

HOUSE JOURNAL

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-EIGHTH DAY — MONDAY, APRIL 13, 2015

The house met at 2:01 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 190).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Herrero; Turner, E.S.

The speaker recognized Representative Frank who introduced Hixon E. Frank, discipleship pastor, Hyde Park Baptist Church, Austin, who offered the invocation as follows:

Our Heavenly Father, thank you for the men and women in this room. They have sacrificed much in order to make Texas a better place for her people. I pray you would grant them wisdom and insight as they make important decisions and civility as they debate the best courses of action. Give them critical minds that see through all of the clutter and the posturing that is common to man, and let them see the truth. Free them of critical hearts that are only good for tearing down.

Most of us, Father, in our own way, want to do what is right in your eyes. We acknowledge our flaws, selfish ambition, and even our sin, both public and private. We ask your forgiveness in those moments when we know we need it and in those moments we forget its necessity. We want to be known as men and

women who do not compromise on what is right, but are champions for it. It is to that end that I voice our prayer this afternoon. We pray these things in your gentle and fierce name. Amen.

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

LEAVES OF ABSENCE GRANTED

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

E. S. Turner on motion of Leach.

The following member was granted leave of absence for today because of illness in the family:

Herrero on motion of Walle.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 2:15 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, 2:15 p.m. today, 3W.15, for a formal meeting, to set a calendar.

(Villalba in the chair)

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 10).

RESOLUTIONS REFERRED TO COMMITTEES

CORRECTIONS IN REFERRAL

Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

REGULAR ORDER OF BUSINESS SUSPENDED

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

HR 1512 - ADOPTED
(by S. Turner)

Representative S. Turner moved to suspend all necessary rules to take up and consider at this time **HR 1512**.

The motion prevailed.

The following resolution was laid before the house:

HR 1512, Commemorating the Sikh festival of Vaisakhi on April 13, 2015.

HR 1512 was adopted.

On motion of Representative Collier, the names of all the members of the house were added to **HR 1512** as signers thereof.

LEAVES OF ABSENCE GRANTED

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

K. King on motion of Kuempel.

E. Rodriguez on motion of Kuempel.

INTRODUCTION OF GUEST

The chair recognized Representative S. Turner who introduced the Honorable Virgil K. Smith, Michigan state senator and chair of the Michigan Legislative Black Caucus.

(K. King now present)

CAPITOL PHYSICIAN

The chair recognized Representative Keough who presented Dr. Sabari Sundarraj of The Woodlands as the "Doctor for the Day."

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

(E. Rodriguez now present)

HR 1594 - ADOPTED
(by S. Thompson, Alonzo, and Y. Davis)

Representative S. Thompson moved to suspend all necessary rules to take up and consider at this time **HR 1594**.

The motion prevailed.

The following resolution was laid before the house:

HR 1594, In memory of former state representative Richard S. Geiger of Dallas.

HR 1594 was read and was unanimously adopted by a rising vote.

On motion of Representative Alonzo, the names of all the members of the house were added to **HR 1594** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative S. Thompson who introduced family members of the Honorable Richard S. Geiger.

**HR 1869 - ADOPTED
(by Zerwas)**

Representative Zerwas moved to suspend all necessary rules to take up and consider at this time **HR 1869**.

The motion prevailed.

The following resolution was laid before the house:

HR 1869, Recognizing April 13, 2015, as Fulshear Day at the State Capitol.

HR 1869 was adopted.

**HR 1736 - ADOPTED
(by Naishtat)**

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 1736**.

The motion prevailed.

The following resolution was laid before the house:

HR 1736, In memory of former Texas land commissioner and state representative Robert Landis Armstrong.

HR 1736 was read and was unanimously adopted by a rising vote.

On motion of Representatives Howard, E. Rodriguez, and Israel, the names of all the members of the house were added to **HR 1736** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Naishtat who introduced family members of the Honorable Robert Landis Armstrong.

**HR 1907 - ADOPTED
(by S. Thompson)**

Representative S. Thompson moved to suspend all necessary rules to take up and consider at this time **HR 1907**.

The motion prevailed.

The following resolution was laid before the house:

HR 1907, Recognizing April 13, 2015, as Texas Female Judges Day at the State Capitol.

HR 1907 was adopted.

On motion of Representatives Hernandez, S. Turner, and Wu, the names of all the members of the house were added to **HR 1907** as signers thereof.

HR 352 - PREVIOUSLY ADOPTED
(by Wu)

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

HR 352, In memory of Martin Kerner of Houston.

On motion of Representative Guerra, the names of all the members of the house were added to **HR 352** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Wu who introduced family members of Martin Kerner.

HR 1743 - ADOPTED
(by Simpson and Larson)

Representative Simpson moved to suspend all necessary rules to take up and consider at this time **HR 1743**.

The motion prevailed.

The following resolution was laid before the house:

HR 1743, Honoring Deborah Bell, founder of Refuge International, for her humanitarian work.

HR 1743 was adopted.

On motion of Representative Larson, the names of all the members of the house were added to **HR 1743** as signers thereof.

INTRODUCTION OF GUEST

The chair recognized Representative Simpson who introduced Deborah Bell.

HR 1920 - ADOPTED
(by Springer)

Representative Springer moved to suspend all necessary rules to take up and consider at this time **HR 1920**.

The motion prevailed.

The following resolution was laid before the house:

HR 1920, Commemorating the 20th annual Floyd County Friends Unity Center gala.

HR 1920 was adopted.

On motion of Representatives Muñoz and Naishtat, the names of all the members of the house were added to **HR 1920** as signers thereof.

HR 1901 - ADOPTED
(by Naishtat)

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 1901**.

The motion prevailed.

The following resolution was laid before the house:

HR 1901, Commending the staff and leadership of the Testicular Cancer Foundation and recognizing April 2015 as Testicular Cancer Month in Texas.

HR 1901 was adopted.

**HR 1206 - PREVIOUSLY ADOPTED
(by Muñoz)**

The chair laid out the following previously adopted resolution:

HR 1206, Congratulating the Mission Nursing and Rehabilitation Center on earning recognition as part of the American Health Care Association/National Center for Assisted Living Quality Initiative.

On motion of Representative Guerra, the names of all the members of the house were added to **HR 1206** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Muñoz who introduced representatives of the Mission Nursing and Rehabilitation Center.

FIVE-DAY POSTING RULE SUSPENDED

Representative Cook moved to suspend the five-day posting rule to allow the Committee on State Affairs to consider **HB 2511** at 10:30 a.m. or upon final adjournment/recess Wednesday, April 15 in JHR 140.

The motion prevailed.

Representative Deshotel moved to suspend the five-day posting rule to allow the Committee on Land and Resource Management to consider **HB 3620** and **HB 3621** at 2 p.m. or upon adjournment today in E2.016.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Transportation, upon adjournment today, 3W.9, for a formal meeting, to consider pending business.

Land and Resource Management, 2 p.m. or upon adjournment today, E2.016, for a public hearing, to consider **HB 3620**, **HB 3621**, and the previously posted agenda.

State Affairs, 10:30 a.m. or upon final adjournment/recess Wednesday, April 15, JHR 140, for a public hearing, to consider **HB 2511** and the previously posted agenda.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative Kacal moved to set a congratulatory and memorial calendar for 10 a.m. Thursday, April 16.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Rules and Resolutions, upon adjournment today, 3W.15, for a formal meeting, to set a calendar.

(Pickett in the chair)

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

Representative S. Thompson moved to set a local, consent, and resolutions calendar for 9 a.m. Thursday, April 16.

The motion prevailed.

(Speaker in the chair)

MAJOR STATE CALENDAR**HOUSE BILLS****THIRD READING**

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

HB 1679 ON THIRD READING

(by Raymond, Burkett, Price, and Villalba)

HB 1679, A bill to be entitled An Act relating to the continuation of the Texas Council for Developmental Disabilities.

HB 1679 was passed by (Record 191): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Bohac; Dukes.

STATEMENTS OF VOTE

When Record No. 191 was taken, I was in the house but away from my desk. I would have voted yes.

Bohac

When Record No. 191 was taken, I was excused because of important business in the district. I would have voted yes.

E. S. Turner

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 1252 ON THIRD READING (by Pickett)

HB 1252, A bill to be entitled An Act relating to uniform weighing procedures requirements for motor vehicle weight enforcement officers.

HB 1252 was passed by (Record 192): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Dukes; Zerwas.

STATEMENT OF VOTE

When Record No. 192 was taken, I was excused because of important business in the district. I would have voted yes.

E. S. Turner

HB 505 ON THIRD READING

(by E. Rodriguez, Workman, Smith, Dale, et al.)

HB 505, A bill to be entitled An Act relating to a prohibition of limitations on the number of dual credit courses or hours in which a public high school student may enroll.

HB 505 was passed by (Record 193): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 193 was taken, I was excused because of important business in the district. I would have voted yes.

E. S. Turner

HB 497 ON THIRD READING

(by Wu)

HB 497, A bill to be entitled An Act relating to the applicability of the law governing saltwater pipeline facilities located in the vicinity of public roads.

HB 497 was passed by (Record 194): 143 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Dukes; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Deshotel.

STATEMENTS OF VOTE

When Record No. 194 was taken, I was shown voting no. I intended to vote yes.

Dukes

When Record No. 194 was taken, I was shown voting no. I intended to vote yes.

Stickland

When Record No. 194 was taken, I was excused because of important business in the district. I would have voted yes.

E. S. Turner

HB 1286 ON THIRD READING (by Simmons, Moody, Dale, and Villalba)

HB 1286, A bill to be entitled An Act relating to the prosecution and punishment of the offense of injury to a child, elderly individual, or disabled individual.

HB 1286 was passed by (Record 195): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Herrero; Turner, E.S.

Absent — Dukes; Keffer; Paddie.

STATEMENT OF VOTE

When Record No. 195 was taken, I was excused because of important business in the district. I would have voted yes.

E. S. Turner

HB 904 ON THIRD READING (by Smith, S. Thompson, et al.)

HB 904, A bill to be entitled An Act relating to the transfer of certain inmates to the Texas Department of Criminal Justice following pronouncement of the inmate's sentence.

HB 904 was passed by (Record 196): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña;

Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Dukes; Rodriguez, E.

STATEMENT OF VOTE

When Record No. 196 was taken, I was excused because of important business in the district. I would have voted yes.

E. S. Turner

HB 1447 ON THIRD READING (by Dale, Márquez, Herrero, Moody, Frullo, et al.)

HB 1447, A bill to be entitled An Act relating to protective orders for certain victims of sexual assault or abuse, stalking, or trafficking.

HB 1447 was passed by (Record 197): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Canales; Dukes; Martinez; Raney.

STATEMENTS OF VOTE

When Record No. 197 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 197 was taken, my vote failed to register. I would have voted yes.

Raney

When Record No. 197 was taken, I was excused because of important business in the district. I would have voted yes.

E. S. Turner

HB 2208 ON THIRD READING
(by Herrero)

HB 2208, A bill to be entitled An Act relating to access to criminal history record information by a county tax assessor-collector.

HB 2208 was passed by (Record 198): 128 Yeas, 16 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, M.; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Burrows; Button; Hughes; Keough; Krause; Landgraf; Murr; Rinaldi; Schofield; Shaheen; Springer; Stickland; Tinderholt; White, J.; Workman.

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

Absent, Excused — Herrero; Turner, E.S.

Absent — Dukes.

STATEMENTS OF VOTE

When Record No. 198 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 198 was taken, I was excused because of important business in the district. I would have voted no.

E. S. Turner

When Record No. 198 was taken, I was shown voting present, not voting. I intended to vote yes.

Wray

HB 819 ON THIRD READING

(by Sheffield)

HB 819, A bill to be entitled An Act relating to the definition of a public health nuisance; amending provisions subject to a criminal penalty.

HB 819 was passed by (Record 199): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 199 was taken, I was excused because of important business in the district. I would have voted yes.

E. S. Turner

**HB 1184 ON THIRD READING
(by Paddie, Anchia, and Villalba)**

HB 1184, A bill to be entitled An Act relating to authorizing certain utility cost savings and alternative fuel programs as eligible for local government energy savings performance contracts.

Representative Paddie moved to postpone consideration of **HB 1184** until the end of today's third reading general state calendar.

The motion prevailed.

**HB 372 ON THIRD READING
(by Riddle, J. White, Murphy, and Deshotel)**

HB 372, A bill to be entitled An Act relating to the monitoring of the Internet access of certain sex offenders placed on community supervision or released on parole or to mandatory supervision.

HB 372 was passed by (Record 200): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Canales; Dukes; Simmons.

STATEMENTS OF VOTE

When Record No. 200 was taken, my vote failed to register. I would have voted yes.

Canales

When Record No. 200 was taken, I was excused because of important business in the district. I would have voted yes.

E. S. Turner

HB 658 ON THIRD READING

(by Zerwas, R. Miller, Reynolds, Stephenson, and C. Anderson)

HB 658, A bill to be entitled An Act relating to the creation of a campus of the Texas State Technical College System in Fort Bend County.

HB 658 was passed by (Record 201): 140 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Rinaldi; Stickland; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Dukes; Keough; Simmons.

STATEMENTS OF VOTE

When Record No. 201 was taken, I was in the house but away from my desk. I would have voted yes.

Keough

When Record No. 201 was taken, I was excused because of important business in the district. I would have voted yes.

E. S. Turner

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 3:45 p.m. today, in 1W.14, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, 3:45 p.m. today, 1W.14, for a formal meeting, to set a calendar.

POSTPONED BUSINESS

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

HB 1184 ON THIRD READING **(by Paddie, Anchia, and Villalba)**

HB 1184, A bill to be entitled An Act relating to authorizing certain utility cost savings and alternative fuel programs as eligible for local government energy savings performance contracts.

HB 1184 was read third time earlier today and was postponed until this time.

Amendment No. 1

Representative Paddie offered the following amendment to **HB 1184**:

Amend **HB 1184** on third reading in SECTION 1 of the bill as follows:

- (1) In the recital, strike "302.001(4)" and substitute "302.001".
- (2) In the recital, between "amended" and "to", insert "by amending Subdivision (4) and adding Subdivision (9-a)".
- (3) In the second sentence of amended Section 302.001(4), Local Government Code, between "includes a" and "contract", insert "contract related to the pilot program described by Subdivision (9-a) and a".
- (4) In amended Section 302.001(4), Local Government Code, in Paragraph (P), after the semicolon, insert "or".
- (5) In amended Section ~~302~~.001(4), Local Government Code, in Paragraph (Q), strike "; or".
- (6) In amended Section 302.001(4), Local Government Code, strike added Paragraph (R) except for the period.
- (7) Immediately following amended Section 302.001(4), Local Government Code, insert the following:

(9-a) "Pilot program" means a pilot program operated by the Energy Systems Laboratory at the Texas A&M Engineering Experiment Station, in consultation with the Texas Facilities Commission and the State Energy Conservation Office, that:

(A) establishes and implements energy efficiency improvements to state-owned buildings maintained by the commission;

(B) generates savings in utility costs resulting from the improvements resulting in at least a 30 percent return on the costs of the improvements; and

(C) provides for any money attributable to utility cost savings resulting from the pilot program to only be appropriated to the commission.

Amendment No. 1 was adopted.

HB 1184, as amended, was passed by (Record 202): 132 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Harless; Hernandez; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Button; Fallon; Krause; Rinaldi; Schofield; Shaheen; Stickland; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Bernal; Dukes; Gutierrez; Phillips; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 202 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 202 was taken, my vote failed to register. I would have voted yes.

Phillips

When Record No. 202 was taken, I was excused because of important business in the district. I would have voted no.

E. S. Turner

**ADDRESS BY REPRESENTATIVE SIMPSON
ON A MATTER OF PERSONAL PRIVILEGE**

The chair recognized Representative Simpson who addressed the house on a matter of personal privilege, speaking as follows:

Mr. Speaker and members, I don't wish to take much time today, but there is an issue that I cannot let go unnoticed. As we press forward through this legislative session, I want us to remember that each and every one of us is responsible for upholding the rule of law—not just its letter, but its spirit. Sure, we can play games with words and effective dates, as we used to do with the clock, but who are we kidding? The Lord knows and, more and more, the people know when we violate our rules or our constitutions.

I want to get right to the point and pull the band-aid off quickly, not slowly and painfully. Two weeks ago we debated **SB 293**, which was presented to this body as a clarification of the law that would have no retroactive effect. I brought multiple points of order on Section 2 of the bill that clearly requires a retroactive application, but I was overruled. I also appealed to the governor. Last Wednesday, April 8, the governor signed **SB 293** into law. That same day the City of Fort Worth submitted a letter to the comptroller's office, requesting that a previously denied application for a NASCAR event beginning the next day should be reconsidered. Even though it was only a day before the event's activities commenced, not the 45 days required by statute (See Vernon's Civil Statutes, Article 5190.14, Section 5A, and especially b-1), the comptroller, based upon the retroactive language of Section 2 of the bill and in keeping with its letter of March 20, approved the February 19 application retroactively. And what is all this for? Is it to increase the eligible reimbursement for this event from \$1,007,900 to \$1,824,796? Have we as leaders of this state—this house, the senate, the governor, and the comptroller—really sacrificed our oaths for \$816,896, for one city, and one event? Have we sold our birthright of liberty and limited government for a bowl of political pottage? I believe we have.

We've played games with the rule of law, and it is obvious. We have trampled on our U.S. Constitution and the Texas Constitution that both specifically forbid ex post facto or retroactive laws. This is why people don't trust politicians. Ladies and gentlemen, when we consciously violate our oath of office or intentionally work around the plain spirit of our laws and our constitutions, we reinforce the beliefs of every cynic that we have proven our profession and all we do here is negotiate price. May God have mercy upon us and help us.

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 9 ON SECOND READING
(by Flynn, Otto, Alonzo, S. Turner, D. Bonnen, et al.)**

HB 9, A bill to be entitled An Act relating to member contributions to the Employees Retirement System of Texas.

Amendment No. 1

Representative Flynn offered the following amendment to **HB 9**:

Amend **HB 9** (house committee printing) on page 2 by striking lines 9 and 10 and substituting the following:

(3) 9.5 [~~(6) eight~~] percent of the compensation if the member is a member of the legislature.

Amendment No. 1 was adopted.

REMARKS ORDERED PRINTED

Representative Stickland moved to print remarks by Representative Simpson.

The motion prevailed.

HB 9 - (consideration continued)

HB 9, as amended, was passed to engrossment.

FIVE-DAY POSTING RULE SUSPENDED

Representative D. Bonnen moved to suspend the five-day posting rule to allow the Committee on Ways and Means to consider **HB 637** at 8:30 a.m. tomorrow in E2.010.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Ways and Means, 8:30 a.m. tomorrow, E2.010, for a public hearing, to consider **HB 637** and previously posted items.

GENERAL STATE CALENDAR**HOUSE BILLS****SECOND READING**

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

CSHB 903 ON SECOND READING

(by Capriglione, Otto, Simmons, G. Bonnen, Meyer, et al.)

CSHB 903, A bill to be entitled An Act relating to the investment of a percentage of the economic stabilization fund balance in excess of the sufficient balance.

Representative Phillips moved to postpone consideration of **CSHB 903** until the end of today's calendar.

The motion prevailed.

CSHB 751 ON SECOND READING
(by Zerwas, S. Davis, Sheffield, S. Thompson, et al.)

CSHB 751, A bill to be entitled An Act relating to the prescription and pharmaceutical substitution of biological products; amending provisions subject to a criminal penalty.

Amendment No. 1

Representative Zerwas offered the following amendment to **CSHB 751**:

Amend **CSHB 751** by the following:

On page 3, line 1, insert "the" before "prescribing" and strike "practitioners" and replace with "practitioner"

On page 3, lines 4-5, strike ", including information submitted for the payment of claims,"

On page 3, line 7, after "electronic prescribing technology" insert "or a pharmacy benefit management system"

On page 3, line 7, after "pharmacy record" insert ", which may include information submitted for the payment of claims,"

Amendment No. 1 was adopted.

CSHB 751, as amended, was passed to engrossment.

CSHB 225 ON SECOND READING
(by Guillen, Johnson, and S. King)

CSHB 225, A bill to be entitled An Act relating to the prescription, administration, and possession of certain opioid antagonists for the treatment of a suspected overdose and a defense to prosecution for certain offenses involving controlled substances and other prohibited drugs, substances, or paraphernalia for defendants seeking assistance for a suspected overdose.

Amendment No. 1

Representative Farias offered the following amendment to **CSHB 225**:

Amend **CSHB 225** (house committee report) on page 7, line 21, between "consciousness," and "respiratory", by inserting "constriction of the pupils,".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Guillen offered the following amendment to **CSHB 225**:

Amend **CSHB 225** (house committee report) as follows:

(1) On page 8, line 24, strike "A" and insert "(a) Except as provided by Subsection (b), a".

(2) On page 9, between lines 2 and 3, insert the following:

(b) A pharmacist is not required to provide the counseling described by Subsection (a) if the opioid antagonist:

(1) is approved by the federal Food and Drug Administration; and

(2) is labeled for administration by a person described by Section 483.102.

Amendment No. 2 was adopted.

CSHB 225, as amended, was passed to engrossment. (C. Anderson and Phillips recorded voting no.)

CSHB 767 ON SECOND READING
(by Smith, S. Turner, Lucio, Huberty, Sheffield, et al.)

CSHB 767, A bill to be entitled An Act relating to cardiac assessments of participants in extracurricular athletic activities sponsored or sanctioned by the University Interscholastic League.

Amendment No. 1

Representative Smith offered the following amendment to **CSHB 767**:

Amend **CSHB 767** (house committee report) on page 2, line 13, by striking "2015-2016" and substituting "2016-2017".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Smith offered the following amendment to **CSHB 767**:

Amend **CSHB 767** (house committee report) on page 2, lines 9 through 12, by striking "in response to a written request from the parent of or person standing in parental relation to the student claiming a financial or religious reason for the waiver" and substituting "if, for any reason, the parent of or person standing in parental relation to the student submits a written request for the waiver".

Amendment No. 2 was adopted.

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).

CSHB 767 - (consideration continued)

CSHB 767, as amended, was passed to engrossment by (Record 203): 86 Yeas, 57 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Bernal; Blanco; Bohac; Button; Canales; Coleman; Collier; Cook; Crownover; Darby; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Farrar; Fletcher; Flynn; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hunter; Israel; Johnson; Kacal; Keffer; King, K.; King, T.; Larson; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Paddie; Paul; Peña; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Sheffield; Smith; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Ashby; Bell; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Capriglione; Clardy; Craddick; Cyrier; Dale; Davis, S.; Elkins; Fallon; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Hughes; Isaac; King, P.; King, S.; Klick; Koop; Krause; Kuempel; Landgraf; Laubenberg; Metcalf; Meyer; Murr; Otto; Parker; Phelan; Phillips; Price; Riddle; Rinaldi; Schaefer; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; Smithee; Spitzer; Springer; Stickland; Tinderholt; Villalba; White, J.; White, M.; Wray.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Dukes; Keough; Miles.

STATEMENTS OF VOTE

When Record No. 203 was taken, I was shown voting yes. I intended to vote no.

Crownover

When Record No. 203 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 203 was taken, I was shown voting no. I intended to vote yes.

Galindo

When Record No. 203 was taken, I was in the house but away from my desk. I would have voted no.

Keough

When Record No. 203 was taken, I was shown voting yes. I intended to vote no.

Morrison

HB 376 ON SECOND READING (by Simmons)

HB 376, A bill to be entitled An Act relating to the additional tax imposed on land appraised for ad valorem tax purposes as open-space land if a change in use of the land occurs.

HB 376 was passed to engrossment. (Rinaldi recorded voting no.)

HB 3332 ON SECOND READING (by Clardy, et al.)

HB 3332, A bill to be entitled An Act relating to the authority of certain public hospitals to construct certain facilities and to provide certain services.

Amendment No. 1

Representative Shaheen offered the following amendment to **HB 3332**:

Amend **HB 3332** (house committee printing) on page 3 by striking lines 14 through 16 and substituting the following:

Constitution, under a special law, or under this title that is located in[-
 [(4)] a county with a population of 60,000 [~~35,000~~] or less[-

Representative Clardy moved to table Amendment No. 1.

The motion to table prevailed by (Record 204): 126 Yeas, 18 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Gutierrez; Harless; Hernandez; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheets; Sheffield; Simmons; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Fallon; Flynn; Hughes; Krause; Laubenberg; Leach; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simpson; Smithee; Stickland; Tinderholt; White, J.; White, M.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Dukes; Guillen.

HB 3332 was passed to engrossment by (Record 205): 128 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle;

Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheets; Sheffield; Simmons; Smith; Smithee; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Wray; Wu; Zerwas.

Nays — Elkins; Fallon; Flynn; Krause; Laubenberg; Leach; Rinaldi; Schaefer; Shaheen; Simpson; Spitzer; Stickland; Tinderholt; White, M.; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Dukes; Hughes.

STATEMENTS OF VOTE

When Record No. 205 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

When Record No. 205 was taken, I was shown voting yes. I intended to vote no.

Sanford

CSHB 456 ON SECOND READING

(by Gutierrez, Villalba, Faircloth, Sheffield, and Zerwas)

CSHB 456, A bill to be entitled An Act relating to a prohibition on the use and possession of e-cigarettes on school property.

Amendment No. 1

Representative Stickland offered the following amendment to **CSHB 456**:

Amend **CSHB 456** (house committee printing) on page 3, between lines 2 and 3, by inserting the following:

(c) Notwithstanding Subsection (b), the board of trustees of a school district may adopt a reasonable policy for the designation on school property of an area in which students are prohibited as a place for faculty and staff to use e-cigarettes for the cessation of smoking.

Representative Gutierrez moved to table Amendment No. 1.

The motion to table prevailed by (Record 206): 111 Yeas, 34 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hunter; Isaac; Israel; Kacal; Keffer; Keough; King, K.; King, P.; Koop; Kuempel; Larson; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martinez;

Martinez Fischer; McClendon; Meyer; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheets; Sheffield; Simmons; Smith; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson, R.; Bohac; Burrows; Cyrier; Fallon; Fletcher; Hughes; Johnson; King, S.; King, T.; Klick; Krause; Landgraf; Leach; Metcalf; Morrison; Murr; Paul; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simpson; Smithee; Spitzer; Springer; Stephenson; Stickland; Tinderholt; White, J.; White, M.; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Turner, E.S.

Absent — Schubert.

STATEMENTS OF VOTE

When Record No. 206 was taken, I was shown voting yes. I intended to vote no.

Geren

When Record No. 206 was taken, I was shown voting yes. I intended to vote no.

Guillen

When Record No. 206 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 206 was taken, I was shown voting yes. I intended to vote no.

Keffer

When Record No. 206 was taken, I was shown voting yes. I intended to vote no.

Sheets

CSHB 456 was passed to engrossment. (Metcalf, Rinaldi, and Wray recorded voting no.)

CSHB 599 ON SECOND READING

(by Clardy)

CSHB 599, A bill to be entitled An Act relating to energy savings performance contracts entered into by public institutions of higher education.

CSHB 599 was passed to engrossment.

POSTPONED BUSINESS

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

CSHB 903 ON SECOND READING**(by Capriglione, Otto, Simmons, G. Bonnen, Meyer, et al.)**

CSHB 903, A bill to be entitled An Act relating to the investment of a percentage of the economic stabilization fund balance in excess of the sufficient balance.

CSHB 903 was read second time earlier today and was postponed until this time.

CSHB 903 was passed to engrossment. (Simpson recorded voting no.)

HR 1877 - ADOPTED**(by J. Rodriguez)**

Representative J. Rodriguez moved to suspend all necessary rules to take up and consider at this time **HR 1877**.

The motion prevailed.

The following resolution was laid before the house:

HR 1877, Congratulating Mary and Antonio Cabral of San Antonio on their 50th wedding anniversary.

HR 1877 was adopted.

FIVE-DAY POSTING RULE SUSPENDED

Representative Pickett moved to suspend the five-day posting rule to allow the Committee on Transportation to consider **HB 2459** at 8 a.m. Thursday, April 16 in E2.012.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Transportation, 8 a.m. Thursday, April 16, E2.012, for a public hearing, to consider **HB 2459** and previously posted business.

RESOLUTIONS REFERRED TO COMMITTEES**CORRECTIONS IN REFERRAL**

Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

ADJOURNMENT

Representatives Naishtat, S. Thompson, and Wu moved that the house adjourn until 10 a.m. tomorrow in memory of the Honorable Robert Landis Armstrong of Austin, the Honorable Richard S. Geiger of Dallas, and Martin Kerner of Houston.

The motion prevailed.

The house accordingly, at 5:02 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HCR 104 (By Sheets, R. Anderson, Canales, J. White, and Wu), Designating #txlege as the official hashtag of the Texas Legislature.
To Culture, Recreation, and Tourism.

HCR 105 (By Sheets, R. Anderson, Canales, J. White, and Wu), Designating #Texas as the official hashtag of Texas.
To Culture, Recreation, and Tourism.

HCR 106 (By Sheets, R. Anderson, Canales, J. White, and Wu), Designating #TexasToDo as the official state hashtag of Texas Tourism.
To Culture, Recreation, and Tourism.

HCR 109 (By Paul), Urging Congress to encourage the Department of Defense to relocate the United States Africa Command to Ellington Field Joint Reserve Base in Houston.
To Select State and Federal Power and Responsibility.

HR 1508 (By T. King), Expressing support for the use of sound science to study and regulate modern agricultural technologies and opposition to legislative or regulatory action that may result in unnecessary restrictions on the technologies.
To Select State and Federal Power and Responsibility.

HR 1843 (By M. White), Acknowledging regret for the trespasses of our predecessors against the Indigenous People, expressing respect for the cultures of the Indigenous People, honoring them for their stewardship and protection of this land, and committing to building an honest, constructive relationship and to forging a covenant with the Creator and all Indigenous People to work toward achieving the mutual goal of a society that advances opportunities for all citizens.
To State Affairs.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

HB 4173 (By Howard, Zerwas, Oliveira, Martinez, and Naishtat), Relating to the date for publication of the factors considered for admission to a new graduate and professional program.
To Higher Education.

List No. 2

HR 1835 (By Capriglione), Expressing support for the implementation of the Next Generation Air Transportation System.

To Select State and Federal Power and Responsibility.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

HR 1605 (By Faircloth), Expressing a commitment to the elimination of illegal fishing and urging Congress to take action to end illegal, unreported, and unregulated fishing in our sovereign waters.

To Select State and Federal Power and Responsibility.

SIGNED BY THE SPEAKER

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

House List No. 10

HCR 86, HCR 87

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Monday, April 13, 2015 - 1

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 112 Taylor, Van

Relating to the authority of a magistrate to prohibit certain communications in an order for emergency protection.

SB 1235 Whitmire

Relating to defining the duties and to the penalties concerning pain management clinics.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 10

County Affairs - **HB 2002, HB 2200, HB 2809**

Criminal Jurisprudence - **HB 48, HB 511, HB 518, HB 644, HB 896, HB 1061, HB 1076, HB 1159, HB 3633**

Culture, Recreation, and Tourism - **HB 1189, HB 1584, HB 2332, HB 3390**

Defense and Veterans' Affairs - **HB 1128, HB 1273**

Energy Resources - **HB 1331**

Government Transparency and Operation - **HB 208, HB 2634**

Higher Education - **HB 1287, HB 2402, HB 2628**

Homeland Security and Public Safety - **HB 890**

Human Services - **HB 843, HB 1769, HB 2510, HCR 84**

Judiciary and Civil Jurisprudence - **HB 39**

Licensing and Administrative Procedures - **HB 578, HB 1066, HB 2167, HB 2339, HB 2464, HB 3090, HB 3091, HB 3315**

Public Health - **HB 21, HB 467**

Special Purpose Districts - **HB 1068, HB 2501, HB 2508, HB 2509, HB 3081, HB 3286, HB 4127**

State Affairs - **HB 1926**

Transportation - **HB 955** (corrected)

Urban Affairs - **HB 1279**

Ways and Means - **HB 285, HB 806, HB 2400**

ENGROSSED

April 10 - HB 4, HB 12, HB 75, HB 77, HB 100, HB 115, HB 122, HB 157, HB 181, HB 194, HB 197, HB 230, HB 418, HB 440, HB 442, HB 463, HB 495, HB 504, HB 685, HB 706, HB 766, HB 801, HB 908, HB 1016, HB 1186, HB 1221, HB 1235, HB 1443, HB 1606, HB 1678, HB 1890, HB 2000, HB 2463