

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-NINTH DAY — THURSDAY, MAY 11, 2017

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

The roll of the house was called and a quorum was announced present (Record 1142).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospser; 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; 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 — Hernandez.

The speaker recognized Representative Anchia who introduced Dr. Wes Magruder, senior pastor, Kessler Park UMC, Dallas, who offered the invocation.

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

LEAVE OF ABSENCE GRANTED

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

Hernandez on motion of Lucio.

(Roberts in the chair)

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

CAPITOL PHYSICIAN

The chair recognized Representative Wray who presented Dr. James Thomison of Longview as the "Doctor for the Day."

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

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

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 1825 (by Raymond), Recognizing May 11, 2017, as Home Care and Hospice Day at the State Capitol.

HR 2069 (by S. Thompson), Congratulating Margie Derouen Provost on the occasion of her 90th birthday.

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.

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. 19).

LEAVE OF ABSENCE GRANTED

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

Vo on motion of Bernal.

HR 113 - PREVIOUSLY ADOPTED (by Kuempel)

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

HR 113, In memory of Jan Kennedy of New Braunfels.

INTRODUCTION OF GUESTS

The chair recognized Representative Kuempel who introduced family members of Jan Kennady.

**HR 1905 - PREVIOUSLY ADOPTED
(by Minjarez)**

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

HR 1905, Commemorating the 30th anniversary of Acadiana Café in San Antonio.

INTRODUCTION OF GUESTS

The chair recognized Representative Minjarez who introduced representatives of Acadiana Café.

(Speaker in the chair)

CSHB 245 - VOTE RECONSIDERED

Representative Phillips moved to reconsider the vote by which **CSHB 245**, as amended, failed to pass to engrossment by Record No. 1136 on May 10.

The motion to reconsider prevailed. (Rinaldi recorded voting no.)

**CSHB 245 ON SECOND READING
(by E. Johnson)**

The speaker laid before the house, on its second reading and passage to engrossment,

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

CSHB 245 was read second time on May 10 and failed to pass to engrossment, as amended, by Record No. 1136.

CSHB 245, as amended, was passed to engrossment. (Lang and Rinaldi recorded voting no.)

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

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

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

SB 1107 was passed by (Record 1143): 135 Yeas, 0 Nays, 1 Present, not voting.

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

Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; 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; Laubenberg; Leach; Longoria; 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; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Alonzo; Arévalo; Biedermann; Cain; Davis, Y.; Dukes; Hinojosa; Lozano; Reynolds; Stephenson; Stickland; Wilson.

STATEMENTS OF VOTE

When Record No. 1143 was taken, I was in the house but away from my desk. I would have voted yes.

Arévalo

When Record No. 1143 was taken, I was in the house but away from my desk. I would have voted yes.

Biedermann

When Record No. 1143 was taken, I was in the house but away from my desk. I would have voted yes.

Cain

When Record No. 1143 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 1143 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

When Record No. 1143 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 1143 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

When Record No. 1143 was taken, I was in the house but away from my desk. I would have voted yes.

Stickland

When Record No. 1143 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

SB 276 ON THIRD 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 passed by (Record 1144): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; 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; Laubenberg; Leach; Longoria; 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; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Dukes; Lozano; Oliveira; Schofield.

STATEMENTS OF VOTE

When Record No. 1144 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 1144 was taken, I was in the house but away from my desk. I would have voted yes.

Schofield

SB 1516 ON THIRD READING
(Geren - House Sponsor)

SB 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.

SB 1516 was passed by (Record 1145): 130 Yeas, 13 Nays, 1 Present, not voting.

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

Nays — Biedermann; Cain; Isaac; Krause; Lang; Leach; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Dukes; Faircloth; Gervin-Hawkins; Sanford.

STATEMENT OF VOTE

When Record No. 1145 was taken, I was in the house but away from my desk. I would have voted no.

Sanford

SB 1052 ON THIRD READING
(Flynn - House Sponsor)

SB 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.

SB 1052 was passed by (Record 1146): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; 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.; Tindholt; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Dukes.

(Geren in the chair)

SB 1133 ON THIRD 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 passed by (Record 1147): 130 Yeas, 14 Nays, 2 Present, not voting.

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

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

Nays — Bell; Dean; Faircloth; Fallon; Holland; Keough; Krause; Lang; Leach; Rinaldi; Sanford; Schaefer; Shaheen; Swanson.

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

Absent, Excused — Hernandez; Vo.

Absent — Dukes; Johnson, J.

STATEMENT OF VOTE

When Record No. 1147 was taken, I was shown voting no. I intended to vote yes.

Dean

LEAVE OF ABSENCE GRANTED

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

Goldman on motion of G. Bonnen.

SB 1524 ON THIRD READING

(Morrison, Martinez, Paddie, D. Bonnen, and Deshotel - House Sponsors)

SB 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.

Amendment No. 1

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

Amend **SB 1524** on third reading by adding the following appropriately lettered subsection to added Section 623.404, Transportation Code, renumbering subsequent subsections of that section, accordingly, and correcting cross-references in added Subchapter U, Chapter 623, Transportation Code, as necessary:

() Notwithstanding Subsection (a), the amount of a fee under Subsection (a) to accompany a permit application that is received on or after January 1, 2028, must be determined by the department after consultation with the University of Texas Center for Transportation Research and the Texas A&M Transportation Institute.

Amendment No. 1 was adopted.

Amendment No. 2

Representative VanDeaver offered the following amendment to **SB 1524**:

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

SECTION _____. Subchapter B, Chapter 623, Transportation Code, is amended by adding Section 623.0172 to read as follows:

Sec. 623.0172. SEALED OCEAN CARGO SHIPPING CONTAINERS ON U.S. HIGHWAY 71. (a) In this section, "sealed ocean cargo shipping container" means an enclosed, standardized, reusable container that:

(1) is used to pack, ship, move, or transport cargo;

(2) is designed to be carried on a trailer or semitrailer and loaded onto or unloaded from:

(A) a vessel for international transportation; or

(B) a rail system for international transportation; and

(3) when combined with vehicles transporting the container, has a gross weight or axle weight that exceeds the limits allowed by this subtitle.

(b) Except as provided by Subsection (j), the department shall issue an annual permit for the movement of a sealed ocean cargo shipping container moving in international commerce on a trailer or semitrailer with three axles if the combination of vehicles transporting the container is equipped with a roll stability support safety system and truck blind spot systems and has:

(1) a single axle weight of not more than 20,000 pounds;

(2) a tandem axle weight of not more than 34,000 pounds;

(3) a tri-axle weight of not more than 51,000 pounds; and

(4) a gross weight of not more than 95,000 pounds.

(c) The department shall restrict vehicles operating under a permit issued under this section to the portion of U.S. Highway 71 maintained by the Texas Department of Transportation that is between the Red River and the southernmost entry road to Interstate Highway 49.

(d) A sealed ocean cargo shipping container being moved under a permit issued under this section must be continuously sealed from the point of origin to the point of destination with a seal that is required by:

(1) the United States Customs and Border Protection;

(2) the United States Food and Drug Administration; or

(3) federal law or regulation.

(e) A permit issued under this section does not authorize the operation of a vehicle combination described by Subsection (b) on load-restricted roads or bridges, including a road or bridge for which a maximum weight and load limit has been established and posted by the Texas Department of Transportation under Section 621.102.

(f) A permit issued under this section does not authorize the transportation of a material designated as of January 1, 2017, as a hazardous material by the United States secretary of transportation under 49 U.S.C. Section 5103(a).

(g) The department shall set the fee for a permit issued under this section in an amount not to exceed \$2,000.

(h) Of the fee collected under this section for a permit:

(1) 90 percent shall be deposited to the credit of the state highway fund;

and

(2) 10 percent shall be deposited to the credit of the Texas Department of Motor Vehicles fund.

(i) A fee deposited under Subsection (h)(1) may only be used for transportation projects in the Texas Department of Transportation district in which the portion of U.S. Highway 71 described by Subsection (c) is located.

(j) The department may suspend a permit issued under this section if the department receives notice from the Federal Highway Administration that the operation of a vehicle under a permit authorized by this section would result in the loss of federal highway funding.

Amendment No. 2 was withdrawn.

SB 1524, as amended, was passed by (Record 1148): 83 Yeas, 51 Nays, 2 Present, not voting.

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

Nays — Ashby; Bernal; Biedermann; Blanco; Cain; Collier; Dutton; Farrar; González; Gooden; Gutierrez; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Klick; Koop; Krause; Leach; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Ortega; Perez; Pickett; Price; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Sheffield; Shine; Smithee; Springer; Stephenson; Thompson, S.; Tinderholt; Turner; Uresti; Zerwas.

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

Absent, Excused — Hernandez; Vo.

Absent, Excused, Committee Meeting — Goldman.

Absent — Bonnen, D.; Clardy; Cook; Davis, S.; Davis, Y.; Dukes; Elkins; Fallon; Giddings; Oliveira; Shaheen.

STATEMENTS OF VOTE

When Record No. 1148 was taken, I was in the house but away from my desk. I would have voted yes.

D. Bonnen

When Record No. 1148 was taken, I was shown voting yes. I intended to vote no.

Capriglione

When Record No. 1148 was taken, I was in the house but away from my desk. I would have voted yes.

Clardy

When Record No. 1148 was taken, I was in the house but away from my desk. I would have voted yes.

Cook

When Record No. 1148 was taken, I was in the house but away from my desk. I would have voted no.

S. Davis

When Record No. 1148 was taken, I was in the house but away from my desk. I would have voted no.

Y. Davis

When Record No. 1148 was taken, I was in the house but away from my desk. I would have voted no.

Dukes

When Record No. 1148 was taken, I was in the house but away from my desk. I would have voted yes.

Fallon

When Record No. 1148 was taken, I was in the house but away from my desk. I would have voted no.

Giddings

When Record No. 1148 was taken, I was in the house but away from my desk. I would have voted no.

Shaheen

COMMITTEE GRANTED PERMISSION TO MEET

Representative Pickett requested permission for the Committee on Environmental Regulation to meet while the house is in session, at 11:30 a.m. today, in 3W.15, to consider **SB 1045**, **SB 1330**, and **SB 1667**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Environmental Regulation, 11:30 a.m. today, 3W.15, for a formal meeting, to consider **SB 1045**, **SB 1330**, and **SB 1667**.

SB 257 ON THIRD 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.

(Goldman now present)

SB 257 was passed by (Record 1149): 144 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; 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; 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; 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; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Canales; Stickland.

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

Absent, Excused — Hernandez; Vo.

SB 11 - COMMITTEE ON CALENDARS RULE ADOPTED

Pursuant to Rule 3, Section 4(2) and Rule 6, Section 16(f) of the House Rules, Representative Hunter moved to adopt the following rule governing floor consideration for **SB 11**:

Section 1. All original amendments that will be offered during second reading consideration of the bill must be filed with the chief clerk by 1 p.m. on Wednesday, May 17.

The Committee on Calendars rule was adopted by (Record 1150): 142 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; 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; 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; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

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

Absent, Excused — Hernandez; Vo.

Absent — Cain; Farrar; Sheffield.

STATEMENTS OF VOTE

When Record No. 1150 was taken, I was in the house but away from my desk. I would have voted yes.

Cain

When Record No. 1150 was taken, I was in the house but away from my desk. I would have voted yes.

Farrar

SB 587 ON THIRD READING (VanDeaver - House Sponsor)

SB 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.

Representative VanDeaver moved to postpone consideration of **SB 587** until 12:18 p.m. today.

The motion prevailed.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR SENATE BILLS THIRD READING

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

SB 1630 ON THIRD READING (Howard - House Sponsor)

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

SB 1630 was passed by (Record 1151): 140 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; 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; 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; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Canales; Phillips; Schaefer; Shaheen.

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

Absent, Excused — Hernandez; Vo.

Absent — Sheffield; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1151 was taken, I was shown voting yes. I intended to vote no.

Lang

When Record No. 1151 was taken, I was shown voting yes. I intended to vote no.

Rinaldi

When Record No. 1151 was taken, I was shown voting no. I intended to vote yes.

Schaefer

When Record No. 1151 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

EMERGENCY CALENDAR

HOUSE BILLS

THIRD READING

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

HB 39 ON THIRD READING

(by Wu, Raymond, S. Davis, Rose, White, et al.)

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

Amendment No. 1

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

Amend **HB 39** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter D, Chapter 261, Family Code, is amended by adding Section 261.3017 to read as follows:

Sec. 261.3017. ABBREVIATED INVESTIGATION AND ADMINISTRATIVE CLOSURE OF CERTAIN CASES. (a) A department caseworker may refer a reported case of child abuse or neglect to a department supervisor for abbreviated investigation or administrative closure at any time before the 60th day after the date the report is received if:

(1) there is no prior report of abuse or neglect of the child who is the subject of the report;

(2) the department has not received an additional report of abuse or neglect of the child following the initial report; and

(3) either:

(A) after contacting a professional or other credible source, the caseworker determines that the child's safety can be assured without further investigation, response, services, or assistance; or

(B) the caseworker determines that no abuse or neglect occurred.

(b) A department supervisor shall review each reported case of child abuse or neglect that has remained open for more than 60 days and administratively close the case if the supervisor determines that the circumstances described by Subsections (a)(1)-(3) exist and that closing the case would not expose the child to an undue risk of harm.

(c) A department supervisor may reassign a reported case of child abuse or neglect that does not qualify for abbreviated investigation or administrative closure under Subsection (a) or (b) to a different department caseworker if the supervisor determines that reassignment would allow the department to make the most effective use of resources to investigate and respond to reported cases of abuse or neglect.

(d) The executive commissioner shall adopt rules necessary to implement this section.

(e) In this section, "professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, day-care employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers.

SECTION _____. Not later than December 1, 2017, the executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement Section 261.3017, Family Code, as added by this Act.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Swanson offered the following amendment to **HB 39**:

Amend **HB 39** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 264, Family Code, is amended by adding Section 264.2042 to read as follows:

Sec. 264.2042. GRANTS FOR FAITH-BASED COMMUNITY COLLABORATIVE PROGRAMS. (a) Using available funds or private donations, the governor shall establish and administer an innovation grant program to award grants to support faith-based community programs that collaborate with the department and the commission to improve foster care and the placement of children in foster care.

(b) A faith-based community program is eligible for a grant under this section if:

(1) the effectiveness of the program is supported by empirical evidence;
and

(2) the program has demonstrated the ability to build connections between faith-based, secular, and government stakeholders.

(c) The regional director for the department in the region where a grant recipient program is located, or the regional director's designee, shall serve as the liaison between the department and the program for collaborative purposes. For a program that operates in a larger region, the department may designate a liaison in each county where the program is operating. The department or the commission may not direct or manage the operation of the program.

(d) The initial duration of a grant under this section is two years. The governor may renew a grant awarded to a program under this section if funds are available and the governor determines that the program is successful.

(e) The governor may not award to a program grants under this section totaling more than \$300,000.

(f) The governor shall adopt rules to implement the grant program created under this section.

SECTION _____. As soon as practicable after the effective date of this Act, the governor shall adopt rules for the implementation and administration of the innovation grant program established under Section 264.2042, Family Code, as added by this Act, and begin to award grants under the program.

Amendment No. 2 was adopted.

HB 39, as amended, was passed by (Record 1152): 132 Yeas, 11 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank;

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

Nays — Biedermann; Cain; Dale; Hunter; Isaac; Keough; Lang; Rinaldi; Schaefer; Stickland; Tinderholt.

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

Absent, Excused — Hernandez; Vo.

Absent — Schubert; Sheffield; White.

STATEMENTS OF VOTE

When Record No. 1152 was taken, my vote failed to register. I would have voted no.

Schubert

When Record No. 1152 was taken, I was in the house but away from my desk. I would have voted yes.

White

HB 39 - STATEMENT OF LEGISLATIVE INTENT

HB 39 authorizes the Department of Family and Protective Services to collaborate with medical practitioners to create guidelines for an initial medical exam of a child in the conservatorship of the department. However, these guidelines will only be a tool to accomplish an initial medical examination. These guidelines do not establish new medical standards or replace a physician's professional judgment. Physicians should use their independent medical judgment in determining the unique needs of each individual case.

Wu

CONSTITUTIONAL AMENDMENTS CALENDAR HOUSE JOINT RESOLUTIONS THIRD READING

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

HJR 73 ON THIRD 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.

(Speaker in the chair)

HJR 73 was adopted by (Record 1153): 127 Yeas, 18 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Faircloth; 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; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Biedermann; Cain; Elkins; Fallon; Keough; Klick; Krause; Leach; Oliverson; Rinaldi; Schaefer; Schofield; Shaheen; Simmons; Stickland; Swanson; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Dutton; White.

STATEMENTS OF VOTE

When Record No. 1153 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 1153 was taken, I was shown voting yes. I intended to vote no.

Goldman

When Record No. 1153 was taken, I was shown voting yes. I intended to vote no.

Lang

When Record No. 1153 was taken, I was in the house but away from my desk. I would have voted yes.

White

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 3591 ON THIRD 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 passed by (Record 1154): 142 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; 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; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; 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; 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; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Alvarado; Faircloth; Laubenberg; White.

STATEMENTS OF VOTE

When Record No. 1154 was taken, I was in the house but away from my desk. I would have voted yes.

Faircloth

When Record No. 1154 was taken, I was in the house but away from my desk. I would have voted yes.

White

HB 1009 ON THIRD 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 passed by (Record 1155): 99 Yeas, 39 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, D.; Burkett; Button; Canales; Capriglione; Coleman; Collier; Cortez; Cosper; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Faircloth; Farrar; Frank; Geren; Gervin-Hawkins; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Lambert; Lang; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; 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; Schofield; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bell; Bohac; Bonnen, G.; Burns; Burrows; Cain; Dale; Dean; Elkins; Fallon; Flynn; Frullo; Hefner; Holland; Isaac; Keough; King, P.; Koop; Krause; Landgraf; Laubenberg; Leach; Meyer; Miller; Murr; Paul; Phillips; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Stickland; Swanson; Thompson, E.; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Biedermann; Clardy; Cook; Giddings; Goldman; Klick; Kuempel; White; Wilson.

STATEMENTS OF VOTE

When Record No. 1155 was taken, I was in the house but away from my desk. I would have voted no.

Biedermann

When Record No. 1155 was taken, I was shown voting yes. I intended to vote no.

Button

When Record No. 1155 was taken, I was in the house but away from my desk. I would have voted no.

Cook

When Record No. 1155 was taken, I was shown voting yes. I intended to vote no.

Faircloth

When Record No. 1155 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

When Record No. 1155 was taken, my vote failed to register. I would have voted no.

Goldman

When Record No. 1155 was taken, I was in the house but away from my desk. I would have voted no.

Kuempel

When Record No. 1155 was taken, I was shown voting yes. I intended to vote no.

Lang

When Record No. 1155 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1155 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1155 was taken, I was shown voting yes. I intended to vote no.

Schofield

When Record No. 1155 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

When Record No. 1155 was taken, I was shown voting yes. I intended to vote no.

Wray

HB 1643 ON THIRD READING **(by Springer)**

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

HB 1643 was passed by (Record 1156): 135 Yeas, 8 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; 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; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Button; Cain; Lang; Ortega; Rinaldi; Stickland; Zedler.

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

Absent, Excused — Hernandez; Vo.

Absent — Farrar; Nevárez; Turner.

STATEMENTS OF VOTE

When Record No. 1156 was taken, I was in the house but away from my desk. I would have voted yes.

Farrar

When Record No. 1156 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 1156 was taken, I was in the house but away from my desk. I would have voted yes.

Nevárez

HB 3296 ON THIRD READING (by Klick)

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

HB 3296 was passed by (Record 1157): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; 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; 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; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Bohac.

STATEMENT OF VOTE

When Record No. 1157 was taken, I was in the house but away from my desk. I would have voted yes.

Bohac

HB 1661 ON THIRD 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 by (Record 1158): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; 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; 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; 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; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Hernandez; Vo.

HB 162 ON THIRD READING**(by Lucio)**

HB 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.

HB 162 was passed by (Record 1159): 127 Yeas, 18 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Deshotel; Dukes; 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; King, K.; King, P.; King, T.; Klick; Koop; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Cain; Keough; Krause; Kuempel; Lang; Leach; Murr; Phillips; Rinaldi; Roberts; Schaefer; Stephenson; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused — Hernandez; Vo.

Absent — Reynolds.

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

HB 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.

HB 108 was passed by (Record 1160): 115 Yeas, 30 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Cospere; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Frank; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard;

Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Larson; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Bell; Biedermann; Burrows; Cain; Cyrier; Flynn; Frullo; Hefner; Holland; Hunter; Keough; King, P.; Klick; Krause; Landgraf; Lang; Laubenberg; Miller; Murr; Oliverson; Rinaldi; Sanford; Schaefer; Shaheen; Smithee; Stickland; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Coleman; Swanson.

STATEMENTS OF VOTE

When Record No. 1160 was taken, I was shown voting no. I intended to vote yes.

C. Anderson

When Record No. 1160 was taken, I was shown voting no. I intended to vote yes.

Bell

When Record No. 1160 was taken, I was shown voting no. I intended to vote yes.

P. King

When Record No. 1160 was taken, I was shown voting yes. I intended to vote no.

Kuempel

HB 525 ON THIRD 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.

HB 525 was passed by (Record 1161): 133 Yeas, 14 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; 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; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Cain; Klick; Krause; Lang; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

HB 816 ON THIRD READING

(by Bernal and Uresti)

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

HB 816 was passed by (Record 1162): 87 Yeas, 58 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Burns; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Cyrier; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Lambert; Landgraf; Longoria; Lucio; Martinez; Meyer; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Paddie; Perez; Phillips; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Workman; Wray; Wu.

Nays — Anderson, C.; Bell; Biedermann; Bonnen, G.; Burkett; Burrows; Button; Cain; Capriglione; Craddick; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Goldman; Hefner; Holland; Hunter; Keough; King, P.; Klick; Krause; Kuempel; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Miller; Morrison; Murphy; Murr; Oliverson; Paul; Phelan; Price; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Shaheen; Simmons; Smithee; Springer; Stephenson; Stickland; Swanson; Thompson, E.; Tinderholt; Wilson; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Parker; Raney.

STATEMENTS OF VOTE

When Record No. 1162 was taken, I was shown voting no. I intended to vote yes.

Bell

When Record No. 1162 was taken, my vote failed to register. I would have voted no.

Parker

When Record No. 1162 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

When Record No. 1162 was taken, I was shown voting no. I intended to vote yes.

Sanford

HB 884 ON THIRD 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 by (Record 1163): 106 Yeas, 40 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Burkett; Burns; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Farrar; 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; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burrows; Cain; Cyrier; Dale; Elkins; Faircloth; Fallon; Flynn; Frank; Goldman; Hefner; Isaac; Keough; King, P.; Klick; Krause; Landgraf; Lang; Laubenberg; Leach; Oliverson; Paul; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Capriglione.

STATEMENTS OF VOTE

When Record No. 1163 was taken, I was in the house but away from my desk. I would have voted no.

Capriglione

When Record No. 1163 was taken, I was shown voting yes. I intended to vote no.

Parker

HB 929 ON THIRD READING

(by Miller)

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

Amendment No. 1

Representative Israel offered the following amendment to **HB 929**:

Amend **HB 929** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS of the bill appropriately:

SECTION _____. Section 84.011, Election Code, is amended by adding Subsection (c) to read as follows:

(c) In addition to the requirements imposed by Subsection (a), the officially prescribed application form for an early voting ballot must include a space for the voter to provide a change of residence address within the county, if applicable.

SECTION _____. Section 86.001, Election Code, is amended by adding Subsection (f) to read as follows:

(f) If the application includes a change of address within the county, the early voting clerk shall notify the voter registrar of the change and the registrar shall update the voter's registration accordingly.

SECTION _____. Section 86.002, Election Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding Subsection (a), the clerk is not required to provide a form for a statement of residence to a voter who indicated a change of address within the county on the voter's application for an early voting ballot to be voted by mail.

Amendment No. 1 was adopted by (Record 1164): 119 Yeas, 24 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Faircloth; Farrar;

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

Nays — Anderson, R.; Bell; Biedermann; Bonnen, G.; Button; Cain; Dale; Elkins; Fallon; Goldman; Hefner; Isaac; Klick; Krause; Lang; Laubenberg; Leach; Rinaldi; Shaheen; Stickland; Swanson; Tinderholt; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Burrows; Murphy; Sanford; Schofield.

STATEMENTS OF VOTE

When Record No. 1164 was taken, I was shown voting yes. I intended to vote no.

Bohac

When Record No. 1164 was taken, I was in the house but away from my desk. I would have voted no.

Burrows

When Record No. 1164 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1164 was taken, I was in the house but away from my desk. I would have voted yes.

Murphy

When Record No. 1164 was taken, I was in the house but away from my desk. I would have voted no.

Sanford

When Record No. 1164 was taken, I was in the house but away from my desk. I would have voted no.

Schofield

When Record No. 1164 was taken, I was shown voting yes. I intended to vote no.

Wilson

HB 929, as amended, was passed by (Record 1165): 140 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospier; 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; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Lang; Leach; Rinaldi; Stickland; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

STATEMENT OF VOTE

When Record No. 1165 was taken, I was shown voting no. I intended to vote yes.

Leach

COMMITTEE GRANTED PERMISSION TO MEET

Representative Huberty requested permission for the Committee on Public Education to meet while the house is in session, at 12 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Education, 12 p.m. today, 1W.14, for a formal meeting, to consider pending business.

HB 1974 ON THIRD READING (by Wray)

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

HB 1974 was passed by (Record 1166): 130 Yeas, 13 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Button; Cain; 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; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Sheffield; Shine; Simmons; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Burns; Lambert; Lang; Rinaldi; Schofield; Shaheen; Springer; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Bohac; Canales; Miller; Raney.

STATEMENTS OF VOTE

When Record No. 1166 was taken, I was in the house but away from my desk. I would have voted yes.

Bohac

When Record No. 1166 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 1166 was taken, I was in the house but away from my desk. I would have voted yes.

Miller

When Record No. 1166 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

HB 978 ON THIRD 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 by (Record 1167): 141 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; 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; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Canales; Keough; Nevárez; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Miller; Raney.

STATEMENT OF VOTE

When Record No. 1167 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

HB 1649 ON THIRD READING

(by Muñoz)

HB 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.

HB 1649 was passed by (Record 1168): 88 Yeas, 56 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burns; Canales; Clardy; Coleman; Collier; Cook; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, T.; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Perez; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Sheffield; Shine; Smithee; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wray; Wu; Zerwas.

Nays — Anderson, C.; Bell; Biedermann; Bohac; Burkett; Burrows; Button; Cain; Capriglione; Cosper; Craddick; Cyrier; Dale; Dean; Faircloth; Fallon; Frank; Frullo; Goldman; Gonzales; Hefner; Holland; Hunter; Isaac; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Landgraf; Lang; Laubenberg; Leach; Metcalf; Meyer; Miller; Morrison; Murr; Parker; Paul; Rinaldi; Sanford; Schofield; Schubert; Shaheen; Simmons; Springer; Stephenson; Stickland; Stucky; Tinderholt; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Anderson, R.; Elkins; Phelan.

STATEMENTS OF VOTE

When Record No. 1168 was taken, my vote failed to register. I would have voted yes.

R. Anderson

When Record No. 1168 was taken, I was in the house but away from my desk. I would have voted no.

Phelan

When Record No. 1168 was taken, I was shown voting no. I intended to vote yes.

Sanford

When Record No. 1168 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 1168 was taken, I was shown voting yes. I intended to vote no.

Wray

HB 931 ON THIRD READING

(by Miller, G. Bonnen, Zerwas, S. Thompson, Fallon, et al.)

HB 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.

HB 931 was passed by (Record 1169): 137 Yeas, 5 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; Button; Capriglione; Clardy; Coleman; Cook; Cortez; 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; 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; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; Canales; Collier; Cospers; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Burrows; Nevárez; Raney; Stucky; Turner.

STATEMENTS OF VOTE

When Record No. 1169 was taken, I was in the house but away from my desk. I would have voted yes.

Burrows

When Record No. 1169 was taken, my vote failed to register. I would have voted no.

Nevárez

When Record No. 1169 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

When Record No. 1169 was taken, I was in the house but away from my desk. I would have voted yes.

Stucky

HB 1816 ON THIRD READING (by Metcalf)

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

HB 1816 was passed by (Record 1170): 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; 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; 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; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Stucky; Turner.

STATEMENT OF VOTE

When Record No. 1170 was taken, I was in the house but away from my desk. I would have voted yes.

Stucky

HB 1724 ON THIRD READING (by Guillen)

HB 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.

HB 1724 was passed by (Record 1171): 141 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; 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; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; Frank; Rinaldi; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent — Bernal; Turner.

HB 2766 ON THIRD READING

(by Sheffield, Zerwas, Miller, White, Raymond, et al.)

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

HB 2766 was passed by (Record 1172): 97 Yeas, 46 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Blanco; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospér; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; 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; Landgraf; Larson; Longoria; Lozano; Lucio; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Perez; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, S.; Uresti; VanDeaver; Villalba; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Craddick; Cyrier; Dale; Dean; Faircloth; Fallon; Flynn; Frank; Goldman; Hefner; Hunter; Isaac; Keough; Krause; Lang; Laubenberg; Leach; Martinez; Metcalf; Meyer; Murr; Parker; Paul; Phelan; Rinaldi; Schaefer; Schofield; Schubert; Shaheen; Stickland; Swanson; Thompson, E.; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Hernandez; Vo.

Absent — Anderson, R.; Gonzales; Turner.

STATEMENTS OF VOTE

When Record No. 1172 was taken, I was shown voting yes. I intended to vote no.

Raney

When Record No. 1172 was taken, I was shown voting yes. I intended to vote no.

Wray

HB 1837 ON THIRD 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.

Amendment No. 1

Representative González offered the following amendment to **HB 1837**:

Amend **HB 1837** on third reading, in added Section 352.083, Local Government Code, on page 1, line 8, between "(a)" and "The" by inserting the following and renumbering subsections of that section accordingly:

This section does not apply to a person who obtains a permit for outdoor burning before starting an outdoor fire in the county from a local governmental entity with authority to provide fire protection services in the area. A local government entity that issues a permit described by this subsection must notify the local governmental entity described by Subsection (b) that the permit was issued.

(b)

HB 1837 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **HB 1837** under Rule 8, Section 1(c) on the grounds that the bill caption is incorrect.

The point of order was withdrawn.

Representative Springer moved to postpone consideration of **HB 1837** until 11:55 a.m. today.

The motion prevailed.

HB 2087 ON THIRD READING
(by VanDeaver, Fallon, and Springer)

HB 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.

HB 2087 was passed by (Record 1173): 146 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; 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; 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; 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; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

HB 2722 ON THIRD READING
(by Phillips and Guillen)

HB 2722, A bill to be entitled An Act relating to early voting by certain persons who have an employment hardship.

HB 2722 was passed by (Record 1174): 125 Yeas, 21 Nays, 2 Present, not voting.

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

Nays — Anderson, R.; Bonnen, D.; Bonnen, G.; Burrows; Cain; Elkins; Fallon; Goldman; Hefner; Holland; Krause; Lang; Laubenberg; Leach; Rinaldi; Schaefer; Simmons; Springer; Stickland; Tinderholt; Zedler.

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

Absent, Excused — Hernandez; Vo.

LEAVE OF ABSENCE GRANTED

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

Hunter on motion of Stucky.

HB 2790 ON THIRD READING
(by White)

HB 2790, A bill to be entitled An Act relating to funding for certain apprenticeship training programs.

Amendment No. 1

Representative White offered the following amendment to **HB 2790**:

Amend **HB 2790** on third reading by striking the amendment added by Workman on second reading that added Subchapter R, Chapter 171, Tax Code.

Amendment No. 1 was adopted.

HB 2790, as amended, was passed by (Record 1175): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; 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; Herrero; Hinojosa; Holland; Howard; Huberty; 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; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hernandez; Vo.

Absent, Excused, Committee Meeting — Hunter.

POSTPONED BUSINESS

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

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.

CSHB 849 was read second time on May 10 and was postponed until 3:50 a.m. today.

Amendment No. 1

Representative E. Thompson offered the following amendment to **CSHB 849**:

Amend **CSHB 849** (house committee report) as follows:

(1) On page 1, line 7, between "OF CERTAIN" and "PERSONAL", insert "NAMED DRIVER OR".

(2) On page 1, line 9, between "cancel a" and "personal", insert "named driver or".

(3) On page 2, line 5, between "of a" and "personal", insert "named driver or".

Amendment No. 1 was adopted. (Biedermann, Cain, Hefner, Krause, Lang, Leach, Rinaldi, Stickland, and Tinderholt recorded voting no.)

CSHB 849, as amended, was passed to engrossment. (Biedermann, Cain, Hefner, Krause, Lang, Leach, Rinaldi, Stickland, and Tinderholt recorded voting no.)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Public Education:

Bohac on motion of Meyer.

(Kuempel in the chair)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Parker requested permission for the Committee on Investments and Financial Services to meet while the house is in session, at 12:10 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Investments and Financial Services, 12:10 p.m. today, 3W.9, for a formal meeting, to consider pending business.

LEAVE OF ABSENCE GRANTED

The following members was granted leave of absence temporarily for today to attend a meeting of the Committee on Public Education:

Koop on motion of Shaheen.

SB 1289 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Cook, Representatives C. Anderson, R. Anderson, D. Bonnen, Burns, Button, Deshotel, Faircloth, Farrar, Hinojosa, Keough, Lucio, Murphy, Oliveira, Reynolds, Roberts, Schubert, Sheffield, White, Wray, and Zedler were authorized as house sponsors to **SB 1289**.

LEAVES OF ABSENCE GRANTED

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

Allen on motion of Paddie.

Bernal on motion of Paddie.

Deshotel on motion of Paddie.

Dutton on motion of Paddie.

Huberty on motion of Paddie.

K. King on motion of Paddie.

Meyer on motion of Paddie.

VanDeaver on motion of Paddie.

HB 1837 ON THIRD 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 read third time earlier today, an amendment was offered, and **HB 1837** was postponed until this time. Amendment No. 1 was pending at the time of postponement.

HB 1837 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **HB 1837** under Rule 8, Section 1(c) 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 4, Section 32(c)(4) of the House Rules 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."

HB 1837's caption reads "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." Subsection (b) of the bill created a new Class C misdemeanor for knowingly or intentionally violating the requirement to provide notice to a local governmental entity regarding outdoor fires. Because **HB 1837**'s caption explains that the bill creates a criminal penalty, **HB 1837**'s caption complies with Rule 8, Section 1(c). The point of order is respectfully overruled.

Amendment No. 1 was adopted by (Record 1176): 88 Yeas, 38 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Arévalo; Ashby; Blanco; Burkett; Burns; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Darby; Davis, Y.; Dean; Dukes; Elkins; Farrar; Frank; Frullo; Gervin-Hawkins; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, T.; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Smithee; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; Villalba; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Biedermann; Bonnen, D.; Bonnen, G.; Burrows; Cain; Capriglione; Cospere; Cyrier; Dale; Faircloth; Fallon; Flynn; Geren; Goldman; Hefner; Holland; Isaac; King, P.; Krause; Landgraf; Lang; Laubenberg; Leach; Parker; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; Zedler.

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

Absent, Excused — Hernandez; Vo.

Absent, Excused, Committee Meeting — Allen; Bernal; Bohac; Deshotel; Dutton; Huberty; Hunter; King, K.; Koop; Meyer; VanDeaver.

Absent — Bailes; Bell; Button; Davis, S.; Gooden; Klick; Oliverson; Shine; Wilson.

STATEMENTS OF VOTE

When Record No. 1176 was taken, I was in the house but away from my desk. I would have voted yes.

Bailes

When Record No. 1176 was taken, I was in the house but away from my desk. I would have voted no.

Bell

When Record No. 1176 was taken, I was in the house but away from my desk. I would have voted yes.

Button

When Record No. 1176 was taken, I was in the house but away from my desk. I would have voted yes.

S. Davis

When Record No. 1176 was taken, I was in the house but away from my desk. I would have voted yes.

Gooden

When Record No. 1176 was taken, I was shown voting no. I intended to vote yes.

Isaac

When Record No. 1176 was taken, I was shown voting yes. I intended to vote no.

Keough

When Record No. 1176 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1176 was taken, I was excused to attend a meeting of the Committee on Public Education. I would have voted no.

Meyer

When Record No. 1176 was taken, I was in the house but away from my desk. I would have voted no.

Oliverson

When Record No. 1176 was taken, I was shown voting yes. I intended to vote no.

Phelan

When Record No. 1176 was taken, I was shown voting yes. I intended to vote no.

Roberts

When Record No. 1176 was taken, I was in the house but away from my desk. I would have voted no.

Shine

When Record No. 1176 was taken, I was shown voting no. I intended to vote yes.

Springer

When Record No. 1176 was taken, I was temporarily out of the house chamber. I would have voted present, not voting.

Wilson

HB 1837, as amended, was passed by (Record 1177): 71 Yeas, 54 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Arévalo; Blanco; Burkett; Burns; Burrows; Coleman; Collier; Cortez; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dukes; Elkins; Farrar; Frank; Frullo; Gervin-Hawkins; Giddings; Gonzales; González; Herrero; Hinojosa; Howard; Isaac; Israel; Johnson, E.; Kacal; King, P.; Klick; Longoria; Lucio; Martinez; Miller; Moody; Morrison; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Paul; Perez; Raney; Raymond;

Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Springer; Stephenson; Thierry; Turner; Uresti; Villalba; Walle; Workman; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Cain; Canales; Capriglione; Clardy; Cook; Cospers; Craddick; Dean; Faircloth; Flynn; Geren; Goldman; Gooden; Hefner; Holland; Keough; King, T.; Krause; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Minjarez; Muñoz; Murphy; Parker; Phelan; Phillips; Price; Rinaldi; Roberts; Sanford; Schaefer; Shaheen; Smithee; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; White; Wray; Zedler.

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

Absent, Excused — Hernandez; Vo.

Absent, Excused, Committee Meeting — Allen; Bernal; Bohac; Deshotel; Dutton; Huberty; Hunter; King, K.; Koop; Meyer; VanDeaver.

Absent — Button; Fallon; Guerra; Guillen; Gutierrez; Johnson, J.; Lambert; Pickett; Thompson, S.; Wilson.

STATEMENTS OF VOTE

When Record No. 1177 was taken, I was in the house but away from my desk. I would have voted yes.

Button

When Record No. 1177 was taken, I was shown voting no. I intended to vote yes.

Gooden

When Record No. 1177 was taken, I was in the house but away from my desk. I would have voted yes.

Guerra

When Record No. 1177 was taken, my vote failed to register. I would have voted no.

Guillen

When Record No. 1177 was taken, I was in the house but away from my desk. I would have voted yes.

Lambert

When Record No. 1177 was taken, I was excused to attend a meeting of the Committee on Public Education. I would have voted yes.

Meyer

When Record No. 1177 was taken, I was in the house but away from my desk. I would have voted no.

Wilson

CSSB 1289 ON SECOND READING**(Paddie, Darby, Ashby, Geren, Phelan, et al. - House Sponsors)**

CSSB 1289, A bill to be entitled An Act relating to the purchase of iron and steel products made in the United States for certain governmental entity projects.

CSSB 1289 was considered in lieu of **CSHB 2780**.

CSSB 1289 was read second time.

CSSB 1289 - POINT OF ORDER

Representative Y. Davis raised a point of order against further consideration of **CSSB 1289** under Rule 8, Section 14 of the House Rules on the grounds that proper notice and delivery of the bill was not made.

(Dutton and Huberty now present)

The point of order was withdrawn.

Representative Paddie moved to postpone consideration of **CSSB 1289** until 1:23 p.m. today.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Laubenberg requested permission for the Committee on Elections to meet while the house is in session, at 1 p.m. today, in 1W.14, to consider **SB 467**, **SB 957**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Elections, 1 p.m. today, 1W.14, for a formal meeting, to consider **SB 467**, **SB 957**, and pending business.

SB 587 ON THIRD READING**(VanDeaver - House Sponsor)**

SB 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.

SB 587 was read third time earlier today and was postponed until this time.

Representative VanDeaver moved to postpone consideration of **SB 587** until 8 a.m. tomorrow.

The motion prevailed.

(Goldman in the chair)

CSHB 6 ON SECOND READING**(by Frank, Raymond, Klick, Burkett, 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, postponed until May 10, and was again postponed until 10 a.m. today.

Representative Frank moved to postpone consideration of **CSHB 6** until 5:30 a.m. Tuesday, June 6.

The motion prevailed.

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

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

HJR 67 ON SECOND READING**(by Bohac, Shine, and Frullo)**

HJR 67, A joint resolution proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of a Purple Heart recipient or the surviving spouse of a Purple Heart recipient.

(Allen, Bohac, Deshotel, and Meyer now present)

HJR 67 was adopted by (Record 1178): 140 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; 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; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, P.; King, T.; Klick; 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; Villalba; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Hernandez; Vo.

Absent, Excused, Committee Meeting — Bernal; Hunter; King, K.; Koop; VanDeaver.

CSHJR 10 ON SECOND READING
(by Smithee)

CSHJR 10, A joint resolution proposing a constitutional amendment changing the eligibility requirements for certain judicial offices.

Amendment No. 1

Representative Smithee offered the following amendment to **CSHJR 10**:

Amend **CSHJR 10** (house committee printing) as follows:

- (1) On page 1, strike the sentence beginning on line 18.
- (2) On page 2, strike the sentence beginning on line 13.

(VanDeaver now present)

Amendment No. 1 was adopted by (Record 1179): 124 Yeas, 16 Nays, 2 Present, not voting.

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

Nays — Biedermann; Cain; Canales; Collier; Cospers; Klick; Nevárez; Rodriguez, J.; Rose; Schaefer; Stickland; Swanson; Tinderholt; Uresti; Wilson; Zedler.

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

Absent, Excused — Hernandez; Vo.

Absent, Excused, Committee Meeting — Bernal; Hunter; King, K.; Koop.

Absent — González; Holland.

STATEMENTS OF VOTE

When Record No. 1179 was taken, I was in the house but away from my desk. I would have voted no.

Holland

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Schaefer

(Bernal now present)

Representative Smithee moved to postpone consideration of **CSHJR 10** until 1:30 p.m. today.

The motion prevailed.

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.

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

CSHB 3083 ON SECOND READING (by Price, Coleman, Darby, Guillen, and S. Thompson)

CSHB 3083, A bill to be entitled An Act relating to repayment of certain mental health professional education loans.

(Hunter now present)

CSHB 3083 was passed to engrossment.

HB 3735 ON SECOND READING (by Frank, et al.)

HB 3735, A bill to be entitled An Act relating to an application for a new or amended water right submitted to the Texas Commission on Environmental Quality.

HB 3735 - POINT OF ORDER

Representative Phillips raised a point of order against further consideration of **HB 3735** under Rule 4, Section 32(c) of the House Rules on the grounds that the committee report is incorrect.

The point of order was withdrawn.

Representative Frank moved to postpone consideration of **HB 3735** until 1:45 p.m. today.

The motion prevailed.

CSHB 2962 ON SECOND READING
(by Capriglione, Sheffield, Springer, et al.)

CSHB 2962, A bill to be entitled An Act relating to reporting requirements by certain health care facilities for abortion complications; authorizing a civil penalty.

REMARKS ORDERED PRINTED

Representative Wu moved to print all remarks on **CSHB 2962**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSHB 2962**.]

CSHB 2962 - POINT OF ORDER

Representative Canales raised a point of order against further consideration of **CSHB 2962** 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:

Representative Canales raised a point of order against further consideration of **HB 2962** pursuant to Rule 8, Section 1(d) of the House Rules on the grounds that the bill caption does not give adequate notice of the bill's licensing implications. The point of order is respectfully overruled.

Rule 8, Section 1(d), 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 2962** amends the Health and Safety Code to "require each hospital, abortion facility, freestanding emergency medical care facility, or health care facility that provides medical care to submit to the Department of State Health Services (DSHS) in the form and manner prescribed by DSHS rule a quarterly report on each abortion complication diagnosed or treated at the facility." Additionally, page 4, Subsection (k) of the bill states "the third separate violation of this section constitutes cause for the revocation or suspension of a facility's license, permit, registration, certificate, or other authority or for other disciplinary action against the facility by the department." Representative Canales contends that these requirements constitute a licensing requirement, such that **HB 2962**'s caption violates Rule 8, Section 1(d).

Nothing within the four corners of the bill requires any individual or entity to obtain a license or any other credential. Instead, the bill allows for revocation of an existing license as a penalty if a facility continuously violates the law's requirements. Because the bill does not create a licensing requirement, Rule 8, Section 1(d) does not apply to the bill's caption. See 84 H.J. Reg. 1403-1404 (2015) (Stickland point of order on **CSHB 4**).

Amendment No. 1

Representative Capriglione offered the following amendment to **CSHB 2962**:

Amend **CSHB 2962** (house committee printing) as follows:

(1) On page 2, line 8, strike "quarterly".

(2) On page 2, line 9, between "facility" and the underlined period, insert "not later than the 30th day after the date on which the complication is diagnosed or treatment is provided for the complication".

(3) On page 2, line 12, immediately after the underlined period, insert "The executive commissioner by rule may adopt procedures to reduce duplication in reporting under this section."

Amendment No. 1 was adopted.

(Koop now present)

Amendment No. 2

Representative Gutierrez offered the following amendment to **CSHB 2962**:

Amend **CSHB 2962** (house committee printing) on page 4, between lines 13 and 14, by inserting the following appropriately lettered subsection:

(____) Notwithstanding any other provision of this section, the commissioners court of a county may adopt an order to exempt each health care facility located in the county from the requirements of this section if the commissioners court determines that this section constitutes an unfunded mandate. A facility exempted by an order under this subsection is not subject to any civil or administrative penalties for a violation of this section.

Amendment No. 2 failed of adoption by (Record 1180): 47 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Dukes; Dutton; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Walle; Wu.

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

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

Absent, Excused — Hernandez; Vo.

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

Absent — Bohac; Deshotel; Giddings; King, T.; Perez.

STATEMENTS OF VOTE

When Record No. 1180 was taken, I was temporarily out of the house chamber. I would have voted no.

Bohac

When Record No. 1180 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

Amendment No. 3

Representatives Schaefer, Miller, Hefner, G. Bonnen, Lang, Cain, Cosper, Holland, Murphy, Krause, Schofield, Zedler, Burrows, Simmons, Landgraf, Tinderholt, Shaheen, Workman, Paul, Faircloth, Keough, Leach, Isaac, Roberts, Frank, Goldman, Phillips, E. Thompson, Biedermann, Stephenson, Parker, Oliverson, Springer, Rinaldi, and Cyrier offered the following amendment to **CSHB 2962**:

Amend **CSHB 2962** (house committee printing) as follows:

(1) On page 2, lines 1-2, between "to" and "a health care facility", insert the following:

⋮

(1) a physician who performs an abortion at an abortion facility if the abortion results in an abortion complication that is diagnosed or treated by that physician or at the abortion facility; or

(2)

(2) On page 2, line 6, between "(c)" and "Each", insert the following:

A physician described by Subsection (b)(1) shall submit to the department in the form and manner prescribed by department rule a report on each abortion complication diagnosed or treated by that physician or at the abortion facility not later than 72 hours after the complication is diagnosed or treated.

(3) On page 2, line 6, strike "Subsection (b) shall submit" and substitute "Subsection (b)(2) shall electronically submit".

(4) On page 2, line 14, between "abortion" and "or", insert ", other than a physician described by Subsection (b)(1),".

(5) On page 2, line 15, between "identify" and "the", insert "the name of the physician submitting the report or".

(6) On page 3, between lines 4 and 5, add the following appropriately numbered subdivisions to added Section 171.006(f), Health and Safety Code, and renumbering subdivisions of that subsection and references to those subdivisions accordingly:

() the patient's year of birth, race, marital status, and state and county of residence;

() the date of the first day of the patient's last menstrual period that occurred before the date of the abortion that caused or may have caused the complication;

(7) On page 4, line 3, between "A" and "facility", insert "physician described by Subsection (b)(1) or".

(8) On page 4, line 5, between "department" and the underlined comma, insert "or appropriate licensing agency".

(9) On page 4, line 10, between "a" and "facility's", insert "physician's or".

(10) On page 4, line 12, between "the" and "facility", insert "physician or".

(11) On page 4, line 13, strike "department" and substitute "appropriate licensing agency".

(12) On page 4, between lines 13 and 14, add the following appropriately lettered subsection:

() The department shall notify the Texas Medical Board of any violations of this section by a physician.

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

SECTION _____. The Department of State Health Services shall establish an electronic reporting system for purposes of Section 171.006, Health and Safety Code, as added by this Act, as soon as practicable after the effective date of this Act.

Amendment No. 3 - Point of Order

Representative Turner raised a point of order against further consideration of Amendment No. 3 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

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

CSHB 2962 defined the term "abortion complications" to include certain outcomes that were "diagnosed or treated by a health care practitioner or at a health care facility . . ." and required reporting of those complications diagnosed or treated by the practitioner or facility. The bill as it came to the floor required only the facility to report "complications diagnosed or treated by the practitioner or facility." Amendment No. 3 added an additional provision that required a health care practitioner who diagnosed or treated a patient who had complications at the facility to file a report as well as the facility. The proponent argued that the bill was only about facilities and there was not any requirement regarding physicians and other health care providers.

However, the definition of "abortion complications" in Section 1 of the bill made it clear that the reporting of those complication impacted complications diagnosed or treated either by a health care practitioner or at a health care facility. The remaining reporting requirements within the bill stem from the reporting of this defined event. See 85 H.J. Reg. 518-519 (2017) (Herrero point of order on **HB 4**); 81 H.J. Reg 1996-1997 (2009) (Chisum point of order on **CSHB 2259**).

The amendment was not on a subject different from that under consideration. Rule 11, Section 2 was not violated. For these reasons, the point of order is respectfully overruled.

Amendment No. 3 was adopted by (Record 1181): 91 Yeas, 50 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Hernandez; Vo.

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

Absent — Biedermann; Thompson, S.; Tinderholt.

STATEMENTS OF VOTE

When Record No. 1181 was taken, I was in the house but away from my desk. I would have voted yes.

Biedermann

When Record No. 1181 was taken, I was in the house but away from my desk. I would have voted yes.

Tinderholt

(K. King and Vo now present)

CSHB 2962 - POINT OF ORDER

Representative Canales raised a point of order against further consideration of **CSHB 2962** under Rule 4, Section 32 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:

CSHB 2962 amends a provision of the Health and Safety Code Section to require the reporting of certain complications that result from abortion complications. Representative Canales asserts that the provisions of Section 171.006 (g), which keeps that information confidential, is not adequately summarized in the bill analysis (paragraph 5 of the bill analysis).

The chair has examined those two provisions, the entire bill analysis and finds that the bill analysis complies with the requirements of Rule 4, Section 32. Therefore, this point of order is respectfully overruled.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Dutton requested permission for the Committee on Juvenile Justice and Family Issues to meet while the house is in session, at 3:30 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Juvenile Justice and Family Issues, 3:30 p.m. today, 1W.14, for a formal meeting, to consider pending business.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR MOTION TO SUSPEND RULES

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

There being objection, the motion was withdrawn.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Price requested permission for the Committee on Public Health to meet while the house is in session, at 3:05 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Health, 3:05 p.m. today, 3W.15, for a formal meeting, to consider pending business.

CSHB 2962 - (consideration continued)

CSHB 2962 - POINT OF ORDER

Representative Blanco raised a point of order against further consideration of **CSHB 2962**.

The point of order was withdrawn.

CSHB 2962, as amended, was passed to engrossment by (Record 1182): 94 Yeas, 52 Nays, 2 Present, not voting.

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

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

Present, not voting — Mr. Speaker; Schofield.

Absent, Excused — Hernandez.

Absent, Excused, Committee Meeting — Zerwas.

STATEMENT OF VOTE

When Record No. 1182 was taken, I was shown voting present, not voting. I intended to vote yes.

Schofield

POSTPONED BUSINESS

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

CSSB 1289 ON SECOND READING

(Paddie, Darby, Ashby, Geren, Phelan, et al. - House Sponsors)

CSSB 1289, A bill to be entitled An Act relating to the purchase of iron and steel products made in the United States for certain governmental entity projects.

CSSB 1289 was read second time earlier today and was postponed until this time.

CSSB 1289 - POINT OF ORDER

Representative Y. Davis raised a point of order against further consideration of **CSSB 1289** under Rule 8, Section 14 of the House Rules on the grounds that proper notice and delivery of the bill was not made.

(Speaker in the chair)

(Hernandez 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 Public Health:

Arévalo on motion of Muñoz.

Burkett on motion of Muñoz.

Coleman on motion of Muñoz.

Collier on motion of Muñoz.

Cortez on motion of Muñoz.

Guerra on motion of Muñoz.

Klick on motion of Muñoz.

Oliverson on motion of Muñoz.

Price on motion of Muñoz.

Sheffield on motion of Muñoz.

Zedler on motion of Muñoz.

(Sheffield now present)

CSSB 1289 - (consideration continued)

CSSB 1289 - POINT OF ORDER DISPOSITION

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

Representative Y. Davis raised a point of order against further consideration of **CSSB 1289** pursuant to Rule 8, Section 14 of the House Rules on the grounds that a copy of the bill had not been sent to the members at least 36 hours before the bill was considered in the house on second reading. The point of order is respectfully overruled.

CSSB 1289 was the senate companion to **CSHB 2780**. In fact, it was identical to **CSHB 2780**. This is not an uncommon process in the Texas House. In fact, the house bill had been distributed almost two weeks before consideration of the senate companion. The proponent has pointed to no precedent or practice of the house which indicates that the 36-hour time period for a senate companion is not satisfied by the original distribution of the house bill. Further, the proponent has acknowledged that the practice was of long standing.

The proponent also failed to discuss the impact of Rule 6, Section 10 of the House Rules which requires "the speaker to give the place on the calendar of the house bill to any senate bill containing the same subject that has been referred to and reported from committee of the house." See 84 H.J. Reg. 2445-2446 (2015) (Rinaldi point of order to **HB 170**).

The point of order is respectfully overruled. Consistent with longstanding house practice and Rule 6, Section 10, the consideration of a senate "companion" to a house bill need not undergo a separate 36-hour layout, regardless of whether

the senate bill is identical or merely containing the same subject as described in Rule 6, Section 10, and prior notice of the house bill under Rule 8, Section 14, satisfies the requirement.

NOTICE GIVEN

At 3:23 p.m., pursuant to the provisions of Rule 14, Section 4 of the House Rules, the speaker announced that Representative S. Thompson would, in one hour, move to suspend all necessary rules to set a local, consent, and resolutions calendar for 9 a.m. tomorrow.

(Klick now present)

LEAVE OF ABSENCE GRANTED

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

Longoria on motion of Geren.

CSSB 1289 - (consideration continued)

Amendment No. 1

Representative Workman offered the following amendment to **CSSB 1289**:

Amend **CSSB 1289** (house committee report), on page 2, line 18, by striking "used in the project" and substituting "produced through a manufacturing process and used in the project".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Larson offered the following amendment to **CSSB 1289**:

Amend **CSSB 1289** as follows:

(1) On page 3, after line 17, add "(d) For contracts subject to Chapters 15, 16, or 17, Water Code, Section 2252.202 only applies to contracts to finance, refinance, or provide money from funds obtained by a governmental entity through general obligation bonds."

(2) On page 7, lines 2-3, strike "as described by Section 15.432 or 15.472, Water Code."

AMENDMENT NO. 2 - REMARKS

REPRESENTATIVE HINOJOSA: Representative Larson, I just want to understand your amendment better. I have a concern that your amendment would strip current requirements from the Texas Water Code, Chapters 16 and 17, that already has "Buy America" language in that. Is that your understanding?

REPRESENTATIVE LARSON: No, ma'am, it wouldn't. It's just the SWIFT program, the SWIFT and the SWIRFT program.

HINOJOSA: So it would not affect current application "Buy America" provisions?

LARSON: No, ma'am, it would not.

HINOJOSA: Okay, because the information that I have is that local entities in Texas already consistently apply for both state and federal funds that have "Buy America" provisions, and it has not been jeopardizing SWIFT funds. Do you have information about that?

LARSON: Well, SWIFT funds have not participated with this program intact. In 2013, we deliberately left this provision out, because communities with high bond ratings indicated that they would just simply do the project themselves, and they wouldn't participate in this. The whole key to SWIFT is having the large communities with high bond ratings participate, and then we blend those ratings with smaller communities that don't have bond ratings that high, and that's why we can offer to communities all over the state a preferred interest rate using the SWIFT funds. It is a great success—\$4.5 billion have been loaned through this program since 2013, the inception. It is the best water infrastructure fund in the United States, and I would submit to everyone in this body, why would you change something when you have incredible success? When we start putting these incumbrances onto the folks that want to borrow the money, they'll simply choose not to use the fund, and it hurts all of us.

HINOJOSA: Thank you, Representative Larson. And just to check to make sure that we're on the same page, the information I have is that in 2017 almost \$200 million has been awarded by the Texas Water Development Board through funds that have "Buy America" provisions: \$64 million in Houston, \$12 million in Williamson County, \$15 million in Hood County, \$2.8 million in Montgomery County, \$51 million in Corpus, and \$15 million in Tarrant County.

LARSON: Those are very small sums of money in perspective of the SWIFT. The SWIFT is loaning \$400 million and \$500 million on one project. You're talking about the state participation fund, the revolving fund. The revolving fund—that is a federally connected program so those provisions are built in. I'm talking about the large-scale projects. That's why people are accessing the SWIFT funds. They'll just do it on their own. And all of us, I think our target in 25 years—there's \$27 billion. The ratings agencies are indicating that if the large cities pull out of the program, as they've indicated they would, then the SWIFT program—we won't hit our target numbers, and all of us lose.

HINOJOSA: Okay. So just for clarity, your current amendment would not affect current applicability of—

LARSON: It would not impact existing funds. It's only the SWIFT funds.

REMARKS ORDERED PRINTED

Representative Hinojosa moved to print remarks between Representative Larson and Representative Hinojosa.

The motion prevailed.

(Kacal in the chair)

(Arévalo, Burkett, Cortez, Guerra, Oliverson, Price, and Zedler now present)

Amendment No. 2 failed of adoption by (Record 1183): 65 Yeas, 76 Nays, 2 Present, not voting.

Yeas — Allen; Bernal; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Cain; Canales; Capriglione; Cortez; Cosper; Craddick; Darby; Davis, S.; Dutton; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gutierrez; Holland; Howard; Huberty; Israel; King, K.; King, P.; King, T.; Koop; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Meyer; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Parker; Paul; Phillips; Price; Rinaldi; Rodriguez, E.; Rodriguez, J.; Schaefer; Shine; Simmons; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; Workman; Zedler.

Nays — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Blanco; Burrows; Clardy; Cook; Cyrier; Dale; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Giddings; Gonzales; González; Gooden; Guerra; Hefner; Hernandez; Herrero; Hinojosa; Hunter; Isaac; Johnson, E.; Johnson, J.; Keough; Klick; Krause; Kuempel; Lambert; Lucio; Martinez; Metcalf; Moody; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Perez; Phelan; Raney; Raymond; Reynolds; Roberts; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Smithee; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Wu.

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

Absent, Excused, Committee Meeting — Coleman; Collier; Longoria; Zerwas.

Absent — Guillen; Pickett; Sheffield.

STATEMENTS OF VOTE

When Record No. 1183 was taken, I was shown voting yes. I intended to vote no.

Farrar

When Record No. 1183 was taken, I was in the house but away from my desk. I would have voted no.

Guillen

When Record No. 1183 was taken, I was shown voting yes. I intended to vote no.

Minjarez

When Record No. 1183 was taken, I was shown voting no. I intended to vote yes.

Uresti

Amendment No. 3

Representative Y. Davis offered the following amendment to **CSSB 1289**:

Amend **CSSB 1289** (house committee printing) by striking everything after the Enacting Clause and insert the following:

SECTION 1. Subchapter G, Chapter 2166, Government Code, is amended by adding Section 2166.3031, 2166.3032, and 2166.3033 to read as follows:

Sec. 2166.3031. UNIFORM PURCHASING CONDITION. (a) In this section:

(1) "Component" means any article, material, or supply, whether a manufactured good or a raw material, that is directly incorporated into a manufactured good.

(2) "Manufactured good" means a product produced as a result of a manufacturing process.

(3) "Manufacturing process" means the application of a process to alter the form or function of the components of a product in a manner that adds value and transforms the components into a new finished product that is functionally different from a finished product produced merely from assembling the components into a product.

(4) "Produced in the United States" means:

(A) with respect to iron and steel products, a product for which all manufacturing processes, from initial melting through application of coatings, occur in the United States, other than metallurgical processes to refine steel additives; and

(B) with respect to manufactured goods, a manufactured good for which:

(i) all of the manufacturing processes that produced the manufactured good occur in the United States; and

(ii) more than 60 percent of the components of the manufactured good, by cost, originate or are manufactured in the United States.

(b) For purposes of Subsection (a)(4)(B)(ii), if a component originates in the United States, the entire cost of that component is included in the calculation under that subparagraph of the percentage of the component costs for the manufactured good.

(c) Except as provided by Subsection (d), the uniform general conditions for a construction project in which iron, steel, or manufactured goods will be used must require that the bid documents provided to all bidders and the contract include a requirement that the iron, steel, and manufactured goods used in the project be produced in the United States.

(d) Subsection (c) does not apply to a project for which the governing body of the governmental entity responsible for the project determines that:

(1) iron, steel, or specific manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of satisfactory quality; or

(2) inclusion of iron, steel, or specific manufactured goods produced in the United States will increase the total cost of the iron, steel, or specific manufactured goods for the project by more than 15 percent.

(e) This section applies to a project otherwise exempted from the application of this chapter by Sections 2166.003 and 2166.004.

Sec. 2166.3032. INTERNATIONAL AGREEMENTS. This subchapter shall be applied in a manner consistent with this state's obligations under any international agreement.

Sec. 2166.3033. CONFLICT OF LAW. To the extent of any conflict or inconsistency, this subchapter prevails over any other state law relating to the use of iron and steel products in projects directly funded by a governmental entity or financed by funds administered by a governmental entity.

SECTION 2. Section 2166.003(b), Government Code, is amended to read as follows:

(b) Only Sections 2166.104, 2166.151, 2166.152, 2166.153, 2166.154, 2166.155, 2166.251, 2166.252, and 2166.3031 and Subchapter H apply to a construction project undertaken by or for the Texas Department of Criminal Justice for the imprisonment of individuals convicted of felonies other than state jail felonies.

SECTION 3. Section 2166.3031, Government Code, as added by this Act, applies only to bid documents submitted or contracts entered into on or after the effective date of this Act.

SECTION 4. This Act takes effect September 1, 2017.

Amendment No. 3 was withdrawn.

CSSB 1289, as amended, was passed to third reading by (Record 1184): 114 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Button; Capriglione; Clardy; Cook; Cortez; Cospers; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farrar; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, T.; Koop; Kuempel; Lambert; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Simmons; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu.

Nays — Bonnen, G.; Burrows; Cain; Canales; Craddick; Cyprier; Fallon; Flynn; Goldman; Hefner; King, P.; Klick; Krause; Landgraf; Lang; Larson; Leach; Murr; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Springer; Stickland; Swanson; Tinderholt; Villalba; Zedler.

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

Absent, Excused, Committee Meeting — Coleman; Collier; Longoria; Zerwas.

Absent — Laubenberg.

STATEMENTS OF VOTE

When Record No. 1184 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 1184 was taken, I was shown voting yes. I intended to vote no.

Frank

When Record No. 1184 was taken, I was shown voting yes. I intended to vote no.

Howard

When Record No. 1184 was taken, I was shown voting yes. I intended to vote no.

Wilson

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 15).

CSHJR 10 ON SECOND READING

(by Smithee)

CSHJR 10, A joint resolution proposing a constitutional amendment changing the eligibility requirements for certain judicial offices.

CSHJR 10 was read second time earlier today, an amendment was offered and disposed of, and **CSHJR 10** was postponed until this time.

Representative Smithee moved to postpone consideration of **CSHJR 10** until 5 p.m. today.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Moody requested permission for the Committee on Criminal Jurisprudence to meet while the house is in session, at 5 p.m. today, in 3W.9, to consider **SB 47**, **SB 343**, **SB 413**, **SB 581**, **SB 762**, **SB 998**, **SB 1214**, **SB 1242**, **SB 1298**, **SB 1399**, and **SB 1823**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Criminal Jurisprudence, 5 p.m. today, 3W.9, for a formal meeting, to consider **SB 47, SB 343, SB 413, SB 581, SB 762, SB 998, SB 1214, SB 1242, SB 1298, SB 1399, and SB 1823.**

(Coleman now present)

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

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

POINT OF ORDER

Representative Tinderholt raised a point of order under Rule 14, Section 4 of the House Rules on the grounds that the notice given to set a local, consent, and resolutions calendar for 9 a.m. tomorrow was not properly made.

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

Representative Tinderholt raised a point of order on the motion by Representative S. Thompson to call a Local and Consent Calendars meeting on the grounds that the motion did not satisfy Rule 14, Section 4 of the House Rules.

Rule 14, Section 4, requires the speaker in making an announcement to the house to "advise the house of the member's name and the bill number, and this information, together with the time that the announcement was made, shall be entered in the journal."

The chair gave at least one hour's notice of Chairwoman Thompson's intent to suspend the rules to set a local and consent calendar. Representative Tinderholt argues that he would be unable to learn or know which bills Chairwoman Thompson's Local and Consent Calendars Committee might consider. Under the house rules, only measures for which the committee report had been sent to the Local and Consent Calendars Committee were eligible to be considered for placement on the local and consent calendar. These bills could have been identified almost instantaneously using the Texas Legislative Information System. For example, a search of TLIS revealed, within a matter of seconds, that 133 bills and two resolutions were pending in the Local and Consent Calendars Committee on the date the motion was made. Some of these measures had been pending in the committee for over a week, during which time any interested member or member of the public could have reviewed the measures history and text; the text and history of every measure is available online for anyone to review starting from when the measure is introduced. Even members who might have previously completely overlooked the work of the Local and Consent Calendars Committee to date had at least an hour after notice of the motion was given in order to review the measures that would potentially be on the calendar,

most of which appear to have been limited in their effects to a single district, and some of which were as simple as attempting to name portions of roads in honor of fallen heroes.

Under the circumstances, the chair finds that the notice provided and the motion made by Chairwoman Thompson satisfied each provision of Rule 14, Section 4. The point of order is respectfully overruled.

(Speaker in the chair)

The motion to suspend all necessary rules to set a local, consent, and resolutions calendar for 9 a.m. tomorrow prevailed by (Record 1185): 128 Yeas, 9 Nays, 2 Present, not voting.

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

Nays — Biedermann; Cain; Lang; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt.

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

Absent, Excused, Committee Meeting — Collier; Longoria; Zerwas.

Absent — Craddick; Davis, Y.; Dukes; King, K.; Nevárez; Oliveira; Romero; Schofield.

STATEMENTS OF VOTE

When Record No. 1185 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

When Record No. 1185 was taken, my vote failed to register. I would have voted yes.

K. King

POINT OF ORDER

Representative Rinaldi raised a point of order under Rule 6, Section 13 of the House Rules on the motion to suspend all necessary rules to set a local, consent, and resolutions calendar for 9 a.m. tomorrow.

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

Representative Rinaldi raised a point of order on the motion by Representative S. Thompson to suspend all necessary rules to allow the Local and Consent Calendars Committee to set a calendar and set the calendar for the next day. The motion was a subject of some debate. At the time the motion was made, there was no existing local and consent calendar posted and additional bills or resolutions (commonly called an addendum) were not being placed on an existing calendar. A question arose as to the proper vote total for passage of the motion—two-thirds of the members under the general vote threshold for a rules suspension as described in Rule 6, Section 13, and Rule 14, Section 4, or unanimous consent as described in Rule 6, Section 13, for adding additional bills to an existing calendar.

Rule 6, Section 13, states:

"As the volume of legislation shall warrant, the chair of the Committee on Local and Consent Calendars shall move to designate periods for the consideration of local, consent, and resolutions calendars. Each such motion shall require a two-thirds vote for its adoption. In each instance, the Committee on Local and Consent Calendars shall prepare and post on the electronic legislative information system a calendar at least 48 hours in advance of the hour set for consideration. Once a calendar is posted, no additional bills or resolutions will be added to it. This requirement can be suspended only by unanimous consent."

(Emphases added). That rule sets out two different vote totals: (1) a threshold for passage of a period for consideration of the local and consent calendar (two-thirds of the members) and (2) a threshold for adding additional bills to the existing calendar (unanimous consent).

The motion by Chairwoman Thompson received 128 ayes and 9 nays. Representative Rinaldi argues that the vote failed to pass because it only received more than two-thirds votes of the members of the house and not the unanimous consent of the members of the house. Because Representative Thompson's motion fell within the first threshold (for setting an initial local and consent calendar), the two-thirds vote total applies. The point of order is respectfully overruled.

COMMITTEE GRANTED PERMISSION TO MEET

Representative S. Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 5 p.m. today, in 3W.9, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, 5 p.m. today, 3W.9, for a formal meeting, to set a calendar.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Raymond requested permission for the Committee on Human Services to meet while the house is in session, at 5:30 p.m. today, in 3W.9, to consider **SB 497, SB 687, SB 879, SB 1063, SB 1220, SB 1444, SB 1565, SB 1680, SB 1693**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Human Services, 5:30 p.m. today, 3W.9, for a formal meeting, to consider **SB 497, SB 687, SB 879, SB 1063, SB 1220, SB 1444, SB 1565, SB 1680, SB 1693**, and pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 5:30 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 5:30 p.m. today, 3W.15, for a formal meeting, to set a calendar.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Larson requested permission for the Committee on Natural Resources to meet while the house is in session, at 5:45 p.m. today, in 1W.14, to consider **SB 814** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Natural Resources, 5:45 p.m. today, 1W.14, for a formal meeting, to consider **SB 814** and pending business.

**HB 3735 ON SECOND READING
(by Frank, et al.)**

HB 3735, A bill to be entitled An Act relating to an application for a new or amended water right submitted to the Texas Commission on Environmental Quality.

HB 3735 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representatives Larson, E. Rodriguez, and Phillips offered the following amendment to **HB 3735**:

Amend **HB 3735** (house committee report) as follows:

- (1) On page 2, line 4, strike "amending Subsection (b) and".
- (2) Strike page 2, line 6, through page 3, line 1.

Amendment No. 1 was adopted.

HB 3735, as amended, was passed to engrossment.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Huberty requested permission for the Committee on Public Education to meet while the house is in session, at 5:15 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Education, 5:15 p.m. today, 3W.15, for a formal meeting, to consider pending business.

LEAVE OF ABSENCE GRANTED

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

Gonzales on motion of K. King.

GENERAL STATE CALENDAR
(consideration continued)

CSHB 3021 ON SECOND READING
(by Phelan)

CSHB 3021, A bill to be entitled An Act relating to indemnification and duties of engineers and architects under certain governmental contracts.

Amendment No. 1

Representative Phelan offered the following amendment to **CSHB 3021**:

Amend **CSHB 3021** (house committee report) as follows:

(1) On page 1, line 17, between "271.904(a)-(e)" and "Local Government Code", insert "and (g)".

(2) On page 1, between lines 20 and 21, insert the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill accordingly:

SECTION _____. Section 271.904, Local Government Code, is amended by amending Subsection (d) and adding Subsection (g) to read as follows:

(d) A contract for engineering or architectural services to which a governmental agency is a party must require a licensed engineer or registered architect to perform services:

(1) with the professional skill and care ordinarily provided by competent engineers or architects practicing ~~[in the same or similar locality and]~~ under the same or similar circumstances and professional license; and

(2) as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer or architect.

(g) Nothing in this section prohibits a governmental agency in a contract for engineering or architectural services to which the governmental agency is a party from including and enforcing conditions that relate to the scope, fees, and schedule of a project in the contract.

Amendment No. 1 was adopted.

CSHB 3021, as amended, was passed to engrossment.

CSHB 3015 ON SECOND READING
(by T. King, Raney, and Guillen)

CSHB 3015, A bill to be entitled An Act relating to vacation leave time accounts for firefighter employee organizations.

(Longoria now present)

CSHB 3015 was passed to engrossment by (Record 1186): 73 Yeas, 68 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bailes; Bernal; Blanco; Canales; Clardy; Coleman; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Klick; Kuempel; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Smithee; Stephenson; Thierry; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, R.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burrows; Button; Cain; Capriglione; Cook; Cospes; Craddick; Cyrier; Dale; Darby; Dean; Fallon; Frank; Frullo; Goldman; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, P.; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

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

Absent — Ashby; Burkett; Burns; Koop; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1186 was taken, I was in the house but away from my desk. I would have voted no.

Burkett

When Record No. 1186 was taken, my vote failed to register. I would have voted no.

Burns

When Record No. 1186 was taken, I was shown voting no. I intended to vote yes.

Cook

When Record No. 1186 was taken, I was shown voting no. I intended to vote yes.

Villalba

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Public Education:

Bohac on motion of Miller.

**CSHB 2757 ON SECOND READING
(by Turner and Guillen)**

CSHB 2757, A bill to be entitled An Act relating to the donation of sick leave by state employees.

CSHB 2757 was passed to engrossment.

**CSHB 3771 ON SECOND READING
(by Cook, Giddings, Morrison, S. Davis, Minjarez, et al.)**

CSHB 3771, A bill to be entitled An Act relating to the definition of abortion.

Amendment No. 1

Representative Cook offered the following amendment to **CSHB 3771**:

Amend **CSHB 3771** (house committee report) as follows:

(1) On page 1, strike lines 11-14, and substitute the following: ~~cause the death of the fetus]. This definition, as applied in this chapter, [applies only to an unemancipated minor known by the attending physician to be pregnant and]~~ may not be construed to limit a minor's access to contraceptives.

(2) On page 2, line 18, between "245.002" and "[~~means~~", insert the following:

. This definition, as applied in this subchapter, may not be construed to apply to an act done with the intent to

(3) On page 3, strike lines 3-5, and substitute the following:

~~[(D)]~~ treat a maternal disease or illness for which a prescribed drug, medicine, or other substance is indicated.

(4) On page 3, lines 11-12, strike "including the elimination of one or more unborn children in a multifetal pregnancy.".

(5) On page 3, strike lines 14-25, and substitute the following:
~~likelihood, cause the death of the woman's unborn child [an act or procedure performed after pregnancy has been medically verified and with the intent to cause the termination of a pregnancy other than for the purpose of either the birth of a live fetus or removing a dead fetus].~~ The term does not include birth control devices or oral contraceptives. An act is not an abortion if the act is done with the intent to:

(A) save the life or preserve the health of an unborn child;

(B) remove a dead, unborn child whose death was caused by spontaneous abortion; or

(C) remove an ectopic pregnancy.

Amendment No. 2

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

Amend Amendment No. 1 by Cook to **CSHB 3771** on page 1, by striking lines 16-21 and substituting the following:

(4) On page 3, strike lines 10-25 and substitute the following:
or means with the intent to cause the death of an unborn child of a woman known to be pregnant [an act or

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

LEAVES OF ABSENCE GRANTED

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

Gooden on motion of Muñoz.

Koop on motion of R. Anderson.

CSHB 3771 - (consideration continued)

CSHB 3771, as amended, was passed to engrossment by (Record 1187): 95 Yeas, 44 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Coleman; Cook; Cospere; Craddick; Cyrier; Dale; Darby; Dean; Dutton; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Guillen; Hefner; Herrero; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Muñoz; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine;

Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Cortez; Davis, S.; Deshotel; Dukes; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Neave; Nevárez; Ortega; Perez; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Turner; Uresti; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Bohac; Collier; Gonzales; Gooden; Koop; Zerwas.

Absent — Davis, Y.; Oliveira; Reynolds; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1187 was taken, I was shown voting no. I intended to vote yes.

Guerra

When Record No. 1187 was taken, I was shown voting no. I intended to vote yes.

T. King

LEAVES OF ABSENCE GRANTED

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

Allen on motion of Murr.

Bernal on motion of Murr.

Deshotel on motion of Murr.

Dutton on motion of Murr.

Huberty on motion of Murr.

K. King on motion of Murr.

Meyer on motion of Murr.

VanDeaver on motion of Murr.

POSTPONED BUSINESS

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

CSHJR 10 ON SECOND READING

(by Smithee)

CSHJR 10, A joint resolution proposing a constitutional amendment changing the eligibility requirements for certain judicial offices.

CSHJR 10 was read second time earlier today, an amendment was offered and disposed of, **CSHJR 10** was postponed until 1:30 p.m. today, and was again postponed until this time.

Amendment No. 2

Representative Smithee offered the following amendment to **CSHJR 10**:

Amend **CSHJR 10** (house committee printing) as follows:

- (1) On page 3, line 11, strike "that date" and substitute "January 1, 2021".
- (2) On page 3, line 16, strike "January 1, 2018" and substitute "January 1, 2021".
- (3) On page 3, line 17, strike "January 1, 2019" and substitute "January 1, 2022".

Amendment No. 2 was adopted.

Amendment No. 3

Representative E. Rodriguez offered the following amendment to **CSHJR 10**:

Amend **CSHJR 10** (house committee printing) as follows:

- (1) On page 1, line 12, strike "consecutive".
- (2) On page 1, line 16, strike "consecutive".

Amendment No. 3 was adopted.

(Bernal, Collier, Gonzales, Huberty, and Meyer now present)

CSHJR 10, as amended, was adopted by (Record 1188): 133 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; 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.; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; 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; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; Villalba; Vo; Walle; White; Workman; Wray; Zedler.

Nays — Isaac; Swanson.

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

Absent, Excused, Committee Meeting — Allen; Bohac; Deshotel; Dutton; Gooden; King, K.; Koop; VanDeaver; Zerwas.

Absent — Dean; Dukes; Meyer; Wilson.

STATEMENTS OF VOTE

When Record No. 1188 was taken, I was in the house but away from my desk. I would have voted yes.

Meyer

When Record No. 1188 was taken, I was temporarily out of the house chamber. I would have voted no.

Wilson

GENERAL STATE CALENDAR (consideration continued)

HB 2542 ON SECOND READING (by R. Anderson)

HB 2542, A bill to be entitled An Act relating to notice to certain insurers by the Texas Department of Insurance regarding supervision or conservatorship of certain insurance agents.

HB 2542 was passed to engrossment.

HB 2703 ON SECOND READING (by Muñoz)

HB 2703, A bill to be entitled An Act relating to a temporary order appointing a receiver in a suit for dissolution of a marriage.

HB 2703 was passed to engrossment.

HB 3391 ON SECOND READING (by Geren)

HB 3391, A bill to be entitled An Act relating to the creation of a specialty court for certain public safety employees who commit a criminal offense; imposing fees for participation and testing, counseling, and treatment.

(Gooden now present)

HB 3391 - POINT OF ORDER

Representative Stickland raised a point of order against further consideration of **HB 3391**.

(Allen, Bohac, and Deshotel now present)

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

Representative Stickland raised a point of order against further consideration of **HB 3391** on the grounds that the bill impermissibly "creates a special class of persons" in violation of the Texas Constitution. Representative Stickland did not identify the provision of the Constitution that he believes will be violated by this

bill, but he forthrightly conceded that this is precisely the type of substantive point of order that the chair has historically declined to rule on. See 84 H.J. Reg. 1040-1042 (2015) (Simpson point of order on **SB 293**); 83 H.J. Reg. 1093 (2013) (Isaac point of order on **CSHB 5**); 82 H.J. Reg. 956 (2011) (Martinez Fischer point of order on **CSSB 14**); 82 H.J. Reg. 625 (2011) (Martinez Fischer on **CSHB 15**); 79 H.J. Reg. 4041 (2005) (Geren point of order on **CSSB 422**); 62 H.J. Reg. 2845 (1971) (Hale point of order on **HB 556**).

Representative Stickland asks the chair to deviate from longstanding house practice and "blaze a new trail" by ruling on this substantive constitutional point of order. The chair declines and instead chooses the carefully considered path followed by past iterations of this house in refraining from ruling on substantive constitutional questions. The point of order is respectfully overruled.

HB 3391 was passed to engrossment by (Record 1189): 132 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; 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, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Nays — Biedermann; Cain; Krause; Lang; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Dutton; King, K.; Koop; VanDeaver; Zerwas.

Absent — Frank; Uresti.

STATEMENTS OF VOTE

When Record No. 1189 was taken, I was in the house but away from my desk. I would have voted yes.

Uresti

When Record No. 1189 was taken, I was shown voting yes. I intended to vote no.

Zedler

(VanDeaver now present)

LEAVES OF ABSENCE GRANTED

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

Alonzo on motion of Gooden.

Ashby on motion of Gooden.

Cook on motion of Gooden.

S. Davis on motion of Gooden.

Giddings on motion of Gooden.

Howard on motion of Gooden.

Hunter on motion of Gooden.

Kacal on motion of Gooden.

Nevárez on motion of Gooden.

Paddie on motion of Gooden.

Phelan on motion of Gooden.

Rose on motion of Gooden.

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Public Health:

Klick on motion of Gooden.

HB 3422 ON SECOND READING

(by Laubenberg and Fallon)

HB 3422, A bill to be entitled An Act relating to participation by the State of Texas in the interstate voter registration crosscheck program.

Representative Laubenberg moved to postpone consideration of **HB 3422** until 10 a.m. Saturday, May 13.

The motion prevailed.

HB 3991 ON SECOND READING

(by Larson)

HB 3991, A bill to be entitled An Act relating to appropriations of water for use in aquifer storage and recovery projects.

HB 3991 was passed to engrossment.

HB 2755 ON SECOND READING**(by Turner)**

HB 2755, A bill to be entitled An Act relating to the punishment for the offense of tampering with a governmental record; increasing a criminal penalty.

HB 2755 was passed to engrossment.

CSHB 1886 ON SECOND READING**(by Miller, D. Bonnen, Zerwas, and Guillen)**

CSHB 1886, A bill to be entitled An Act relating to dyslexia screening and testing, the employment of dyslexia specialists by regional education service centers, and the development by the Texas Education Agency of a list of training opportunities for educators regarding dyslexia.

CSHB 1886 was passed to engrossment.

HB 1616 ON SECOND READING**(by S. Thompson)**

HB 1616, A bill to be entitled An Act relating to an exemption from civil liability for certain professionals for the disclosure of certain mental health information.

HB 1616 was passed to engrossment.

HB 1223 ON SECOND READING**(by Murr and Israel)**

HB 1223, A bill to be entitled An Act relating to the operation and movement of authorized emergency vehicles.

HB 1223 was passed to engrossment. (J. Johnson recorded voting no.)

HB 1632 ON SECOND READING**(by G. Bonnen and Guillen)**

HB 1632, A bill to be entitled An Act relating to deferred payment of ad valorem taxes for certain persons serving in the United States armed forces.

(Cyrier in the chair)

(Klick now present)

HB 1632 was passed to engrossment.

HB 1300 ON SECOND READING**(by Springer)**

HB 1300, A bill to be entitled An Act relating to the collection and use of municipal hotel occupancy taxes.

Representative Springer moved to postpone consideration of **HB 1300** until 5:42 p.m. today.

The motion prevailed.

CSHB 2552 ON SECOND READING
(by S. Thompson)

CSHB 2552, A bill to be entitled An Act relating to prostitution and trafficking of persons and to certain criminal and civil consequences of that conduct.

Amendment No. 1

Representative S. Thompson offered the following amendment to **CSHB 2552**:

Amend **CSHB 2552** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 1602.354, Occupations Code, is amended by adding Subsection (c) to read as follows:

(c) The commission shall require continuing education programs under this chapter to include information on:

- (1) activities commonly associated with human trafficking;
- (2) recognition of potential victims of human trafficking; and
- (3) methods for assisting victims of human trafficking, including how to report human trafficking.

SECTION _____. Subchapter I, Chapter 1602, Occupations Code, is amended by adding Section 1602.408 to read as follows:

Sec. 1602.408. POSTING OF CERTAIN NOTICES REQUIRED. (a) In this section, "licensed facility" means the premises of a place of business that holds a license, certificate, or permit under this chapter.

(b) A licensed facility shall display a sign approved by or acceptable to the commission or the department concerning services and assistance available to victims of human trafficking.

(c) The sign required by this section must be in English, Spanish, and Vietnamese and include a toll-free telephone number of a nationally recognized information and referral hotline for victims of human trafficking.

(d) The commission by rule shall establish requirements regarding the posting of signs under this section.

SECTION _____. (a) Not later than March 1, 2018, the Texas Commission of Licensing and Regulation shall adopt rules as necessary to comply with Section 1602.354, Occupations Code, as amended by this Act.

(b) Section 1602.354(c), Occupations Code, as added by this Act, and the rules adopted under Subsection (a) of this section apply only to a continuing education program provided on or after September 1, 2018.

SECTION _____. (a) Not later than January 1, 2018, the Texas Commission of Licensing and Regulation shall adopt rules as necessary to implement Section 1602.408, Occupations Code, as added by this Act.

(b) A licensed facility as defined by Section 1602.408(a), Occupations Code, as added by this Act, shall comply with Section 1602.408, Occupations Code, as added by this Act, not later than February 1, 2018.

(Alonzo now present)

Amendment No. 1 was adopted by (Record 1190): 127 Yeas, 1 Nays, 2 Present, not voting.

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

Nays — Rinaldi.

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

Absent, Excused, Committee Meeting — Ashby; Cook; Davis, S.; Dutton; Giddings; Howard; Hunter; Kacal; King, K.; Koop; Nevárez; Paddie; Phelan; Rose; Zerwas.

Absent — Isaac; King, T.; Schofield; Shaheen; Wilson.

STATEMENTS OF VOTE

When Record No. 1190 was taken, I was in the house but away from my desk. I would have voted yes.

Isaac

When Record No. 1190 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 1190 was taken, I was in the house but away from my desk. I would have voted yes.

Schofield

When Record No. 1190 was taken, I was in the house but away from my desk. I would have voted no.

Shaheen

When Record No. 1190 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

When Record No. 1190 was taken, I was temporarily out of the house chamber. I would have voted yes.

Wilson

(Giddings, Howard, Hunter, and Koop now present)

Amendment No. 2

Representative Uresti offered the following amendment to **CSHB 2552**:

Amend **CSHB 2552** (house committee printing) as follows:

(1) On page 12, line 6, strike "or".

(2) On page 12, line 8, between "purposes" and the period, insert the following:

; or

(4) publishes or distributes on an Internet website that is owned or operated by the actor an advertisement that contains an offer to engage in sexual conduct in return for receipt of a fee.

Amendment No. 2 was adopted.

(K. King now present)

Amendment No. 3

Representative Moody offered the following amendment to **CSHB 2552**:

Amend **CSHB 2552** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Section 125.001, Civil Practice and Remedies Code, is amended by adding Subdivisions (1-a) and (4) to read as follows:

(1-a) "Computer network" means the interconnection of two or more computers or computer systems by satellite, microwave, line, or other communication medium with the capability to transmit information between the computers.

(4) "Web address" means a website operating on the Internet.

SECTION _____. Section 125.0015, Civil Practice and Remedies Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) A person operating a web address or computer network in connection with an activity described by Subsection (a)(3), (a)(6), (a)(7), (a)(10), (a)(11), (a)(17), (a)(18), (a)(19), (a)(20), (a)(21), or (a)(22) maintains a common nuisance.

(d) Subsection (c) does not apply to:

(1) a provider of remote computing services or electronic communication services to the public;

(2) a provider of an interactive computer service as defined by 47 U.S.C. Section 230;

(3) an Internet service provider;

- (4) a search engine operator;
- (5) a browsing or hosting company;
- (6) an operating system provider; or
- (7) a device manufacturer.

(e) This section does not apply to an activity exempted, authorized, or otherwise lawful activity regulated by federal law.

SECTION _____. Subchapter A, Chapter 125, Civil Practice and Remedies Code, is amended by adding Section 125.0025 to read as follows:

Sec. 125.0025. SUIT TO DECLARE CERTAIN COMMON NUISANCES.

(a) A suit to declare that a person operating a web address or computer network is maintaining a common nuisance may be brought by an individual, by the attorney general, or by a district, county, or city attorney.

(b) Except as provided by Section 125.003(d), on a finding that a web address or computer network is a common nuisance, the sole remedy available is a judicial finding issued to the attorney general.

(c) The attorney general may:

(1) notify Internet service providers, search engine operators, browsing or hosting companies, or device manufacturers on which applications are hosted of the judicial finding issued to the attorney general under Subsection (b) to determine if the persons notified are able to offer technical assistance to the attorney general in a manner consistent with 47 U.S.C. Section 230; or

(2) post the judicial finding issued to the attorney general under Subsection (b) on the attorney general's Internet website.

SECTION _____. The heading to Section 125.002, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 125.002. SUIT TO ABATE CERTAIN COMMON NUISANCES [NUISANCE]; BOND.

SECTION _____. Sections 125.002(a), (g), and (h), Civil Practice and Remedies Code, are amended to read as follows:

(a) A suit to enjoin and abate a common nuisance described by Section 125.0015(a) or (b) may be brought by an individual, by the attorney general, or by a district, county, or city attorney. The suit must be brought in the county in which it is alleged to exist against the person who is maintaining or about to maintain the nuisance. The suit must be brought in the name of the state if brought by the attorney general or a district or county attorney, in the name of the city if brought by a city attorney, or in the name of the individual if brought by a private citizen. Verification of the petition or proof of personal injury by the acts complained of need not be shown. For purposes of this subsection, personal injury may include economic or monetary loss.

(g) In an action brought under this chapter, other than an action brought under Section 125.0025, the petitioner may file a notice of lis pendens and a certified copy of an order of the court in the office of the county clerk in each county in which the land is located. The notice of lis pendens must conform to the requirements of Section 12.007, Property Code, and constitutes notice as

provided by Section 13.004, Property Code. A certified copy of an order of the court filed in the office of the county clerk constitutes notice of the terms of the order and is binding on subsequent purchasers and lienholders.

(h) A person who may bring a suit under Subsection (a) [~~Section 125.0015~~] shall consider, among other factors, whether the property owner, the owner's authorized representative, or the operator or occupant of the business, dwelling, or other place where the criminal acts occurred:

(1) promptly notifies the appropriate governmental entity or the entity's law enforcement agency of the occurrence of criminal acts on the property; and

(2) cooperates with the governmental entity's law enforcement investigation of criminal acts occurring at the property.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Dale offered the following amendment to **CSHB 2552**:

Amend **CSHB 2552** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) This section takes effect only if the Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes becomes law.

(b) Section 21.16(g), Penal Code, as added by Chapter 852 (**SB 1135**), Acts of the 84th Legislature, Regular Session, 2015, is amended to read as follows:

(g) An offense under this section is a state jail felony [~~Class A misdemeanor~~].

(c) Chapter 21, Penal Code, is amended by adding Section 21.18 to read as follows:

Sec. 21.18. SEXUAL COERCION. (a) In this section:

(1) "Intimate visual material" means the visual material described by Section 21.16(b)(1) or (c).

(2) "Sexual conduct" has the meaning assigned by Section 43.25.

(b) A person commits an offense if the person intentionally threatens, including by coercion or extortion, to commit an offense under Chapter 43 or Section 20A.02(a)(3), (4), (7), or (8), 21.02, 21.08, 21.11, 21.12, 21.15, 21.16, 21.17, 22.011, or 22.021 to obtain, in return for not committing the threatened offense or in connection with the threatened offense, any of the following benefits:

(1) intimate visual material;

(2) an act involving sexual conduct causing arousal or gratification; or

(3) a monetary benefit or other benefit of value.

(c) A person commits an offense if the person intentionally threatens, including by coercion or extortion, to commit an offense under Chapter 19 or 20 or Section 20A.02(a)(1), (2), (5), or (6) to obtain, in return for not committing the threatened offense or in connection with the threatened offense, either of the following benefits:

(1) intimate visual material; or

(2) an act involving sexual conduct causing arousal or gratification.

(d) This section applies to a threat regardless of how that threat is communicated, including a threat transmitted through e-mail or an Internet website, social media account, or chat room and a threat made by other electronic or technological means.

(e) An offense under this section is a state jail felony, except that the offense is a felony of the third degree if it is shown on the trial of the offense that the defendant has previously been convicted of an offense under this section.

SECTION _____. (a) This section takes effect only if the Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes does not become law.

(b) Section 21.16(g), Penal Code, as added by Chapter 852 (**SB 1135**), Acts of the 84th Legislature, Regular Session, 2015, is amended to read as follows:

(g) An offense under this section is a state jail felony [~~Class A misdemeanor~~].

(c) Chapter 21, Penal Code, is amended by adding Section 21.18 to read as follows:

Sec. 21.18. SEXUAL COERCION. (a) In this section:

(1) "Intimate visual material" means the visual material described by Section 21.16(b)(1) or (c), as added by Chapter 852 (**SB 1135**), Acts of the 84th Legislature, Regular Session, 2015.

(2) "Sexual conduct" has the meaning assigned by Section 43.25.

(b) A person commits an offense if the person intentionally threatens, including by coercion or extortion, to commit an offense under Chapter 43 or Section 20A.02(a)(3), (4), (7), or (8), 21.02, 21.08, 21.11, 21.12, 21.15, 21.16, as added by Chapter 852 (**SB 1135**), Acts of the 84th Legislature, Regular Session, 2015, 21.16, as added by Chapter 676 (**HB 207**), Acts of the 84th Legislature, Regular Session, 2015, 22.011, or 22.021 to obtain, in return for not committing the threatened offense or in connection with the threatened offense, any of the following benefits:

(1) intimate visual material;

(2) an act involving sexual conduct causing arousal or gratification; or

(3) a monetary benefit or other benefit of value.

(c) A person commits an offense if the person intentionally threatens, including by coercion or extortion, to commit an offense under Chapter 19 or 20 or Section 20A.02(a)(1), (2), (5), or (6) to obtain, in return for not committing the threatened offense or in connection with the threatened offense, either of the following benefits:

(1) intimate visual material; or

(2) an act involving sexual conduct causing arousal or gratification.

(d) This section applies to a threat regardless of how that threat is communicated, including a threat transmitted through e-mail or an Internet website, social media account, or chat room and a threat made by other electronic or technological means.

(e) An offense under this section is a state jail felony, except that the offense is a felony of the third degree if it is shown on the trial of the offense that the defendant has previously been convicted of an offense under this section.

Amendment No. 4 was adopted.

Amendment No. 5

Representative Burns offered the following amendment to **CSHB 2552**:

Amend **CSHB 2552** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Chapter 245, Health and Safety Code, is amended by adding Section 245.025 to read as follows:

Sec. 245.025. HUMAN TRAFFICKING SIGNS REQUIRED. (a) An abortion facility shall display separate signs, in English, Spanish, and any additional language as required by Subsection (b), side by side in accordance with this section in each restroom and patient consulting room. The signs must include the following information:

(1) no person, including an individual's parents, may force any individual to have an abortion;

(2) it is illegal for a person to force an individual to engage in sexual acts;

(3) a woman who needs help may call or text a state or national organization that assists victims of human trafficking and forced abortions; and

(4) the toll-free number of an organization described by Subdivision (3).

(b) Signs required under this section must be in English and Spanish. If an abortion facility is located in a political subdivision required to provide election materials in a language other than English or Spanish under Section 272.011, Election Code, the facility shall display a separate sign in that language.

(c) Signs required under this section must be at least 8-1/2 by 11 inches in size and displayed in a conspicuous manner clearly visible to the public and employees of an abortion facility. The notice must cover at least four-fifths of the sign.

(d) The executive commissioner shall adopt rules as necessary to implement and enforce this section.

SECTION _____. Section 20A.02(b), Penal Code, is amended to read as follows:

(b) Except as otherwise provided by this subsection, an offense under this section is a felony of the second degree. An offense under this section is a felony of the first degree if:

(1) the applicable conduct constitutes an offense under Subsection (a)(5), (6), (7), or (8), regardless of whether the actor knows the age of the child at the time the actor commits the offense; ~~or~~

(2) the commission of the offense results in the death of the person who is trafficked; or

(3) the commission of the offense results in the death of an unborn child of the person who is trafficked.

SECTION _____. Sections 22.01(b) and (c), Penal Code, are amended to read as follows:

(b) An offense under Subsection (a)(1) is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against:

(1) a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant;

(2) a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code, if:

(A) it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this chapter, Chapter 19, or Section 20.03, 20.04, 21.11, or 25.11 against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; or

(B) the offense is committed by intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of the person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth;

(3) a person who contracts with government to perform a service in a facility as defined by Section 1.07(a)(14), Penal Code, or Section 51.02(13) or (14), Family Code, or an employee of that person:

(A) while the person or employee is engaged in performing a service within the scope of the contract, if the actor knows the person or employee is authorized by government to provide the service; or

(B) in retaliation for or on account of the person's or employee's performance of a service within the scope of the contract;

(4) a person the actor knows is a security officer while the officer is performing a duty as a security officer; ~~or~~

(5) a person the actor knows is emergency services personnel while the person is providing emergency services; or

(6) a pregnant individual to force the individual to have an abortion.

(c) An offense under Subsection (a)(2) or (3) is a Class C misdemeanor, except that the offense is:

(1) a Class A misdemeanor if the offense is committed under Subsection (a)(3) against an elderly individual or disabled individual, as those terms are defined by Section 22.04; ~~or~~

(2) a Class B misdemeanor if the offense is committed by a person who is not a sports participant against a person the actor knows is a sports participant either:

(A) while the participant is performing duties or responsibilities in the participant's capacity as a sports participant; or

(B) in retaliation for or on account of the participant's performance of a duty or responsibility within the participant's capacity as a sports participant; or

(3) a Class A misdemeanor if the offense is committed against a pregnant individual to force the individual to have an abortion.

SECTION _____. (a) Not later than December 1, 2017, the executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement Section 245.025, Health and Safety Code, as added by this Act.

(b) An abortion facility is not required to comply with Section 245.025, Health and Safety Code, as added by this Act, before January 1, 2018.

SECTION _____. Sections 20A.02 and 22.01, Penal Code, as amended by this Act, apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and that law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

Amendment No. 5 was withdrawn.

Representative S. Thompson moved to postpone consideration of **CSHB 2552** until 6 p.m. today.

The motion prevailed.

CSHB 1151 ON SECOND READING
(by Schofield)

CSHB 1151, A bill to be entitled An Act relating to the deadline for returning a ballot voted by mail.

(Paddie, Rose, and Zerwas now present)

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

COMMITTEE GRANTED PERMISSION TO MEET

Representative Frullo requested permission for the Committee on Culture, Recreation, and Tourism to meet while the house is in session, at 6:30 p.m. today, in 1W.14, to consider **SB 573**, **SB 720**, and **SB 722**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Culture, Recreation, and Tourism, 6:30 p.m. today, 1W.14, for a formal meeting, to consider **SB 573**, **SB 720**, and **SB 722**.

CSHB 1151 - (consideration continued)**Amendment No. 1**

Representative Gutierrez offered the following amendment to **CSHB 1151**:

Amend **CSHB 1151** (house committee report) on page 1, line 15, between "7 p.m." and "on" insert "at the location of the election".

Amendment No. 1 was adopted.

CSHB 1151, as amended, was passed to engrossment.

POSTPONED BUSINESS

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

HB 1300 ON SECOND READING

(by Springer)

HB 1300, A bill to be entitled An Act relating to the collection and use of municipal hotel occupancy taxes.

HB 1300 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Stucky offered the following amendment to **HB 1300**:

Amend **HB 1300** (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) Section 351.101(a), Tax Code, as amended by Chapters 666 (**HB 3772**) and 979 (**HB 3615**), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

(a) Revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry, and that use is limited to the following:

(1) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers, or both;

(2) the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;

(3) advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;

(4) the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;

(5) historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:

(A) at or in the immediate vicinity of convention center facilities or visitor information centers; or

(B) located elsewhere in the municipality or its vicinity that would be frequented by tourists and convention delegates;

(6) for a municipality located in a county with a population of one million or less, expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity;

(7) subject to Section 351.1076, the promotion of tourism by the enhancement and upgrading of existing sports facilities or fields, including facilities or fields for baseball, softball, soccer, flag football, and rodeos, if:

(A) the municipality owns the facilities or fields;

(B) the municipality:

(i) has a population of 80,000 or more and is located in a county that has a population of 350,000 or less;

(ii) has a population of at least 75,000 but not more than 95,000 and is located in a county that has a population of less than 200,000 but more than 160,000;

(iii) has a population of at least 36,000 but not more than 39,000 and is located in a county that has a population of 100,000 or less that is not adjacent to a county with a population of more than two million;

(iv) has a population of at least 13,000 but less than 39,000 and is located in a county that has a population of at least 200,000;

(v) has a population of at least 70,000 but less than 90,000 and no part of which is located in a county with a population greater than 150,000;

(vi) is located in a county that:

(a) is adjacent to the Texas-Mexico border;

(b) has a population of at least 500,000; and

(c) does not have a municipality with a population greater than 500,000;

(vii) has a population of at least 25,000 but not more than 26,000 and is located in a county that has a population of 90,000 or less;

(viii) ~~[(*)]~~ is located in a county that has a population of not more than 300,000 and in which a component university of the University of Houston System is located; ~~[or]~~

(ix) ~~[(*)]~~ has a population of at least 40,000 and the San Marcos River flows through the municipality; or

(x) contains an intersection of Interstates 35E and 35W and at least two public universities; and

(C) the sports facilities and fields have been used, in the preceding calendar year, a combined total of more than 10 times for district, state, regional, or national sports tournaments;

(8) for a municipality with a population of at least 70,000 but less than 90,000, no part of which is located in a county with a population greater than 150,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility;

(9) signage directing the public to sights and attractions that are visited frequently by hotel guests in the municipality;

(10) the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility, if the municipality:

(A) has a population of at least 90,000 but less than 120,000; and

(B) is located in two counties, at least one of which contains the headwaters of the San Gabriel River; and

(11) for a municipality with a population of more than 175,000 but less than 225,000 that is located in two counties, each of which has a population of less than 200,000, the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of a coliseum or multiuse facility and related infrastructure or a venue, as defined by Section 334.001(4), Local Government Code, that is related to the promotion of tourism.

(b) To the extent of any conflict, this section controls over another Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes.

(c) This section takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for this section to have immediate effect, this section takes effect September 1, 2017.

(2) On page 2, line 19, strike "This" and substitute "Except as otherwise provided by this Act, this".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Guillen offered the following amendment to **HB 1300**:

Amend **HB 1300** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 352.103, Tax Code, is amended to read as follows:

Sec. 352.103. USE OF REVENUE: COUNTIES WITH NO MUNICIPALITY. (a) Except as provided by Subsection (b), the [The] revenue from a tax imposed under this chapter by a county that has no municipality may be used only for:

(1) the purposes provided by Sections 351.101(a)(1), (2), and (4);

(2) advertising for general promotional and tourist advertising of the county and conducting a solicitation program to attract conventions and visitors either by the county or through contracts with persons or organizations selected by the commissioners court; and

(3) historical preservation and restoration.

(b) Notwithstanding any other provision of this chapter, a county described by Subsection (a) that owns an airport may use revenue from a tax imposed under this chapter for repairs and improvements to the county airport or reimbursement for repairs and improvements to the airport.

(c) A county to which Subsection (b) applies may not use revenue from a tax imposed under this chapter for a purpose described by Subsection (b) in a total amount that would exceed the amount of hotel revenue in the county that is likely to be reasonably attributable to guests traveling through the airport during the 15-year period beginning on the date the county first uses the tax revenue for that purpose.

(d) A county to which Subsection (b) applies may not use revenue from a tax imposed under this chapter for a purpose described by Subsection (b) after the 10th anniversary of the date the county first uses that revenue for that purpose.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Isaac offered the following amendment to **HB 1300**:

Amend **HB 1300** (house committee printing) by adding the following sections to the bill, numbered appropriately, and by renumbering the sections of the bill accordingly:

SECTION _____. Section 351.101, Tax Code, is amended by adding Subsection (o) to read as follows:

(o) In addition to the purposes provided by Subsection (a), a municipality that has a population of not more than 10,000, that contains an outdoor gear and sporting goods retailer with retail space larger than 175,000 square feet, and that hosts an annual wiener dog race may use revenue from the municipal hotel occupancy tax to promote tourism and the convention and hotel industry by constructing, operating, or expanding a sporting related facility or sports field owned by the municipality, if the majority of the events at the facility or field are directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels in the municipality. If a municipality to which this subsection applies uses revenue derived from the municipal hotel occupancy tax for a purpose described by this subsection, the municipality may not reduce the percentage of revenue from that tax allocated for a purpose described by Section 351.101(a)(3) to a percentage that is less than the average percentage of that revenue allocated by the municipality for that purpose during the 36-month period preceding the date the municipality begins using the revenue for a purpose described by this subsection.

SECTION _____. Section 351.1078, Tax Code, is amended to read as follows:

Sec. 351.1078. ALLOCATION OF REVENUE: CERTAIN MUNICIPALITIES. (a) A municipality that spends municipal hotel occupancy tax revenue as authorized by Section 351.101(i) or (o):

(1) may not use municipal hotel occupancy tax revenue for the acquisition of land for the sporting related facility or sports field described by that subsection;

(2) shall annually determine and prepare and publish on the municipality's Internet website a report on the events held at the facility or field, the number of hotel room nights attributable to events held at the facility or field, and the amount of hotel revenue and municipal tax revenue attributable to the sports events and tournaments held at the facility or field for five years after the date the construction expenditures are completed; and

(3) may only spend hotel occupancy tax revenue for operational expenses of the facility or field if the costs are directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels in or near the municipality.

(b) The municipality shall reimburse to the municipality's hotel occupancy tax revenue fund from the municipality's general fund any expenditure in excess of the amount of area hotel revenue attributable to sporting events held at the sporting related facility or sports field described by Section 351.101(i) or (o) for five years after the date the construction or expansion of the facility or field described by that subsection is completed.

Amendment No. 3 was adopted.

(S. Davis now present)

Amendment No. 4

Representative Springer offered the following amendment to **HB 1300**:

Amend **HB 1300** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 351, Tax Code, is amended by adding Section 351.0043 to read as follows:

Sec. 351.0043. TAX COLLECTION BY SHORT-TERM RENTAL MARKETPLACE. (a) For purposes of this section:

(1) "Booking charge" means the charge imposed on a person by a host for the purpose of renting a short-term rental in this state and includes any fees charged by the host, regardless of whether separately itemized.

(2) "Host" means a person who owns a short-term rental and offers the short-term rental for rent through a short-term rental marketplace or, if applicable, that person's authorized agent who offers the short-term rental for rent through a short-term rental marketplace.

(3) "Short-term rental" has the meaning assigned by Section 156.001.

(4) "Short-term rental marketplace" means a marketplace, Internet website, mobile application, or other platform through which a host offers a short-term rental for rent.

(b) A short-term rental marketplace may:

(1) enter into an agreement with the comptroller to collect and remit to the comptroller the taxes imposed by a municipality under this chapter on each booking charge for a rental made through the short-term rental marketplace; or

(2) enter into an agreement with a third-party vendor to remit to the municipality the taxes described by Subdivision (1) that the short-term rental marketplace collects.

(c) To be effective, an agreement described by Subsection (b) must be approved by the governing body of the municipality. During the period an agreement described by Subsection (b) is in effect and notwithstanding Section 351.004 or any other law:

(1) the short-term rental marketplace shall:

(A) collect the appropriate amount of the tax imposed under this chapter by the municipality in which a short-term rental is located on each booking charge with respect to that short-term rental; and

(B) report and remit all taxes collected by the short-term rental marketplace under Paragraph (A):

(i) to the comptroller on a schedule determined by the comptroller, if the agreement in effect is with the comptroller; or

(ii) to the third-party vendor on a schedule determined by the vendor, if the agreement in effect is with a vendor; and

(2) the host may not collect and is not liable for a tax imposed by this chapter on a booking charge for a rental made through the short-term rental marketplace.

(d) The comptroller or third-party vendor, as applicable, shall promulgate a form a short-term rental marketplace must use to report the taxes collected by the short-term rental marketplace under this section. The form must include the following information:

(1) the total receipts from the rental during the reporting period of all short-term rentals located in any municipality that has approved an agreement under this section and are offered for rent through the short-term rental marketplace, categorized by municipality in which those short-term rentals are located;

(2) the total amount of booking charges from the rental during the reporting period of all short-term rentals located in any municipality that has approved an agreement under this section and are offered for rent through the short-term rental marketplace, categorized by municipality in which those short-term rentals are located;

(3) the rate of the tax imposed under this chapter in each municipality identified under Subdivision (2); and

(4) the total receipts and the total amount of booking charges from the rental during the reporting period of all short-term rentals located in a project financing zone as defined by Section 351.1015 and offered for rent through the short-term rental marketplace, categorized by project financing zone.

(e) The form described by Subsection (d) may not require the identification of a specific guest or the host of a short-term rental.

(f) If the short-term rental marketplace collects and remits to the comptroller the taxes imposed by the municipality under this chapter in accordance with an agreement under Subsection (b)(1), the comptroller shall:

(1) deposit the taxes remitted to the comptroller under this section in trust in the separate suspense account of the municipality in which short-term rentals with respect to which the taxes were collected are located; and

(2) send to the municipal treasurer or to the person who performs the office of the municipal treasurer payable to the municipality the municipality's share of the taxes remitted to the comptroller under this chapter at least 12 times during each state fiscal year.

(g) A suspense account described by Subsection (f)(1) is outside the treasury and the comptroller may make a payment from the account without the necessity of an appropriation.

(h) Before sending any money to a municipality under Subsection (f) and subject to the limitation provided by this subsection, the comptroller shall deduct and deposit to the credit of the general revenue fund an amount equal to one percent of the amount of the taxes collected from rentals of short-term rentals located in the municipality under this section during the period for which a distribution is made as the state's charge for services provided by the state under this section. The comptroller may not deduct from the distributions to a municipality more than \$50,000 in each state fiscal year under this subsection.

(i) If the short-term rental marketplace enters into an agreement with a third-party vendor under Subsection (b)(2), the vendor shall report and remit to a municipality that approved the agreement all taxes imposed by the municipality under this chapter and collected by the short-term rental marketplace on rentals of short-term rentals located in that municipality in the time and manner provided by the ordinance imposing the tax.

(j) Notwithstanding any other law, this section applies to the collection, remittance, and distribution of taxes imposed by a political subdivision that is authorized to impose a hotel occupancy tax under a provision of the Special District Local Laws Code or Vernon's Texas Civil Statutes in the same manner the section applies to a municipality authorized to impose a hotel occupancy tax under this chapter.

(k) The comptroller may adopt rules to implement and administer this section.

SECTION _____. Subchapter A, Chapter 352, Tax Code, is amended by adding Section 352.0042 to read as follows:

Sec. 352.0042. **TAX COLLECTION BY SHORT-TERM RENTAL MARKETPLACE.** (a) For purposes of this section:

(1) "Booking charge," "host," and "short-term rental marketplace" have the meanings assigned by Section 351.0043.

(2) "Short-term rental" has the meaning assigned by Section 156.001.

(b) A short-term rental marketplace may:

(1) enter into an agreement with the comptroller to collect and remit to the comptroller the taxes imposed by a county under this chapter on each booking charge for a rental made through the short-term rental marketplace; or

(2) enter into an agreement with a third-party vendor to remit to the county the taxes described by Subdivision (1) that the short-term rental marketplace collects.

(c) To be effective, an agreement described by Subsection (b) must be approved by the commissioners court of the county. During the period an agreement described by Subsection (b) is in effect and notwithstanding Section 352.004 or any other law:

(1) the short-term rental marketplace shall:

(A) collect the appropriate amount of the tax imposed under this chapter by the county in which a short-term rental is located on each booking charge with respect to that short-term rental; and

(B) report and remit all taxes collected by the short-term rental marketplace under Paragraph (A):

(i) to the comptroller on a schedule determined by the comptroller, if the agreement in effect is with the comptroller; or

(ii) to the third-party vendor on a schedule determined by the vendor, if the agreement in effect is with a vendor; and

(2) the host may not collect and is not liable for a tax imposed by this chapter on a booking charge for a rental made through the short-term rental marketplace.

(d) The comptroller or third-party vendor, as applicable, shall promulgate a form a short-term rental marketplace must use to report the taxes collected by the short-term rental marketplace under this section. The form must include the following information:

(1) the total receipts from the rental during the reporting period of all short-term rentals located in any county that has approved an agreement under this section and are offered for rent through the short-term rental marketplace, categorized by county in which those short-term rentals are located;

(2) the total amount of booking charges from the rental during the reporting period of all short-term rentals located in any county that has approved an agreement under this section and are offered for rent through the short-term rental marketplace, categorized by county in which those short-term rentals are located; and

(3) the rate of the tax imposed under this chapter in each county identified under Subdivision (2).

(e) The form described by Subsection (d) may not require the identification of a specific guest or the host of a short-term rental.

(f) If the short-term rental marketplace collects and remits to the comptroller the taxes imposed by the county under this chapter in accordance with an agreement under Subsection (b)(1), the comptroller shall:

(1) deposit the taxes remitted to the comptroller under this section in trust in the separate suspense account of the county in which short-term rentals with respect to which the taxes were collected are located; and

(2) send to the county treasurer payable to the county the county's share of the taxes remitted to the comptroller under this chapter at least 12 times during each state fiscal year.

(g) A suspense account described by Subsection (f)(1) is outside the treasury and the comptroller may make a payment from the account without the necessity of an appropriation.

(h) Before sending any money to a county under Subsection (f) and subject to the limitation provided by this subsection, the comptroller shall deduct and deposit to the credit of the general revenue fund an amount equal to one percent of the amount of the taxes collected from rentals of short-term rentals located in the county under this section during the period for which a distribution is made as the state's charge for services provided by the state under this section. The comptroller may not deduct from the distributions to a county more than \$50,000 in each state fiscal year under this subsection.

(i) If the short-term rental marketplace enters into an agreement with a third-party vendor under Subsection (b)(2), the vendor shall report and remit to a county that approved the agreement all taxes imposed by the county under this chapter and collected by the short-term rental marketplace on rentals of short-term rentals located in that county in the time and manner provided by the order imposing the tax.

(j) Notwithstanding any other law, this section applies to the collection, remittance, and distribution of taxes imposed by a political subdivision that is authorized to impose a hotel occupancy tax under a provision of the Special District Local Laws Code or Vernon's Texas Civil Statutes in the same manner the section applies to a county authorized to impose a hotel occupancy tax under this chapter.

(k) The comptroller may adopt rules to implement and administer this section.

(Ashby now present)

Amendment No. 4 - Point of Order

Representative J. Rodriguez raised a point of order against further consideration of Amendment No. 4 under Rule 11, Section 6 of the House Rules on the grounds that the amendment was improperly filed.

The point of order was withdrawn.

Representative Springer moved to postpone consideration of **HB 1300** until 6:47 p.m. today.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Kuempel requested permission for the Committee on Licensing and Administrative Procedures to meet while the house is in session, at 7:30 p.m. today, in 1W.14, to consider **SB 1089**, **SB 1932**, **SB 2065**, and **SB 2212**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Licensing and Administrative Procedures, 7:30 p.m. today, 1W.14, for a formal meeting, to consider **SB 1089**, **SB 1932**, **SB 2065**, and **SB 2212**.

CSHB 2552 ON SECOND READING
(by S. Thompson)

CSHB 2552, A bill to be entitled An Act relating to prostitution and trafficking of persons and to certain criminal and civil consequences of that conduct.

CSHB 2552 was read second time earlier today, amendments were offered and disposed of, and **CSHB 2552** was postponed until this time.

(Cook and Phelan now present)

(Speaker in the chair)

Amendment No. 6

Representative Burns offered the following amendment to **CSHB 2552**:

Amend **CSHB 2552** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Chapter 245, Health and Safety Code, is amended by adding Section 245.025 to read as follows:

Sec. 245.025. HUMAN TRAFFICKING SIGNS REQUIRED. (a) An abortion facility shall display separate signs, in English, Spanish, and any additional language as required by Subsection (b), side by side in accordance with this section in each restroom and patient consulting room. The signs must include the following information:

(1) no person, including an individual's parents, may force any individual to have an abortion;

(2) it is illegal for a person to force an individual to engage in sexual acts;

(3) a woman who needs help may call or text a state or national organization that assists victims of human trafficking and forced abortions; and

(4) the toll-free number of an organization described by Subdivision (3).

(b) Signs required under this section must be in English and Spanish. If an abortion facility is located in a political subdivision required to provide election materials in a language other than English or Spanish under Section 272.011, Election Code, the facility shall display a separate sign in that language.

(c) Signs required under this section must be at least 8-1/2 by 11 inches in size and displayed in a conspicuous manner clearly visible to the public and employees of an abortion facility. The notice must cover at least four-fifths of the sign.

(d) The executive commissioner shall adopt rules as necessary to implement and enforce this section.

SECTION _____. Section 20A.02(b), Penal Code, is amended to read as follows:

(b) Except as otherwise provided by this subsection, an offense under this section is a felony of the second degree. An offense under this section is a felony of the first degree if:

(1) the applicable conduct constitutes an offense under Subsection (a)(5), (6), (7), or (8), regardless of whether the actor knows the age of the child at the time the actor commits the offense; ~~☐~~

(2) the commission of the offense results in the death of the person who is trafficked; or

(3) the commission of the offense results in the death of an unborn child of the person who is trafficked.

SECTION _____. Sections 22.01(b) and (c), Penal Code, are amended to read as follows:

(b) An offense under Subsection (a)(1) is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against:

(1) a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant;

(2) a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code, if:

(A) it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this chapter, Chapter 19, or Section 20.03, 20.04, 21.11, or 25.11 against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; or

(B) the offense is committed by intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of the person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth;

(3) a person who contracts with government to perform a service in a facility as defined by Section 1.07(a)(14), Penal Code, or Section 51.02(13) or (14), Family Code, or an employee of that person:

(A) while the person or employee is engaged in performing a service within the scope of the contract, if the actor knows the person or employee is authorized by government to provide the service; or

(B) in retaliation for or on account of the person's or employee's performance of a service within the scope of the contract;

(4) a person the actor knows is a security officer while the officer is performing a duty as a security officer; ~~☐~~

(5) a person the actor knows is emergency services personnel while the person is providing emergency services; or

(6) a pregnant individual to force the individual to have an abortion.

(c) An offense under Subsection (a)(2) or (3) is a Class C misdemeanor, except that the offense is:

(1) a Class A misdemeanor if the offense is committed under Subsection (a)(3) against an elderly individual or disabled individual, as those terms are defined by Section 22.04; ~~☐~~

(2) a Class B misdemeanor if the offense is committed by a person who is not a sports participant against a person the actor knows is a sports participant either:

(A) while the participant is performing duties or responsibilities in the participant's capacity as a sports participant; or

(B) in retaliation for or on account of the participant's performance of a duty or responsibility within the participant's capacity as a sports participant; or

(3) a Class A misdemeanor if the offense is committed against a pregnant individual to force the individual to have an abortion.

SECTION _____. (a) Not later than December 1, 2017, the executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement Section 245.025, Health and Safety Code, as added by this Act.

(b) An abortion facility is not required to comply with Section 245.025, Health and Safety Code, as added by this Act, before January 1, 2018.

SECTION _____. Sections 20A.02 and 22.01, Penal Code, as amended by this Act, apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and that law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

(Cyrier in the chair)

Amendment No. 7

Representative Farrar offered the following amendment to Amendment No. 6:

Amend Amendment No. 6 by Burns to **CSHB 2552** as follows:

(1) On page 1, between lines 3 and 4, insert the following:

SECTION _____. Subchapter A, Chapter 241, Health and Safety Code, is amended by adding Section 241.011 to read as follows:

Sec. 241.011. HUMAN TRAFFICKING SIGNS REQUIRED. An emergency department of a hospital shall display separate signs, in English and Spanish, that comply with Section 245.025 as if the hospital is an abortion facility.

(2) On page 4, lines 15, strike "Section" and substitute "Sections 241.011 and".

(3) On page 4, line 17, strike "An" and substitute "A hospital or".

(4) On page 4, line 18, between "Section" and "245.025", insert "241.011 or".

CSHB 2552 - POINT OF ORDER

Representative Rinaldi raised a point of order against further consideration of **CSHB 2552** under Rule 8, Section 3 of the House Rules on the grounds that it violates the one-subject rule.

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

Representative Rinaldi raised a point of order against further consideration of **CSHB 2552** on the ground that the bill, as amended by Amendment No. 1, contains two subjects. The point of order is respectfully overruled.

Under Rule 8, Section 3, "[e]ach bill (except a general appropriations bill . . .) shall contain only one subject." **CSHB 2552** is a broad bill relating to prostitution and trafficking of persons and certain consequences resulting from that conduct. The bill amends the Business and Commerce Code as it relates to deceptive trade practices act claims for unlicensed or noncompliant massage establishments. It amends the Civil Practices and Remedies Code as it relates to admissible evidence in suits to abate certain common nuisances where landowners knowingly tolerate certain activity. It amends the government code to include prostitution and promotion of prostitution among offenses for which the Department of Public Safety must collect certain information. It expands conduct that would constitute the offense of promotion of prostitution. It amends the Property Code to allow a landlord to recover possession of leased premises if the tenant is using the premises for certain prohibited activities involving trafficking or prostitution. The list goes on, but in short, the bill is an omnibus bill against human trafficking and prostitution.

Amendment No. 1 would have amended the Occupations Code to require cosmetologists to learn about the signs of human trafficking, to learn how to report human trafficking, and to post notice of services and assistance available to victims of human trafficking. Because this amendment also provides methods for reducing human trafficking, it fits within the broad subject of the bill and does not violate Rule 8, Section 3.

Amendment No. 7 was adopted.

LEAVE OF ABSENCE GRANTED

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

Smithee on motion of Shine.

CSHB 2552 - (consideration continued)

Amendment No. 6, as amended, was adopted.

Amendment No. 8

Representative Dukes offered the following amendment to **CSHB 2552**:

Amend **CSHB 2552** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 11, Education Code, is amended by adding Section 11.066 to read as follows:

Sec. 11.066. ELIGIBILITY FOR SERVICE BY TRUSTEE CONVICTED OF CERTAIN OFFENSE. A person is ineligible to serve as a member of the board of trustees of a school district if the person has been convicted of an offense under Section 43.02(b), Penal Code.

Amendment No. 8 was adopted.

(Dutton, Kacal, and Nevárez now present)

CSHB 2552, as amended, was passed to engrossment by (Record 1191): 137 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; 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.; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Klick; Lang; Rinaldi; Schaefer; Stickland; Tinderholt; Zedler.

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

Absent, Excused — Smithee.

Absent — Swanson.

STATEMENTS OF VOTE

When Record No. 1191 was taken, I was in the house but away from my desk. I would have voted yes.

Swanson

When Record No. 1191 was taken, I was shown voting no. I intended to vote yes.

Zedler

GENERAL STATE CALENDAR
(consideration continued)

HB 3871 ON SECOND READING
(by Thierry)

HB 3871, A bill to be entitled An Act relating to substandard residential building fines issued by certain municipalities.

Amendment No. 1

Representative Elkins offered the following amendment to **HB 3871**:

Amend **HB 3871** (house committee report) as follows:

(1) On page 2, line 7, between "may file a lien" and "on the property", insert "in the manner prescribed by this section".

(2) On page 2, line 10, strike "amount of the fine." and substitute the following:
total amount of all outstanding substandard residential building fines issued for the property.

(e) Before a municipality may file a lien on property under this section, the municipality shall provide written notice to the owner of the property. The municipality must provide the notice not earlier than the 30th day after the date the total amount of outstanding substandard residential building fines issued for the property first equals or exceeds \$2,500. The municipality must provide the notice in person or by mail or, if personal service cannot be obtained and the address of the owner of the property is not known, by posting a copy of the notice conspicuously at the property. The notice must state:

(1) the total amount of unpaid substandard residential building fines issued for the property;

(2) that the municipality will not file the lien before the 31st day after the date the notice is provided under this subsection; and

(3) that the property owner is entitled to submit a written request for a hearing before the 31st day after the date the notice is provided under this subsection.

(f) A hearing requested under Subsection (e) may be conducted by the governing body of the municipality or by a board, commission, or municipal officer designated by the governing body. At the end of the hearing, the entity or officer that conducted the hearing shall authorize the municipality to file the lien or determine that the municipality may not file the lien. The municipality may not file the lien if the entity or officer determines that the municipality may not file the lien. If a property owner does not request a hearing, the municipality may file the lien on or after the 31st day after the date the municipality provides the notice as required by Subsection (e).

(g)

(3) On page 2, lines 16 to 18, strike "The lien is extinguished if the property owner or another person having an interest in the legal title to the property pays the fine." and substitute the following:

(h) The lien is extinguished if the property owner or another person pays the fine.

Amendment No. 1 was adopted.

HB 3871, as amended, was passed to engrossment. (Bell, Cook, Hunter, Krause, Rinaldi, and Simmons recorded voting no.)

HB 2782 ON SECOND READING
(by Wilson)

HB 2782, A bill to be entitled An Act relating to the method used in rating public school districts and campuses for accountability purposes.

Amendment No. 1

Representative Wilson offered the following amendment to **HB 2782**:

Amend **HB 2782** (house committee report) as follows:

- (1) On page 1, line 10, strike the underlined colon.
- (2) On page 1, strike lines 11-14.
- (3) On page 1, line 15, strike "(2)".

Amendment No. 1 was adopted.

HB 2782, as amended, was passed to engrossment.

CSHB 3152 ON SECOND READING
(by S. Thompson, Howard, Collier, Walle, Herrero, et al.)

CSHB 3152, A bill to be entitled An Act relating to the care and transportation provided to a sexual assault survivor by a health care facility.

CSHB 3152 was passed to engrossment.

SB 1171 ON SECOND READING
(Paul - House Sponsor)

SB 1171, A bill to be entitled An Act relating to the suspension and reactivation of the operation of the Texas Health Reinsurance System.

SB 1171 was considered in lieu of **HB 3343**.

SB 1171 was passed to third reading.

LEAVE OF ABSENCE GRANTED

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

Sheffield on motion of Bohac.

HB 3343 - LAID ON THE TABLE SUBJECT TO CALL

Representative Paul moved to lay **HB 3343** on the table subject to call.

The motion prevailed.

HB 3702 ON SECOND READING**(by Y. Davis)**

HB 3702, A bill to be entitled An Act relating to the notice of rights provided to an injured employee under the Texas workers' compensation system.

HB 3702 - POINT OF ORDER

Representative Paddie raised a point of order against further consideration of **HB 3702** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the committee report is incorrect.

The point of order was withdrawn.

Representative Y. Davis moved to postpone consideration of **HB 3702** until 8 p.m. today.

The motion prevailed.

(G. Bonnen in the chair)

HB 2121 ON SECOND READING**(by Cyrier and C. Anderson)**

HB 2121, A bill to be entitled An Act relating to damages in certain contract claims against the state.

HB 2121 was passed to engrossment.

(Cyrier in the chair)

CSHB 2691 ON SECOND READING**(by G. Bonnen and Oliverson)**

CSHB 2691, A bill to be entitled An Act relating to certain election practices and procedures.

Amendment No. 1

Representative G. Bonnen offered the following amendment to **CSHB 2691**:

Amend **CSHB 2691** (house committee printing) as follows:

(1) On page 1, line 8, strike "for each county commissioner's precinct".

(2) On page 1, lines 10 through 12, strike "for the county commissioner's precinct in which the countywide polling place is located" and substitute "submitted by the county chair".

(3) On page 1, lines 13 and 14, strike "determine the political party with the highest number of votes" and substitute "apportion the number of judges".

(4) On page 1, line 16, strike "that party" and substitute "each party in the last gubernatorial election".

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Villalba and Bernal offered the following amendment to **CSHB 2691**:

Amend **CSHB 2691** (house committee printing) as follows:

(1) On page 3, line 14, strike "Subsection (a)" and substitute "Subsections (a), (c), and (d)".

(2) On page 4, between lines 11 and 12, insert the following:

(c) In conducting the program, the secretary of state shall provide a training manual for election judges and clerks appointed to work at a countywide polling place and for an audit of the voting system [direct recording electronic voting] units used, including any type of voting system unit described by Subsection(d)(4), before and after the election, and during the election to the extent such an audit is practicable.

(d) The secretary of state shall select to participate in the program each county that:

(1) has held a public hearing under Subsection (b);

(2) has submitted documentation listing the steps taken to solicit input on participating in the program by organizations or persons who represent the interests of voters;

(3) has implemented a computerized voter registration list that allows an election officer at the polling place to verify that a voter has not previously voted in the election;

(4) uses either direct recording electronic voting machines or a voting system capable of printing all available ballot styles of that polling place; and

(5) is determined by the secretary of state to have the appropriate technological capabilities.

(3) On page 6, line 6, strike "and 32.010" and substitute ", 32.010, and 43.007(i)".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Oliverson offered the following amendment to **CSHB 2691**:

Amend **CSHB 2691** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 32, Election Code, is amended by adding Section 32.013 to read as follows:

Sec. 32.013. ELECTION JUDGES FOR EARLY VOTING AT RESIDENTIAL CARE FACILITY; QUALIFICATIONS; OATH. (a) Additional election judges shall be selected to serve at a residential care facility under Chapter 107 in the same manner as election judges are selected to serve at a polling place for early voting by personal appearance under this chapter. The county chair of a political party shall indicate on the list of names of persons if a person is willing to serve as an election judge under Chapter 107.

(b) An election judge serving at a residential care facility may be a volunteer, an employee of the authority conducting the election, or compensated by the authority conducting the election in the same manner as an election judge for a polling place for early voting by personal appearance.

(c) A person may not serve as an election judge for a residential care facility if at any time during the two years preceding the election, the person has been employed at a residential care facility in the county where the person seeks to serve as an election judge.

(d) Before beginning the duties of an election judge under Chapter 107, each individual appointed to serve as an election judge at a residential care facility shall sign and date this oath:

I swear (or affirm) that I will not in any manner request or seek to persuade or induce any voter to vote for or against any candidate or measure to be voted on, and that I will faithfully perform my duty as an officer of the election and guard the purity of the election.

I have read the statutes and training materials provided and will conduct this election accordingly.

I understand that failing to follow procedures exactly may result in invalidation of the voter's ballot.

I will not unduly influence or pressure a person to participate or cast a ballot in the election.

I will not influence the choice of a voter to choose a particular primary ballot, vote in a particular race or election, or vote on a particular proposition.

Signed: _____

This _____ day of _____, 20____.

(e) The secretary of state shall provide training for an election judge serving under Chapter 107.

SECTION _____. Section 86.003, Election Code, is amended by amending Subsections (a) and (b) and adding Subsection (e) to read as follows:

(a) The balloting materials for voting by mail shall be provided to the voter by mail, unless the ballot is delivered to a voter for early voting under Chapter 107. A ballot provided by any other method may not be counted.

(b) Subject to Subsection (c), the balloting materials shall be addressed to the applicable address specified in the voter's application. The election officer providing the ballot may not knowingly deliver [mail] the materials to an address other than that prescribed by this section.

(e) A voter who makes an application to vote early by mail on the grounds of age or disability requesting that the ballot be sent to the address of a residential care facility, as defined by Chapter 107, is required to vote as provided by that chapter if five or more applications for ballots to be voted by mail are made by residents of the same facility who request that the ballots be sent to that facility.

SECTION _____. Section 86.004, Election Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsection (b) or (c), the balloting materials for voting by mail shall be mailed to a voter entitled to vote by mail not later than the seventh calendar day after the later of the date the clerk accepts the voter's application for a ballot to be voted by mail or the date the ballots become available for mailing, except that if that mailing date is earlier than the 45th day before election day, the balloting materials shall be mailed not later than the 38th day before election day.

(c) An application to vote early by mail on the grounds of age or disability requesting that the ballot be sent to the address of a residential care facility, as defined by Chapter 107, shall be held until the earlier of:

(1) the date on which five or more applications for ballots to be voted by mail made by residents of the same facility who request that the ballots be sent to that facility have been received, in which case ballots may not be mailed to the voters and voting shall be conducted under Chapter 107; or

(2) the last day on which an application for a ballot to be voted by mail may be received, after which the ballot shall promptly be mailed to the voter.

SECTION _____. Subtitle B, Title 7, Election Code, is amended by adding Chapter 107 to read as follows:

CHAPTER 107. EARLY VOTING AT A RESIDENTIAL CARE FACILITY

Sec. 107.001. PURPOSE. This chapter is enacted to facilitate voting in a nursing home, other long-term care facility, or retirement center in which a significant number of occupants, patients, or residents lack adequate transportation to an appropriate polling place, need assistance in voting, are 65 years of age or older or are disabled, or are indefinitely confined.

Sec. 107.002. DEFINITION. In this chapter, "residential care facility" means a facility licensed and regulated under Chapter 242 or 247, Health and Safety Code, with more than 10 beds.

Sec. 107.003. APPLICABILITY OF EARLY VOTING BY PERSONAL APPEARANCE PROVISIONS. To the extent applicable and not in conflict with this chapter, Chapter 85 applies to voting at a residential care facility under this chapter.

Sec. 107.004. EARLY VOTING AT RESIDENTIAL CARE FACILITY REQUIRED. (a) A voter residing in a residential care facility who has applied to vote early by mail on the grounds of age or disability and who requested that the ballot be sent to the address of the facility must vote as provided by this chapter if five or more applications for ballots to be voted by mail were made by residents of the same facility who requested that the ballots be sent to the facility.

(b) If a residential care facility has fewer than five residents qualified to vote under this chapter on January 1 of each calendar year, the secretary of state may exempt a residential care facility from the requirements of this chapter. For this exemption to apply, the Department of State Health Services and the facility director must provide written confirmation that the exemption applies to the residential care facility. The secretary of state shall adopt rules to implement this subsection.

Sec. 107.005. VOTING LOCATION. (a) The administrator of the residential care facility shall make available an area located in a common area of the facility for the purposes of voting under this chapter. The area shall allow a voter to cast a secret ballot.

(b) The facility administrator shall allow posting of required notices during the period that voting is conducted under this chapter.

(c) An election judge may enter the private room of a voter who requests that balloting materials be brought to the voter.

Sec. 107.006. NOTICE OF ELECTION IN RESIDENTIAL CARE FACILITY; DETERMINATION OF TIME FOR VOTING. (a) If early voting at a residential care facility is required under this chapter, the early voting clerk shall give notice that early voting will occur at the facility and appoint election judges for the purpose of conducting voting under this chapter.

(b) Not later than 5 p.m. on the sixth business day before election day, the election judges shall, with the input of the administrator of the residential care facility, designate one or more times for voting to be conducted. Voting may be conducted not earlier than the 29th day before election day and not later than the fourth day preceding election day.

(c) Notice of the time or times for conducting the election shall be posted at the residential care facility by the election judge and on the appropriate county's Internet website as soon as practicable after determining the time and not later than the fifth day before the first day on which voting will be conducted at the facility.

(d) The secretary of state with the assistance of the Department of State Health Services shall create a list of all residential care facilities eligible under this chapter on January 1 of each calendar year in an early voting clerk's jurisdiction. The secretary of state shall provide the list to the early voting clerk.

(e) The early voting clerk shall maintain a public list of all residential care facilities in the clerk's jurisdiction at which voting is conducted under this chapter. The list must be available on the Internet website of the authority conducting the election or posted at the location where public notices are posted in the county courthouse or authority's public building, as applicable, and for each facility state:

- (1) the name of the facility;
- (2) the address of the facility;
- (3) the dates and times for voting at the facility; and
- (4) the names of the election judges for the facility.

(f) At any time during the year and regardless of whether five or more voters at a residential care facility have requested ballots to be voted by mail, the early voting clerk may post notice of the dates on which voting will be conducted at the facility under this chapter for each election. If the early voting clerk posts notice under this subsection, the names of the election judges and the hours during which voting will be conducted must be posted at least 48 hours before voting is conducted at the facility, notwithstanding Subsection (c).

Sec. 107.007. CONDUCT OF ELECTION. (a) In an election conducted under this chapter, the early voting clerk shall deliver to the election judges for a residential care facility the balloting materials for any qualified voters who have requested a mail ballot for an election that would have been otherwise mailed to the voter at the facility under Chapter 86.

(b) The election judges for a residential care facility shall deliver the balloting materials to the voter at the facility.

(c) The voter shall mark and seal the ballot in the same manner as a voter voting under Chapter 86.

(d) Both election judges for the residential care facility shall sign the carrier envelope as witnesses. In the space for the address of the witness, each election judge shall write in "Residential Care Facility Election Judge."

(e) The election judges shall accept the carrier envelope and place the envelope in a secure bag or ballot container for transport to the early voting clerk's office.

(f) Ballots voted at a residential care facility shall be processed for counting in the manner provided by Chapter 86 for a ballot voted by mail.

Sec. 107.008. VOTING BY ADDITIONAL QUALIFIED VOTERS. (a) The early voting clerk shall produce a list of all additional qualified voters who reside at a residential care facility where voting is conducted under this chapter.

(b) The clerk shall supply the election judges for the residential care facility with sufficient additional ballots and voting materials to allow any additional qualified voter who resides at the facility to vote under this chapter. During the voting period, any registered voter who resides at the facility may complete an application to request a mail ballot as if they were voting by mail. An election judge for the facility shall serve as a witness for any person who is unable to sign the person's name and may witness multiple applications.

(c) An election judge for the residential care facility must accept a properly completed application for a ballot made under this section, and shall provide a ballot to the voter. The election judge shall make a notation on an application that it was made under this section.

(d) A voter who applies for a ballot under this section shall vote in the manner provided by Section 107.007, except that the voter's ballot must be stored with the voter's application, and the voter's ballot may not be counted if the voter was not a qualified voter for the election as demonstrated from the information contained in the voter's application.

Sec. 107.009. RETENTION OF RECORDS. (a) The election judges for the residential care facility shall record the number of ballots voted. Both of the election judges for each facility and the early voting clerk shall sign and attest to the number of ballots issued.

(b) On completion of voting under this chapter, the election judges must record the number of:

- (1) completed ballots;
- (2) spoiled ballots; and
- (3) unused returned ballots.

Sec. 107.010. PROOF OF IDENTIFICATION PRESENTED AT RESIDENTIAL CARE FACILITY. (a) Notwithstanding Section 63.0101 or any other law, a voter voting under this chapter may submit a statement as proof of identification signed by both election judges for the residential care facility that:

(1) contains the name and address of the voter; and
(2) verifies that the voter is a resident of the facility and appears on the list of registered voters.

(b) The election judges shall enclose the statement in the carrier envelope.

Sec. 107.011. ASSISTING VOTER; NOTICE. (a) On written request to the early voting clerk by a relative of a registered voter in a residential care facility, the clerk may notify the relative of the time or times at which election judges will conduct voting at the facility. The relative may be present at the facility while voting is conducted.

(b) A voter may receive assistance in the same manner as provided by Subchapter B, Chapter 64.

(c) An election judge shall seal a ballot if the voter receives assistance from a person who is not an election judge.

Sec. 107.012. SECURITY OF BALLOTS AND MATERIALS. (a) On completion of the voting each day on which voting is conducted at a residential care facility under this chapter, the election judges for the facility shall seal the ballot envelopes and any absentee ballot applications inside a secure envelope and shall seal the envelope and sign the seal. The election judges shall place the envelope inside a ballot bag or container.

(b) As soon as possible after conducting voting at a residential care facility, but not later than 18 hours after leaving the facility, the election judges shall deliver the ballot bag or container to the early voting clerk.

Sec. 107.013. PROVISION OF MAIL BALLOT TO CERTAIN VOTERS. (a) If a qualified voter residing at a residential care facility and seeking to vote at the facility under this chapter is not able to cast a ballot during any time when voting is conducted at the facility, the election judges for the facility shall inform the early voting clerk not later than the fourth day before election day. The clerk shall mail the ballot to the voter not later than the fourth day before election day.

(b) Any registered voter who did not cast a ballot at the residential care facility may cast a ballot by:

(1) voting in person on election day; or

(2) voting by mail.

(c) An election judge shall leave a ballot package for a voter who:

(1) requested a ballot to be voted by mail and was not present during the scheduled time for early voting at the residential care facility; and

(2) is expected to return to the residential care facility before the deadline for returning a ballot by mail.

(d) If a voter who requested a ballot to be voted by mail under this chapter is temporarily located at another location, including by hospitalization:

(1) the early voting clerk may mail the ballot to the voter's temporary address, if known; or

(2) the early voting judge may personally deliver the ballot package to the voter's temporary address, if known.

(e) If an election judge personally delivers a ballot package under Subsection (d), the election judge may:

(1) allow the ballot to be returned by mail; or

(2) accept the marked ballot personally.

Sec. 107.014. WATCHERS. (a) In an election held under this chapter, a watcher may observe the process of ballot distribution in the common areas of a residential care facility in a manner consistent with Chapter 33.

(b) A political party entitled to have the names of its nominees placed on the general election ballot may appoint a watcher to accompany the election judges to a residential care facility.

(c) A political party seeking to appoint a watcher to serve at a residential care facility shall submit the name of the watcher to the county election officer of the county in which the facility is located not later than the close of business on the last business day before the date the watcher seeks to observe the conduct of the election under this chapter.

(d) A watcher must present the watcher's certificate of appointment to an election judge for the residential care facility on arrival at the facility.

(e) A watcher has access to the same areas of the residential care facility as an election judge.

Sec. 107.015. LIMITATIONS ON APPLICABILITY OF CHAPTER. (a) The early voting clerk is not required to send election judges to conduct an election at a residential care facility unless there are at least five registered voters who are residents of the facility.

(b) This chapter does not prevent a registered voter from:

(1) voting early by personal appearance;

(2) voting on election day; or

(3) voting by mail from an address other than the residential care facility, including from the address of a family member designated under Section 84.002.

Sec. 107.016. RULES. The secretary of state may adopt rules and prescribe procedures for voting at a residential care facility in accordance with this chapter.

SECTION _____. Subchapter A, Chapter 242, Health and Safety Code, is amended by adding Section 242.0181 to read as follows:

Sec. 242.0181. COMPLIANCE WITH CERTAIN REQUIREMENTS REGARDING EARLY VOTING. An institution must comply with Chapter 107, Election Code.

SECTION _____. Subchapter A, Chapter 247, Health and Safety Code, is amended by adding Section 247.008 to read as follows:

Sec. 247.008. COMPLIANCE WITH CERTAIN REQUIREMENTS REGARDING EARLY VOTING. An assisted living facility must comply with Chapter 107, Election Code.

SECTION _____. Sections 242.0181 and 247.008, Health and Safety Code, as added by this Act, apply only to a license issued or renewed on or after the effective date of this Act. A license issued or renewed before that date is governed by the law in effect on the date the license was issued or renewed, and the former law is continued in effect for that purpose.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Guillen offered the following amendment to **CSHB 2691**:

Amend **CSHB 2691** by adding the following SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 85.010(b), Election Code, amended to read as follows:

(b) A political subdivision that holds an election described by Subsection (a) shall designate as an early voting polling place for the election ~~[any]~~ the main early voting polling place of the county, other than a polling place established under Section 85.062(e), established by the county and located in the political subdivision.

SECTION _____. Section 172.126(a), Election Code, is amended to read as follows: JOINT PRIMARIES AUTHORIZED. (a) The primary elections in a county ~~[may]~~ shall be conducted jointly at the regular polling places designated for the general election for state and county officers. The county clerk shall supervise the overall conduct of the joint primary elections. This section applies to the conduct of joint primary elections notwithstanding and in addition to other applicable provisions of this code. The decision to conduct a joint general primary election or runoff primary election, as applicable, must be made by majority vote of the full membership of the commissioners court and with the unanimous approval of the county clerk and the county chair of each political party required to nominate candidates by primary election.

SECTION _____. Section 271.003(a), Election Code, is amended to read as follows:

(a) A regular county polling place shall ~~[may]~~ be used for a common polling place in a joint election.

SECTION _____. Section 271.002(c), Election Code, is repealed.

Amendment No. 4 was adopted.

Representative G. Bonnen moved to postpone consideration of **CSHB 2691** until 8 p.m. today.

The motion prevailed.

CSHB 1372 ON SECOND READING

(by Koop, Oliverson, Martinez, Burkett, and Lang)

CSHB 1372, A bill to be entitled An Act relating to information included in the curriculum of each driver education course and driving safety course.

Representative Koop moved to postpone consideration of **CSHB 1372** until 7:55 p.m. today.

The motion prevailed.

CSSB 179 ON SECOND READING

(Minjarez - House Sponsor)

CSSB 179, A bill to be entitled An Act relating to harassment, bullying, and cyberbullying of a public school student or minor and certain mental health programs for public school students.

CSSB 179 was considered in lieu of **HB 306**.

Amendment No. 1

Representative Minjarez offered the following amendment to **CSSB 179**:

Amend **CSSB 179** (house committee report) as follows:

(1) On page 14, line 8, strike "Sections 42.07(a) and (c), Penal Code, are" and substitute "Section 42.07(c), Penal Code, is".

(2) Strike page 14, line 10 through page 15, line 9.

(3) On page 15, strike lines 11-20 and substitute the following:
except that the offense is a Class A misdemeanor if:

(1) the actor has previously been convicted under this section; or

(2) the offense was committed under Subsection (a)(7) and the actor:

(A) has previously violated a temporary restraining order or injunction issued under Chapter 129A, Civil Practice and Remedies Code; or

(B) intentionally causes a child under 18 years of age to:

(i) commit suicide; or

(ii) engage in conduct causing serious bodily injury to the

child.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Minjarez offered the following amendment to **CSSB 179**:

Amend **CSSB 179** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 5.001, Education Code, is amended by adding Subdivisions (5-a) and (9) to read as follows:

(5-a) "Mental health condition" means an illness, disease, or disorder, other than epilepsy, dementia, substance abuse, or intellectual disability, that:

(A) substantially impairs a person's thought, perception of reality, emotional process, or judgment; or

(B) grossly impairs behavior as demonstrated by recent disturbed behavior.

(9) "Substance abuse" means a patterned use of a substance, including a controlled substance, as defined by Chapter 481, Health and Safety Code, and alcohol, in which the person consumes the substance in amounts or with methods that are harmful to the person's self or to others.

Amendment No. 2 was adopted.

CSSB 179, as amended, was passed to third reading by (Record 1192): 104 Yeas, 38 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospere; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Faircloth; Farrar; Frank; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.;

Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Cook; Craddick; Dean; Elkins; Fallon; Flynn; Frullo; Hefner; Hunter; Keough; Klick; Krause; Landgraf; Lang; Laubenberg; Leach; Metcalf; Murr; Phillips; Rinaldi; Schaefer; Schubert; Shaheen; Shine; Simmons; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Smithee.

Absent, Excused, Committee Meeting — Sheffield.

Absent — Goldman; Sanford; Springer; Zerwas.

STATEMENTS OF VOTE

When Record No. 1192 was taken, I was shown voting no. I intended to vote yes.

R. Anderson

When Record No. 1192 was taken, I was shown voting no. I intended to vote yes.

Cook

When Record No. 1192 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1192 was taken, I was in the house but away from my desk. I would have voted no.

Goldman

When Record No. 1192 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1192 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 1192 was taken, I was shown voting yes. I intended to vote no.

Miller

When Record No. 1192 was taken, I was shown voting yes. I intended to vote no.

Morrison

When Record No. 1192 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

When Record No. 1192 was taken, I was in the house but away from my desk. I would have voted no.

Springer

When Record No. 1192 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

When Record No. 1192 was taken, I was in the house but away from my desk. I would have voted yes.

Zerwas

CSHB 3576 ON SECOND READING

(by Guerra, Longoria, Zerwas, Lozano, Sheffield, et al.)

CSHB 3576, A bill to be entitled An Act relating to the investigation of, and release of information concerning, communicable disease, including the Zika virus and other high consequence communicable diseases.

CSHB 3576 was passed to engrossment.

HB 306 - LAID ON THE TABLE SUBJECT TO CALL

Representative Minjarez moved to lay **HB 306** on the table subject to call.

The motion prevailed.

CSHB 661 ON SECOND READING

(by Parker, Guerra, Price, Guillen, et al.)

CSHB 661, A bill to be entitled An Act relating to access to certain investigational drugs, biological products, and devices that are in clinical trials by patients with severe chronic diseases.

CSHB 661 was passed to engrossment.

CSHB 2908 ON SECOND READING

(by Hunter, P. King, Villalba, Herrero, et al.)

CSHB 2908, A bill to be entitled An Act relating to the punishment for a criminal offense committed against a person because of bias or prejudice on the basis of status as a peace officer; increasing a criminal penalty.

CSHB 2908 - POINT OF ORDER

Representative Dutton raised a point of order against further consideration of **CSHB 2908** under Rule 8, Section 1(a) and Rule 8, Section 1(c) 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:

Representative Dutton raised a point of order against further consideration of **CSHB 2908** pursuant to Rule 8, Section 1(a) and (c) of the House Rules on the grounds that bill caption does not give reasonable notice of the bill's subject and does not sufficiently describe the multiple criminal penalties created in the bill. The point of order is respectfully overruled.

CSHB 2908 amends Article 42.014(a) of the Code of Criminal Procedure, which deals with a finding that the offense was committed because of bias or prejudice, to increase the penalty for offenses motivated by the victim's "status as a peace officer." The bill's caption reads: "relating to the punishment for a criminal offense committed against a person because of bias or prejudice on the basis of status as a peace officer; increasing a criminal penalty."

Rule 8, Section 1(c), requires bills "that would create a criminal offense, increase the punishment for an existing offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision" to "include a short statement at the end of its title or caption indicating the general effect of the bill on the offense."

Representative Dutton asserted that this caption violates Rule 8, Section 1(a) and (c) because the bill actually involves increasing penalties for multiple offenses against officers. He therefore contends the fact that "increasing a criminal penalty" is singular is fatally insufficient. In this case, use of the plural form would have been better, but the singular form is sufficient to give notice that the bill increases criminal penalties for offenses committed against peace officers. Therefore, the point of order is respectfully overruled.

CSHB 2908 was passed to engrossment by (Record 1193): 134 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cortez; Cosper; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; 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; Schaefer;

Schofield; Schubert; Shaheen; Shine; Simmons; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Wu; Zedler.

Nays — Coleman; Dutton; Israel; Johnson, E.; Johnson, J.; Rose.

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

Absent, Excused — Smithee.

Absent, Excused, Committee Meeting — Sheffield.

Absent — Cook; Giddings; Sanford; Thierry; Workman; Zerwas.

STATEMENTS OF VOTE

When Record No. 1193 was taken, I was in the house but away from my desk. I would have voted yes.

Cook

When Record No. 1193 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

When Record No. 1193 was taken, my vote failed to register. I would have voted no.

Thierry

When Record No. 1193 was taken, I was in the house but away from my desk. I would have voted yes.

Zerwas

REASON FOR VOTE

CSHB 2908 is an unclear bill that allows any action taken against police officers during a lawful discharge of duty to be deemed a hate crime. A hate crime is recognized as a particular offense against anyone because of race or religion. It is my belief that any questioning of a police officer can be looked at as resistance and, therefore, be considered a hate crime. An officer can be in plain clothes but identify him/herself as the police and say a citizen was resisting questions. That citizen can be arrested for a hate crime because of resistance. This is a dangerous bill that gives police freedom to enforce a very vague and ambiguous law. I strongly oppose this bill.

J. Johnson

CSHB 2557 ON SECOND READING **(by Miller, Zerwas, and Reynolds)**

CSHB 2557, A bill to be entitled An Act relating to the development of certain local government transportation infrastructure projects; authorizing the issuance of bonds.

CSHB 2557 was passed to engrossment.

CSHB 2473 ON SECOND READING
(by S. Davis)

CSHB 2473, A bill to be entitled An Act relating to the disclosure of gifts by vendors to certain local government officers and of certain relationships with local government officers; creating a criminal offense.

Amendment No. 1

Representative P. King offered the following amendment to **CSHB 2473**:

Amend **CSHB 2473** (house committee printing) on page 4, between lines 9 and 10, by inserting the following:

(e) This section does not require the disclosure of a gift made by a vendor who is a candidate or officeholder if the gift is reported under Title 15, Election Code.

Amendment No. 1 was adopted.

CSHB 2473, as amended, was passed to engrossment.

POSTPONED BUSINESS

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

HB 1300 ON SECOND READING
(by Springer)

HB 1300, A bill to be entitled An Act relating to the collection and use of municipal hotel occupancy taxes.

HB 1300 was read second time earlier today, postponed until 5:42 p.m. today, amendments were offered and disposed of, and **HB 1300** was again postponed until this time. Amendment No. 4 was pending at the time of postponement.

Amendment No. 4 was withdrawn.

Amendment No. 5

Representative Springer offered the following amendment to **HB 1300**:

Amend **HB 1300** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 351, Tax Code, is amended by adding Section 351.0043 to read as follows:

Sec. 351.0043. TAX COLLECTION BY SHORT-TERM RENTAL MARKETPLACE. (a) For purposes of this section:

(1) "Booking charge" means the charge imposed on a person by a host for the purpose of renting a short-term rental in this state and includes any fees charged by the host, regardless of whether separately itemized.

(2) "Host" means a person who owns a short-term rental and offers the short-term rental for rent through a short-term rental marketplace or, if applicable, that person's authorized agent who offers the short-term rental for rent through a short-term rental marketplace.

(3) "Short-term rental" has the meaning assigned by Section 156.001.

(4) "Short-term rental marketplace" means a marketplace, Internet website, mobile application, or other platform:

(A) through which a host offers a short-term rental for rent; and

(B) that collects the booking charge for the rental of the short-term rental.

(b) Notwithstanding Section 351.004 or any other law:

(1) a short-term rental marketplace:

(A) shall collect the appropriate amount of the tax imposed under this chapter by a municipality in which a short-term rental is located on each booking charge with respect to that short-term rental;

(B) shall report and remit all taxes collected by the short-term rental marketplace under Paragraph (A) in the manner required:

(i) of a person owning, operating, managing, or controlling a hotel under this chapter and in accordance with the ordinance adopted by the municipality imposing the tax; or

(ii) if applicable, by an agreement under this section; and

(C) is considered to be the person owning, operating, managing, or controlling the short-term rental for purposes of the collection and enforcement of the tax imposed under this chapter; and

(2) the host may not collect and is not liable for a tax imposed by this chapter on a booking charge for a rental made through the short-term rental marketplace.

(c) A short-term rental marketplace may:

(1) enter into an agreement with the comptroller to collect and remit to the comptroller the taxes imposed by a municipality under this chapter on each booking charge for a rental made through the short-term rental marketplace; or

(2) enter into an agreement with a third-party vendor to remit to the municipality the taxes described by Subdivision (1) that the short-term rental marketplace collects.

(d) To be effective, an agreement described by Subsection (c)(2) must be approved by the governing body of the municipality. During the period an agreement described by Subsection (c) is in effect, the short-term rental marketplace shall report and remit all taxes collected by the short-term rental marketplace under Subsection (b):

(1) to the comptroller on a schedule determined by the comptroller, if the agreement in effect is with the comptroller; or

(2) to the third-party vendor on a schedule determined by the vendor, if the agreement in effect is with a vendor.

(e) The comptroller or third-party vendor, as applicable, shall promulgate a form a short-term rental marketplace must use to report the taxes collected by the short-term rental marketplace under this section if an agreement under Subsection (c) is in effect. The form must include the following information:

(1) the total receipts from the rental during the reporting period of all short-term rentals located in any municipality that has approved an agreement under this section and are offered for rent through the short-term rental marketplace, categorized by municipality in which those short-term rentals are located;

(2) the total amount of booking charges from the rental during the reporting period of all short-term rentals located in any municipality that has approved an agreement under this section and are offered for rent through the short-term rental marketplace, categorized by municipality in which those short-term rentals are located;

(3) the rate of the tax imposed under this chapter in each municipality identified under Subdivision (2); and

(4) the total receipts and the total amount of booking charges from the rental during the reporting period of all short-term rentals located in a project financing zone as defined by Section 351.1015 and offered for rent through the short-term rental marketplace, categorized by project financing zone.

(f) The form described by Subsection (e) may not require the identification of a specific guest or the host of a short-term rental.

(g) If the short-term rental marketplace collects and remits to the comptroller the taxes imposed by the municipality under this chapter in accordance with an agreement under Subsection (c)(1), the comptroller shall:

(1) deposit the taxes remitted to the comptroller under this section in trust in the separate suspense account of the municipality in which short-term rentals with respect to which the taxes were collected are located; and

(2) send to the municipal treasurer or to the person who performs the office of the municipal treasurer payable to the municipality the municipality's share of the taxes remitted to the comptroller under this chapter at least 12 times during each state fiscal year.

(h) A suspense account described by Subsection (g)(1) is outside the treasury and the comptroller may make a payment from the account without the necessity of an appropriation.

(i) Before sending any money to a municipality under Subsection (g) and subject to the limitation provided by this subsection, the comptroller shall deduct and deposit to the credit of the general revenue fund an amount equal to one-half of one percent of the amount of the taxes collected from rentals of short-term rentals located in the municipality under this section during the period for which a distribution is made as the state's charge for services provided by the state under this section. The comptroller may not deduct from the distributions to a municipality more than \$50,000 in each state fiscal year under this subsection.

(j) If the short-term rental marketplace enters into an agreement with a third-party vendor under Subsection (c)(2), the vendor shall report and remit to a municipality that approved the agreement all taxes imposed by the municipality under this chapter and collected by the short-term rental marketplace on rentals of short-term rentals located in that municipality at the times and in the manner provided by the agreement.

(k) Notwithstanding any other law, this section applies to the collection, remittance, and distribution of taxes imposed by a political subdivision that is authorized to impose a hotel occupancy tax under a provision of the Special District Local Laws Code or Vernon's Texas Civil Statutes in the same manner the section applies to a municipality authorized to impose a hotel occupancy tax under this chapter.

(l) The comptroller may adopt rules to implement and administer this section.

SECTION ____. Subchapter A, Chapter 352, Tax Code, is amended by adding Section 352.0042 to read as follows:

Sec. 352.0042. TAX COLLECTION BY SHORT-TERM RENTAL MARKETPLACE. (a) For purposes of this section:

(1) "Booking charge," "host," and "short-term rental marketplace" have the meanings assigned by Section 351.0043.

(2) "Short-term rental" has the meaning assigned by Section 156.001.

(b) Notwithstanding Section 352.004 or any other law:

(1) a short-term rental marketplace:

(A) shall collect the appropriate amount of the tax imposed under this chapter by a county in which a short-term rental is located on each booking charge with respect to that short-term rental;

(B) shall report and remit all taxes collected by the short-term rental marketplace under Paragraph (A) in the manner required of:

(i) a person owning, operating, managing, or controlling a hotel under this chapter and in accordance with the order adopted by the county imposing the tax; or

(ii) if applicable, by an agreement under this section; and

(C) is considered to be the person owning, operating, managing, or controlling the short-term rental for purposes of the collection and enforcement of the tax imposed under this chapter; and

(2) the host may not collect and is not liable for a tax imposed by this chapter on a booking charge for a rental made through the short-term rental marketplace.

(c) A short-term rental marketplace may:

(1) enter into an agreement with the comptroller to collect and remit to the comptroller the taxes imposed by a county under this chapter on each booking charge for a rental made through the short-term rental marketplace; or

(2) enter into an agreement with a third-party vendor to remit to the county the taxes described by Subdivision (1) that the short-term rental marketplace collects.

(d) To be effective, an agreement described by Subsection (c)(2) must be approved by the commissioners court of the county. During the period an agreement described by Subsection (c) is in effect, the short-term rental marketplace shall report and remit all taxes collected by the short-term rental marketplace under Subsection (b):

(1) to the comptroller on a schedule determined by the comptroller, if the agreement in effect is with the comptroller; or

(2) to the third-party vendor on a schedule determined by the vendor, if the agreement in effect is with a vendor.

(e) The comptroller or third-party vendor, as applicable, shall promulgate a form a short-term rental marketplace must use to report the taxes collected by the short-term rental marketplace under this section if an agreement under Subsection (c) is in effect. The form must include the following information:

(1) the total receipts from the rental during the reporting period of all short-term rentals located in any county that has approved an agreement under this section and are offered for rent through the short-term rental marketplace, categorized by county in which those short-term rentals are located;

(2) the total amount of booking charges from the rental during the reporting period of all short-term rentals located in any county that has approved an agreement under this section and are offered for rent through the short-term rental marketplace, categorized by county in which those short-term rentals are located; and

(3) the rate of the tax imposed under this chapter in each county identified under Subdivision (2).

(f) The form described by Subsection (e) may not require the identification of a specific guest or the host of a short-term rental.

(g) If the short-term rental marketplace collects and remits to the comptroller the taxes imposed by the county under this chapter in accordance with an agreement under Subsection (c)(1), the comptroller shall:

(1) deposit the taxes remitted to the comptroller under this section in trust in the separate suspense account of the county in which short-term rentals with respect to which the taxes were collected are located; and

(2) send to the county treasurer payable to the county the county's share of the taxes remitted to the comptroller under this chapter at least 12 times during each state fiscal year.

(h) A suspense account described by Subsection (g)(1) is outside the treasury and the comptroller may make a payment from the account without the necessity of an appropriation.

(i) Before sending any money to a county under Subsection (g) and subject to the limitation provided by this subsection, the comptroller shall deduct and deposit to the credit of the general revenue fund an amount equal to one-half of one percent of the amount of the taxes collected from rentals of short-term rentals located in the county under this section during the period for which a distribution is made as the state's charge for services provided by the state under this section. The comptroller may not deduct from the distributions to a county more than \$50,000 in each state fiscal year under this subsection.

(j) If the short-term rental marketplace enters into an agreement with a third-party vendor under Subsection (c)(2), the vendor shall report and remit to a county that approved the agreement all taxes imposed by the county under this chapter and collected by the short-term rental marketplace on rentals of short-term rentals located in that county at the times and in the manner provided by the agreement.

(k) Notwithstanding any other law, this section applies to the collection, remittance, and distribution of taxes imposed by a political subdivision that is authorized to impose a hotel occupancy tax under a provision of the Special District Local Laws Code or Vernon's Texas Civil Statutes in the same manner the section applies to a county authorized to impose a hotel occupancy tax under this chapter.

(l) The comptroller may adopt rules to implement and administer this section.

Amendment No. 5 was adopted.

(Speaker in the chair)

Amendment No. 6

Representative Guillen offered the following amendment to **HB 1300**:

Amend **HB 1300** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 334.001, Local Government Code, is amended by amending Subdivisions (1) and (4) and adding Subdivision (1-a) to read as follows:

(1) "Active transportation" means transportation that is wholly or primarily powered by human energy. The term includes walking, running, and bicycling.

(1-a) "Approved venue project" means a sports and community venue project that has been approved under this chapter by the voters of a municipality or county.

(4) "Venue" means:

(A) an arena, coliseum, stadium, or other type of area or facility:

(i) that is used or is planned for use for one or more professional or amateur sports events, community events, or other sports events, including rodeos, livestock shows, agricultural expositions, promotional events, and other civic or charitable events; and

(ii) for which a fee for admission to the events is charged or is planned to be charged;

(B) a convention center, convention center facility as defined by Section 351.001(2) or 352.001(2), Tax Code, or related improvement such as a civic center hotel, theater, opera house, music hall, rehearsal hall, park, zoological park, museum, aquarium, or plaza located in the vicinity of a convention center or facility owned by a municipality or a county;

(C) a tourist development area ~~[along an inland waterway];~~

(D) a municipal parks and recreation system, or improvements or additions to a parks and recreation system, or an area or facility, including an area or facility for active transportation use, that is part of a municipal parks and recreation system;

(E) a project authorized by Section 4A or 4B, Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), as that Act existed on September 1, 1997; ~~and~~

(F) a watershed protection and preservation project; a recharge, recharge area, or recharge feature protection project; a conservation easement; or an open-space preservation program intended to protect water; and

(G) an airport facility located in a municipality located on the international border.

SECTION _____. Section 334.1015, Local Government Code, is amended to read as follows:

Sec. 334.1015. APPLICATION. (a) Except as provided by Subsection (b), this ~~[This]~~ subchapter does not apply to the financing of a venue project that is an area or facility that is part of a municipal parks and recreation system.

(b) A municipality located on the international border may finance a venue project described by Section 334.001(4)(D) with the revenue from a tax imposed under this subchapter.

SECTION _____. Section 334.2515, Local Government Code, is amended to read as follows:

Sec. 334.2515. APPLICATION. Except as provided by Section 334.2516, this subchapter does not apply to the financing of a venue project that is:

(1) an area described by Section 334.001(4)(C);

(2) an area or facility that is part of a municipal parks and recreation system as described by Section 334.001(4)(D); ~~[or]~~

(3) ~~[(2)]~~ a project described by Section 334.001(4)(E), except for a project ~~[projects]~~ described by ~~[in]~~ Section 334.001(4)(A); or

(4) a facility described by Section 334.001(4)(G).

Amendment No. 6 was adopted by (Record 1194): 124 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddock; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; 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.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; 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; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schofield; Schubert; Shine; Simmons; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Cain; Klick; Krause; Lang; Leach; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Smithee.

Absent, Excused, Committee Meeting — Sheffield.

Absent — Bonnen, G.; Burkett; Burrows; Goldman; Longoria; Raney; Rose.

STATEMENTS OF VOTE

When Record No. 1194 was taken, I was in the house but away from my desk. I would have voted yes.

G. Bonnen

When Record No. 1194 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 1194 was taken, I was in the house but away from my desk. I would have voted yes.

Burrows

When Record No. 1194 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

COMMITTEE GRANTED PERMISSION TO MEET

Representative Raymond requested permission for the Committee on Human Services to meet while the house is in session, at 8:45 p.m. today, in 3W.9, to consider **SB 497, SB 687, SB 879, SB 1063, SB 1220, SB 1444, SB 1565, SB 1680, SB 1693**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Human Services, 8:45 p.m. today, 3W.9, for a formal meeting, to consider **SB 497, SB 687, SB 879, SB 1063, SB 1220, SB 1444, SB 1565, SB 1680, SB 1693**, and pending business.

HB 1300 - (consideration continued)

HB 1300, as amended, was passed to engrossment.

POSTPONED BUSINESS

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

CSHB 1372 ON SECOND READING (by Koop, Oliverson, Martinez, Burkett, and Lang)

CSHB 1372, A bill to be entitled An Act relating to information included in the curriculum of each driver education course and driving safety course.

CSHB 1372 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Koop offered the following amendment to **CSHB 1372**:

Amend **CSHB 1372** (house committee report) on page 1, lines 18-20, by striking "in consultation with the commission, shall appoint regional leaders in the driver education industry and in law enforcement to" and substituting "shall".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Turner offered the following amendment to **CSHB 1372**:

Amend **CSHB 1372** (house committee report) as follows:

(1) On page 1, line 6, strike "Section 1001.109" and substitute "Sections 1001.109 and 1001.1091".

(2) On page 1, between lines 22 and 23, insert the following:

Sec. 1001.1091. INFORMATION RELATING TO CHILD PASSENGER SAFETY SEAT SYSTEMS. The commission by rule shall require that information relating to the proper use of child passenger safety seat systems be included in the curriculum of each driver education and driving safety course.

(3) On page 2, line 1, strike "Section 1001.109(a)" and substitute "Sections 1001.109(a) and 1001.1091".

(4) On page 2, line 5, strike "Section 1001.109(a)" and substitute "Sections 1001.109(a) and 1001.1091".

Amendment No. 2 was adopted.

Amendment No. 3

Representative E. Rodriguez offered the following amendment to **CSHB 1372**:

Amend **CSHB 1372** on page 1, line 17 by inserting a new Subsection (b) and re-letter subsequent subsections accordingly:

(b) The commission shall promulgate a rule, in consultation with the Department of Public Safety and driver education teachers, designed to educate students how to respond to inquiries about the status of an individual's citizenship including their right to remain silent in accordance with the Fifth Amendment to the U.S. Constitution.

(Sheffield now present)

Amendment No. 3 failed of adoption by (Record 1195): 54 Yeas, 92 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Capriglione; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King,

K.; King, T.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Smithee.

Absent — Dutton; Perez.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today and tomorrow because of family business:

R. Anderson on motion of Geren.

(Paddie in the chair)

CSHB 1372 - (consideration continued)

CSHB 1372, as amended, was passed to engrossment. (Rinaldi recorded voting no.)

(G. Bonnen in the chair)

HB 3702 ON SECOND READING

(by Y. Davis)

HB 3702, A bill to be entitled An Act relating to the notice of rights provided to an injured employee under the Texas workers' compensation system.

HB 3702 was read second time earlier today and was postponed until this time.

HB 3702 - POINT OF ORDER

Representative Paddie raised a point of order against further consideration of **HB 3702**.

The point of order was withdrawn.

(Paddie in the chair)

Amendment No. 1

Representative Shine offered the following amendment to **HB 3702**:

Amend **HB 3702** by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 412, Labor Code, is amended by adding Section 412.0129 to read as follows:

Sec. 412.0129. AUTHORIZATION OF PAYMENT FOR MEDICAL SERVICES AND MEDICAL BILLING REAL-TIME PROCESSING DEMONSTRATION PROGRAM. (a) The office may develop and implement a demonstration program for processing workers' compensation authorizations of payment for medical services and medical bills in real time if the office determines that the program would be cost-effective.

(b) The demonstration program described by Subsection (a) must include:

(1) a secure single platform, Internet-based portal for use by the office, state agencies, injured employees, and health care providers;

(2) the ability to collect, input, and transmit administrative and clinical data, including:

(A) patient information;

(B) provider contracts;

(C) treatment guidelines; and

(D) other information the office considers necessary for processing authorizations and medical bills;

(3) an automated process to streamline requests for authorizations of payment for medical services and peer reviews at the point of care; and

(4) return-to-work best practices for workers' compensation claims, including complex case management.

(c) The workers' compensation research and evaluation group shall assist the office in identifying and adopting measures for evaluating the demonstration program.

(d) The evaluation period for the demonstration program shall end on June 30, 2020.

(e) If the office implements a demonstration program under this section, not later than December 31, 2020, the office shall provide to the board a report that:

(1) evaluates the program, including any effects of the program on administrative cost savings; and

(2) recommends whether to use the process implemented under the program on a permanent basis.

(f) If the report of the demonstration program under Subsection (e) indicates that administrative cost savings are achieved by the process implemented under the program, the board may adopt and use the process on a permanent basis.

(g) This section expires September 1, 2021.

SECTION _____. Not later than January 1, 2018, the State Office of Risk Management shall make a determination as to whether the demonstration program described by Section 412.0129, Labor Code, as added by this Act,

would be cost-effective. If the office determines the program would be cost-effective and decides to implement the program, the office shall fully implement the program not later than January 1, 2019.

Amendment No. 1 - Point of Order

Representative Cain raised a point of order against further consideration of Amendment No. 1 under Rule 8, Section 3 and Rule 11, Section 2 of the House Rules on the grounds that it contains more than one subject and the amendment is not germane to the bill.

The point of order was withdrawn.

Amendment No. 1 was withdrawn.

HB 3702 was passed to engrossment by (Record 1196): 113 Yeas, 20 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospers; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Koop; Kuempel; Lambert; Landgraf; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Walle; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Bell; Biedermann; Cain; Cyrier; Fallon; Goldman; Holland; Klick; Krause; Lang; Larson; Leach; Rinaldi; Sanford; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; White.

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

Absent, Excused — Anderson, R.; Smithee.

Absent — Allen; Cook; Dutton; King, P.; Moody; Morrison; Ortega; Paul; Phillips; Thierry; Villalba; Vo; Wu.

STATEMENTS OF VOTE

When Record No. 1196 was taken, I was in the house but away from my desk. I would have voted yes.

Cook

When Record No. 1196 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 1196 was taken, I was in the house but away from my desk. I would have voted no.

Paul

When Record No. 1196 was taken, my vote failed to register. I would have voted no.

Phillips

(Speaker pro tempore in the chair)

CSHB 2691 ON SECOND READING
(by G. Bonnen and Oliverson)

CSHB 2691, A bill to be entitled An Act relating to certain election practices and procedures.

CSHB 2691 was read second time earlier today, amendments were offered and disposed of, and **CSHB 2691** was postponed until this time.

Amendment No. 5

Representative G. Bonnen offered the following amendment to **CSHB 2691**:

Amend **CSHB 2691** (house committee printing) as amended by striking Amendment No. 4 by Guillen.

Amendment No. 5 was adopted.

CSHB 2691, as amended, was passed to engrossment by (Record 1197): 130 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; 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, J.; Kacal; Keough; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; 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; Sheffield; Shine; Simmons; Springer; Stephenson; Stickland; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused — Anderson, R.; Smithee.

Absent — Allen; Alonzo; Alvarado; Coleman; Cook; Davis, Y.; Deshotel; Johnson, E.; King, K.; King, P.; Moody; Morrison; Oliveira; Stucky; Villalba; Wu.

STATEMENTS OF VOTE

When Record No. 1197 was taken, I was in the house but away from my desk. I would have voted yes.

Alvarado

When Record No. 1197 was taken, I was in the house but away from my desk. I would have voted yes.

Cook

When Record No. 1197 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1197 was taken, I was temporarily out of the house chamber. I would have voted yes.

P. King

When Record No. 1197 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

When Record No. 1197 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 1197 was taken, I was in the house but away from my desk. I would have voted yes.

Stucky

GENERAL STATE CALENDAR (consideration continued)

SB 1033 ON SECOND READING (Frullo - House Sponsor)

SB 1033, A bill to be entitled An Act relating to authorization for the conveyance of certain real property from Texas Tech University to Texas Tech University Health Sciences Center.

SB 1033 was considered in lieu of **HB 2988**.

Representative Frullo moved to postpone consideration of **SB 1033** until 9 a.m. tomorrow.

The motion prevailed by (Record 1198): 111 Yeas, 26 Nays, 3 Present, not voting.

Yeas — Alonzo; Alvarado; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Hefner; Hernandez; Herrero; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Metcalf; Meyer; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Paddie; Parker; Paul; Perez; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Sheffield; Shine; Simmons; Springer; Stephenson; Thierry; Thompson, E.; Thompson, S.; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Anchia; Biedermann; Blanco; Cain; Collier; Cortez; Gutierrez; Howard; Israel; Krause; Lang; Leach; Martinez; Moody; Nevárez; Ortega; Rinaldi; Rodriguez, E.; Rodriguez, J.; Shaheen; Stickland; Swanson; Tinderholt; Turner; Uresti; Zedler.

Present, not voting — Mr. Speaker; Bonnen, D.(C); Canales.

Absent, Excused — Anderson, R.; Smithee.

Absent — Allen; Frullo; Hinojosa; Johnson, E.; Johnson, J.; Oliveira; Phelan; Sticky.

STATEMENTS OF VOTE

When Record No. 1198 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 1198 was taken, I was in the house but away from my desk. I would have voted no.

Hinojosa

When Record No. 1198 was taken, I was in the house but away from my desk. I would have voted yes.

Phelan

When Record No. 1198 was taken, I was in the house but away from my desk. I would have voted yes.

Stucky

CSHB 3349 ON SECOND READING (by Gervin-Hawkins and Guillen)

CSHB 3349, A bill to be entitled An Act relating to creating an abbreviated certification program and probationary and standard certificates for trade and industrial workforce training.

(Speaker in the chair)

LEAVES OF ABSENCE GRANTED

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

E. Johnson on motion of Muñoz.

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**:

Longoria on motion of Geren.

CSHB 3349 - (consideration continued)

Amendment No. 1

Representative Tinderholt offered the following amendment to **CSHB 3349**:

Amend **CSHB 3349** on page 1, line 18, by striking "seven" and substituting "10".

Representative Gervin-Hawkins moved to table Amendment No. 1.

The motion to table prevailed by (Record 1199): 132 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; 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; Roberts; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Springer; Stephenson; Stickland; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Cain; Lang; Rinaldi; Swanson; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Johnson, E.; Smithee.

Absent, Excused, Committee Meeting — Longoria.

Absent — Bell; Bohac; Elkins; Hinojosa; Oliveira; Rodriguez, E.; Thompson, E.

STATEMENTS OF VOTE

When Record No. 1199 was taken, I was in the house but away from my desk. I would have voted yes.

Bell

When Record No. 1199 was taken, I was in the house but away from my desk. I would have voted yes.

Bohac

When Record No. 1199 was taken, I was in the house but away from my desk. I would have voted yes.

E. Thompson

Amendment No. 2

Representative Tinderholt offered the following amendment to **CSHB 3349**:

Amend **CSHB 3349** (house committee report) as follows:

(1) On page 1, line 24, strike "and".

(2) On page 2, line 5, between "agency" and the underlined period, insert "and

(5) has taught at a private trade school".

Amendment No. 2 - Point of Order

Representative Martinez raised a point of order against further consideration of Amendment No. 2 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The point of order was withdrawn.

Amendment No. 3

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

Amend Amendment No. 2 to **CSHB 3349** by Tinderholt, on page 1, line 5, by striking "private trade school" and substituting "career school or college, as defined by Section 132.001".

Amendment No. 3 was adopted.

ADDRESS BY REPRESENTATIVE SPRINGER ON A MATTER OF PERSONAL PRIVILEGE

The chair recognized Representative Springer who addressed the house on a matter of personal privilege, speaking as follows:

Members, I always thought my personal privilege speech would be my last speech, the time I was ready to call it quits and go home. I get up here enough. I figure I talk a bunch. And I know we're all disappointed in tonight. We're all disappointed. I've got **HB 1936** several pages down. I didn't hold any hope out really for that pro-life bill to really probably make it, and I had come to peace with that. And I've had several bills and probably more than my fair share this

session. But I really had one bill that I regret that I was not the member that filed it. That's the very next bill, **HB 810** by Tan Parker. Tan and I have probably a unique brotherhood in the fact that we're both privileged to be married to two beautiful women, so beautiful in the heart and both so challenged physically. And they've held out hope, and they've struggled, but a lot of times most people don't know it, because they've both been very successful women.

But we have a chance tonight in this chamber to hear **HB 810**. It wasn't anywhere near to where most of us probably predicted the end of the calendar would have been. What it deals with is stem cell research. You can go to Panama and pay a bunch of money and maybe do these things, but there's some folks right here in South Lake, Texas, and DFW, North Texas, who have done some remarkable things that might give somebody like my wife a chance to walk. Maybe a high school football player that you all know—I know TCU had a gentleman named Kent Waldrep who broke his neck playing against Alabama. Maybe it'd help Kent just have a little bit more use of his arms, to be able to breathe a little easier. Maybe my wife wouldn't walk. There's a whole lot of struggles, and I hear an awful lot of people in this chamber talk about those who are disabled, disabilities, and us trying to do things to help them. But I'll be damned if we don't have the chance tonight to hear the very next bill that opens up the doors of medical science to be able to be done right here in the State of Texas. And I understand that other people are mad that their stuff hasn't been heard, but I'll tell you what. I'd trade every one of my bills that passed, every single one of them, to get the chance to hear **HB 810**. Because I pray to God every time I go to mass, every time I close my eyes, that one day my wife, and not for my sake but for her sake, will have the chance to have that opportunity again to be able to walk.

And members, I understand sometimes we have to look past our own frustrations, and we have to look for the bigger picture, and what are we doing for the State of Texas. And by stopping this next bill, it's just, and I know—and I'm going to apologize to Representative Stickland. He probably didn't know why I was so upset when I tried to talk to Representative Shaheen and just ask him a simple question to say, is there any way that we can just let this next bill get up? I didn't want to do this. I'm not looking for this attention. I'm just looking for a solution. And I've grasped at straws, and I pray to God, and I know that's what we're—and when I really think deep down in our heart, the most moving things I've heard from each and every one of you is when you talk from your heart, whether it's Ken talking about ovarian cancer or so many other causes that we've heard. I mean, those are the kinds of things that really move us. It's not about cutting taxes. It's not about, you know, A through F or those. It's what we do that really, really impacts Texans. You know, making their lives easier and better and removing some of the burdens. And there's not every day that we have that chance to do that. This is one of those days, and to know that we're minutes away from that being the possibility—and I know it's every member's right, and I understand the rules, and I know we can do some different things to probably even move this along. You know, I thought about doing it the other way. I could easily have gone around and tried to talk to 25 of you and said, this is so

important to me; will you please call this to question so we can get to the next bill? And then called that bill to question, and then I could've just gone home and did it. But I respected what some of the other members said about the process. You know, we don't want to set that precedence of overriding people when they really have objections.

But that being said, I want to use this time and my speech, and when I ride off into the sunset, I'll count this as my final speech. And you'll never hear from me hopefully ever again from personal privilege. But members, I'm asking you, if there's any way we can move to get to **HB 810** and be able to help these Texans that are struggling for so many different things. Not just stem cells—I mean from stem cells but not just spinal cord injuries. I mean MS and so many other different things. This is so promising, and Dr. Bonnen knows so much about this science, and Tan, and I know Doc Anderson was in the deal and heard the magnificent things these people are doing and the opportunities we have to give to Texans. And it's right in front of us. And to know that the apple is so close and I can't grab it just—so members, please, if you could find it in your heart, I would appreciate it if we could move a little bit forward tonight. Thank you.

CSHB 3349 - (consideration continued)

Amendment No. 4

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

Amend Amendment No. 2 to **CSHB 3349** by Tinderholt on page 1, line 5, by striking "a" and substituting "an accredited".

Amendment No. 4 was withdrawn.

Amendment No. 2, as amended, failed of adoption by (Record 1200): 6 Yeas, 121 Nays, 2 Present, not voting.

Yeas — Biedermann; Cain; Schaefer; Stickland; Swanson; Tinderholt.

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

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

Absent, Excused — Anderson, R.; Johnson, E.; Smithee.

Absent, Excused, Committee Meeting — Longoria.

Absent — Allen; Alvarado; Coleman; Deshotel; Dukes; Elkins; Farrar; Guerra; Gutierrez; Johnson, J.; Nevárez; Oliveira; Reynolds; Rodriguez, E.; Rodriguez, J.; Schofield; Wu.

STATEMENTS OF VOTE

When Record No. 1200 was taken, I was in the house but away from my desk. I would have voted no.

Alvarado

When Record No. 1200 was taken, I was in the house but away from my desk. I would have voted no.

Deshotel

(E. Johnson now present)

Amendment No. 5

Representative Tinderholt offered the following amendment to **CSHB 3349**:

Amend **CSHB 3349** (house committee report) on page 1, between lines 20 and 21 by inserting the appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

() practiced that occupation in the military;

Amendment No. 5 was withdrawn.

Amendment No. 6

Representative Tinderholt offered the following amendment to **CSHB 3349**:

Amend **CSHB 3349** (house committee printing) on page 1, between lines 20 and 21, by adding the following appropriately numbered subdivision and renumbering subsequent subdivisions appropriately:

() has been a member of the armed forces of the United States and holds a baccalaureate degree and a certificate of military training;

Amendment No. 6 was withdrawn.

CSHB 3349 was passed to engrossment.

CSHB 810 ON SECOND READING

(by Parker, Springer, Paul, C. Anderson, Burkett, et al.)

CSHB 810, A bill to be entitled An Act relating to the provision of certain investigational stem cell treatments to patients with certain severe chronic diseases or terminal illnesses and regulating the possession, use, and transfer of adult stem cells; creating a criminal offense.

Amendment No. 1

Representatives Parker, Allen, Alonzo, Alvarado, Anchia, C. Anderson, R. Anderson, Arévalo, Ashby, Bailes, Bell, Bernal, Biedermann, Blanco, Bohac, D. Bonnen, G. Bonnen, Burkett, Burns, Burrows, Button, Cain, Canales, Capriglione, Clardy, Coleman, Collier, Cook, Cortez, Cosper, Craddick, Cyrier,

Dale, Darby, S. Davis, Y. Davis, 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, E. Johnson, J. Johnson, Kacal, Keough, K. King, P. King, T. King, 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, E. Rodriguez, J. Rodriguez, Romero, Rose, Sanford, Schaefer, Schofield, Schubert, Shaheen, Sheffield, Shine, Simmons, Smithee, Springer, Stephenson, Stickland, Straus, Stucky, Swanson, Thierry, E. Thompson, S. Thompson, Tinderholt, Turner, Uresti, VanDeaver, Villalba, Vo, Walle, White, Wilson, Workman, Wray, Wu, Zedler, and Zerwas offered the following amendment to **CSHB 810**:

Amend **CSHB 810** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. This Act shall be known as Charlie's Law.

Amendment No. 1 was adopted.

CSHB 810, as amended, was passed to engrossment.

REMARKS ORDERED PRINTED

Representative Cook moved to print remarks by Representative Springer.

The motion prevailed.

POSTPONED BUSINESS

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

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.

HB 786 was read second time on May 10 and was postponed until 10 p.m. today.

Representative VanDeaver moved to postpone consideration of **HB 786** until 8 a.m. tomorrow.

The motion prevailed by (Record 1201): 118 Yeas, 18 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Faircloth; Fallon; Flynn; Frank;

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

Nays — Biedermann; Cain; Canales; Collier; Gutierrez; Krause; Lang; Leach; Rinaldi; Rodriguez, J.; Sanford; Schaefer; Shaheen; Stickland; Swanson; Thierry; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Smithee.

Absent, Excused, Committee Meeting — Longoria.

Absent — Allen; Deshotel; Dukes; Elkins; Farrar; King, T.; Laubenberg; Oliveira; Paul; Reynolds.

STATEMENTS OF VOTE

When Record No. 1201 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1201 was taken, I was in the house but away from my desk. I would have voted yes.

Paul

GENERAL STATE CALENDAR (consideration continued)

HB 3236 ON SECOND READING (by Kacal)

HB 3236, A bill to be entitled An Act relating to the costs associated with the provision of certain investigational drugs, biological products, and devices that are in clinical trials.

Amendment No. 1

Representative Schaefer offered the following amendment to **HB 3236**:

Amend **HB 3236**, on page 2, line 1, by striking the original language and substituting the following:

SECTION 3. This Act takes effect September 1, 2018.

HB 3236 - MOTION FOR PREVIOUS QUESTION

Representative Geren moved the previous question on the adoption of Amendment No. 1 and the passage to engrossment of **HB 3236**.

The motion was seconded by Representatives Ashby, Bailes, D. Bonnen, Clardy, Cook, Dean, Flynn, Gooden, K. King, Lambert, Miller, Morrison, Oliverson, Paddie, Perez, Phelan, Price, Raney, Roberts, Sheffield, Shine, Stephenson, Stucky, Uresti, VanDeaver, White, and Zerwas.

The motion for the previous question prevailed by (Record 1202): 88 Yeas, 49 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anderson, C.; Ashby; Bailes; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Capriglione; Clardy; Coleman; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Dutton; Elkins; Faircloth; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guerra; Guillen; Holland; Huberty; Hunter; Isaac; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller; Morrison; Muñoz; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Roberts; Schaefer; Schubert; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Thompson, E.; VanDeaver; Villalba; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Anchia; Arévalo; Bernal; Biedermann; Blanco; Burrows; Cain; Canales; Collier; Cortez; Davis, Y.; Dukes; Fallon; González; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Keough; Krause; Lang; Leach; Lucio; Martinez; Minjarez; Moody; Neave; Nevárez; Ortega; Reynolds; Rinaldi; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Shaheen; Stickland; Swanson; Thierry; Tinderholt; Turner; Vo; Walle; Zedler.

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

Absent, Excused — Anderson, R.; Smithee.

Absent, Excused, Committee Meeting — Longoria.

Absent — Allen; Deshotel; Farrar; Gervin-Hawkins; Giddings; Oliveira; Rodriguez, E.; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1202 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1202 was taken, I was in the house but away from my desk. I would have voted no.

E. Rodriguez

Amendment No. 1 was withdrawn.

HB 3236 was passed to engrossment by (Record 1203): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; 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; 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; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; 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; Sheffield; Shine; Simmons; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Smithee.

Absent, Excused, Committee Meeting — Longoria.

Absent — Allen; Morrison; Oliveira; Wilson.

STATEMENTS OF VOTE

When Record No. 1203 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 1203 was taken, I was shown voting yes. I intended to vote no.

Neave

When Record No. 1203 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

CSSB 1467 ON SECOND READING (Lozano and Guillen - House Sponsors)

CSSB 1467, A bill to be entitled An Act relating to the Texas college work-study program and to establishing a program for the off-campus employment of certain students at public or private institutions of higher education.

CSSB 1467 was considered in lieu of **HB 3179**.

Representative Lozano moved to postpone consideration of **CSSB 1467** until 8 a.m. tomorrow.

The motion prevailed by (Record 1204): 118 Yeas, 20 Nays, 1 Present, not voting.

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

Nays — Biedermann; Cain; Canales; Collier; Gutierrez; Krause; Lang; Nevárez; Ortega; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Uresti.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Smithee.

Absent, Excused, Committee Meeting — Longoria.

Absent — Allen; Capriglione; Deshotel; Elkins; Klick; Oliveira; Wilson; Zedler.

STATEMENTS OF VOTE

When Record No. 1204 was taken, I was in the house but away from my desk. I would have voted no.

Capriglione

When Record No. 1204 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

CSHB 3292 ON SECOND READING (by Klick and Guillen)

CSHB 3292, A bill to be entitled An Act relating to the continuation and reinstatement of medical assistance for certain individuals.

Amendment No. 1

Representative Klick offered the following amendment to **CSHB 3292**:

Amend **CSHB 3292** (house committee printing) by striking page 1, lines 7 through 20, and substituting the following:

Sec. 32.0256. CONTINUATION OF MEDICAL ASSISTANCE FOR CERTAIN INDIVIDUALS. (a) A recipient described by Section 32.025(a) who experiences a temporary increase in income of a duration of one month or less that would result in the recipient being ineligible for medical assistance continues to be eligible for that assistance if the individual:

(1) either:

(A) receives services through a program for individuals with an intellectual or developmental disability authorized under Section 1915(c), Social Security Act (42 U.S.C. Section 1396n(c)); or

(B) resides in an ICF-IID facility; and

(2) continues to meet the functional and diagnostic criteria for the receipt of services under a program described by Subdivision (1)(A) or for residency in an ICF-IID facility.

(b) To continue to be eligible for medical assistance, a recipient described by Subsection (a) must submit an application for medical assistance in accordance with Section 32.025(b) not later than the 90th day after the date on which the recipient is determined ineligible.

Amendment No. 1 was adopted by (Record 1205): 138 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Smithee.

Absent, Excused, Committee Meeting — Longoria.

Absent — Allen; Capriglione; Dukes; Gonzales; Huberty; Perez; Shaheen; Thierry.

Amendment No. 2

Representative Tinderholt offered the following amendment to **CSHB 3292**:

Amend **CSHB 3292** (house committee printing) on page 1, line 19, by striking "90th" and substituting "75th".

Amendment No. 2 was withdrawn.

CSHB 3292, as amended, was passed to engrossment.

POINT OF ORDER

Representative Pickett raised a point of order against further consideration of the calendar under Rule 8, Section 13(b) of the House Rules on the grounds that the deadline for consideration of house bills on second reading had passed.

The speaker sustained the point of order.

PROVIDING FOR RECESS

At 12:03 a.m., Representatives Geren and Huberty moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house recess until 10 a.m. today, Friday, May 12 in memory of the Honorable Charlie Howard of Fort Bend County and Cody Stephens of Crosby.

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

(Bell in the chair)

RECESS

In accordance with a previous motion, the house, at 12:12 a.m., recessed until 10 a.m. today, Friday, May 12.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

- SB 195** to Public Education.
- SB 255** to Appropriations.
- SB 529** to Public Education.
- SB 631** to Criminal Jurisprudence.
- SB 635** to Judiciary and Civil Jurisprudence.
- SB 654** to Public Health.
- SB 657** to Judiciary and Civil Jurisprudence.
- SB 1264** to Criminal Jurisprudence.
- SB 1286** to Ways and Means.
- SB 1296** to Elections.
- SB 1656** to Urban Affairs.
- SB 1748** to Economic and Small Business Development.
- SB 1837** to Public Education.
- SB 1886** to Public Education.
- SB 1923** to Appropriations.
- SB 2039** to Public Education.
- SB 2150** to Judiciary and Civil Jurisprudence.
- SB 2243** to Natural Resources.
- SB 2244** to Special Purpose Districts.

List No. 2

- SB 3** to Public Education.
- SB 50** to Higher Education.
- SB 261** to State Affairs.
- SB 315** to Public Health.
- SB 349** to Homeland Security and Public Safety.
- SB 384** to Public Education.
- SB 436** to Public Education.
- SB 457** to Public Education.
- SB 490** to Public Education.
- SB 585** to Public Education.
- SB 602** to Human Services.
- SB 748** to Public Education.
- SB 764** to State Affairs.

- SB 810** to Higher Education.
- SB 840** to Homeland Security and Public Safety.
- SB 904** to Special Purpose Districts.
- SB 936** to Pensions.
- SB 1018** to State Affairs.
- SB 1062** to Transportation.
- SB 1067** to Special Purpose Districts.
- SB 1101** to Public Health.
- SB 1122** to Public Education.
- SB 1131** to Transportation.
- SB 1143** to Transportation.
- SB 1248** to Land and Resource Management.
- SB 1294** to Public Education.
- SB 1314** to Human Services.
- SB 1376** to Appropriations.
- SB 1421** to Energy Resources.
- SB 1481** to Public Education.
- SB 1566** to Public Education.
- SB 1602** to State Affairs.
- SB 1625** to Public Health.
- SB 1660** to Public Education.
- SB 1663** to Pensions.
- SB 1664** to Pensions.
- SB 1665** to Pensions.
- SB 1679** to Defense and Veterans' Affairs.
- SB 1794** to Higher Education.
- SB 1873** to Public Education.
- SB 1883** to Public Education.
- SB 1927** to Human Services.
- SB 1942** to Public Education.
- SB 2066** to Public Health.
- SB 2068** to Natural Resources.
- SB 2078** to Public Education.
- SB 2080** to Public Education.

SB 2086 to Higher Education.

SB 2140 to Natural Resources.

SB 2142 to Public Education.

SB 2143 to Public Education.

SB 2273 to Special Purpose Districts.

SJR 54 to Elections.

SCR 33 to Human Services.

SIGNED BY THE SPEAKER

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

House List No. 19

HB 2194

Senate List No. 15

SB 160, SB 253, SB 345, SB 417, SB 579, SB 617, SB 622, SB 671, SB 712, SB 945, SB 1002, SB 1049, SB 1073, SB 1083, SB 1203, SB 1229, SB 1246, SB 1365, SB 1402, SB 1422, SB 1494, SB 1517, SB 1518, SJR 2

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, May 11, 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:

LOCAL AND UNCONTESTED CALENDAR

HB 101 Craddick SPONSOR: Seliger
Relating to the development of and contracting for reclaimed water facilities in certain municipalities.

HB 394 Howard SPONSOR: Watson
Relating to the designation of the Lady Bird Johnson Wildflower Center at The University of Texas at Austin as the state botanical garden and arboretum.

HB 455 Metcalf SPONSOR: Nichols

Relating to the authority of a property owner to participate by telephone conference call at a protest hearing by an appraisal review board.

HB 630 Howard SPONSOR: Zaffirini
Relating to the Internet broadcast and archiving of open meetings of the Health and Human Services Commission, health and human services agencies, and related advisory entities.

HB 777 Ashby SPONSOR: Nichols
Relating to the eligibility of land owned by certain members of the armed services of the United States for appraisal for ad valorem tax purposes as qualified open-space land.

HB 799 Murr SPONSOR: Perry
Relating to the persons authorized to conduct an inquest in certain counties.

HB 947 Thompson, Ed SPONSOR: Taylor, Larry
Relating to the designation of a portion of Farm-to-Market Road 1462 in Brazoria County as the Lieutenant Colonel Roy Lin Tisdale Memorial Highway.

HB 1001 Israel SPONSOR: Zaffirini
Relating to recording of minutes for a local canvassing authority.

HB 1020 Smithee SPONSOR: Rodríguez
Relating to volunteer practice by an inactive member of the State Bar of Texas.

HB 1288 Rose SPONSOR: West
Relating to broker agreements for the leasing of real property owned by a county.

HB 1346 Button SPONSOR: Taylor, Van
Relating to the date for prepayment of taxes on a dealer's heavy equipment inventory.

HB 1434 Simmons SPONSOR: Nelson
Relating to displaying certain informational materials and videos in driver's license offices.

HB 1495 Thompson, Senfronia SPONSOR: Rodríguez
Relating to the rendition of certain temporary orders during the pendency of a suit for modification of an order that provides for the conservatorship, support, or possession of or access to a child.

HB 1559 Frullo SPONSOR: Hancock
Relating to the provision of surplus lines insurance to certain commercial insureds.

HB 1638 Guillen SPONSOR: West
Relating to statewide goals for dual credit programs provided by school districts.

HB 1829 Geren SPONSOR: Kolkhorst
Relating to the preservation, maintenance, and improvement of the Capitol and the Capitol grounds.

HB 1963 Thompson, Ed SPONSOR: Taylor, Larry
Relating to the creation of the Brazoria County Municipal Utility District No. 70; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 2332 Thompson, Ed SPONSOR: Taylor, Larry
Relating to the creation of the Brazoria County Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HCR 53 Gooden SPONSOR: Nichols
Authorizing the State Preservation Board, subject to state law and rules of the board, to approve and permit the relocation of the Texas Game Warden Memorial to a site at the State Capitol, south of the Sam Houston Building, just outside of the historic grounds.

SB 320 Nichols
Relating to the creation of River Ranch Improvement District of Liberty County; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SB 321 Nichols
Relating to the creation of the River Ranch Municipal Utility District of Liberty County and the Riverside Municipal Utility District of Liberty County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SB 749 Watson
Relating to certain charges by the Bastrop County Water Control and Improvement District No. 2; authorizing an increase in a fee.

SB 837 Seliger
Relating to requirements for student elections to authorize or increase certain fees at public institutions of higher education.

SB 1177 Hughes
Relating to requirements for charter schools established for the benefit of certain juvenile offenders.

SB 1260 Creighton
Relating to the Chambers County Improvement District No. 2.

SB 1484 Taylor, Larry
Relating to the creation of an instructional materials web portal by the commissioner of education.

SB 1559 Taylor, Larry
Relating to a fee exemption for guardianship proceedings of certain military servicemembers and certain law enforcement officers, firefighters, and other first responders.

SB 1931 West
Relating to community land trusts.

SB 1992 Watson
Relating to the allocation of housing tax credits to developments within proximate geographical areas.

SB 2014 Creighton
Relating to consent of municipalities in the creation of municipal utility districts.

SB 2186 Zaffirini
Relating to the Live Oak Underground Water Conservation District.

SB 2271 Creighton
Relating to the creation of Port Neches Improvement District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SB 2274 Creighton
Relating to the creation of the Lakewood Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2275 Creighton
Relating to the creation of the Lakewood 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 2277 Creighton
Relating to the creation of the Lakewood Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2290 Creighton
Relating to the creation of the Harris County Municipal Utility District No. 557; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 11, 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 641 Phillips SPONSOR: Estes
Relating to the continuation of the Red River Boundary Commission.

SB 521 Creighton
Relating to the qualifications required of an appraisal district employee in order to testify as to the value of real property in certain ad valorem tax appeals.

SB 824 Burton

Relating to compensation of certain justices and judges for performing extrajudicial services.

SB 1185 West

Relating to criminal history record information obtained or disseminated by certain private entities; providing a civil penalty.

SB 1443 Creighton

Relating to electronic benefits transfer cards used by recipients of benefits under certain assistance programs.

SB 1713 Uresti

Relating to a study on sales and use tax compliance.

SB 1855 Uresti

Relating to the authority of a defense base development authority to participate in a company or partnership organized to finance redevelopment projects.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SJR 38 (31 Yeas, 0 Nays)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 11, 2017 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 2328 Lucio III SPONSOR: Watson

Relating to an expedited response by a governmental body to a request for public information.
(Amended)

SB 459 Huffines

Relating to the regulation or taxation of firearms, air guns, knives, or ammunition by a municipality or county.

SB 812 Kolkhorst

Relating to repayment of money contributed by the Texas Department of Transportation or the Texas Transportation Commission for toll projects and to a limitation on toll projects.

SB 1670 Lucio

Relating to a historic structure assistance program operated by a municipally owned utility in certain municipalities; authorizing a fee.

SB 1695 Lucio

Relating to mosquito control districts established for an urgent public health purpose.

SB 1849 Whitmire

Relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

SB 2026 Rodríguez

Relating to a biennial report on stormwater infrastructure in this state.

SCR 47 Hughes

Urging Congress to propose and submit to the states for ratification a regulation freedom amendment to the U.S. Constitution.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 16 (26 Yeas, 5 Nays)

SB 507 (29 Yeas, 2 Nays)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 301

Senate Conferees: Watson - Chair/Hinojosa/Hughes/Schwertner/Taylor, Van

SB 1070

Senate Conferees: Hancock - Chair/Creighton/Nichols/Taylor, Larry/Whitmire

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 10

Culture, Recreation, and Tourism - **HB 4132, SB 1630**

Higher Education - **SB 968, SB 969, SB 1467, SB 1781, SB 1782, SB 1813, SB 2082, SB 2118**

Homeland Security and Public Safety - **SB 30, SB 2054**

Human Services - **SB 547, SB 924, SB 1758**

Insurance - **SB 2087**

Investments and Financial Services - **HB 2839, SB 1052, SB 1381, SB 1401**

Judiciary and Civil Jurisprudence - **SB 257, SB 327, SB 511, SB 658, SB 1193, SB 2053, SB 2174**

Juvenile Justice and Family Issues - **HB 1972**

Licensing and Administrative Procedures - **SB 1501**

Natural Resources - **HB 3789, HB 4332**

Public Health - **SB 27, SB 74, SB 139, SB 304, SB 313**

State and Federal Power and Responsibility, Select - **SCR 35, SCR 52**

State Affairs - **SB 1289**

ENGROSSED

May 10 - HB 7, HB 1574, HB 2612, HB 2619, HB 3204, HB 3746, HB 3859, HJR 113

ENROLLED

May 10 - HB 409, HB 1483, HB 1612, HB 1818, HB 2194

SENT TO THE GOVERNOR

May 10 - HB 890, HB 1140, HB 1995, HB 3220

SIGNED BY THE GOVERNOR

May 10 - HCR 81, HCR 121, HCR 124

