

HOUSE JOURNAL

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-SECOND DAY — FRIDAY, APRIL 17, 2015

The house met at 9:09 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 244).

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; Herrero; 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; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Smithee.

The speaker recognized Representative Stephenson who introduced Alex Lupo, pastor, First United Methodist Church, East Bernard, who offered the invocation as follows:

Eternal God, we give you thanks for giving us another day. Send your spirit and your blessing upon the members of this people's house to encourage them in their official tasks. As the members approach the votes they are making today, may they be imbued with courage and leadership that looks to the health and vibrancy of our great state.

Assure them that in the fulfillment of their responsibilities, you provide the grace to enable them to be faithful to their duties and the wisdom to be conscious of their obligations and fulfill them with integrity. Help them to make the right decisions. Give them patience in shouldering the heavy burdens they bear. Bless their families and constituents back home. Make them faithful stewards of this land, its resources, and its people.

Bless this time that these representatives come together to perform the work at hand. Fill their minds with wisdom and their hearts with compassion as together they create a Texas for today and for future generations. Fill them with courage as you show them your unfailing love. Give them an attitude of openness to receive the fullness of your grace and truth. May all that is done this day be for your greater honor and glory. Amen.

The speaker recognized Representative Paddie 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 for today because of important business in the district:

Smithee on motion of Otto.

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.

(Geren 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).

(Goldman in the chair)

HR 918 - PREVIOUSLY ADOPTED (by Villalba)

The chair laid out the following previously adopted resolution:

HR 918, Congratulating Jake Galant of Dallas for being named a Distinguished Finalist in the 2015 Prudential Spirit of Community Awards program.

INTRODUCTION OF GUESTS

The chair recognized Representative Villalba who introduced Jake Galant and members of his family.

HR 1709 - ADOPTED (by Meyer)

Representative Meyer moved to suspend all necessary rules to take up and consider at this time **HR 1709**.

The motion prevailed.

The following resolution was laid before the house:

HR 1709, Commemorating the 75th anniversary of Stonewall Jackson Elementary School in Dallas.

HR 1709 was adopted.

On motion of Representative Sheets, the names of all the members of the house were added to **HR 1709** as signers thereof.

CAPITOL PHYSICIAN

The chair recognized Representative J. Rodriguez who presented Dr. James Russell Dodd of San Antonio as the "Doctor for the Day."

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

HR 1151 - PREVIOUSLY ADOPTED

(by Isaac)

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

HR 1151, In memory of Dorothy Murphy.

INTRODUCTION OF GUESTS

The chair recognized Representative Isaac who introduced family members of Dorothy Murphy.

LEAVE OF ABSENCE GRANTED

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

Alonzo on motion of Burkett.

GENERAL STATE CALENDAR

HOUSE BILLS

THIRD READING

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

HB 975 ON THIRD READING

(by Geren, Larson, S. Thompson, Sheets, R. Anderson, et al.)

HB 975, A bill to be entitled An Act relating to charitable raffles conducted by certain professional sports team charitable foundations; providing penalties.

HB 975 was passed by (Record 245): 122 Yeas, 12 Nays, 2 Present, not voting.

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

Raymond; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; White, M.; Workman; Wray; Wu; Zerwas.

Nays — Flynn; Frank; Hughes; Isaac; Klick; Phillips; Rinaldi; Sanford; Thompson, E.; Turner, E.S.; White, J.; Zedler.

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

Absent, Excused — Alonzo; Smithee.

Absent — Anderson, C.; Bernal; Coleman; Davis, Y.; Dukes; Herrero; Leach; Pickett; Reynolds; Thompson, S.; Walle.

STATEMENTS OF VOTE

When Record No. 245 was taken, I was in the house but away from my desk. I would have voted yes.

C. Anderson

When Record No. 245 was taken, I was in the house but away from my desk. I would have voted yes.

Bernal

When Record No. 245 was taken, I was shown voting no. I intended to vote yes.

Klick

When Record No. 245 was taken, I was shown voting no. I intended to vote yes.

Zedler

HB 643 ON THIRD READING (by Harless)

HB 643, A bill to be entitled An Act relating to the procedures for discharging bail in certain criminal proceedings.

HB 643 was passed by (Record 246): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; 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.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; 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; 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; 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, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Alonzo; Smithee.

Absent — Davis, Y.; Leach; Reynolds.

HB 896 ON THIRD READING

(by Hernandez)

HB 896, A bill to be entitled An Act relating to creating a criminal offense regarding the breach of computer security.

HB 896 was passed by (Record 247): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; 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; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; 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, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Alonzo; Smithee.

Absent — Clardy; Davis, Y.; Dukes; Leach; Nevárez; Reynolds.

HB 1769 ON THIRD READING

(by Zerwas, Faircloth, et al.)

HB 1769, A bill to be entitled An Act relating to requirements for assisted living facility license applicants.

HB 1769 was passed by (Record 248): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycok; 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.; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; 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; 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; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Alonzo; Smithee.

Absent — Davis, Y.; Deshotel; Leach; Reynolds; Shaheen.

STATEMENT OF VOTE

When Record No. 248 was taken, I was in the house but away from my desk. I would have voted yes.

Shaheen

HB 1771 ON THIRD READING

(by Raney, Johnson, et al.)

HB 1771, A bill to be entitled An Act relating to the donation of sick leave by state employees.

HB 1771 was passed by (Record 249): 142 Yeas, 1 Nays, 3 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycok; 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; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; 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; 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; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Rinaldi.

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

Absent, Excused — Alonzo; Smithee.

Absent — Leach.

STATEMENTS OF VOTE

When Record No. 249 was taken, I was shown voting present, not voting. I intended to vote yes.

Fallon

When Record No. 249 was taken, I was shown voting yes. I intended to vote no.

Springer

LEAVE OF ABSENCE GRANTED

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

Price on motion of Paddie.

HB 1853 ON THIRD READING (by Button, Burkett, and Koop)

HB 1853, A bill to be entitled An Act relating to the removal of a tenant's personal property after a writ of possession has been issued in an eviction suit.

HB 1853 was passed by (Record 250): 141 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; 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; Farnely; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; 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; 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, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Alonzo; Price; Smithee.

Absent — Guillen; Leach.

STATEMENT OF VOTE

When Record No. 250 was taken, I was shown voting present, not voting. I intended to vote yes.

Huberty

HB 1926 ON THIRD READING

(by Kacal, Burkett, Flynn, Crownover, Button, et al.)

HB 1926, A bill to be entitled An Act relating to the governance of certain municipal power agencies; providing authority to issue bonds.

HB 1926 was passed by (Record 251): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycok; 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; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; 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; 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; 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, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Alonzo; Price; Smithee.

Absent — Leach.

HB 1914 ON THIRD READING**(by D. Bonnen)**

HB 1914, A bill to be entitled An Act relating to the frequency with which the Board of Pardons and Paroles considers the eligibility of certain inmates for release on parole.

HB 1914 was passed by (Record 252): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; 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; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; 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; Longoria; Lozano; Lucio; Márquez; Martinez; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; 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, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Alonzo; Price; Smithee.

Absent — Leach; Martinez Fischer; McClendon.

HB 1925 ON THIRD READING**(by Geren)**

HB 1925, A bill to be entitled An Act relating to the transfer of the Texas Farm and Ranch Lands Conservation Program to the Parks and Wildlife Department.

HB 1925 was passed by (Record 253): 141 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; 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; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; 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; 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; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

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

Absent, Excused — Alonzo; Price; Smithee.

Absent — Leach; Sanford.

HR 1951 - ADOPTED
(by Laubenberg)

Representative Laubenberg moved to suspend all necessary rules to take up and consider at this time **HR 1951**.

The motion prevailed.

The following resolution was laid before the house:

HR 1951, Commemorating the 50th wedding anniversary of Don and Mary Anne Seale of Parker.

HR 1951 was adopted.

On motion of Representative S. Thompson, the names of all the members of the house were added to **HR 1951** as signers thereof.

HR 1863 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 1863**.

The motion prevailed.

The following resolution was laid before the house:

HR 1863, In memory of John Edward Softly of DeSoto.

HR 1863 was unanimously adopted by a rising vote.

HR 1864 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 1864**.

The motion prevailed.

The following resolution was laid before the house:

HR 1864, Congratulating Betty J. Bush on her retirement from the Dallas Independent School District.

HR 1864 was adopted.

HR 1958 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 1958**.

The motion prevailed.

The following resolution was laid before the house:

HR 1958, Honoring the Reverend Christopher L. Taylor for his service as Pastor of the Day on April 22, 2015.

HR 1958 was adopted.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Kuempel requested permission for the Committee on General Investigating and Ethics to meet while the house is in session, at 10:30 a.m. today, in 1W.14, to consider **HB 1690** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

General Investigating and Ethics, 10:30 a.m. today, 1W.14, for a formal meeting, to consider **HB 1690** and pending business.

POSTPONED BUSINESS

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

CSSB 203 ON SECOND READING
(Raymond, Burkett, Price, Zerwas, and Keough - House Sponsors)

CSSB 203, A bill to be entitled An Act relating to the continuation and functions of the Texas Health Services Authority as a quasi-governmental entity and the electronic exchange of health care information.

CSSB 203 was considered in lieu of **CSHB 1680**.

CSSB 203 was read second time and was passed to third reading by (Record 254): 141 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; 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; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; 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; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez 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; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodríguez, E.; Rodríguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland; Tinderholt.

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

Absent, Excused — Alonzo; Price; Smithee.

Absent — Leach.

STATEMENT OF VOTE

When Record No. 254 was taken, I was shown voting yes. I intended to vote no.

Rinaldi

CSHB 1680 - LAID ON THE TABLE SUBJECT TO CALL

Representative Raymond moved to lay **CSHB 1680** on the table subject to call.

The motion prevailed.

GENERAL STATE CALENDAR

HOUSE BILLS

SECOND READING

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

CSHB 1076 ON SECOND READING

(by S. Thompson)

CSHB 1076, A bill to be entitled An Act relating to the authority of a magistrate to prohibit certain communications in an order for emergency protection; amending provisions subject to a criminal penalty.

(Speaker in the chair)

Representative S. Thompson moved to postpone consideration of **CSHB 1076** until 9 a.m. Friday, April 24.

The motion prevailed.

CSHB 593 ON SECOND READING
(by Collier, Geren, Giddings, Burns, and Hughes)

CSHB 593, A bill to be entitled An Act relating to canine encounter training for peace officers.

CSHB 593 was passed to engrossment. (Metcalf and Wray recorded voting no.)

CSHB 612 ON SECOND READING
(by S. Davis)

CSHB 612, A bill to be entitled An Act relating to license plates issued to female veterans with disabilities.

CSHB 612 was passed to engrossment.

HB 789 ON SECOND READING
(by R. Miller and Fallon)

HB 789, A bill to be entitled An Act relating to license plates issued to retired members of the military.

HB 789 was passed to engrossment.

CSHB 40 ON SECOND READING
(by Darby, Keffer, P. King, S. Thompson, Oliveira, et al.)

CSHB 40, A bill to be entitled An Act relating to the exclusive jurisdiction of this state to regulate oil and gas operations in this state and the express preemption of local regulation of those operations.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on General Investigating and Ethics:

Collier on motion of Geren.

S. Davis on motion of Geren.

Hunter on motion of Geren.

Kuempel on motion of Geren.

Larson on motion of Geren.

Moody on motion of Geren.

CSHB 40 - (consideration continued)

(Collier, S. Davis, Hunter, Kuempel, Larson, and Moody now present)

Amendment No. 1

Representative Giddings offered the following amendment to **CSHB 40**:

Amend **CSHB 40** (house committee report), page 3, SECTION 2(b) by adding to line 48, after "political subdivision" the following:

(b) An oil and gas operation is subject to the exclusive jurisdiction of this state. Except as provided by Subsection (c), a municipality or other political subdivision may not enact or enforce an ordinance or other measure, or an amendment or revision of an ordinance or other measure, that bans, limits, or otherwise regulates an oil and gas operation within the boundaries or extraterritorial jurisdiction of the municipality or political subdivision-, except that a municipality or other political subdivision may restrict commercial saltwater disposal wells, and traffic associated with such wells within its boundaries and/or extraterritorial jurisdiction.

LEAVE OF ABSENCE GRANTED

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

Leach on motion of Sheets.

CSHB 40 - (consideration continued)

Representative Darby moved to table Amendment No. 1.

The motion to table prevailed by (Record 255): 97 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; Klick; Krause; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Martinez; Metcalf; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Anderson, R.; Bernal; Blanco; Canales; Capriglione; Coleman; Collier; Davis, Y.; Dukes; Dutton; Farias; Farrar; Giddings; González; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; King, T.; Koop; Lucio; Márquez; McClendon; Meyer; Miles; Moody; Muñoz; Naishtat; Nevárez; Parker; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Leach; Price; Smithee.

Absent — Martinez Fischer.

STATEMENTS OF VOTE

When Record No. 255 was taken, I was shown voting yes. I intended to vote no.

Krause

When Record No. 255 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 255 was taken, I was shown voting yes. I intended to vote no.

Sanford

LEAVE OF ABSENCE GRANTED

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

Márquez on motion of S. Davis.

FIVE-DAY POSTING RULE SUSPENDED

Representative Herrero moved to suspend the five-day posting rule to allow the Committee on Criminal Jurisprudence to consider **HB 71, HB 112, HB 192, HB 249, HB 259, HB 277, HB 329, HB 362, HB 472, HB 530, HB 713, HB 749, HB 777, HB 865, HB 1012, HB 1014, HB 1064, HB 1264, HB 1496, HB 1530, HB 1655, HB 1663, HB 1975, HB 2116, HB 2170, HB 2319, HB 2658, HB 2777, HB 2970, HB 3046, HB 3276, HB 3338, HB 3388, HB 3415, HB 3553, HB 3578, HB 3579, HB 3580, HB 3893, HB 3936, and HB 3959** at 2 p.m. or upon final adjournment/recess Monday, April 20 in JHR 120.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Criminal Jurisprudence, 2 p.m. or upon final adjournment/recess Monday, April 20, JHR 120, for a public hearing, to consider **HB 71, HB 112, HB 192, HB 249, HB 259, HB 277, HB 329, HB 362, HB 472, HB 530, HB 713, HB 749, HB 777, HB 865, HB 1012, HB 1014, HB 1064, HB 1264, HB 1496, HB 1530, HB 1655, HB 1663, HB 1975, HB 2116, HB 2170, HB 2319, HB 2658, HB 2777, HB 2970, HB 3046, HB 3276, HB 3338, HB 3388, HB 3415, HB 3553, HB 3578, HB 3579, HB 3580, HB 3893, HB 3936, and HB 3959**.

CSHB 40 - (consideration continued)**Amendment No. 2**

Representative Collier offered the following amendment to **CSHB 40**:

Amend **CSHB 40** (house committee report), page 3, SECTION 2 (c)(1) by inserting in line 53 the phrase "requires insurance, bonds or other financial security regardless of the depth of the covered occurrence". Appropriately renumber Section 2(c).

(c) The authority of a municipality or other political subdivision to regulate an oil and gas operation is expressly preempted, except that a municipality may enact, amend, or enforce an ordinance or other measure that:

(1) requires insurance, bonds or other financial security regardless of the depth of the covered occurrence; or

(+2) regulates only aboveground activity related to an oil and gas operation that occurs at or above the surface of the ground, including a regulation governing fire and emergency response, traffic, lights, or noise, or imposing notice or reasonable setback requirements;

(23) is commercially reasonable;

(34) does not effectively prohibit an oil and gas operation conducted by a reasonably prudent operator; and

(45) is not otherwise preempted by state or federal law.

Representative Darby moved to table Amendment No. 2.

The motion to table prevailed by (Record 256): 102 Yeas, 38 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Dukes; Dutton; Farias; Farrar; Giddings; González; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Lucio; Martinez; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Leach; Márquez; Price; Smithee.

Absent — Martinez Fischer; Romero; Wu.

STATEMENTS OF VOTE

When Record No. 256 was taken, my vote failed to register. I would have voted no.

Romero

When Record No. 256 was taken, my vote failed to register. I would have voted no.

Wu

Amendment No. 3

Representative Naishtat offered the following amendment to **CSHB 40**:

Amend **CSHB 40** (house committee report), page 3, SECTION 2 (c)(1) by inserting in line 53 the phrase "protects public health". Appropriately renumber Section 2 (c).

(1) regulates only aboveground activity related to an oil and gas operation that occurs at or above the surface of the ground, including a regulation governing fire and emergency response, traffic, burial of pipelines, lights, OR noise, or imposing notice or reasonable setback requirements;

(c) The authority of a municipality or other political subdivision to regulate an oil and gas operation is expressly preempted, except that a municipality may enact, amend, or enforce an ordinance or other measure that:

(1) protects public health, or

~~(+2)~~ regulates only aboveground activity related to an oil and gas operation that occurs at or above the surface of the ground, including a regulation governing fire and emergency response, traffic, lights, or noise, or imposing notice or reasonable setback requirements;

~~(23)~~ is commercially reasonable;

~~(34)~~ does not effectively prohibit an oil and gas operation conducted by a reasonably prudent operator; and

~~(45)~~ is not otherwise preempted by state or federal law.

(Kacal in the chair)

Representative Darby moved to table Amendment No. 3.

The motion to table prevailed by (Record 257): 96 Yeas, 42 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Clardy; Cook; Craddick; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Koop; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Martinez; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert;

Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Capriglione; Coleman; Collier; Davis, Y.; Dukes; Dutton; Farias; Farrar; Giddings; González; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Krause; Lucio; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; Parker; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Alonzo; Leach; Márquez; Price; Smithee.

Absent — Crownover; Klick; Nevárez; White, M.

STATEMENT OF VOTE

When Record No. 257 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

Amendment No. 4

Representative S. Turner offered the following amendment to **CSHB 40**:

Amend **CSHB 40** (house committee printing) by striking page 2, line 25, through page 3, line 11, and substituting the following:

(c) The authority of a municipality or other political subdivision to regulate an oil and gas operation is expressly preempted, except that:

(1) a municipality may enact, amend, or enforce an ordinance or other measure that:

(A) regulates only aboveground activity related to an oil and gas operation that occurs at or above the surface of the ground, including a regulation governing fire and emergency response, traffic, lights, or noise, or imposing notice or reasonable setback requirements;

(B) is commercially reasonable;

(C) does not effectively prohibit an oil and gas operation conducted by a reasonably prudent operator; and

(D) is not otherwise preempted by state or federal law; and

(2) a municipality or other political subdivision may enact, amend, or enforce an ordinance or other measure that bans, limits, or otherwise regulates an oil and gas operation that affects property owned or managed by the municipality or other political subdivision, including a utility facility, park, golf course, or road.

LEAVE OF ABSENCE GRANTED

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

Herrero on motion of Walle.

CSHB 40 - (consideration continued)

Representative Darby moved to table Amendment No. 4.

The motion to table prevailed by (Record 258): 97 Yeas, 42 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Guerra; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Krause; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Dukes; Dutton; Farias; Farrar; Giddings; González; Gutierrez; Hernandez; Howard; Israel; Johnson; Koop; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Alonzo; Herrero; Leach; Márquez; Price; Smithee.

Absent — Galindo; Tinderholt.

STATEMENT OF VOTE

When Record No. 258 was taken, I was in the house but away from my desk. I would have voted yes.

Galindo

Amendment No. 5

Representative S. Turner offered the following amendment to **CSHB 40**:

Amend **CSHB 40** (house committee printing) by striking page 2, line 25, through page 3, line 15, and substituting the following:

(c) The authority of a municipality or other political subdivision to regulate an oil and gas operation is expressly preempted, except that:

(1) a municipality may enact, amend, or enforce an ordinance or other measure that:

(A) regulates only aboveground activity related to an oil and gas operation that occurs at or above the surface of the ground, including a regulation governing fire and emergency response, traffic, lights, or noise, or imposing notice or reasonable setback requirements;

(B) is commercially reasonable;

(C) does not effectively prohibit an oil and gas operation conducted by a reasonably prudent operator; and

(D) is not otherwise preempted by state or federal law; and

(2) a municipality or other political subdivision may enforce an ordinance that has been in effect for at least five years and has allowed oil and gas operations.

Representative Darby moved to table Amendment No. 5.

The motion to table prevailed by (Record 259): 98 Yeas, 40 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Dukes; Dutton; Farias; Farrar; Giddings; González; Gutierrez; Hernandez; Howard; Israel; Johnson; Longoria; Lucio; Martinez Fischer; McClendon; Miles; Muñoz; Naishtat; Nevárez; Oliveira; Pickett; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Alonzo; Herrero; Leach; Márquez; Price; Smithee.

Absent — Martinez; Moody; Romero.

STATEMENTS OF VOTE

When Record No. 259 was taken, I was in the house but away from my desk. I would have voted no.

Martinez

When Record No. 259 was taken, I was in the house but away from my desk. I would have voted no.

Moody

Amendment No. 6

Representative Lucio offered the following amendment to **CSHB 40**:

Amend **CSHB 40** (house committee printing) on page 3, between lines 15 and 16, by inserting the following:

(e) Notwithstanding Subsections (b) and (c), a municipality may enforce a provision of state law relating to subsurface safety valves used during hurricanes or other catastrophic events if:

(1) there is an imminent threat of a hurricane or other catastrophic event; and

(2) the commission has not taken action to enforce that law.

(Speaker in the chair)

Representative Darby moved to table Amendment No. 6.

The motion to table prevailed by (Record 260): 90 Yeas, 50 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Clardy; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Paul; Peña; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Ashby; Bernal; Blanco; Canales; Capriglione; Coleman; Collier; Davis, Y.; Dukes; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Isaac; Israel; Johnson; Krause; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Parker; Phelan; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Herrero; Leach; Márquez; Price; Smithee.

Absent — Cook; Hunter.

STATEMENT OF VOTE

When Record No. 260 was taken, I was shown voting yes. I intended to vote no.

Morrison

REMARKS ORDERED PRINTED

Representative Y. Davis moved to print all remarks on **CSHB 40**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSHB 40**.]

Amendment No. 7

Representative Lucio offered the following amendment to **CSHB 40**:

Amend **CSHB 40** (house committee printing) as follows:

(1) On page 2, line 4, strike the semicolon and substitute a comma.

(2) On page 2, strike lines 5 through 11 and substitute "oil and gas operation" means an activity".

(3) On page 2, line 18, strike "Except as provided by Subsection (c), a" and substitute "A".

(4) Strike page 2, line 25, through page 3, line 15, and substitute the following:

(c) The authority of a municipality or other political subdivision to regulate an oil and gas operation is expressly preempted, except that the commission or the Texas Commission on Environmental Quality, as applicable, may authorize a municipality or other political subdivision to inspect facilities used in oil and gas operations for violations of, monitor facilities used in oil and gas operations for compliance with, and otherwise enforce state laws and regulations that apply to oil and gas operations within the boundaries or extraterritorial jurisdiction of the municipality or political subdivision.

Representative Darby moved to table Amendment No. 7.

The motion to table prevailed by (Record 261): 97 Yeas, 43 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Gutierrez; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Capriglione; Coleman; Collier; Davis, Y.; Dukes; Dutton; Farias; Farrar; Giddings; González; Guerra; Hernandez; Howard; Israel; Johnson; Krause; Longoria; Lucio; Martinez Fischer; McClendon; Miles; Muñoz; Naishtat; Nevárez; Oliveira; Parker; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Herrero; Leach; Márquez; Price; Smithee.

Absent — Martinez; Moody.

STATEMENTS OF VOTE

When Record No. 261 was taken, I was in the house but away from my desk. I would have voted no.

Martinez

When Record No. 261 was taken, I was in the house but away from my desk. I would have voted no.

Moody

Amendment No. 8

Representative González offered the following amendment to **CSHB 40**:

Amend **CSHB 40** (house committee report), page 3, SECTION 2 (c)(1) by inserting in line 53 the phrase "establishes setbacks from daycares, churches, schools, hospitals, or nursing homes". Appropriately renumber Section 2 (c).

(c) The authority of a municipality or other political subdivision to regulate an oil and gas operation is expressly preempted, except that a municipality may enact, amend, or enforce an ordinance or other measure that:

(1) establishes setbacks from daycares, churches, schools, hospitals, or nursing homes, or

~~(2)~~ regulates only aboveground activity related to an oil and gas operation that occurs at or above the surface of the ground, including a regulation governing fire and emergency response, traffic, lights, or noise, or imposing notice or reasonable setback requirements;

~~(3)~~ is commercially reasonable;

~~(4)~~ does not effectively prohibit an oil and gas operation conducted by a reasonably prudent operator; and

~~(5)~~ is not otherwise preempted by state or federal law.

Representative Darby moved to table Amendment No. 8.

The motion to table prevailed by (Record 262): 99 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycocock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Dukes; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; Oliveira; Reynolds; Rodriguez, E.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Herrero; Leach; Márquez; Price; Smithee.

Absent — Nevárez; Rodriguez, J.

LEAVE OF ABSENCE GRANTED

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

Farney on motion of Paddie.

CSHB 40 - (consideration continued)

Amendment No. 9

Representative E. Rodriguez offered the following amendment to **CSHB 40**:

Amend **CSHB 40** (house committee printing) on page 2, line 11, by striking "means an activity" and substituting "means an activity at a drill site that is".

Representative Darby moved to table Amendment No. 9.

The motion to table prevailed by (Record 263): 100 Yeas, 40 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Coleman; Collier; Davis, Y.; Dukes; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Farney; Herrero; Leach; Márquez; Price; Smithee.

Absent — Canales.

STATEMENT OF VOTE

When Record No. 263 was taken, I was temporarily out of the house chamber. I would have voted no.

Canales

Amendment No. 10

Representative Collier offered the following amendment to **CSHB 40**:

Amend **CSHB 40** (house committee printing) by striking page 2, line 25, through page 3, line 11, and substituting the following:

(c) The authority of a municipality or other political subdivision to regulate an oil and gas operation is expressly preempted, except that:

(1) a municipality may enact, amend, or enforce an ordinance or other measure that:

(A) regulates only aboveground activity related to an oil and gas operation that occurs at or above the surface of the ground, including a regulation governing fire and emergency response, traffic, lights, or noise, or imposing notice or reasonable setback requirements;

(B) is commercially reasonable;

(C) does not effectively prohibit an oil and gas operation conducted by a reasonably prudent operator; and

(D) is not otherwise preempted by state or federal law; and

(2) a municipality or other political subdivision may enact, amend, or enforce an ordinance or other measure that bans oil and gas waste disposal wells within the boundaries or extraterritorial jurisdiction of the municipality or other political subdivision.

Representative Darby moved to table Amendment No. 10.

The motion to table prevailed by (Record 264): 97 Yeas, 43 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddock; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Anderson, R.; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Dukes; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; Lucio; Martínez; Martínez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Farney; Herrero; Leach; Márquez; Price; Smithee.

Absent — Longoria.

CSHB 40 was passed to engrossment by (Record 265): 122 Yeas, 18 Nays, 1 Present, not voting.

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

Nays — Anchia; Bernal; Blanco; Canales; Collier; Farias; González; Gutierrez; Howard; Israel; Johnson; Martínez Fischer; Moody; Naishtat; Parker; Rodriguez, E.; Rodriguez, J.; Turner, C.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Farney; Herrero; Leach; Márquez; Price; Smithee.

Absent — Romero.

STATEMENTS OF VOTE

When Record No. 265 was taken, I was excused because of important business in the district. I would have voted no.

Alonzo

When Record No. 265 was taken, I was shown voting yes. I intended to vote no.

Dukes

When Record No. 265 was taken, I was shown voting yes. I intended to vote no.

Farrar

When Record No. 265 was taken, I was in the house but away from my desk. I would have voted yes.

Romero

CSHB 910 ON SECOND READING

(by Phillips, Flynn, J. White, Riddle, Guillen, et al.)

CSHB 910, A bill to be entitled An Act relating to the authority of a person who is licensed to carry a handgun to openly carry a holstered handgun; creating a criminal offense; providing penalties; amending provisions subject to a criminal penalty.

Amendment No. 1

Representative Phillips offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee report) on page 34 of the bill by striking lines 16-20 and substituting the following:

(4) on the premises of a hospital licensed under Chapter 241, Health and Safety Code, or on the premises of a nursing facility [~~home~~] licensed under Chapter 242, Health and Safety Code, unless the license holder has written authorization of the hospital or nursing facility [~~home~~] administration, as appropriate;

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Nevárez offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee report) as follows:

(1) On page 12, strike lines 14-15 and substitute the following:

SECTION 18. Section 411.173, Government Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(2) On page 13, between lines 1 and 2, insert the following:

(b-1) Notwithstanding Subsection (b), a person's license to carry a handgun issued by another state may not be recognized and is not valid in this state if the person has established a domicile in this state. For purposes of this subsection, "domicile" has the meaning assigned by Section 522.003, Transportation Code.

Representative Phillips moved to table Amendment No. 2.

The motion to table prevailed by (Record 266): 94 Yeas, 42 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer;

Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Raney; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; Longoria; Lucio; Martinez; Martinez Fischer; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Pickett; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Farney; Herrero; Leach; Márquez; Price; Smithee.

Absent — Dukes; McClendon; Miller, R.; Raymond; Riddle.

STATEMENTS OF VOTE

When Record No. 266 was taken, I was shown voting yes. I intended to vote no.

Deshotel

When Record No. 266 was taken, I was temporarily out of the house chamber. I would have voted yes.

Riddle

Amendment No. 3

Representative Nevárez offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee printing) as follows:

(1) In SECTION 28 of the bill, in amended Section 411.2032(b), Government Code (page 20, lines 15-16), strike "or 30.07".

(2) Strike SECTIONS 41, 42, and 43 of the bill amending Section 30.06, Penal Code (page 29, line 12 through page 30, line 16), and substitute the following appropriately numbered SECTIONS:

SECTION _____. The heading to Section 30.06, Penal Code, is amended to read as follows:

Sec. 30.06. TRESPASS BY HOLDER OF LICENSE TO CARRY A A [~~CONCEALED~~] HANDGUN.

SECTION _____. Section 30.06, Penal Code, is amended by amending Subsections (a), (c), and (d), and adding Subsections (c-1) and (c-2) to read as follows:

(a) A license holder commits an offense if the license holder:

(1) carries a concealed or visible holstered handgun under the authority of Subchapter H, Chapter 411, Government Code, on property of another without effective consent; and

(2) received notice that:

(A) entry on the property by a license holder with a concealed handgun, a visible holstered handgun, or any handgun regardless of the manner in which the handgun is carried, as applicable, was forbidden; or

(B) remaining on the property with a concealed handgun, a visible holstered handgun, or any handgun regardless of the manner in which the handgun is carried, as applicable, was forbidden and failed to depart.

(c) In this section:

(1) "Entry" has the meaning assigned by Section 30.05(b).

(2) "License holder" has the meaning assigned by Section 46.035(f).

(3) "Written communication" means a sign posted in accordance with rules adopted by the public safety director of the Department of Public Safety under Subsection (c-1) [±

~~[(A) a card or other document on which is written language identical to the following: "Pursuant to Section 30.06, Penal Code (trespass by holder of license to carry a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (concealed handgun law), may not enter this property with a concealed handgun"; or~~

~~[(B) a sign posted on the property that:~~

~~[(i) includes the language described by Paragraph (A) in both English and Spanish;~~

~~[(ii) appears in contrasting colors with block letters at least one inch in height; and~~

~~[(iii) is displayed in a conspicuous manner clearly visible to the public].~~

(c-1) The public safety director of the Department of Public Safety shall adopt rules regarding the content, size, and other characteristics of signs to be posted on a building or other property where the property owner seeks to prohibit a license holder from carrying a handgun. The rules must require the sign to:

(1) contain a pictogram, at least 6 inches in diameter, that shows, on a white background, a handgun drawn in black ink within a red circle and a diagonal red line across the handgun;

(2) contain language that must include the following: "Section 30.06, Penal Code";

(3) contain language clearly stating, as applicable, that:

(A) visible holstered handguns are prohibited on the property; or

(B) all handguns are prohibited on the property, regardless of the manner in which the handgun is carried;

(4) be a readable and conspicuous size but not larger than 8.5 inches by 11 inches;

(5) be posted at each exterior entrance that is open to the public;

(6) be posted in a conspicuous manner clearly visible to the public;

(7) not be obstructed or altered in any way; and

(8) be immediately replaced by the property owner if the sign becomes illegible.

(c-2) The Department of Public Safety shall make available on the department's Internet website a printable electronic copy of a sign that complies with the rules adopted under Subsection (c-1).

(d) An offense under this section is a Class B ~~[A]~~ misdemeanor.

(3) Strike SECTION 44 of the bill adding Section 30.07, Penal Code (page 30, line 17 through page 32, line 6).

(4) Strike the recital to SECTION 47 of the bill amending Section 46.035, Penal Code (page 33, lines 4-6), and substitute the following:

SECTION 47. Section 46.035, Penal Code, is amended by amending Subsections (a), (b), (c), (d), (g), (h), and (j) and adding Subsection (a-1) to read as follows:

(5) In SECTION 47 of the bill, strike amended Section 46.035(i), Penal Code (page 35, lines 16-18).

(6) Add the following appropriately numbered SECTION to the bill:

SECTION _____. (a) The public safety director of the Department of Public Safety shall adopt the rules prescribing the content, size, and other characteristics of the sign described by Section 30.06(c-1), Penal Code, as added by this Act, and, not later than December 1, 2015, make a printable electronic copy of the sign available on the department's Internet website as required by Section 30.06(c-2), Penal Code, as added by this Act.

(b) The change in law made by this Act to Section 30.06, Penal Code, applies only to an offense committed on or after January 1, 2016. An offense committed before January 1, 2016, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense was committed before January 1, 2016, if any element of the offense occurred before that date.

(c) A person is not authorized, before January 1, 2016, to carry a visible holstered handgun in a location that has posted the sign prescribed by Section 30.06, Penal Code, as that section existed immediately before the effective date of this Act.

(7) Renumber remaining SECTIONS of the bill.

CSHB 910 - POINT OF ORDER

Representative Martinez Fischer raised a point of order against further consideration of **CSHB 910** under Rule 4, Section 8 and Rule 4, Section 13 of the House Rules on the grounds that the committee minutes are incomplete.

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

Representative Martinez Fischer raised a point of order against further consideration of **CSHB 910** under Rule 4, Section 8 and Rule 4, Section 13 of the House Rules asserting the formal meeting at which **CSHB 910** was adopted was improperly "sandwiched" between the recess and resumption of a properly adjourned public hearing. This presents a question of first impression. For the reasons set out, the point of order is respectfully overruled.

On the morning of April 14, 2015, the committee that would handle **CSHB 910** began a public hearing, one of three types of purposes for which a committee may be assembled. Rule 4, Section 10 of the House Rules. At 9:57 a.m. that morning, the minutes of the committee reflect that "on the motion of the chair and without objection, the meeting [a public hearing] was recessed until upon final adjournment/recess or during reading and referral of bills if permission received on the house floor." Subsequent to the recess, **CSHB 910** was heard on the house floor, found to be subject to a point of order, and was, under the rules and practice of the house, returned to the source of the point of the error—the committee. See 84 H.J. Reg. 1545-1547 (2015) (Martinez Fischer point of order on **CSHB 910**). The committee then properly announced for a formal meeting on the returned **CSHB 910**, a second type of meeting allowed under the House Rules. The committee met in the formal meeting which was held in a different room than the original meeting, voted out **CSHB 910**, and then, when appropriate, returned to their original committee room, returned from the recess of the public hearing and completed their public hearing. Representative Martinez Fisher argues that the recess of the public hearing at 9:57 a.m. barred the committee from taking any action on any matter in any format, absent either the committee reconvening their original meeting or a suspension of the House Rules (citing Section 625, Mason's Manual, in addition to the House Rules). He also argues that certain practical considerations, such as the use of two separate rooms for the conduct of the properly announced and posted public hearing and formal meeting limit the transparency of the legislative process.

Rule 4, Section 10 of the House Rules allows for a committee to be assembled for a public hearing, formal meeting, or work session. Each type of committee meeting allows the committee to take actions in different ways. There is no restriction in the House Rules that restricts a committee from only holding one type of meeting in a single day. Later in session, such "sandwich" meetings are common as committees struggle to keep up with the hearing of public testimony on bills presented for the first time in committee (usually in a public hearing), the demands of the floor, formal meetings held to vote out bills or to handle bills returned or recommitted to the committee during a brief floor recess, and work sessions to allow a committee to discuss bills, debate, but take no formal action. (See *e.g.* "sandwich" meetings held by the Committee on Higher Education on May 15, 2013, and the Committee on Public Health on April 13, 2011). Further, the recess motion for the committee during the public hearing was only to recess the actions of the public hearing and was not a blanket prohibition from the committee taking any action in any format. In this case, having reviewed the minutes of the two meetings, the arguments of the members and the cited house rules and precedents, the chair determines that the holding of a properly called formal meeting during the recess of a public hearing is not in violation either Rule 4, Section 8 or Rule 4, Section 13 of the House Rules.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 1:45 p.m. today, in 3W.9, to set a calendar.

Permission to meet was granted.

(S. Davis in the chair)

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Calendars, 1:45 p.m. today, 3W.9, for a formal meeting, to set a calendar.

Appropriations, 1 p.m. Monday, April 20, E1.030, for a formal meeting, to consider pending business.

(Speaker in the chair)

LEAVES OF ABSENCE GRANTED

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

Cook on motion of Otto.

S. Davis on motion of Lozano.

Geren on motion of Otto.

Harless on motion of Otto.

Huberty on motion of Lozano.

Hunter on motion of Lozano.

Johnson on motion of Guillen.

K. King on motion of Ashby.

Larson on motion of Ashby.

CSHB 910 - (consideration continued)**CSHB 910 - POINT OF ORDER**

Representative Miles raised a point of order against further consideration of **CSHB 910** under Rule 4, Section 32(c)(4) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative Miles raised a point of order against further consideration of **CSHB 910** under Rule 4, Section 32(c)(4) of the House Rules, asserting the bill analysis fails to comply with the provisions of that subdivision which requires that the bill analysis 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." Representative Miles argues that the criminal impact statement, a new section of the bill analysis added in this session, should have further explained the types of criminal impact changes rather than rotely, but correctly, reciting the rules and determining whether one or more changes has occurred. The point of order is respectfully overruled.

The chair, having reviewed the rule and the bill analysis, finds that the provisions of Rule 4, Section 32(c)(4) of the House Rules have been fulfilled. Further, the chair notes that the body of the bill analysis provides information on the three types of criminal impacts that are highlighted by the statement required by Rule 4, Section 32(c)(4) of the House Rules.

(Cook, S. Davis, Geren, Harless, Hunter, Johnson, K. King, and Larson now present)

Representative Phillips moved to table Amendment No. 3.

The motion to table prevailed by (Record 267): 95 Yeas, 44 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; Longoria; Lucio; Martinez; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Farney; Herrero; Leach; Márquez; Price; Smithee.

Absent, Excused, Committee Meeting — Huberty.

Absent — Martinez Fischer.

LEAVE OF ABSENCE GRANTED

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

Clardy on motion of Ashby.

CSHB 910 - (consideration continued)**Amendment No. 4**

Representative Canales offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee printing) as follows:

(1) In SECTION 40 of the bill, in amended Section 30.05(f)(2)(B)(ii), Penal Code (page 29, line 11), between "shoulder or belt holster" and the period, insert the following:

with at least one passive restraint and at least one active restraint

(2) In SECTION 45 of the bill, in amended Section 46.02(a-1)(1), Penal Code (page 32, line 16), between "holster" and the semicolon, insert the following:

with at least one passive restraint and at least one active restraint

(3) In SECTION 47 of the bill, in amended Section 46.035(a), Penal Code, strike the underlined language (page 33, lines 11-13) and substitute the following: It is an exception to the application of this subsection that the license holder carried a partially or wholly visible handgun in a shoulder or belt holster with at least one passive restraint and at least one active restraint.

(4) In SECTION 47 of the bill, in amended Section 46.035(b), Penal Code (page 34, lines 3-4), strike "regardless of whether the handgun is concealed or carried in a shoulder or belt holster," and substitute "[regardless of whether the handgun is concealed,]".

(5) In SECTION 47 of the bill, in amended Section 46.035(c), Penal Code (page 34, line 27 through page 35, line 1), strike "regardless of whether the handgun is concealed or carried in a shoulder or belt holster," and substitute "[regardless of whether the handgun is concealed,]".

(6) In SECTION 47 of the bill, in amended Section 46.035(d), Penal Code (page 35, lines 4-6), strike ", regardless of whether the handgun is concealed or carried in a shoulder or belt holster" and substitute "[regardless of whether the handgun is concealed]".

(7) In SECTION 49 of the bill, in amended Section 46.15(b)(6)(B)(ii), Penal Code (page 39, line 12), between "shoulder or belt holster" and the underlined semicolon, insert the following:

with at least one passive restraint and at least one active restraint

(S. Davis in the chair)

Representative Phillips moved to table Amendment No. 4.

The motion to table prevailed by (Record 268): 89 Yeas, 38 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan;

Phillips; Pickett; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; Smith; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Deshotel; Dutton; Farias; Farrar; Giddings; Guerra; Gutierrez; Howard; Johnson; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Sheffield; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Alonzo; Clardy; Farney; Herrero; Leach; Márquez; Price; Smithee.

Absent, Excused, Committee Meeting — Huberty.

Absent — Davis, Y.; Dukes; González; Hernandez; Israel; Keough; Krause; Oliveira; Raney; Rose; Stephenson.

STATEMENTS OF VOTE

When Record No. 268 was taken, I was in the house but away from my desk. I would have voted yes.

Keough

When Record No. 268 was taken, I was temporarily out of the house chamber. I would have voted yes.

Krause

Amendment No. 5

Representative Y. Davis offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee printing) as follows:

(1) In SECTION 40 of the bill, in amended Section 30.05(f), Penal Code (page 29, lines 5-11), strike Subdivision (2) and substitute the following:

(2) the person, at the time of the offense, was a holder of carrying a concealed handgun and a license to carry a handgun issued under Subchapter H, Chapter 411, Government Code, and:

(A) the person was carrying the handgun in [to carry] a concealed manner; or

(B) the person was carrying the handgun in a shoulder or belt holster and was conspicuously displaying the person's license to carry the handgun.

(2) In SECTION 44 of the bill, in added Section 30.07(f), Penal Code (page 32, line 6), between "holster" and the underlined period, insert "or that the license holder was conspicuously displaying a license to carry the handgun".

(3) In SECTION 45 of the bill, in amended Section 46.02(a-1), Penal Code (page 32, lines 13-16), strike Subdivision (1) and substitute the following:

(1) the handgun is in plain view, unless:

(A) the person is licensed to carry a handgun under Subchapter H, Chapter 411, Government Code;

(B) the handgun is carried in a shoulder or belt holster; and

(C) the person is conspicuously displaying the person's license to carry the handgun; or

(4) In SECTION 47 of the bill, in amended Section 46.035(a), Penal Code (page 33, lines 11-13), strike the underlined language and substitute the following:

It is an exception to the application of this subsection that the license holder:

(1) carried a partially or wholly visible handgun in a shoulder or belt holster; and

(2) conspicuously displayed the person's license to carry the handgun.

(5) In SECTION 47 of the bill, in amended Section 46.035(b), Penal Code (page 34, lines 3-4), strike "regardless of whether the handgun is concealed or carried in a shoulder or belt holster," and substitute "[~~regardless of whether the handgun is concealed,~~]"

(6) In SECTION 47 of the bill, in amended Section 46.035(c), Penal Code (page 34, line 27 through page 35, line 1), strike "regardless of whether the handgun is concealed or carried in a shoulder or belt holster," and substitute "[~~regardless of whether the handgun is concealed,~~]"

(7) In SECTION 47 of the bill, in amended Section 46.035(d), Penal Code (page 35, lines 4-6), strike ", regardless of whether the handgun is concealed or carried in a shoulder or belt holster" and substitute "[~~, regardless of whether the handgun is concealed,~~]"

(8) In SECTION 49 of the bill, in amended Section 46.15(b), Penal Code (page 39, lines 6-12), strike Subdivision (6) and substitute the following:

(6) holds [is carrying a concealed handgun and] a [valid] license to carry a handgun issued under Subchapter H, Chapter 411, Government Code, and:

(A) carries the handgun in [to carry] a concealed manner; or

(B) carries the handgun in a shoulder or belt holster and conspicuously displays the person's license to carry the handgun;

Representative Phillips moved to table Amendment No. 5.

The motion to table prevailed by (Record 269): 88 Yeas, 35 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycok; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra; Guillen; Harless; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Murr; Otto; Parker; Peña; Phelan; Phillips; Pickett; Raymond; Riddle; Rinaldi; Sanford; Schaefer;

Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, M.; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Giddings; Gutierrez; Howard; Johnson; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Moody; Naishtat; Nevárez; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Alonzo; Clardy; Farney; Herrero; Leach; Márquez; Price; Smithee.

Absent, Excused, Committee Meeting — Huberty.

Absent — Dukes; Farrar; González; Hernandez; Israel; King, K.; Krause; Oliveira; Paddie; Paul; Raney; Reynolds; Stephenson; White, J.; Workman.

STATEMENTS OF VOTE

When Record No. 269 was taken, I was temporarily out of the house chamber. I would have voted yes.

Krause

When Record No. 269 was taken, I was in the house but away from my desk. I would have voted yes.

Paul

When Record No. 269 was taken, I was temporarily out of the house chamber. I would have voted yes.

Workman

LEAVES OF ABSENCE GRANTED

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

González on motion of J. Rodriguez.

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

K. King on motion of Kuempel.

Paddie on motion of Kuempel.

CSHB 910 - (consideration continued)

Amendment No. 6

Representative Dutton offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee report) on page 33 of the bill by striking line 13 and substituting the following:

but:

(1) was carried in a shoulder or belt holster by the license holder; and

(2) the license holder:

(A) is covered by a liability insurance policy that:

(i) has a policy limit of \$250,000 or more; and

(ii) includes as a covered peril the negligent use of the handgun

the license holder is carrying; and

(B) carries proof of the insurance coverage described by Paragraph

(A) on or about the license holder's person.

AMENDMENT NO. 6 - REMARKS

REPRESENTATIVE S. TURNER: Representative Phillips, why would we not require people that carry guns to have insurance? It seems a reasonable request.

REPRESENTATIVE PHILLIPS: First, to say in a broader picture, I don't see that in the second amendment of the constitution that it says that you have the right to bear arms if you have insurance. I know that's—

S. TURNER: Some would argue that anybody should be able to carry a gun, that there shouldn't be any restrictions. Are you a supporter of the constitutional right to carry then?

PHILLIPS: I'm very supportive of the constitutional right to carry, and I'm—

S. TURNER: Is this a constitutional right to carry bill?

PHILLIPS: This is allowing under our constitution to—

S. TURNER: But is this a constitutional right to carry bill?

PHILLIPS: Mr. Turner, what I'm saying is that's just a first and foremost. If you would like to make this a constitutional right to carry, you might have a chance to vote on that in a little bit.

S. TURNER: Are you going to accept that amendment?

PHILLIPS: I might. If you keep talking it up it sounds like—

S. TURNER: Then let's just stop; and let me just come up with my amendment to have a right to constitutionally carry. Let's just end it right now. If you tell me you're going to accept it, I'll go down there and I'll write it up.

PHILLIPS: What I do know, Mr.—

S. TURNER: If I write it up, will you accept it?

PHILLIPS: Mr. Turner, will you listen? What I do know is that the senate set the parameters of this—set the parameters of what we're going to do, and they passed very similar to this. That's what I'm trying to keep it to, Mr. Turner. They debated the insurance. So Mr. Turner, I just disagree that insurance is necessary, and that's why I move to table.

S. TURNER: I understand, chairman, and I'm just saying that to me people should be responsible. I think that's what Representative Dutton is getting to, people should be responsible. To a certain extent people are not responsible, and there ought to be insurance. That's the only thing I think he's asking for.

PHILLIPS: I agree, responsible, and I think we've had 20 years demonstrated responsibility of license holders and will continue to do that, with all due respect.

(Huberty now present)

Representative Phillips moved to table Amendment No. 6.

The motion to table prevailed by (Record 270): 88 Yeas, 36 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raymond; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Collier; Cook; Davis, Y.; Deshotel; Dutton; Farias; Giddings; Guerra; Gutierrez; Howard; Johnson; Longoria; Lucio; Martinez; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Alonzo; Clardy; Farney; González; Herrero; King, K.; Leach; Márquez; Paddie; Price; Smithee.

Absent — Coleman; Dukes; Farrar; Hernandez; Israel; Krause; Martinez Fischer; Oliveira; Raney; Reynolds; Riddle; Stephenson.

STATEMENT OF VOTE

When Record No. 270 was taken, I was temporarily out of the house chamber. I would have voted yes.

Krause

COMMITTEE GRANTED PERMISSION TO MEET

Representative Keffer requested permission for the Committee on Natural Resources to meet while the house is in session, at 2:30 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Natural Resources, 2:30 p.m. today, 3W.15, for a formal meeting, to consider pending business.

CSHB 910 - (consideration continued)**REMARKS ORDERED PRINTED**

Representative Stickland moved to print remarks between Representative Phillips and Representative S. Turner on Amendment No. 6.

The motion prevailed.

Amendment No. 7

Representative Canales offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 46, Penal Code, is amended by adding Section 46.036 to read as follows:

Sec. 46.036. CARRYING OF OTHER WEAPONS BY LICENSE HOLDERS. (a) In this section:

(1) "Knife" means an illegal knife described by Section 46.01(6)(A)-(E).

(2) "License holder" has the meaning assigned by Section 46.035.

(b) A license holder may carry a knife in any location and in any manner that the license holder is authorized to carry a handgun.

(c) A license holder who carries a knife under the authority of Subsection (b) commits an offense if the license holder carries the knife in a place or in a manner that is prohibited under Section 46.035 for a handgun.

(d) The punishment for an offense under Subsection (c) is the same as that provided for an offense committed with respect to a handgun under Section 46.035(g).

(e) Any defense to prosecution for an offense under Section 46.035 is available to a license holder who commits an offense under Subsection (c).

LEAVES OF ABSENCE GRANTED

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

Israel on motion of Howard.

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

Hernandez on motion of Lucio.

(Alonzo now present)

CSHB 910 - (consideration continued)

Representative Phillips moved to table Amendment No. 7.

The motion to table prevailed by (Record 271): 72 Yeas, 53 Nays, 2 Present, not voting.

Yeas — Anchia; Anderson, C.; Aycock; Bell; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Collier; Cook; Craddick; Crownover; Dale; Darby; Deshotel; Faircloth; Fletcher; Flynn; Frank; Frullo; Gonzales; Gutierrez; Howard; Hunter; Isaac; Johnson; Keffer; Keough; King, P.; King, S.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Naishtat; Otto; Parker; Paul; Peña; Phillips; Pickett; Raney; Raymond; Riddle; Rodriguez, J.; Sanford; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Spitzer; Turner, C.; Turner, E.S.; VanDeaver; Villalba; White, M.; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Anderson, R.; Ashby; Bernal; Burns; Burrows; Canales; Capriglione; Cyrier; Davis, Y.; Dutton; Elkins; Fallon; Farias; Galindo; Geren; Giddings; Goldman; Guerra; Guillen; Harless; Huberty; Hughes; Kacal; King, T.; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Murr; Nevárez; Phelan; Rinaldi; Rodriguez, E.; Romero; Rose; Schaefer; Simpson; Smith; Springer; Stickland; Thompson, S.; Tinderholt; Turner, S.; Vo; Walle; White, J.; Wray.

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

Absent, Excused — Clardy; Farney; González; Hernandez; Herrero; Israel; King, K.; Leach; Márquez; Paddie; Price; Smithee.

Absent — Alvarado; Coleman; Dukes; Farrar; Krause; Oliveira; Reynolds; Stephenson; Thompson, E.; Wu.

STATEMENTS OF VOTE

When Record No. 271 was taken, I was temporarily out of the house chamber. I would have voted no.

Krause

When Record No. 271 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 271 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 271 was taken, I was shown voting yes. I intended to vote no.

Sanford

Amendment No. 8

Representative Johnson offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.2035 to read as follows:

Sec. 411.2035. MUNICIPAL REGULATION OF OPENLY CARRYING HANDGUN. A license holder may not openly carry a handgun in a municipality with a population of more than 1 million that has adopted an ordinance prohibiting a license holder from openly carrying a handgun within the boundaries of the municipality.

Amendment No. 9

Representative E. Rodriguez offered the following amendment to Amendment No. 8:

Amend the Johnson amendment to **CSHB 910** (house committee printing) by striking all the Johnson amendment and adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.2035 to read as follows:

Sec. 411.2035. MUNICIPAL REGULATION OF OPENLY CARRYING HANDGUN. A license holder may not openly carry a handgun in a municipality with a population of more than 750,000 that has adopted an ordinance prohibiting a license holder from openly carrying a handgun within the boundaries of the municipality.

Amendment No. 9 was adopted.

(Speaker pro tempore in the chair)

LEAVE OF ABSENCE GRANTED

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

Oliveira on motion of Canales.

CSHB 910 - (consideration continued)

Representative Phillips moved to table Amendment No. 8, as amended.

The motion to table prevailed by (Record 272): 93 Yeas, 40 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; Guerra; Gutierrez; Howard; Johnson; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Clardy; Farney; González; Hernandez; Herrero; Israel; King, K.; Leach; Márquez; Oliveira; Paddie; Price; Smithee.

Absent — Dukes.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Elkins requested permission for the Committee on Government Transparency and Operation to meet while the house is in session, at 3:15 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Government Transparency and Operation, 3:15 p.m. today, 3W.9, for a formal meeting, to consider pending business.

CSHB 910 - (consideration continued)

Amendment No. 10

Representative Farias offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.209 to read as follows:

Sec. 411.209. ANNUAL REPORT. (a) Not later than December 31 of each year, the department shall compile data from local law enforcement agencies and submit a report concerning handgun incidents in this state to the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each standing committee of the legislature with jurisdiction over criminal justice issues and other standing committees considered appropriate by the department.

(b) The report must include data for the preceding year on:

- (1) the number of handgun-related violent crimes that occurred;
- (2) any handgun-related damage to personal or public property; and
- (3) the number of handgun licensing violations by persons carrying the handgun in a concealed manner and by persons carrying the handgun openly.

Representative Phillips moved to table Amendment No. 10.

The motion to table prevailed by (Record 273): 87 Yeas, 45 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Parker; Paul; Peña; Phelan; Phillips; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Simpson; Smith; Spitzer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; Guerra; Guillen; Gutierrez; Howard; Johnson; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Simmons; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Clardy; Farney; González; Hernandez; Herrero; Israel; King, K.; Leach; Márquez; Oliveira; Paddie; Price; Smithee.

Absent — Dukes; Springer.

STATEMENT OF VOTE

When Record No. 273 was taken, I was in the house but away from my desk. I would have voted yes.

Springer

Amendment No. 11

Representative Fletcher offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.2031 to read as follows:

Sec. 411.2031. CARRYING OF HANDGUNS BY LICENSE HOLDERS ON CERTAIN CAMPUSES. (a) For purposes of this section:

(1) "Campus" means all land and buildings owned or leased by an institution of higher education or private or independent institution of higher education.

(2) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

(3) "Premises" has the meaning assigned by Section 46.035, Penal Code.

(b) A license holder may carry a concealed handgun on or about the license holder's person while the license holder is on the campus of an institution of higher education or private or independent institution of higher education in this state.

(c) Except as provided by Subsection (d) or (e), a license holder may not be required to comply with any rule, regulation, or other provision adopted by an institution of higher education or private or independent institution of higher education in this state that prohibits license holders from carrying concealed handguns on the campus of the institution.

(d) A license holder shall comply with rules, regulations, or other provisions established by an institution of higher education or private or independent institution of higher education in this state concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution.

(e) Except as provided by Section 411.2032, a license holder shall comply with rules, regulations, or other provisions that are, after consulting with students, staff, and faculty of the institution, established by a private or independent institution of higher education in this state, to prohibit license holders from carrying handguns on the campus of the institution, on any grounds or building on which an activity sponsored by the institution is being conducted, or in a passenger transportation vehicle of the institution.

(f) This section does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a hospital maintained or operated by an institution of higher education or private or independent institution of higher education if the hospital gives effective notice under Section 30.06, Penal Code. In this subsection, "hospital" has the meaning assigned by Section 241.003, Health and Safety Code.

(g) This section does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a preschool, elementary school, or secondary school that is located on the campus of an institution of higher education or private or independent institution of higher education if the institution gives effective notice under Section 30.06, Penal Code.

(h) This section does not permit a person to possess a concealed handgun, or go with a concealed handgun, inside a building or a portion of a building that is in continuous use as a national biocontainment laboratory in which biological specimens are stored or used and that is located on the premises of an institution of higher education or private or independent institution of higher education and maintained or operated by the institution, if the institution gives effective notice under Section 30.06, Penal Code, with respect to that building or portion of that building. This subsection does not apply to any portion of a building to which students, faculty, staff, or the general public are granted unrestricted access.

(i) This section does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a criminal justice agency that is located on the campus of an institution of higher education or public or private institution of higher education and that performs forensic deoxyribonucleic acid analyses on evidence.

SECTION _____. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.209 to read as follows:

Sec. 411.209. LIABILITY OF LICENSE HOLDERS CARRYING HANDGUNS ON CERTAIN CAMPUSES. (a) The acts or omissions of a license holder under this subchapter may not be the basis of a liability claim against an institution of higher education, an officer or employee of an institution of higher education, a private or independent institution of higher education that has not adopted rules under Section 411.2031(e), or an officer or employee of a private or independent institution of higher education that has not adopted rules under Section 411.2031(e), unless the license holder is an officer or employee of the institution of higher education or private or independent institution of higher education described by this subsection, who possesses a handgun on the campus of that institution and whose conduct with regard to the handgun is made the basis of a claim for personal injury or property damage.

(b) For purposes of this section:

(1) "Campus" has the meaning assigned by Section 411.2031.

(2) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

SECTION _____. Section 30.06(e), Penal Code, is amended to read as follows:

(e) It is an exception to the application of this section that the property on which the license holder carries a handgun is owned or leased by a governmental entity and is not:

(1) a premises or other place on which the license holder is prohibited from carrying the handgun under Section 46.03 or 46.035; or

(2) the portion of the premises of an institution of higher education, as defined by Section 61.003, Education Code, that is described by Section 411.2031(h), Government Code.

SECTION _____. Section 46.03, Penal Code, is amended by amending Subsections (a) and (c) and adding Subsections (j), (k), (l), and (m) to read as follows:

(a) A person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, illegal knife, club, or prohibited weapon listed in Section 46.05(a):

(1) on the physical premises of a school or educational institution, any grounds or building on which an activity sponsored by a school or educational institution is being conducted, or a passenger transportation vehicle of a school or educational institution, whether the school or educational institution is public or private, unless:

(A) pursuant to written regulations or written authorization of the institution; or

(B) the person possesses or goes with a concealed handgun that the person is licensed to carry under Subchapter H, Chapter 411, Government Code, and no other weapon to which this section applies, on the premises of an institution of higher education or private or independent institution of higher education, on any grounds or building on which an activity sponsored by the institution is being conducted, or in a passenger transportation vehicle of the institution;

(2) on the premises of a polling place on the day of an election or while early voting is in progress;

(3) on the premises of any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court;

(4) on the premises of a racetrack;

(5) in or into a secured area of an airport; or

(6) within 1,000 feet of premises the location of which is designated by the Texas Department of Criminal Justice as a place of execution under Article 43.19, Code of Criminal Procedure, on a day that a sentence of death is set to be imposed on the designated premises and the person received notice that:

(A) going within 1,000 feet of the premises with a weapon listed under this subsection was prohibited; or

(B) possessing a weapon listed under this subsection within 1,000 feet of the premises was prohibited.

(c) In this section:

(1) "Institution of higher education" and "private or independent institution of higher education" have the meanings assigned by Section 61.003, Education Code.

(2) "License holder" means a person licensed to carry a handgun under Subchapter H, Chapter 411, Government Code.

(3) "Premises" has the meaning assigned by Section 46.035.

(4) ~~(2)~~ "Secured area" means an area of an airport terminal building to which access is controlled by the inspection of persons and property under federal law.

(j) Subsection (a)(1)(B) does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a hospital maintained or operated by an institution of higher education or private or independent institution of higher education if the hospital gives effective notice under Section 30.06. In this subsection, "hospital" has the meaning assigned by Section 241.003, Health and Safety Code.

(k) Subsection (a)(1)(B) does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a preschool, elementary school, or secondary school that is located on the premises of an institution of higher education or private or independent institution of higher education if the institution gives effective notice under Section 30.06.

(l) Subsection (a)(1)(B) does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, inside a building or a portion of a building that is in continuous use as a national biocontainment laboratory in which biological specimens are stored or used and that is located on the premises of an institution of higher education or private or independent institution of higher education and maintained or operated by the institution, if the institution gives effective notice under Section 30.06 with respect to that building or portion of that building. This subsection does not apply to any portion of a building to which students, faculty, staff, or the general public are granted unrestricted access.

(m) Subsection (a)(1)(B) does not permit a license holder to possess a concealed handgun, or go with a concealed handgun, on the premises of a criminal justice agency that is located on the campus of an institution of higher education or public or private institution of higher education and that performs forensic deoxyribonucleic acid analyses on evidence.

SECTION _____. Section 46.035, Penal Code, is amended by adding Subsection (l) to read as follows:

(l) Subsection (b)(2) does not apply on the premises where a collegiate sporting event is taking place if the actor was not given effective notice under Section 30.06.

SECTION _____. Section 411.209, Government Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrues before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

Amendment No. 11 - Point of Order

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

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

Representative Martinez Fischer raised a point of order against further consideration of Amendment No. 11 by Representative Fletcher under Rule 11, Section 3 of the House Rules asserting the amendment, which proposed to allow the carrying of concealed handguns on public and private institutions of higher education by licensed permit holders changed the bills original purpose, which it is alleged, which dealt with only the ability of license holders to "open carry" and was not meant to be an expansion of additional areas that the license holder could carry concealed handguns. The point of order is respectfully overruled.

CSHB 910 dealt with the authority of a person who is licensed to carry a handgun and altered the conditions of the license, including places where a license could and could not openly display a handgun. Amendment No. 11 would have added additional alteration to the conditions of the license. Because both the bill and the amendment would have achieved the same purpose, the amendment

did not rule afoul of Rule 11, Section 3 of the House Rules. See 83 H.J. Reg. 2442-2443 (2013) (point of order by Representative Walle on **CSHB 972**).

Amendment No. 11 was withdrawn.

Amendment No. 12

Representative Farias offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 46, Penal Code, is amended by adding Section 46.036 to read as follows:

Sec. 46.036. AMMUNITION RESTRICTION. (a) A person authorized to carry a handgun or other firearm under Subchapter H, Chapter 411, Government Code, or other law commits an offense if the person carries more than one ammunition clip or magazine for each firearm carried by the person.

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

LEAVE OF ABSENCE GRANTED

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

Gutierrez on motion of Martinez Fischer.

CSHB 910 - (consideration continued)

Representative Phillips moved to table Amendment No. 12.

The motion to table prevailed by (Record 274): 91 Yeas, 37 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; Guerra; Howard; Johnson; Longoria; Lucio; Martinez; Martinez Fischer; Miles; Moody; Muñoz; Naishtat; Nevárez; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Clardy; Farney; González; Gutierrez; Hernandez; Herrero; Israel; King, K.; Leach; Márquez; Oliveira; Paddie; Price; Smithee.

Absent — Dukes; Krause; McClendon; Reynolds; Zedler.

STATEMENTS OF VOTE

When Record No. 274 was taken, I was temporarily out of the house chamber. I would have voted yes.

Krause

When Record No. 274 was taken, I was in the house but away from my desk. I would have voted no.

McClendon

When Record No. 274 was taken, my vote failed to register. I would have voted yes.

Zedler

(Israel now present)

Amendment No. 13

Representative Sanford offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee report) on page 34 of the bill by striking lines 16-20 and substituting the following:

(4) on the premises of a hospital licensed under Chapter 241, Health and Safety Code, or on the premises of a nursing facility [~~home~~] licensed under Chapter 242, Health and Safety Code, unless the license holder has written authorization of the hospital or nursing facility [~~home~~] administration, as appropriate;

Amendment No. 13 was adopted.

Amendment No. 14

Representative Coleman offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 411.173(b), Government Code, is amended to read as follows:

(b) The governor shall negotiate an agreement with any other state that provides for the issuance of a license to carry a [~~concealed~~] handgun under which a license issued by the other state is recognized in this state or shall issue a proclamation that a license issued by the other state is recognized in this state if the attorney general of the State of Texas determines that:

(1) a search of the National Crime Information Center database and the Interstate Identification Index maintained by the Federal Bureau of Investigation [~~background check of each applicant for a license issued by that state~~] is initiated

by state or local authorities or an agent of the state or local authorities as part of a background check of each applicant for a license issued by that state before the license is issued; and

(2) the eligibility requirements for issuance of a license in that state are as stringent as or more stringent than the requirements of this state and include the passage of a proficiency examination that requires an actual demonstration by the applicant of the applicant's ability to safely and proficiently use a handgun. [For purposes of this subsection, "background check" means a search of the National Crime Information Center database and the Interstate Identification Index maintained by the Federal Bureau of Investigation.]

SECTION _____. The attorney general shall submit a report to the governor, lieutenant governor, and speaker of the house of representatives listing the states the attorney general has determined qualify for recognition under Section 411.173(b), Government Code, as amended by this Act, not later than January 1, 2016. The attorney general may submit the report required under this section as the annual report required to be submitted by the same date under Section 411.173(c)(1), Government Code.

Representative Phillips moved to table Amendment No. 14.

The motion to table prevailed by (Record 275): 91 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; Guerra; Howard; Israel; Johnson; Longoria; Lucio; Martinez; Martinez Fischer; Miles; Moody; Muñoz; Naishtat; Nevárez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Clardy; Farney; González; Gutierrez; Hernandez; Herrero; King, K.; Leach; Márquez; Oliveira; Paddie; Price; Smithee.

Absent — Dukes; McClendon.

Amendment No. 15

Representative Tinderholt offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee report) on page 32 of the bill by striking lines 25-26 and substituting the following:

SECTION 46. Section 46.03, Penal Code, is amended by amending Subsection (f) and adding Subsection (b-1) to read as follows:

(b-1) It is a defense to prosecution under Subsection (a)(1) that at the time of the commission of the offense:

(1) the actor was carrying a handgun under the authority of Subchapter H, Chapter 411, Government Code, and no other weapon to which this section applies;

(2) the actor was not otherwise prohibited from carrying the handgun under another provision of this code or other law;

(3) the actor was not on property owned by or under the control of a school or educational institution; and

(4) the actor was not a participant in or a spectator at an activity sponsored by a school or educational institution.

Representative Phillips moved to table Amendment No. 15.

The motion to table prevailed by (Record 276): 96 Yeas, 32 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Elkins; Faircloth; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Giddings; Goldman; Gonzales; Guerra; Harless; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, P.; King, S.; Klick; Koop; Krause; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Otto; Parker; Paul; Peña; Phillips; Pickett; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Romero; Rose; Sanford; Schofield; Sheets; Sheffield; Simmons; Stephenson; Thompson, E.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Workman; Wu; Zerwas.

Nays — Anderson, R.; Ashby; Canales; Collier; Deshotel; Dutton; Fallon; Geren; Guillen; King, T.; Kuempel; McClendon; Metcalf; Miles; Nevárez; Phelan; Rinaldi; Rodriguez, J.; Schaefer; Schubert; Shaheen; Simpson; Spitzer; Springer; Stickland; Thompson, S.; Tinderholt; Turner, E.S.; White, J.; White, M.; Wray; Zedler.

Present, not voting — Mr. Speaker; Bonnen, D.(C); Martinez Fischer.

Absent, Excused — Clardy; Farney; González; Gutierrez; Hernandez; Herrero; King, K.; Leach; Márquez; Oliveira; Paddie; Price; Smithee.

Absent — Coleman; Dukes; Farias; Smith; Walle.

STATEMENTS OF VOTE

When Record No. 276 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 276 was taken, I was shown voting yes. I intended to vote no.

Krause

When Record No. 276 was taken, I was shown voting yes. I intended to vote no.

Sanford

LEAVES OF ABSENCE GRANTED

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

Alvarado on motion of Harless.

Martinez Fischer on motion of J. Rodriguez.

CSHB 910 - (consideration continued)

Amendment No. 16

Representative C. Turner offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 411.205, Government Code, is amended to read as follows:

Sec. 411.205. REQUIREMENT TO DISPLAY LICENSE. (a) A peace officer who knows or reasonably suspects that a person is carrying a handgun, regardless of the manner in which the handgun is carried, may detain the person and, if it is shown the person is carrying a handgun, request that the person display the person's handgun license under this subchapter or other authorization to carry a handgun.

(b) If a license holder is carrying a handgun on or about the license holder's person when a magistrate or a peace officer demands that the license holder display identification, the license holder shall display both the license holder's driver's license or identification certificate issued by the department and the license holder's handgun license.

SECTION _____. Section 411.207, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A peace officer may disarm any person carrying a handgun, regardless of the manner in which the handgun is carried, while the peace officer verifies that the person holds a handgun license under this chapter or is otherwise authorized to carry the handgun.

Representative Phillips moved to table Amendment No. 16.

The motion to table prevailed by (Record 277): 92 Yeas, 37 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Murr; Otto; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Fletcher; Giddings; Guerra; Howard; Israel; Johnson; Longoria; Lucio; Martinez; Miles; Moody; Naishtat; Nevárez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Simmons; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Alvarado; Clardy; Farney; González; Gutierrez; Hernandez; Herrero; King, K.; Leach; Márquez; Martinez Fischer; Oliveira; Paddie; Price; Smithee.

Absent — Dukes; Farrar; McClendon.

Amendment No. 17

Representative Huberty offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee report) as follows:

(1) On page 32, strike lines 25-26 and substitute the following:

SECTION 46. Section 46.03, Penal Code, is amended by amending Subsection (f) and adding Subsection (j) to read as follows:

(2) On page 33, between lines 3 and 4, insert the following:

(j) It is an exception to prosecution under Subsection (a)(1) that at the time of the commission of the offense the actor was:

(1) carrying a handgun that the person was licensed to carry under Subchapter H, Chapter 411, Government Code; and

(2) attending a school board meeting in an official capacity as:

(A) a member of the school board; or

(B) the superintendent of the school governed by the school board.

(3) On page 33, line 6, strike "Subsection (a-1)" and substitute "Subsections (a-1) and (l)".

(4) On page 35, between lines 21 and 22, insert the following:

(1) It is an exception to prosecution under Subsection (c) that at the time of the commission of the offense the actor was attending a school board meeting in an official capacity as:

(1) a member of the school board; or

(2) the superintendent of the school governed by the school board.

Amendment No. 17 was withdrawn.

PARLIAMENTARY INQUIRY

REPRESENTATIVE STICKLAND: What is the status of my amendment that I filed on **CSHB 910**?

CHAIR (Speaker pro tempore in the chair): Mr. Stickland, we believe that your amendment is a nongermane amendment, and we've had those conversations up here with the parliamentarian.

STICKLAND: Who decided that it's not germane?

CHAIR: It would be the speaker in consultation with the parliamentarian.

STICKLAND: Have me and you personally had a discussion on whether this bill is germane or not?

CHAIR: Yes, we have.

STICKLAND: And do you believe that I got to lay out my entire argument that it is germane to this bill?

CHAIR: You're welcome to come on down and lay out as much of your argument as—

STICKLAND: How has working with the speaker's leadership team and going to them beforehand worked out for me so far, as far as having an amendment laid out on this floor?

CHAIR: I'm confused as to whether that's a parliamentary inquiry.

STICKLAND: Am I required to come down and discuss it with you? Or do I have a right, as a member of this legislature, to lay out a bill and wait upon the fact that a member of this body calls a point of order on germaneness?

CHAIR: Mr. Stickland, first off a bill would have to go through the proper calendars committee—

STICKLAND: I apologize, an amendment.

CHAIR: Mr. Stickland, in the case of an amendment, a precedent of about 50 years of this chamber is that when the ruling of the parliamentarian and the chair are that the amendment is nongermane, then that amendment is never laid out before the body.

STICKLAND: Has the speaker of the Texas House made rulings before that bills were not germane after a point of order was called on that rule?

CHAIR: Amendments, I believe, is what you meant, but certainly.

STICKLAND: Then why do I not have the opportunity to go through that process and argue the case for my amendment right now?

CHAIR: Because we believe that your amendment is a nongermane amendment, and a long standing precedent of the house is that—

STICKLAND: What if I disagree with what you have decided single-handedly without discussion or debate?

CHAIR: If you want to ask me a question, you will allow me the respect to answer it, and I will allow you the respect to ask. We have a long precedent in this body of not laying out nongermane amendments.

STICKLAND: Is there no way that you're going to allow me to offer an amendment on this bill?

CHAIR: No, Mr. Stickland. If you have germane amendments, bring them down front.

STICKLAND: What if I believe that my amendment, as is, is germane right now? Would it be appropriate for us to have that discussion from the back mic?

CHAIR: Mr. Stickland, I've already once invited you down to have that discussion. I'd welcome you to come down again.

STICKLAND: Am I required to come down there or can we have the discussion from the microphone for the benefit of the public who is interested in this issue?

CHAIR: Mr. Stickland, a proper parliamentary inquiry would be about the status of the bill. That is not a proper parliamentary inquiry.

STICKLAND: Would it be proper for us to discuss an amendment that has been filed, that is currently on your desk, and the status of whether it is germane or not—from the back microphone?

CHAIR: Mr. Stickland, I will invite you down for the third time to have that discussion.

STICKLAND: Are we permitted from having that discussion right here in this format?

CHAIR: No, Mr. Stickland, we are not, but right now we're presently laying out amendments on the bill.

STICKLAND: Where was my amendment originally put in the cycle of the bills in regard to **HB 912**? **CSHB 910**, I apologize.

CHAIR: It was in the part of the bill that adds new sections, which your amendment was attempting to do. When we came to it, we notified you, as we did with several other members, that your amendment was not germane.

STICKLAND: Why was my amendment ever accepted if you had already decided beforehand, based on conversations that we supposedly had, regarding the germaneness of this bill?

CHAIR: Mr. Stickland, any member has the opportunity to file an amendment with the chief clerk.

STICKLAND: Why was it ever put into the rotation if you already determined that it was not germane? I prefiled this on Monday.

CHAIR: Because there is a process of you filing the amendment. In respect and deference to a member who files an amendment, that amendment is then in the process, and it has to be filed, and it has to be in the process, and then we review that amendment.

STICKLAND: At what point did the parliamentarian's office, or whoever's going through the process, figure out that my amendment was not germane?

CHAIR: Mr. Stickland, did you visit with the parliamentarian?

STICKLAND: Could you please answer my inquiry, sir?

CHAIR: We asked, did you visit with the parliamentarian?

STICKLAND: At what point did the parliamentarian or his office decide that my bill was not germane?

CHAIR: When you visited with the parliamentarian, he probably gave you information that it is shielded under Rule 1, Section 10.

STICKLAND: Then why did he put it in the queue if he made his decision after that conversation?

CHAIR: Mr. Stickland, I think I've already explained that all amendments go into the queue, and you understand the process.

STICKLAND: Has the chair or the parliamentarian been given access or read this document that I have prepared in defense of my amendment being germane to the bill?

CHAIR: My vision is not good enough to see what document you're holding, Mr. Stickland.

STICKLAND: Is the chair or the parliamentarian in current control of any documents arguing germaneness from me or my office?

CHAIR: Mr. Stickland, I'd welcome you to bring that document down front.

STICKLAND: Are you aware that it is my intention to offer an amendment that I truly believe is germane to **CSHB 910** so that it can be discussed before the members of this body? Do you understand that that is what I'm trying to do here?

CHAIR: Mr. Stickland, I don't understand what your inquiry would be.

STICKLAND: Is there any way that you are going to allow a representative of this house to lay out an amendment on behalf of his constituents and Texans all across this state?

CHAIR: Mr. Stickland, we've invited you to come down and discuss that. Numerous members could sit and make the exact same argument over the last 50 years.

REMARKS ORDERED PRINTED

Representative Stickland moved to print remarks between the chair and Representative Stickland.

The motion prevailed.

Amendment No. 18

Representative Schaefer offered the following amendment to **CSHB 910**:

Amend **CSHB 910** (house committee report) as follows:

(1) On page 29, strike lines 16-27 and substitute the following:

SECTION 42. Sections 30.06(a) and (d), Penal Code, are amended to read as follows:

(a) A license holder commits an offense if the license holder:

(1) carries a concealed handgun under the authority of Subchapter H, Chapter 411, Government Code, on property of another without effective consent; and

(2) received notice that~~[-~~
~~[(A)]~~ entry on the property by a license holder with a concealed handgun was forbidden~~[-~~ or
~~[(B) remaining on the property with a concealed handgun was forbidden and failed to depart].~~

(d) An offense under this section is a Class C ~~[(A)]~~ misdemeanor punishable by a fine not to exceed \$200, except that the offense is a Class A misdemeanor if it is shown on the trial of the offense that, after entering the property, the license holder received notice as described by Subsection (b) and subsequently failed to depart.

(2) On page 31, strike line 26 and substitute the following:

(d) An offense under this section is a Class C misdemeanor punishable by a fine not to exceed \$200, except that the offense is a Class A misdemeanor if it is shown on the trial of the offense that, after entering the property, the license holder received notice as described by Subsection (b) and subsequently failed to depart.

Amendment No. 18 was adopted by (Record 278): 98 Yeas, 24 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycok; Bell; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra;

Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Murr; Otto; Parker; Paul; Peña; Phelan; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; Vo; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Alonzo; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Howard; Israel; Johnson; Lucio; Martinez; Miles; Moody; Naishtat; Nevárez; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Turner, C.; Turner, S.; Wu.

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

Absent, Excused — Alvarado; Clardy; Farney; González; Gutierrez; Hernandez; Herrero; King, K.; Leach; Márquez; Martinez Fischer; Oliveira; Paddie; Price; Smithee.

Absent — Allen; Dukes; Farias; Farrar; Giddings; King, S.; McClendon; Phillips; Reynolds; Walle.

STATEMENT OF VOTE

When Record No. 278 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

STATEMENT BY REPRESENTATIVE BURNS

I am glad to vote for Amendment No. 18, which is identical to an amendment I created as well. I am glad to have had input on this bill.

(Speaker in the chair)

CSHB 910, as amended, was passed to engrossment by (Record 279): 96 Yeas, 35 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Otto; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; Guerra; Howard; Israel; Johnson; Lucio; Martinez; Miles; Muñoz; Naishtat; Nevárez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Clardy; Farney; González; Gutierrez; Hernandez; Herrero; King, K.; Leach; Márquez; Martinez Fischer; Oliveira; Paddie; Price; Smithee.

Absent — Dukes; McClendon.

MEMORANDUM BY REPRESENTATIVE STICKLAND

Representative Stickland submitted the following memorandum for inclusion in the journal:

Analysis of the Germaneness of the Stickland Amendment to HB 910

The Stickland amendment to **HB 910** is appropriate and germane under House rules and related precedents. First, the amendment and the bill share the same major or fundamental purpose, the amendment affirms the original purpose of the bill, and the amendment and the bill share a "harmony of subjects." Second, while achieving the stated purpose of **HB 910**, the amendment addresses unintended consequences that may arise if **HB 910** were to become law in its current form and that were articulated in a public hearing on **HB 910**. Third, a number of House precedents confirm that the Stickland amendment is appropriate and permissible under House Rules.

I. Application of the Major Purpose, Fundamental Purpose, Original Purpose, and "Harmony of Subjects" Tests

House Rule 11, Section 2 prohibits amendments on a "subject different from the subject under consideration." The application of this rule has been interpreted in a variety of ways. House rules anticipate that the Chair will consider the "major purpose" of both the original bill and the proposed amendment and determine whether the purposes of the measures relate. See House Rule 11, Section 2, House Precedents, Notes 14 and 15. Likewise, Congress has construed the rule on germaneness as requiring that the "fundamental purpose" of the amendment be germane to the "fundamental purpose" of the bill to which it is offered. 8 C.P. 2909.

In the case of **HB 910**, the major or fundamental purpose of the legislation is described in the "Background and Purpose" included in the bill analysis produced by the Committee on Homeland Security and Public Safety in its report. The Background and Purpose states the purpose of **HB 910** is "to provide for the open carry of a holstered handgun." Similarly, the major or fundamental purpose of the Stickland amendment is to provide for the open carry of a holstered handgun while addressing unintended consequences of a measure more limited in its scope.

The Stickland amendment also withstands the original purpose test, as outlined in Rule 11, Section 3 of the House Rules, which prohibits an amendment from changing the "original purpose" of a bill during its passage through the legislature. Historically, instances in which a point of order has been sustained pursuant to this rule demonstrate that the rule has been interpreted narrowly, so as only to apply to amendments which essentially reverse or move in the complete opposite direction as the original purpose of the act. See 52 H.J. Reg. 519 (1951); 76 H.J. Reg. 1608 (1999); 75 H.J. Reg. 3773 (1997); 76 H.J. Reg. 1603 (1999); 79 H.J. Reg. 2475-2477 (2005).

While **HB 910** and the Stickland amendment achieve their common objective in different ways, the difference in methods has not been held to be dispositive under House precedent. For instance, during the 83rd Legislature, when the House was considering a bill authorizing concealed handguns on college campuses, a point of order was called on a committee substitution that substituted language stating that a university "may" adopt regulations prohibiting licensed holders from carrying on their campus for "may not" on the grounds that the substitution reversed the original purpose of the bill. Mr. Speaker Straus overruled the point of order, ruling that the substitution did not change the original purpose of the legislation. 83 H.J. Reg. 2442-2443 (2013). The Chair's explanation of his ruling caused Brady to conclude in *House Practice* that an "amendment achieving [a bill's] original purpose in [a] different manner does not necessarily change the bill's original purpose." See Texas House Practice 3d, Sec. 848.3.

In another case from the 83rd session, the House considered legislation "to provide low-level, nonviolent state-jail felony offenders incentives to agree to and successfully complete probation terms." An amendment was proposed to apply the bill only to persons committing the felony offenses of credit card or debit card abuse. A point of order was raised on the grounds that it violated the original purpose test. Again, Mr. Speaker Straus overruled the point of order holding that the amendment shared the same (albeit radically narrowed) purpose as the original bill. See 83 H.J. Reg. 2828-2829 (2013).

Finally, in the *Texas House Practice, Third Edition, Revised*, in a practice note entitled "Germaneness is Not a Precise Concept," editor Hugh L. Brady articulated the germaneness test yet a third way, stating:

"The Rule's brevity conceals the complex task of determining whether an amendment is germane. [T]he asserted distinctions between the germane and non-germane sometimes [approach] the theological. A review of the House Precedents reveal inconsistencies in the application of the Rule. These seeming inequities show there is no precise response to the question of "what is germane?" Ultimately, it is a judgement call by the Chair as to **harmony of the subjects** when examining the text and the proposed alteration." (Internal citations and quotations omitted; emphasis added.)

In order to provide for the open carry of holstered handguns without creating absurdities in the law, the legislature must address the consequences of the proposal to the existing CHL law and concealed carry generally. The existing

features of **HB 910** are a critical element of this objective, and the Stickland amendment seeks to build upon its foundation to achieve **HB 910**'s stated purpose. Thus, the subject of the amendment is in harmony with the subject of the bill and, in fact, the provisions of the Stickland amendment could not be properly implemented without the existing contents of **HB 910**.

II. The Stickland Amendment Addresses Unintended Consequences of the Original Bill Identified by Witnesses in Public Hearings

The Rules of the Texas House for the 84th legislative session record as precedent a "general statement on germaneness" made by Mr. Speaker Tunnell, who in 1963 provided the following statement on the rule:

"In general, the only purpose of an objection to germaneness is that the proposed amendment is a motion upon a subject different from that under consideration. Its purpose is to prevent hastily and ill-considered legislation, to prevent matters from being presented for the consideration of the body which might no reasonably be anticipated." 58 H.J. Reg. 1733 (1963).

The Stickland amendment should present no surprise to members of the Committee on Homeland Security and Public Safety, or members generally, as it achieves the major purpose of **HB 910** while addressing certain unintended consequences of the original legislation which were articulated in a public hearing on the bill.

Some interested parties have expressed concern that, if **HB 910** were to go into effect in its present form, it would become difficult to determine whether a person who is openly carrying a holstered handgun is licensed or not without randomly stopping licensees, which could lead to some level of institutionalized harassment of law-abiding citizens. Even if police officers are not inclined or permitted to question carriers about their license status, police resources could be burdened by responding to an influx of phone calls from citizens inquiring about the license status of those they witness openly carrying a handgun. Indeed, without a clear statement by the legislature that the open carrying of a holstered handgun is generally a lawful act, some citizens may see it as their duty to notify the police of any person they see open carrying, in the possibility that the carrier may not be licensed.

Consider the following testimony, given in the Committee on Homeland Security and Public Safety, on March 17 in a public hearing on **HB 910**. Assistant Police Chief Donald McKinney of the Houston Police Department stated:

"We're not going to stop everybody that's open-carrying to identify them. If this bill goes, we'd like to see some language that addresses that, that takes our cops out of that position. Because they're caught in the middle. There's no way they can balance this."

The Stickland amendment addresses this concern by legalizing the open carry of handguns for those both with a CHL and those without, which removes all unintended consequences of a more limited measure directed at allowing for

the open carry of a holstered handgun. To rule that the amendment is not germane would prohibit the members from addressing this unintended consequence of the legislation in a manner that is less restrictive for law-abiding citizens and that does not, itself, create unintended consequences or uncertainty in the law. Members should have the opportunity to vote on the proposed solution to this issue contained in the Stickland amendment.

In fact, **HB 910** in its present form already contains a section addressing one unintended consequence of its main provisions and their application to persons other than those licensed under Subchapter H, Chapter 411, Government Code. While the bulk of the sections of **HB 910** involve removing the words "concealed" or "concealed handgun" in various statutes, Section 37 of the bill addresses the implication of the new open carry provisions on statutes governing the behavior of licensed personal protection officers. Specifically, Section 37 excludes a "personal protection officer [who] is not wearing the uniform of a security officer" from the provisions of **HB 910**. Section 37 would require such out-of-uniform officers to conceal their firearm, "regardless of whether the individual is authorized to openly carry the firearm under any other law."

In the same way that the author of **HB 910** seeks in Section 37 to address the consequences of the bill's changes on other sections of law, so too does the Stickland amendment address known unintended consequences of **HB 910**'s enactment in its present form.

III. House Precedents Demonstrate that the Stickland Amendment is an Appropriate Change to HB 910 and that the Members of the House Should be Entitled to Consider

In many cases, the house has viewed the issue of germaneness in a very broad way so that appropriate amendments may be considered by the body. For example:

◆ On a bill "relating to the authority of the Texas Commission on Environmental Quality regarding rates and water district operations" an amendment "to require commission review of certain river authority water management plans" was held to be germane. 82 H.J. Reg. 5363 (2011).

◆ On a bill seeking "to provide for a program to deliver comprehensive maternity and infant health services to women and infants," and amendment "to prohibit provision of abortion services, referral services related to abortion, or counseling that advocates abortion" was held to be germane. 69 H.J. Reg. 2341 (1985).

◆ On a bill "to raise the drinking age to 19," an amendment seeking "to specify the grounds constituting the offense of selling alcohol to a minor" was held to be germane. 67 H.J. Reg. 826 (1983).

◆ On a bill "to abolish the poll tax and allow the Legislature to provide for registration of votes," and amendment "to provide a literacy test for voters" was held to be germane. 44 H.J. Reg. 472 (1935).

Additionally, The Rules of the Texas House adopted for the 84th legislative session record as precedent in note six to Rule 11, Section 2, "a congressional precedent of many years standing, followed in the house," which provides that an amendatory bill that "vitaly affects a whole law so as to bring the entire act under

consideration" is subject to a germane amendment providing for repeal of the law. In this case, **HB 910** addresses nearly every section of the existing statute providing for the concealed carry of handguns. In its current form, the bill aims to achieve its purpose of "providing for the open carry of a holstered handgun" by altering vital elements throughout the concealed handgun law. The precedent recorded in the House rules suggests that an amendment to **HB 910** which would do away with the CHL law entirely would be a germane amendment. Logically, it cannot follow that the Stickland amendment, which seeks to make the license optional in order to better achieve the stated purpose of **HB 910**, would not be germane when a more extreme measure is considered appropriate under the rules.

A ruling that the Stickland amendment is not germane to **HB 910** would fly in the face of established precedent, needlessly prohibit the members from considering all options related to the bill's intended and unintended consequences, and ultimately do violence to the established rules of the Texas House.

IV. Conclusion

The Stickland amendment shares a major or fundamental purpose with **HB 910**—to provide for the open carry of a holstered handgun. The amendment affirms the original purpose of **HB 910** and the amendment and bill share a "harmony of subjects." The amendment achieves the stated purpose of **HB 910** while addressing unintended consequences which were articulated during a public hearing on **HB 910**, and therefore the amendment is appropriate and not a surprise to members. Finally, numerous precedents of the House suggest that the Stickland amendment is appropriate and germane. For these reasons, the Stickland amendment should be considered germane to **HB 910** and any point of order objecting to members considering the amendment should be overruled.

PROVIDING FOR ADJOURNMENT

At 5:12 p.m., Representative Geren moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 12 p.m. Monday, April 20 in memory of Stevie Ray Vaughan of Dallas.

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. 1.)

(Phillips in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 5:25 p.m., adjourned until 12 p.m. Monday, April 20.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HB 4194 (By Isaac), Relating to the ownership and operation of autonomous motor vehicles in LaSalle Municipal Utility District Nos. 1, 2, 3, 4, and 5.

To Transportation.

HB 4196 (By Stephenson), Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 65, of Fort Bend County; providing authority to issue bonds payable from taxes.

To Special Purpose Districts.

HB 4197 (By Riddle), Relating to the powers and duties of the Pine Forest Municipal Utility District; providing authority to issue bonds and impose a tax.

To Special Purpose Districts.

HB 4198 (By Schofield), Relating to the creation of the Harris County Municipal Utility District No. 543; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Special Purpose Districts.

HB 4199 (By Paddie), Relating to the Harrison County Court at Law.

To Judiciary and Civil Jurisprudence.

HCR 112 (By Springer), Urging Congress to direct the U.S. Department of Agriculture to revise existing policies that promote the waste of water after an irrigated crop has been declared a failure.

To Select State and Federal Power and Responsibility.

HR 1608 (By J. White), Congratulating Dewie and Janice Free of Livingston on their 50th wedding anniversary.

To Rules and Resolutions.

HR 1609 (By Paddie), Congratulating the Wiley College debate team on winning the 2014 Pi Kappa Delta national debate championship.

To Rules and Resolutions.

HR 1610 (By Naishtat), Recognizing April 2, 2015, as Homelessness Awareness Day at the State Capitol.

To Rules and Resolutions.

HR 1611 (By Naishtat), Congratulating the Texas Historical Commission on its receipt of a 2014 Award of Merit from Preservation Austin.

To Rules and Resolutions.

HR 1612 (By Elkins), Congratulating Brooke Demars on winning the African American National Spelling Bee Championships.

To Rules and Resolutions.

HR 1613 (By Elkins), Congratulating Jannah Collins on placing second at the African American National Spelling Bee Championships.

To Rules and Resolutions.

HR 1614 (By Elkins), Congratulating Zion Wren on placing third at the African American National Spelling Bee Championships.

To Rules and Resolutions.

HR 1615 (By J. White), Congratulating the Kirbyville High School tennis team on winning the regional team tennis tournament.

To Rules and Resolutions.

HR 1616 (By J. White), Congratulating Natalie Beasley of Buna High School on placing first at the 29th annual Protégé High School Art Competition and Exhibition in Beaumont.

To Rules and Resolutions.

HR 1617 (By J. White), Congratulating Savannah Galloway of Buna High School on earning honorable mention at the 29th annual Protégé High School Art Competition and Exhibition in Beaumont.

To Rules and Resolutions.

HR 1618 (By J. White), Congratulating Gerderian Sells of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1619 (By J. White), Congratulating Chris Love of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1620 (By J. White), Congratulating Abigail Antastacio of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1621 (By J. White), Congratulating Angelina Alvarez of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1622 (By J. White), Congratulating Nelson Flores of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1623 (By J. White), Congratulating Riley Fisher of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1624 (By J. White), Congratulating Biridianne Castro of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1625 (By J. White), Congratulating Jade Beauchamp of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1626 (By J. White), Congratulating Madison Knight of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1627 (By J. White), Congratulating Gracie Wilkinson of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1628 (By J. White), Congratulating Jackson Kilgore of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1629 (By J. White), Congratulating Micah Hughes of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1630 (By J. White), Congratulating Maribel Escobedo of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1631 (By J. White), Congratulating Kanaosha Moore of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1632 (By J. White), Congratulating Alaina Lawson of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1633 (By J. White), Congratulating Kobi Poage of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1634 (By J. White), Congratulating Marc Sowers of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1635 (By J. White), Congratulating Luke King of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1636 (By J. White), Congratulating Brianna Monroe of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1637 (By J. White), Congratulating Emilio Ramirez of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1638 (By J. White), Congratulating Cameron Scott of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1639 (By J. White), Congratulating Jorge Vargas of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1640 (By J. White), Congratulating Kavon Moore of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1641 (By J. White), Congratulating Analyssa Caskey of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1642 (By J. White), Congratulating Marissa Acevedo of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1643 (By J. White), Congratulating Sylvina Guzman of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1644 (By J. White), Congratulating Dorothy Popham of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1645 (By J. White), Congratulating Cole Casper of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.
To Rules and Resolutions.

HR 1646 (By J. White), Congratulating David Thompson of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1647 (By J. White), Congratulating Erica Chinn of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1648 (By J. White), Congratulating Kaylee Conarroe of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1649 (By J. White), Congratulating Jeremiah Settler of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1650 (By J. White), Congratulating Alan Casper of Corrigan-Camden Junior High School for his success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1651 (By J. White), Congratulating Ruth Tapia of Corrigan-Camden Junior High School for her success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

HR 1652 (By Leach), Congratulating the Plano West High School boys' basketball team on winning the 2015 UIL 6A state championship.

To Rules and Resolutions.

HR 1654 (By Dale), Recognizing May 14, 2015, as Apraxia Awareness Day in Texas.

To Rules and Resolutions.

HR 1655 (By T. King), Honoring the military service of the Trevino brothers of Zapata during World War II.

To Rules and Resolutions.

HR 1656 (By Anchia), In memory of Amelia Ramirez Canales.

To Rules and Resolutions.

HR 1658 (By Naishtat), Recognizing June 2015 as Myasthenia Gravis Awareness Month.

To Rules and Resolutions.

HR 1659 (By Herrero), Recognizing Mr. G's BBQ restaurant in Corpus Christi.

To Rules and Resolutions.

HR 1660 (By Herrero), Paying tribute to the life of Officer Joseph L. Moon of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1661 (By Herrero), Paying tribute to the life of Officer Roy N. Smith of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1662 (By Herrero), Paying tribute to the life of Sergeant Frank Dolan of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1663 (By Herrero), Paying tribute to the life of Senior Officer Juan Rincon Prieto of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1664 (By Herrero), Paying tribute to the life of Sergeant Ruben Almanza of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1665 (By Herrero), Paying tribute to the life of Sergeant Joseph Daniel Bock of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1666 (By Workman), Commemorating the third annual Olive Fest in Volente.

To Rules and Resolutions.

HR 1667 (By Herrero), Paying tribute to the life of John W. Sartain of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1668 (By Herrero), Paying tribute to the life of Officer Matthew B. Thebeau of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1669 (By Herrero), Paying tribute to the life of Lieutenant Stuart J. Alexander of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1670 (By Herrero), Paying tribute to the life of Officer Luther B. Prather of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1671 (By Herrero), Paying tribute to the life of City Marshal Elias T. Mussett, Jr., of the Corpus Christi Police Department.

To Rules and Resolutions.

HR 1672 (By Herrero), Commemorating the 100th anniversary of the Corpus Christi Rotary Club.

To Rules and Resolutions.

HR 1673 (By Herrero), Commemorating the 40th anniversary of the Instituto de Cultura Hispánica de Corpus Christi in 2016.

To Rules and Resolutions.

HR 1674 (By Farney), Commemorating the 50th anniversary of the Georgetown Public Library.

To Rules and Resolutions.

HR 1675 (By J. White), Congratulating David J. Waxman of Jasper on being named Mr. East Texas 2015.

To Rules and Resolutions.

HR 1676 (By J. White), Congratulating Joli Timm of Livingston High School on her receipt of a President's Volunteer Service Award.

To Rules and Resolutions.

HR 1677 (By Laubenberg, Leach, Shaheen, and Fallon), Recognizing March 31 and April 1, 2015, as Plano Legislative Days at the State Capitol.

To Rules and Resolutions.

HR 1678 (By Canales), Commemorating the TEAM MARIO Superheroes 5K Run for Autism and Buddy Fun Walk.

To Rules and Resolutions.

HR 1679 (By Clardy), In memory of Kenneth Melvin, mayor of Jacksonville.

To Rules and Resolutions.

HR 1680 (By Lucio), Commemorating the second annual HinoPalooza BBQ Cook-off in Mercedes.

To Rules and Resolutions.

HR 1681 (By Lucio), Recognizing professional golfer Esteban Toledo for his athletic accomplishments and his charitable work.

To Rules and Resolutions.

HR 1682 (By Meyer), Commemorating the 100th anniversary of Southern Methodist University.

To Rules and Resolutions.

HR 1683 (By J. White), Congratulating Christian Lewis and Brett May of West Hardin High School in Saratoga on their performance in the UIL 2015 Cross-Examination Debate State Meet.

To Rules and Resolutions.

HR 1684 (By J. White), Congratulating Conley Todd, Jr., on his retirement from First Financial Bank in Newton.

To Rules and Resolutions.

HR 1688 (By Flynn), Congratulating Amanda Rucker on her graduation from East Texas Baptist University.

To Rules and Resolutions.

HR 1689 (By Darby), Congratulating Robert and Lisa Modglin of Katy on their 35th wedding anniversary.

To Rules and Resolutions.

HR 1690 (By S. Davis), Congratulating Dr. Richard Brown of West University Place on his receipt of the 2015 George T. Caldwell Award from the Texas Society of Pathologists.

To Rules and Resolutions.

HR 1691 (By S. Davis), In memory of Walter Kase of Houston.
To Rules and Resolutions.

HR 1692 (By S. Davis), In memory of Jeremy Davis Brown of Austin.
To Rules and Resolutions.

HR 1693 (By S. Davis), Congratulating Cletus and Betty Wark of West University Place on their 66th wedding anniversary.
To Rules and Resolutions.

HR 1694 (By S. Davis), In memory of Larry Richard Larsen of Houston.
To Rules and Resolutions.

HR 1695 (By S. Davis), In memory of Robert Crayford Lee of Houston.
To Rules and Resolutions.

HR 1697 (By Israel), Commemorating the 15th anniversary of the Pflugerville Recreation Center.
To Rules and Resolutions.

HR 1698 (By González), Honoring Darren Turley of Dublin for his longtime service to the dairy industry.
To Rules and Resolutions.

HR 1700 (By Anchia), In memory of Maria del Carmen Zendejas Barrera.
To Rules and Resolutions.

HR 1701 (By J. White), Congratulating Grayland Arnold, Justin Harper, Michael McCain, and Kreston Richardson on being named to the 2015 Texas Association of Basketball Coaches All-State Basketball Team.
To Rules and Resolutions.

HR 1702 (By Meyer), Commemorating the 100th anniversary of Southern Methodist University.
To Rules and Resolutions.

HR 1704 (By González), Recognizing Eduardo Blanc of El Paso for his accomplishments.
To Rules and Resolutions.

HR 1705 (By Márquez, Pickett, Moody, González, and Blanco), Commemorating the 50th anniversary of the Texas Western College basketball team's victory in the 1966 NCAA national championship game.
To Rules and Resolutions.

HR 1706 (By Tinderholt), Commending the Peters family of Arlington for its generous support of local schools.
To Rules and Resolutions.

HR 1707 (By Sheffield), In memory of Robert L. "Tie" Lasater of Stephenville.
To Rules and Resolutions.

HR 1708 (By Tinderholt), Congratulating Officer Jonathan Sosa on his receipt of the Police Officer's Award from the Arlington Police Department.

To Rules and Resolutions.

HR 1713 (By Tinderholt), Commemorating the 120th anniversary of The University of Texas at Arlington.

To Rules and Resolutions.

HR 1716 (By Bell), Congratulating Prairie View A&M University on winning the 2015 Honda Campus All-Star Challenge National Championship Tournament.

To Rules and Resolutions.

SB 6 to Public Education.

SB 97 to Public Health.

SB 112 to Criminal Jurisprudence.

SB 489 to Transportation.

SB 543 to Government Transparency and Operation.

SB 859 to Business and Industry.

SB 903 to Land and Resource Management.

SB 1137 to Investments and Financial Institutions.

SB 1191 to Higher Education.

SB 1985 to Ways and Means.

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
Friday, April 17, 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 709 Fraser

Relating to procedures for certain environmental permit applications.

SB 1154 Hall

Relating to the deadline for filing an application for an exemption from ad valorem taxation of the residence homestead of a 100 percent or totally disabled veteran.

SB 1253 Hall

Relating to a ribbon for certain members of the military forces who served in support of operations to secure the Texas border.

SB 1589 Zaffirini

Relating to requirements for reporting unclaimed mineral proceeds to the comptroller of public accounts.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 16

Agriculture and Livestock - **HB 979**

County Affairs - **HB 1879, HB 2522, HB 2557, HB 2559, HB 2825, HB 3927, HB 4098**

Criminal Jurisprudence - **HB 559, HB 861, HB 989, HB 1293**

Energy Resources - **HB 3291**

Environmental Regulation - **HB 1058**

Government Transparency and Operation - **HB 986, HB 2134**

Homeland Security and Public Safety - **HB 1388, HB 1649, HB 1887**

Insurance - **HB 2133, HB 3911**

Judiciary and Civil Jurisprudence - **HB 520, HB 750**

Licensing and Administrative Procedures - **HB 482, HB 2494, HB 2533, HB 2717, HB 3015, HB 3742**

Natural Resources - **HB 1290, HB 3405**

Pensions - **HB 2168, HB 3227**

Public Education - **HB 218, HB 743, HB 744, HB 1843**

State Affairs - **HB 1535**

Urban Affairs - **HB 1662, HB 1740, HB 2201, HB 2595, HB 2926, HB 3300, HB 4131**

ENGROSSED

April 16 - HB 104, HB 163, HB 168, HB 188, HB 219, HB 315, HB 388, HB 389, HB 431, HB 481, HB 577, HB 598, HB 601, HB 615, HB 663, HB 671, HB 679, HB 705, HB 745, HB 781, HB 792, HB 795, HB 797, HB 826, HB 833, HB 906, HB 909, HB 931, HB 949, HB 978, HB 1039, HB 1054, HB 1077, HB 1133, HB 1146, HB 1147, HB 1148, HB 1151, HB 1180, HB 1217, HB 1224, HB 1334, HB 1336, HB 1348, HB 1376, HB 1379, HB 1415, HB 1417, HB 1579, HB 1598, HB 1617, HB 1657, HB 1683, HB 1707, HB 1716, HB 1725, HB 1756, HB 1776, HB 1781, HB 1793, HB 1888, HB 1934, HB 1992, HB 2022, HB 2037, HB 2052, HB 2135, HB 2145, HB 2200, HB 2216, HB 2255, HB 2272, HB 2290, HB 2296, HB 2350, HB 2394, HB 2439, HB 2515, HB 2568, HB 2604, HB 2735, HB 3245, HB 3536, HJR 73

RECOMMENDATIONS FILED WITH THE SPEAKER

April 16 - HB 4166, HB 4167

