky now present)

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1136): 70 Yeas, 71 Nays, 2 Present, not voting. (The vote was reconsidered on May 11 and **CSHB 245** was passed to engrossment, as amended.)

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bernal; Blanco; Bonnen, D.; Canales; Coleman; Collier; Cortez; Darby; Davis, Y.; Deshotel; Dutton; Farrar; Frullo; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Ortega; Paddie; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Shine; Stephenson; Thierry; Thompson, S.; Turner; Uresti; Villalba; Walle; White; Wu.

Nays — Allen; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Flynn; Frank;

Goldman; Gonzales; Hefner; Holland; Hunter; Keough; Klick; Krause; Lambert; Landgraf; Lang; Larson; Leach; Lozano; Metcalf; Meyer; Miller; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Roberts; Sanford; Schofield; Schubert; Shaheen; Sheffield; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Wilson; Workman; Wray; Zedler.

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

Absent, Excused — Dukes; Hernandez; Laubenberg; Vo.

Absent, Excused, Committee Meeting — Davis, S.; Longoria; Zerwas.

The chair stated that **CSHB 245**, as amended, failed to pass to engrossment by the above vote.

STATEMENTS OF VOTE

When Record No. 1136 was taken, I was shown voting yes. I intended to vote no.

D. Bonnen

When Record No. 1136 was taken, I was shown voting yes. I intended to vote no.

Frullo

When Record No. 1136 was taken, I was shown voting yes. I intended to vote no.

Villalba

(Speaker in the chair)

**HB 472 ON SECOND READING
(by Dale and Villalba)**

HB 472, A bill to be entitled An Act relating to judicial review of protective orders and the duration of those orders.

Representative Dale moved to postpone consideration of **HB 472** until 8:28 p.m. today.

The motion prevailed.

**CSHB 108 ON SECOND READING
(by Alvarado, Button, Bernal, Paddie, Gonzales, et al.)**

CSHB 108, A bill to be entitled An Act relating to the use of the skills development fund to facilitate the relocation to or expansion in this state of employers offering complex or high-skilled employment opportunities.

CSHB 108 was passed to engrossment by (Record 1137): 116 Yeas, 23 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; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook;

Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Frank; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Lozano; Lucio; Metcalf; Meyer; Minjarez; 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; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu.

Nays — Bell; Biedermann; Burrows; Cain; Fallon; Flynn; Frullo; Hefner; Holland; Hunter; Klick; Krause; Lang; Leach; Miller; Rinaldi; Schaefer; Shaheen; Smithee; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Hernandez; Laubenberg; Vo.

Absent, Excused, Committee Meeting — Davis, S.; Longoria; Zerwas.

Absent — Geren; Martinez; Moody.

STATEMENTS OF VOTE

When Record No. 1137 was taken, I was in the house but away from my desk. I would have voted yes.

Geren

When Record No. 1137 was taken, I was shown voting yes. I intended to vote no.

Sanford

When Record No. 1137 was taken, I was shown voting yes. I intended to vote no.

Simmons

CSHB 245 - NOTICE GIVEN

At 8:32 p.m., pursuant to the provisions of Rule 7, Section 37(c) of the House Rules, Representative Phillips gave notice that he would, in one hour, move to reconsider the vote by which **CSHB 245**, as amended, failed to pass to engrossment by Record No. 1136.

HB 525 ON SECOND READING

(by Villalba, Alvarado, Morrison, S. Thompson, et al.)

HB 525, A bill to be entitled An Act relating to a central database containing information about offenders who have committed certain violent offenses against children or offenses involving family or dating violence.

LEAVE OF ABSENCE GRANTED

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

Perez on motion of Sheffield.

HB 525 - (consideration continued)**Amendment No. 1**

Representative Landgraf offered the following amendment to **HB 525**:

Amend **HB 525** to include the following SECTION and appropriately renumbering the following SECTIONS:

Section _____. Chapter 72, Government Code, is amended by adding Subchapter G to read as follows:

Subchapter G. PROTECTIVE ORDER DATABASE.

Sec. 72.201. (1) If funds are provided by grants offered by the Criminal Justice Division in the Office of the Governor, the Office of Court Administration, in cooperation with the Department of Public Safety and the courts of this state, shall work to establish a protective order database that contains information for a protective order filed under Chapter 82, Family Code, or Article 17.292, Code of Criminal Procedure and a protective order issued under Chapter 83 or 85, Family Code, or Article 17.292, Code of Criminal Procedure.

Sec. 72.202. The database shall include both a portal for government entities and a portal for the public.

(a) A publicly accessible database must consist of:

(1) the court that issued the protective order;

(2) the case number;

(3) the full name, county of residence, birth year, and race or ethnicity of the person who is the subject of the protective order;

(4) the dates the protective order was issued and served;

(5) the date the protective order was vacated, if applicable; and

(6) the date the protective order expires.

(b) Information for governmental entities shall include all information in the application and may only be viewed by officers of the court and their staff, a district attorney, criminal district attorney, county attorney, the Title IV-D agency, an entity that receives federal domestic violence funds, or a licensed peace officer, all during the course of normal business.

Section _____. Not later than September 1, 2018, the Office of Court Administration shall work to establish the database required by Chapter 72, Government Code, as added by this Act.

Amendment No. 1 was adopted.

Amendment No. 2

On behalf of Representative Minjarez, Representative Alvarado offered the following amendment to **HB 525**:

Amend **HB 525** (house committee report) as follows:

(1) On page 2, line 19, after "convicted of", insert ":

(A)".

(2) On page 2, line 21, between the underlined semicolon and "and", insert the following:

(B) an offense under Section 21.16, Penal Code, as added by Chapter 852 (SB 1135), Acts of the 84th Legislature, Regular Session, 2015; or

(C) any combination of offenses described by Paragraph (A) or (B);

(3) On page 3, lines 1 and 2, strike "with respect to which the applicable affirmative finding was made".

(4) On page 3, line 10, between "offenses" and "for", insert "described by Subsection (a)".

(5) On page 3, lines 11 and 12, strike "and for which the court made an affirmative finding under Article 42.013 or 42.015, Code of Criminal Procedure".

(6) On page 4, at the end of line 21, insert "described by Subsection (a) of that section".

(7) On page 4, lines 22 through 24, strike "for which an affirmative finding is made under Article 42.013 or 42.015, Code of Criminal Procedure".

Amendment No. 2 was adopted.

HB 525, as amended, was passed to engrossment.

POSTPONED BUSINESS

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

SB 257 ON SECOND READING (Dale - House Sponsor)

SB 257, A bill to be entitled An Act relating to judicial review of protective orders and the duration of those orders.

SB 257 was considered in lieu of **HB 472**.

SB 257 was read second time and was passed to third reading.

HB 472 - LAID ON THE TABLE SUBJECT TO CALL

Representative Dale moved to lay **HB 472** on the table subject to call.

The motion prevailed.

GENERAL STATE CALENDAR (consideration continued)

CSHB 816 ON SECOND READING (by Bernal and Uresti)

CSHB 816, A bill to be entitled An Act relating to a school district assigning a mentor teacher to a new classroom teacher.

CSHB 816 was passed to engrossment. (C. Anderson, Hunter, and Rinaldi recorded voting no.)

CSSB 587 ON SECOND READING (VanDeaver - House Sponsor)

CSSB 587, A bill to be entitled An Act relating to the ability of certain dependents of members of the United States military to enroll full-time in courses provided through the state virtual school network.

CSSB 587 was considered in lieu of **HB 539**.

Amendment No. 1

Representative Ashby offered the following amendment to **CSSB 587**:

Amend **CSSB 587** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill appropriately:

SECTION _____. Section 30A.052(c), Education Code, is amended to read as follows:

(c) The commissioner shall[-
 ~~(1)] employ a limited number of administrative employees in connection with the network[-and
 (2) contract with a regional education service center for the service center to operate the network].~~

Amendment No. 1 was adopted.

CSSB 587, as amended, was passed to third reading.

HB 539 - LAID ON THE TABLE SUBJECT TO CALL

Representative VanDeaver moved to lay **HB 539** on the table subject to call.

The motion prevailed.

CSHB 849 ON SECOND READING

(by Murr)

CSHB 849, A bill to be entitled An Act relating to notice to certain lienholders of cancellation of certain personal automobile insurance coverages.

Representative Murr moved to postpone consideration of **CSHB 849** until 3:50 a.m. tomorrow.

The motion prevailed.

HB 884 ON SECOND READING

(by K. King)

HB 884, A bill to be entitled An Act relating to a revision of the essential knowledge and skills of the public school foundation curriculum and proclamations for the production of instructional materials.

HB 884 was passed to engrossment by (Record 1138): 104 Yeas, 35 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, D.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Darby; Davis, Y.; Dutton; Elkins; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Lozano; Lucio; Martinez; Metcalf; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr;

Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Workman; Wray; Wu.

Nays — Anderson, C.; Anderson, R.; Bell; Biedermann; Bohac; Bonnen, G.; Cain; Dale; Dean; Faircloth; Fallon; Frank; Goldman; Hefner; Isaac; Keough; King, P.; Klick; Krause; Lang; Leach; Miller; Oliverson; Paul; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Shaheen; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Hernandez; Laubenberg; Perez; Vo.

Absent, Excused, Committee Meeting — Davis, S.; Longoria; Zerwas.

Absent — Burrows; Deshotel.

STATEMENTS OF VOTE

When Record No. 1138 was taken, my vote failed to register. I would have voted yes.

Burrows

When Record No. 1138 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1138 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1138 was taken, I was shown voting no. I intended to vote yes.

Roberts

HB 786 ON SECOND READING

(by VanDeaver)

HB 786, A bill to be entitled An Act relating to the prohibition of certain employment discrimination regarding an employee who is a volunteer emergency responder.

Representative VanDeaver moved to postpone consideration of **HB 786** until 10 p.m. tomorrow.

The motion prevailed.

CSHB 929 ON SECOND READING

(by Miller)

CSHB 929, A bill to be entitled An Act relating to the time for returning ballots mailed by certain federal postcard applicants.

CSHB 929 was passed to engrossment.

CSHB 1974 ON SECOND READING
(by Wray)

CSHB 1974, A bill to be entitled An Act relating to durable powers of attorney.

Amendment No. 1

Representative Wray offered the following amendment to **CSHB 1974**:

Amend **CSHB 1974** (house committee report) on page 6 by striking lines 5-8 and substituting the following:

Sec. 751.007. CONFLICT WITH OR EFFECT ON OTHER LAW. This subtitle does not:

(1) supersede any other law applicable to financial institutions or other entities, and to the extent of any conflict between this subtitle and another law applicable to an entity, the other law controls; or

(2) have the effect of validating a conveyance of an interest in real property executed by an agent under a durable power of attorney if the conveyance is determined under a statute or common law to be void but not voidable.

Amendment No. 1 was adopted.

CSHB 1974, as amended, was passed to engrossment.

HB 978 ON SECOND READING
(by Murr and Moody)

HB 978, A bill to be entitled An Act relating to the terms of the board members of the Texas Indigent Defense Commission.

HB 978 was passed to engrossment.

CSHB 1649 ON SECOND READING
(by Muñoz)

CSHB 1649, A bill to be entitled An Act relating to the use of extrapolation by a health maintenance organization or an insurer to audit claims.

CSHB 1649 was passed to engrossment by (Record 1139): 72 Yeas, 62 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Bailes; Bernal; Blanco; Burns; Button; Canales; Coleman; Collier; Cook; Cortez; Darby; Davis, Y.; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Kuempel; Lambert; Lozano; Lucio; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Sheffield; Shine; Smithee; Stephenson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; Villalba; Walle; Wu.

Nays — Anderson, C.; Ashby; Bell; Biedermann; Bohac; Bonnen, G.; Burkett; Burrows; Cain; Capriglione; Cospers; Craddick; Cyrier; Dale; Dean; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Hefner; Holland; Hunter; Isaac; Kacal; Keough; King, P.; Klick; Koop; Krause; Landgraf; Lang; Larson; Leach; Metcalf; Morrison; Murr; Paddie; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Simmons; Springer; Stickland; Stucky; Tinderholt; VanDeaver; White; Wilson; Workman; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Hernandez; Laubenberg; Perez; Vo.

Absent, Excused, Committee Meeting — Davis, S.; Longoria; Zerwas.

Absent — Bonnen, D.; Clardy; Deshotel; Elkins; Geren; Martinez; Swanson.

STATEMENTS OF VOTE

When Record No. 1139 was taken, I was in the house but away from my desk. I would have voted no.

D. Bonnen

When Record No. 1139 was taken, I was shown voting yes. I intended to vote no.

Button

When Record No. 1139 was taken, I was in the house but away from my desk. I would have voted no.

Clardy

When Record No. 1139 was taken, I was shown voting yes. I intended to vote no.

Cook

When Record No. 1139 was taken, I was in the house but away from my desk. I would have voted no.

Geren

When Record No. 1139 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 1139 was taken, I was shown voting no. I intended to vote yes.

White

CSHB 931 ON SECOND READING**(by Miller, G. Bonnen, Zerwas, S. Thompson, Fallon, et al.)**

CSHB 931, A bill to be entitled An Act relating to liability of certain electric utilities and political subdivisions that contract for certain uses of land that the electric utility owns, occupies, or leases.

CSHB 931 was passed to engrossment by (Record 1140): 135 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; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; 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; Leach; Lozano; Lucio; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; 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; Walle; Wilson; Workman; Wray; Wu; Zedler.

Nays — Collier; Neave.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Hernandez; Laubenberg; Perez; Vo.

Absent, Excused, Committee Meeting — Davis, S.; Longoria; Zerwas.

Absent — Martinez; Phillips; Sheffield; White.

STATEMENT OF VOTE

When Record No. 1140 was taken, I was in the house but away from my desk. I would have voted yes.

White

CSHB 1816 ON SECOND READING**(by Metcalf)**

CSHB 1816, A bill to be entitled An Act relating to the operation of medical supply transport vehicles during a declared state of disaster.

CSHB 1816 was passed to engrossment.

CSHB 1724 ON SECOND READING
(by Guillen)

CSHB 1724, A bill to be entitled An Act relating to the establishment of the commercial license buyback account managed by the Parks and Wildlife Department.

CSHB 1724 was passed to engrossment. (Rinaldi recorded voting no.)

CSHB 2766 ON SECOND READING
(by Sheffield, Zerwas, Miller, White, Raymond, et al.)

CSHB 2766, A bill to be entitled An Act relating to the creation and administration of a reinvestment allowance for certain long-term care facilities.

CSHB 2766 - POINT OF ORDER

Representative Tinderholt raised a point of order against further consideration of **CSHB 2766** under Rule 8, Section 1(b) of the House Rules on the grounds that the bill caption is inaccurate.

The speaker overruled the point of order and submitted the following statement:

Representative Tinderholt raised a point of order against further consideration of **CSHB 2766** pursuant to Rule 8, Section 1(b) of the House Rules on the grounds that the required caption fails to include a short statement acknowledging that the bill imposes a fee. The point of order is respectfully overruled.

Under Rule 8, Section 1(b), "[a] house bill that would impose, authorize, increase, or change the rate or amount of a tax, assessment, surcharge, or fee must include a short statement at the end of its title or caption indicating the general effect of the bill on the tax, assessment, surcharge, or fee" The caption for **CSHB 2766** reads "relating to the creation and administration of a reinvestment allowance for certain long-term care facilities."

Additionally, **CSHB 2766** imposes a reinvestment allowance on licensed convalescent and nursing facilities and related institutions. Representative Tinderholt argues that this reinvestment allowance constitutes a "fee, assessment, sure charge, or tax" and should therefore be subject to the requirement of Rule 8, Section 1(b). Alternatively, Representative Tinderholt argues that **CSHB 2766** authorizes an administrative penalty and that this penalty should be noted in the bills caption. Rule 8, Sections 1(b)-(d) do not require the authorization of an administrative penalty to be contained in the bills caption. Further, the bill does not, within its four corners, create an administrative penalty. The point of order is respectfully overruled. See 83 H.J. Reg. 1615-1616 (2013)(Simpson point of order on **CSHB 63**).

Amendment No. 1

Representative Sheffield offered the following amendment to **CSHB 2766**:

Amend **CSHB 2766** (house committee report) as follows:

(1) Strike page 7, line 23, through page 8, line 7, and substitute the following:

242.705, Health and Safety Code, as added by this Act, until an amendment to the state Medicaid plan that increases the rates paid to long-term care facilities licensed under Chapter 242, Health and Safety Code, for providing services under the state Medicaid program is approved by the Centers for Medicare and Medicaid Services or another applicable federal government agency.

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

SECTION _____. The Health and Human Services Commission shall retroactively compensate long-term care facilities licensed under Chapter 242, Health and Safety Code, at the increased rate for services provided under the state Medicaid program:

(1) beginning on the date the state Medicaid plan amendment is approved by the Centers for Medicare and Medicaid Services or another applicable federal government agency; and

(2) only for the period for which the reinvestment allowance has been imposed and collected pursuant to the approval described by Subdivision (1).

(Longoria now present)

Amendment No. 1 was adopted.

Amendment No. 2

Representative Wu offered the following amendment to **CSHB 2766**:

Amend **CSHB 2766** (house committee report) on page 1 by striking line 19 and substituting the following:

apply to:

(1) a state-owned veterans nursing facility; or

(2) a facility that provides on a single campus a combination of services, which may include independent living services, licensed assisted living services, or licensed nursing facility care services, and that either:

(A) holds a certificate of authority to operate a continuing care retirement community under Chapter 246; or

(B) had during the previous 12 months a combined number of patient days of service provided to independent living and assisted living residents, excluding services provided to persons occupying facility beds in a licensed nursing facility, that exceeded the number of patient days of service provided to nursing facility residents.

Amendment No. 2 was adopted.

Amendment No. 3

Representative P. King offered the following amendment to **CSHB 2766**:

Amend **CSHB 2766** (house committee report) on page 5, line 17, between "program" and the underlined comma, by inserting "or will be inconsistent with the objectives described by Section 537.002(b)(7), Government Code".

Amendment No. 3 was adopted.

(Zerwas now present)

CSHB 2766, as amended, was passed to engrossment by (Record 1141): 96 Yeas, 42 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, G.; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospere; Dale; Darby; Davis, Y.; Dutton; Faircloth; Farrar; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Bell; Biedermann; Bohac; Bonnen, D.; Burkett; Burrows; Cain; Craddick; Cyrier; Dean; Fallon; Flynn; Goldman; Gonzales; Hefner; Hunter; Isaac; Keough; Krause; Landgraf; Lang; Leach; Martinez; Metcalf; Meyer; Murr; Paul; Raney; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Smithee; Stickland; Swanson; Thompson, E.; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Dukes; Hernandez; Laubenberg; Perez; Vo.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Anderson, R.; Deshotel; Elkins; Frank.

STATEMENTS OF VOTE

When Record No. 1141 was taken, my vote failed to register. I would have voted no.

R. Anderson

When Record No. 1141 was taken, I was shown voting yes. I intended to vote no.

G. Bonnen

When Record No. 1141 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1141 was taken, I was in the house but away from my desk. I would have voted no.

Frank

When Record No. 1141 was taken, I was shown voting no. I intended to vote yes.

Landgraf

When Record No. 1141 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1141 was taken, I was shown voting no. I intended to vote yes.

Smithee

When Record No. 1141 was taken, I was shown voting yes. I intended to vote no.

Wray

HB 1837 ON SECOND READING

(by Springer)

HB 1837, A bill to be entitled An Act relating to the authority of counties to require a person to notify a local governmental entity before starting an outdoor fire; creating a criminal penalty.

HB 1837 was passed to engrossment. (Rinaldi recorded voting no.)

CSHB 2087 ON SECOND READING

(by VanDeaver and Fallon)

CSHB 2087, A bill to be entitled An Act relating to restricting the use of covered information, including student personally identifiable information, by an operator of a website, online service, online application, or mobile application for a school purpose.

CSHB 2087 was passed to engrossment.

(Dukes now present)

CSHB 2722 ON SECOND READING

(by Phillips and Guillen)

CSHB 2722, A bill to be entitled An Act relating to early voting by certain persons who have an employment hardship.

Amendment No. 1

Representative Schofield offered the following amendment to **CSHB 2722**:

Amend **CSHB 2722** as follows:

Strike page one, lines eight through 18, and insert the following:

Sec. 107.001. APPLICABILITY. This chapter applies only to a voter whose occupation causes a hardship for the voter to appear at the polling place on election day because the voter is employed:

(1) in an occupation that causes the voter to be working periodically offshore;

(2) as a truck driver whose routes routinely take the voter more than 200 miles from home; or

(3) in an occupation that is likely to require the voter to be overseas on election day.

Amendment No. 2

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

Amend Amendment No. 1 by Schofield to **CSHB 2722** (house committee printing) as follows:

(1) On page 1, line 10, strike "or".

(2) On page 1, line 12, between "election day" and the period, insert the following:

; or

(4) as the permanent caretaker of a person who has a disability and the voter's presence is necessary to protect the life or safety of the person who has a disability and will prevent the caretaker from appearing at the polling place on election day".

(3) Add the following appropriately numbered items to the amendment and renumber the items of the amendment accordingly:

() On page 1, line 24, between "(1)" and "an affidavit" insert "for an applicant to whom this chapter applies under Section 107.001(1),(2), or (3),"

() On page 2, lines 2 and 3, strike "; and (2)" and substitute "and".

() On page 2, line 7, between "vote" and the period, insert the following:

; or

(2) for an applicant to whom this chapter applies under Section 107.001(4), be in the form of an affidavit and include a certificate of a licensed physician, licensed chiropractor, or accredited Christian Science practitioner in substantially the following form:

"This is to certify that I know that (insert name of voter) is the caretaker of a person with a sickness or physical condition that requires the caretaker's presence to protect the life or safety of the person and that this duty will prevent (insert name of voter) from appearing at the polling place for an election held on (insert date of election).

"Witness my hand at _____, Texas, this _____ day of _____, 20____.

(Signature of physician, chiropractor, or practitioner)"

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

CSHB 2722, as amended, was passed to engrossment.

HB 2790 ON SECOND READING
(by White)

HB 2790, A bill to be entitled An Act relating to funding for certain apprenticeship training programs.

Amendment No. 1

Representative Workman offered the following amendment to **HB 2790**:

Amend **HB 2790** (house committee printing) as follows:

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

SECTION _____. (a) Chapter 171, Tax Code, is amended by adding Subchapter R to read as follows:

SUBCHAPTER R. TAX CREDIT FOR PAID APPRENTICESHIP TRAINING
PROGRAM INTERNSHIPS GIVEN TO CERTAIN STUDENTS

Sec. 171.871. DEFINITIONS. In this subchapter:

(1) "Apprenticeship training program" has the meaning assigned by Section 133.001, Education Code.

(2) "Eligible internship program" means a paid internship or similar program that is a component of an apprenticeship training program.

(3) "Eligible student" means a student who has reached the minimum age required under Chapter 51, Labor Code, to legally work in the eligible internship program and who is:

(A) a homeschooled student;

(B) enrolled in a public, private, or charter high school; or

(C) enrolled full-time or part-time in a public junior college.

(4) "Public junior college" has the meaning assigned by Section 61.003, Education Code.

Sec. 171.872. ENTITLEMENT TO CREDIT. A taxable entity is entitled to a credit in the amount and under the conditions provided by this subchapter against the tax imposed under this chapter.

Sec. 171.873. QUALIFICATION FOR CREDIT. A taxable entity qualifies for a credit under this subchapter for each eligible student who completes an eligible internship program offered by the taxable entity.

Sec. 171.874. AMOUNT OF CREDIT; LIMITATIONS. (a) The amount of the credit is \$1,000 for each eligible student who completes an eligible internship program offered by the taxable entity.

(b) A taxable entity may claim the credit only for an eligible internship program offered by the taxable entity that is located or based in this state.

(c) A taxable entity may not claim the credit in connection with an eligible student if an owner of the taxable entity is related to the eligible student within the third degree of consanguinity as determined under Subchapter B, Chapter 573, Government Code.

(d) The total amount of tax credits that may be awarded under this subchapter may not exceed \$5 million in a state fiscal biennium.

(e) The comptroller by rule shall prescribe procedures by which the comptroller may allocate credits under this subchapter. The procedures must provide that credits are allocated to taxable entities that apply under Section 171.875 on a first-come, first-served basis.

Sec. 171.875. APPLICATION FOR CREDIT. (a) A taxable entity must apply for a credit under this subchapter on or with the tax report for the period for which the credit is claimed.

(b) The comptroller shall promulgate a form for the application for the credit. A taxable entity must use the form in applying for the credit.

Sec. 171.876. PERIOD FOR WHICH CREDIT MAY BE CLAIMED. A taxable entity may claim a credit under this subchapter against the tax owed for a privilege period only in connection with an eligible student who completes an eligible internship program during the privilege period.

Sec. 171.877. EXPIRATION. (a) This subchapter expires December 31, 2023.

(b) The expiration of this subchapter does not affect the carryforward of a credit authorized under this subchapter established before the date this subchapter expires.

(b) A taxable entity may claim the credit under Subchapter R, Chapter 171, Tax Code, as added by this section, only in connection with an eligible student who completes a paid internship or similar program on or after the effective date of this section and only on a franchise tax report originally due under Chapter 171, Tax Code, on or after that date.

(c) This section takes effect January 1, 2018.

(2) On page 3, line 8, strike "This Act" and substitute "Except as otherwise provided by this Act, this Act".

Amendment No. 1 was adopted. (Ashby, Collier, Herrero, and VanDeaver recorded voting no.)

HB 2790, as amended, was passed to engrossment. (Ashby, Collier, Herrero, and VanDeaver recorded voting no.)

FIVE-DAY POSTING RULE SUSPENDED

Representative Morrison moved to suspend the five-day posting rule to allow the Committee on Transportation to consider **HB 3444**, **SB 402**, **SB 867**, **SB 928**, **SB 1078**, **SB 1099**, **SB 1187**, **SB 1327**, **SB 1384**, **SB 1654**, and **SB 2205** at 8 a.m. tomorrow in E2.012.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Transportation, 8 a.m. tomorrow, E2.012, for a public hearing, to consider **HB 3444**, **SB 402**, **SB 867**, **SB 928**, **SB 1078**, **SB 1099**, **SB 1187**, **SB 1327**, **SB 1384**, **SB 1654**, and **SB 2205**.

SB 1229 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Pickett, Representative Gervin-Hawkins was authorized as a house sponsor to **SB 1229**.

ADJOURNMENT

Representative Alonzo moved that the house adjourn until 10 a.m. tomorrow in memory of Jesse Garza of Dallas.

The motion prevailed.

The house accordingly, at 10:03 p.m., adjourned until 10 a.m. tomorrow.

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. 18

HB 409, HB 1483, HB 1612, HB 1818

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, May 10, 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:

HB 271 Miller SPONSOR: Buckingham
Relating to the establishment of the Veterans Recovery Pilot Program to provide certain veterans with hyperbaric oxygen treatment.
(Committee Substitute/Amended)

HB 2194 King, Phil SPONSOR: Estes
Relating to the board of trustees of the Weatherford Junior College District.

SB 200 Campbell
Relating to public access to boundary, financial, and tax rate information of certain political subdivisions.

SB 315 Hinojosa
Relating to the enforcement of subpoenas and the regulation of pain management clinics by the Texas Medical Board.

SB 904 Birdwell
Relating to the creation of the Cresson Municipal Utility District No. 1 of Hood County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 1101 Taylor, Van
Relating to the prescription of epinephrine auto-injectors to and administration of epinephrine auto-injectors in day-care centers; limiting liability.

SB 1625 Uresti
Relating to the Texas Physician Assistant Board and the licensing and regulation of physician assistants.

SB 2086 West
Relating to measures to facilitate the transfer of students and course credit within the public higher education system.

SB 2179 Taylor, Larry
Relating to the applicability of certain insurance laws to certain farm mutual insurance companies.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 10, 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 2379 Price SPONSOR: Hinojosa
Relating to the functions and administration of the Health and Human Services Commission and the commission's office of inspector general in relation to fraud, waste, and abuse in health and human services.
(Committee Substitute)

SB 905 Birdwell
Relating to the creation of the Cresson Crossroads Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 1018 Hughes
Relating to the licensing of family residential centers by the Department of Family and Protective Services and the detention of certain juveniles.

SB 1278 Taylor, Larry
Relating to educator preparation programs.

SB 1360 Watson
Relating to the information required to be included in or with a school district ad valorem tax bill.

SB 2095 Hall
Relating to regulation of steroid use by students participating in athletic competitions sponsored or sanctioned by the University Interscholastic League.

SB 2122 West
Relating to the coordination of the transfer of course credit between public institutions of higher education.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SJR 2 (20 Yeas, 10 Nays)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 10, 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:

SB 585 West
Relating to the opportunity of certain patriotic societies to present information regarding the society to public school students during regular school hours.

SB 830 Rodríguez
Relating to the provision of accounting statements by mortgage servicers for certain loans secured by a lien on residential real property.

SB 1061 Taylor, Van
Relating to the powers and duties of the commissioner of education regarding granting additional charters for open-enrollment charter schools.

SB 1407 Taylor, Van
Relating to the information required to be included in or with a school district ad valorem tax bill.

SB 1649 Watson
Relating to increasing the punishment for certain conduct constituting the offense of criminal trespass.

SB 1659 Taylor, Larry

Relating to the commissioner of education accepting contributions for the public school system, adopting rules regarding grant compliance, and establishing grants for high-quality educational programs.

SB 2078

Taylor, Larry

Relating to the duties of school districts, open-enrollment charter schools, the Texas Education Agency, and the Texas School Safety Center regarding multihazard emergency operations plans and other school safety measures.

SB 2079

Taylor, Larry

Relating to a requirement that a student's postsecondary transcript include the average or median grade awarded in each class.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 9

Appropriations - **SB 297**

Business and Industry - **SB 877, SB 952, SB 1343, SB 1498, SB 1895**

Criminal Jurisprudence - **HB 2020, SB 1232, SB 1504**

Culture, Recreation, and Tourism - **HCR 129, HCR 131, SB 1147**

Government Transparency and Operation - **HB 3250, HB 3274**

Homeland Security and Public Safety - **SB 1290, SB 1571**

Human Services - **SB 11**

Land and Resource Management - **HB 2499, HB 3749**

Licensing and Administrative Procedures - **SB 549, SB 1098, SB 1199, SB 1502, SB 1503, SB 1516, SB 1519**

Public Education - **SB 179, SB 276, SB 826, SB 1404, SB 1480, SB 1634, SB 1882, SB 1901**

Special Purpose Districts - **HB 4275, HB 4309, HB 4317, HB 4335**

ENGROSSED

May 9 - HB 129, HB 183, HB 349, HB 493, HB 654, HB 658, HB 674, HB 748, HB 787, HB 804, HB 867, HB 902, HB 917, HB 918, HB 995, HB 1111, HB 1166, HB 1207, HB 1208, HB 1256, HB 1258, HB 1278, HB 1480, HB 1532, HB 1553, HB 1595, HB 1622, HB 1639, HB 1640, HB 1644, HB 1656, HB 1689, HB 1708, HB 1764, HB 1794, HB 1810, HB 1856, HB 1935, HB 1959, HB 2009, HB 2010, HB 2015, HB 2025, HB 2051, HB 2052, HB 2082, HB 2115, HB 2122, HB 2157, HB 2214, HB 2248, HB 2252, HB 2304, HB 2323, HB 2324, HB 2358, HB 2388,

HB 2410, HB 2432, HB 2443, HB 2458, HB 2523, HB 2533, HB 2537,
HB 2559, HB 2586, HB 2614, HB 2623, HB 2700, HB 2725, HB 2738,
HB 2812, HB 2837, HB 2856, HB 2875, HB 2886, HB 2911, HB 2925,
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HB 3150, HB 3173, HB 3185, HB 3198, HB 3209, HB 3243, HB 3252,
HB 3254, HB 3270, HB 3272, HB 3281, HB 3321, HB 3359, HB 3376,
HB 3389, HB 3433, HB 3438, HB 3446, HB 3470, HB 3526, HB 3533,
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HB 3651, HB 3654, HB 3655, HB 3669, HB 3679, HB 3697, HB 3705,
HB 3706, HB 3767, HB 3810, HB 3845, HB 3887, HB 3907, HB 3917,
HB 3919, HB 4034, HB 4064, HB 4094, HB 4104, HB 4114, HB 4117,
HB 4126, HB 4127, HB 4187, HB 4272, HB 4276, HB 4277, HB 4283,
HB 4285, HB 4289, HB 4290, HB 4292, HB 4315, HB 4320, HCR 49

ENROLLED

May 9 - HB 3220

