

# HOUSE JOURNAL

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EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

FIFTY-THIRD DAY — MONDAY, APRIL 20, 2015

The house met at 12:03 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 280).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycoc; 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; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Absent — Laubenberg.

The speaker recognized Representative Simmons who introduced David Shivers, minister of men, Prestonwood Baptist Church, Plano, who offered the invocation.

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

### **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.

(Kuempel in the chair)

### **CAPITOL PHYSICIAN**

The chair recognized Representative Workman who presented Dr. Daniel Freeland of Lakeway as the "Doctor for the Day."

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

**HR 1903 - ADOPTED**  
**(by Moody, Pickett, Márquez, González, and Blanco)**

Representative Moody moved to suspend all necessary rules to take up and consider at this time **HR 1903**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1903**, Welcoming GiGi's Playhouse to Texas and honoring Nancy Gianni, Maggie Moody, and the Junior League of El Paso, Inc.

**HR 1903** was adopted.

On motion of Representatives Márquez and Pickett, the names of all the members of the house were added to **HR 1903** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Moody who introduced representatives of GiGi's Playhouse, speaking as follows:

I bring to you a fairly personal resolution today and would appreciate your attention. As my parents awaited the birth of their first child they got the news that she would be born with Down syndrome. That news is brought to many parents on many different occasions, and I think my parents' story is very similar to those that encounter that story. It's scary, there's an unknown, and a lot of negative stories are told to you as parents expecting a child with Down syndrome. Unfortunately, they don't tell you the great things that are going to come with that life, with that experience. I know the negative things that they heard were nothing that deterred them.

My father's up in the gallery, and my mother is behind me, and I'm going to introduce some folks that have done great work in Texas to help families and help individuals who live with Down syndrome. I don't know that any of those doctors or any of those experts would have told you that my sister, Melissa, would be in the Texas House today—she sat with me when I was first sworn in—and that she would be here, getting ready to hit the gavel, I think in a little while. Many of them said she would never speak, many of them said that she would not be able to have a productive life, and she's changed everybody's mind. She's taught me and my family more than, I think, anyone else in my life.

It's the same story that Nancy Gianni, who founded GiGi's Playhouse in Illinois, had when they told her that her daughter GiGi would be born with Down syndrome. They started a journey in Illinois in 2003 to create Down syndrome awareness centers—a place for families to go, a place for individuals to go so that they could develop their skills, they could meet with their peers, and they could socialize. Those are all positive things that give value to the lives of those individuals that live with Down syndrome.

My wife and I were spending time with Melissa a few years ago, and she's in the gallery as well, and we said, why isn't there something like this in El Paso? Why isn't there something like this in Texas? We brought that idea to my mother, and like my mother usually does, she took it and ran with it. We found a place—this place, GiGi's Playhouse—online and we started working and building an effort. What was a very small effort in the beginning culminated yesterday in the opening of the first GiGi's Playhouse in the State of Texas. There were close to 400 people at El Paso's opening yesterday. It was an amazing group of people who have come together to build this resource center. One of the most important partners in that journey has been the Junior League of El Paso who took this up as a signature project, bringing fundraising and bringing volunteer hours to the project to make sure that it became a reality.

Before I recognize the folks on the dais, I want to recognize Kerstin Klingstedt, who's in the gallery and worked to set this up in El Paso through the Junior League; my wife, Adrienne, who put this bug in my ear about finding a place like this for people with Down syndrome; David Austin, who's on the board of GiGi's El Paso. My father's up there, as well; he got bumped because my mother's up here on the stage. But let me introduce you to the folks that we've brought here. Nancy Gianni was the founder of GiGi's Playhouse, and she's here. She's travelled all the way from Illinois to be here. I want to thank you for everything you've done. Twenty-two cities have a GiGi's Playhouse now. Twenty-five thousand participants are taking up those programs in those facilities on a daily basis, and that's because of her work. Her inspiration is here today; GiGi is up here. A good friend of mine and former colleague of mine at the district attorney's office, who has been instrumental in her work with the Junior League of El Paso, Dana Irwin Carmona is joining us. They made sure this project happened. Last, but not least, I want to introduce my mother, and my big sister, and an inspiration to me on a daily basis, my sister, Melissa.

### **LEAVES 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 Larson.

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

Miles on motion of Burrows.

(Laubenberg now present)

### **HR 1417 - ADOPTED (by Spitzer)**

Representative Spitzer moved to suspend all necessary rules to take up and consider at this time **HR 1417**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1417**, Honoring Randy DeLay for his outstanding contributions as chair of Kiwanis International's Eliminate Project.

**HR 1417** was adopted.

**HR 2040 - ADOPTED**  
**(by Deshotel)**

Representative Deshotel moved to suspend all necessary rules to take up and consider at this time **HR 2040**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2040**, Honoring Paul Beard of Port Arthur for his dedicated community service.

**HR 2040** was adopted.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Deshotel who introduced Paul Beard and members of his family and friends.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 12:40 p.m. today, in 3W.9, to set a calendar.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, 12:40 p.m. today, 3W.9, for a formal meeting, to set a calendar.

**REMARKS ORDERED PRINTED**

Representative Leach moved to print remarks by Representative Moody on **HR 1903**.

The motion prevailed.

**HR 2088 - ADOPTED**  
**(by E. S. Turner)**

Representative E. S. Turner moved to suspend all necessary rules to take up and consider at this time **HR 2088**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2088**, Commemorating the grand opening of Highland Meadows Health and Rehab in Rockwall.

**HR 2088** was adopted.

**LEAVES OF ABSENCE GRANTED**

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

- Cook on motion of Otto.
- S. Davis on motion of Kacal.
- Geren on motion of Otto.
- Harless on motion of Otto.
- Huberty on motion of Kacal.
- K. King on motion of Kacal.

**HR 1171 - PREVIOUSLY ADOPTED  
(by Smith and M. White)**

The chair laid out the following previously adopted resolution:

**HR 1171**, Congratulating Eloise Smith Wilson of Bell County on her 90th birthday.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Smith who introduced Eloise Smith Wilson and members of her family.

**LEAVES OF ABSENCE GRANTED**

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

- Hunter on motion of C. Anderson.
- Johnson on motion of Moody.

**HR 2097 - ADOPTED  
(by Moody)**

Representative Moody moved to suspend all necessary rules to take up and consider at this time **HR 2097**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2097**, Commemorating the 5-Star Innovation Cup STEM Showcase and Competition and honoring Shane Haggerty and Liza Montelongo of the El Paso STEM Foundation.

**HR 2097** was adopted.

On motion of Representative Hughes, the names of all the members of the house were added to **HR 2097** as signers thereof.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Land and Resource Management, upon adjournment today, Desk 107, for a formal meeting, to consider **SB 903**.

**HR 1937 - ADOPTED**  
(by Reynolds)

Representative Reynolds moved to suspend all necessary rules to take up and consider at this time **HR 1937**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1937**, Recognizing April 20, 2015, as Missouri City Day at the State Capitol.

**HR 1937** was adopted.

**LEAVES OF ABSENCE GRANTED**

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

E. Rodriguez on motion of S. Thompson.

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

Herrero on motion of Coleman.

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

(Speaker in the chair)

**MAJOR STATE CALENDAR**  
**SENATE BILLS**  
**THIRD READING**

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

**SB 203 ON THIRD READING**  
(Raymond, Burkett, Price, Zerwas, and Keough - House Sponsors)

**SB 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.

**SB 203** was passed by (Record 281): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Hunter;

Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Metcalf; Meyer; 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; Smithee; 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(C).

Absent, Excused — Herrero; Miles; Price.

### STATEMENTS OF VOTE

When Record No. 281 was taken, I was shown voting yes. I intended to vote no.

Rinaldi

When Record No. 281 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

#### **HB 593 ON THIRD READING** **(by Collier, Geren, Giddings, Burns, and Hughes)**

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

#### **Amendment No. 1**

Representative Phillips offered the following amendment to **HB 593**:

Amend **HB 593** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Notwithstanding any other provision of this Act, an officer employed by a county with a population of less than 125,000 is not required to comply with Sections 1701.253(l) and 1701.402(l), Occupations Code, as added by this Act, before January 1, 2017.

Amendment No. 1 was adopted.

**HB 593**, as amended, was passed by (Record 282): 132 Yeas, 12 Nays, 1 Present, not voting.

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

Nays — Faircloth; Frank; Isaac; Keough; Klick; Krause; Metcalf; Springer; Stickland; Tinderholt; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Miles; Price.

Absent — Raney.

#### STATEMENTS OF VOTE

When Record No. 282 was taken, I was shown voting yes. I intended to vote no.

Bell

When Record No. 282 was taken, I was shown voting no. I intended to vote yes.

Isaac

When Record No. 282 was taken, I was shown voting no. I intended to vote yes.

Krause

When Record No. 282 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

When Record No. 282 was taken, I was shown voting no. I intended to vote yes.

Zedler



**HB 612 ON THIRD READING****(by S. Davis)**

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

**HB 612** was passed by (Record 283): 143 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Miles; Price.

Absent — Morrison; Raney.

**STATEMENTS OF VOTE**

When Record No. 283 was taken, my vote failed to register. I would have voted yes.

Morrison

When Record No. 283 was taken, my vote failed to register. I would have voted yes.

Raney

**HB 789 ON THIRD 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 by (Record 284): 145 Yeas, 0 Nays, 1 Present, not voting.

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

Absent, Excused — Herrero; Miles; Price.

#### **HB 40 ON THIRD READING**

**(by Darby, Keffer, P. King, S. Thompson, Oliveira, et al.)**

**HB 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.

**HB 40** was passed by (Record 285): 125 Yeas, 20 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra; Guillen; Gutierrez; Harless; Hernandez; Huberty; Hughes; Hunter; Isaac; 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; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Murr; Nevárez; Oliveira; Otto; Paddie; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Riddle; Rinaldi; Rodriguez, E.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Alonzo; Anchia; Blanco; Canales; Collier; Dukes; Farrar; Giddings; González; Howard; Israel; Johnson; McClendon; Moody; Naishtat; Parker; Reynolds; Rodriguez, J.; Turner, C.; Turner, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Miles; Price.

### STATEMENTS OF VOTE

When Record No. 285 was taken, I was shown voting yes. I intended to vote no.

Gutierrez

When Record No. 285 was taken, I was shown voting yes. I intended to vote no.

Martinez Fischer

When Record No. 285 was taken, I was shown voting yes. I intended to vote no.

E. Rodriguez

### HB 910 ON THIRD READING

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

**HB 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.

Representative Phillips moved to postpone consideration of **HB 910** until the end of today's second reading general state calendar.

The motion prevailed.

### POSTPONED BUSINESS

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

### HB 3633 ON SECOND READING

(by Herrero and Collier)

**HB 3633**, A bill to be entitled An Act relating to reimbursement for the costs of legal services provided to an indigent defendant in a criminal case.

**HB 3633** was read second time on April 16 and was postponed until 8 a.m. today.

Representative Collier moved to postpone consideration of **HB 3633** until 2 p.m. today.

The motion prevailed.

**HB 2769 ON SECOND READING**  
**(by E. Rodriguez)**

**HB 2769**, A bill to be entitled An Act relating to the date of expiration of a certain pilot revolving loan program established under the loanstar revolving loan program to provide for energy efficiency measures and renewable energy technology for certain organizations.

**HB 2769** was read second time on April 16 and was postponed until 9 a.m. today.

Representative E. Rodriguez moved to postpone consideration of **HB 2769** until 9 a.m. Wednesday, April 22.

The motion prevailed.

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

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

**HB 2230 ON SECOND READING**  
**(by Larson and Lucio)**

**HB 2230**, A bill to be entitled An Act relating to the authority of the Texas Commission on Environmental Quality to authorize an injection well used for oil and gas waste disposal to be used for the disposal of nonhazardous brine produced by a desalination operation or nonhazardous drinking water treatment residuals.

**HB 2230** was passed to engrossment.

**HB 675 ON SECOND READING**  
**(by G. Bonnen)**

**HB 675**, A bill to be entitled An Act relating to the use of a mobile phone by a person occupying a voting station.

**HB 675** was passed to engrossment.

**HB 39 ON SECOND READING**  
**(by Smithee)**

**HB 39**, A bill to be entitled An Act relating to guardianships for incapacitated persons.

**HB 39** was passed to engrossment.

**CSHB 1852 ON SECOND READING**  
**(by Naishtat and Burkett)**

**CSHB 1852**, A bill to be entitled An Act relating to certain assessments for children in the conservatorship of the Department of Family and Protective Services.

Representative Naishtat moved to postpone consideration of **CSHB 1852** until 9 a.m. Tuesday, April 28.

The motion prevailed.

#### **HB 511 ON SECOND READING**

**(by Moody)**

**HB 511**, A bill to be entitled An Act relating to the prosecution of certain offenses committed against a person in custody.

**HB 511** was passed to engrossment.

#### **HB 518 ON SECOND READING**

**(by Moody)**

**HB 518**, A bill to be entitled An Act relating to certain waivers by a defendant regarding a community supervision revocation hearing.

**HB 518** was passed to engrossment.

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

Representative S. Thompson moved to set a local, consent, and resolutions calendar for 9 a.m. Thursday, April 23.

The motion prevailed.

#### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative S. Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 1:30 p.m. today, in 1W.14, to set a calendar.

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Local and Consent Calendars, 1:30 p.m. today, 1W.14, for a formal meeting, to set a calendar.

#### **CSHB 2481 ON SECOND READING**

**(by Smith)**

**CSHB 2481**, A bill to be entitled An Act relating to the licensing and regulation of auctioneers and associate auctioneers; amending provisions subject to a criminal penalty; requiring an occupational license; requiring a fee.

**CSHB 2481** was passed to engrossment. (Phelan recorded voting no.)

**CSHB 2718 ON SECOND READING**  
**(by Parker, S. King, Rose, Villalba, Fallon, et al.)**

**CSHB 2718**, A bill to be entitled An Act relating to a program to allow faith- and community-based organizations to offer supplemental assistance to certain recipients of public assistance.

**CSHB 2718** was passed to engrossment.

**CSHB 2903 ON SECOND READING**  
**(by S. Davis)**

**CSHB 2903**, A bill to be entitled An Act relating to training requirements for certain child-care workers.

Representative S. Davis moved to postpone consideration of **CSHB 2903** until 9 a.m. tomorrow.

The motion prevailed.

**HB 3327 ON SECOND READING**  
**(by Alvarado, Herrero, Harless, Raymond, and S. Turner)**

**HB 3327**, A bill to be entitled An Act relating to a grant program to fund domestic violence high risk teams.

**HB 3327** was passed to engrossment. (Bell and Rinaldi recorded voting no.)

**CSHB 1704 ON SECOND READING**  
**(by Deshotel)**

**CSHB 1704**, A bill to be entitled An Act relating to disclosure of pregnancy or the existence of a gestational agreement in a suit for the dissolution of a marriage and standing of an intended parent under a gestational agreement to file a suit affecting the parent-child relationship.

**Amendment No. 1**

Representative Hughes offered the following amendment to **CSHB 1704**:

Amend **CSHB 1704** (house committee report) as follows:

(1) On page 1, strike lines 18-20, and substitute the following:

SECTION 2. Section 102.003, Family Code, as amended by **SB 219**, Acts of the 84th Legislature, Regular Session, 2015, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(2) On page 3, line 12, between "(15)" and "a person", insert "subject to Subsection (d)".

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

(d) A person described by Subsection (a)(15) has standing to file an original suit only if:

(1) the person is filing an original suit jointly with the other intended parent under the gestational agreement; or

(2) the person is filing an original suit against the other intended parent under the gestational agreement.

Amendment No. 1 was adopted.

**CSHB 1704**, as amended, was passed to engrossment.

**HB 2419 ON SECOND READING**  
**(by Wray)**

**HB 2419**, A bill to be entitled An Act relating to the relationship between the Estates Code and the former Texas Probate Code.

**HB 2419** was passed to engrossment by (Record 286): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; 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; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero; Miles; Price.

Absent — Anderson, C.; Bonnen, D.; Hernandez; Keffer; King, S.; Murphy; Raney; Turner, C.; Workman; Wu.

**STATEMENTS OF VOTE**

When Record No. 286 was taken, I was in the house but away from my desk. I would have voted yes.

C. Anderson

When Record No. 286 was taken, my vote failed to register. I would have voted yes.

Keffer

When Record No. 286 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

When Record No. 286 was taken, I was in the house but away from my desk. I would have voted yes.

Workman

### CSHB 1690 ON SECOND READING

(by P. King, D. Bonnen, S. Davis, Sheets, Smithee, et al.)

**CSHB 1690**, A bill to be entitled An Act relating to the prosecution of offenses against public administration, including ethics offenses.

#### Amendment No. 1

Representative P. King offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

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

(4) "State agency" means a department, commission, board, office, council, authority, or other agency in the executive branch of state government that is created by the constitution or a statute of this state, including a university system or institution of higher education as defined by Section 61.003, Education Code.

(5) "State employee" means an individual, other than a state officer, who is employed by:

(A) a state agency;

(B) the Supreme Court of Texas, the Court of Criminal Appeals of Texas, a court of appeals, or the Texas Judicial Council; or

(C) either house of the legislature or a legislative agency, council, or committee, including the Legislative Budget Board, the Texas Legislative Council, the State Auditor's Office, and the Legislative Reference Library.

(6) "State officer" means an elected officer, an appointed officer, a salaried appointed officer, an appointed officer of a major state agency, or the executive head of a state agency.

(2) On page 1, line 22, strike "305,".

(3) On page 1, line 23, between "2004" and ";", insert "committed by a state officer or a state employee in connection with the powers and duties of the state office or state employment or by a candidate for state office".

(4) On page 2, strike lines 10-12 and substitute the following:

(a) Unless another state agency is designated as having primary responsibility for an investigation of a complaint alleging an offense against public administration, an investigation of a formal or informal complaint alleging an offense against public administration under this subchapter shall be conducted by an officer of the Texas Rangers. If a state agency other than the Texas Rangers has primary responsibility for an investigation of a complaint alleging an offense against public administration, the Texas Rangers shall provide assistance if assistance is requested by that state agency.



(b) Nothing in this subchapter shall prevent the state auditor from conducting an investigation under Chapter 321, including an investigation of a formal or informal complaint alleging an offense against public administration.

(5) On page 2, line 13, strike "(b)" and substitute "(c)".

(6) On page 2, line 24, strike "41.353(b)" and substitute "41.353(c)".

(7) On page 3, at the end of line 6, insert the following:

A prosecutor may be selected under this section only with the prosecutor's consent to the appointment.

(8) On page 4, line 11, strike "resides" and substitute "resided at the time the offense was committed".

(9) On page 5, line 2, strike "41.353(b)" and substitute "41.353(c)".

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative P. King offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 4, lines 15-16, between "was" and "elected", insert "initially".

(2) On page 4, line 16, strike "that" and substitute "statewide".

(3) On page 4, lines 16-18, strike "or another office of the executive branch subject to that requirement that the defendant held immediately before being elected to the office being held by the defendant".

(Herrero now present)

### **Amendment No. 3**

Representative E. Rodriguez offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by P. King to **CSHB 1690** (house committee printing) as follows:

(1) Strike Items 1 and 2 of the amendment (page 1, lines 3-6) and substitute the following:

(1) On page 4, line 16, strike "that office" and substitute "the term of that office during which the offense was committed".

(2) In Item 3 of the amendment (page 1, line 7), strike "(3)" and substitute "(2)".

Amendment No. 3 failed of adoption by (Record 287): 55 Yeas, 88 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Bernal; Blanco; Canales; Coleman; Collier; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Frank; Geren; Giddings; González; Guillen; Gutierrez; Hernandez; Herrero; Howard; Isaac; Israel; Johnson; King, S.; King, T.; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; Moody; Naishtat; Nevárez; Oliveira; Peña; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Simpson; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Miles; Price.

Absent — Dukes; Guerra; McClendon.

### STATEMENTS OF VOTE

When Record No. 287 was taken, I was shown voting yes. I intended to vote no.

Ashby

When Record No. 287 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 287 was taken, I was shown voting yes. I intended to vote no.

S. King

When Record No. 287 was taken, I was shown voting no. I intended to vote yes.

Muñoz

Amendment No. 2 was adopted. (The vote was reconsidered later today, and Amendment No. 2 was amended and was adopted, as amended.)

### Amendment No. 4

Representative Canales offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 2, between lines 12 and 13, insert the following:

(b) The Texas Rangers shall publish all formal or informal complaints alleging an offense against public administration under this subchapter on the Department of Public Safety's Internet website.

(2) On page 2, line 13, strike "(b)" and substitute "(c)".

Representative P. King moved to table Amendment No. 4.

The motion to table prevailed by (Record 288): 95 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycok; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; 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; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Simpson; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Miles; Price.

Absent — Dukes; King, S.; Romero.

### STATEMENT OF VOTE

When Record No. 288 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

### Amendment No. 5

Representative Lozano offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) on page 2, between lines 19 and 20, by inserting the following:

(c) Not later than the 90th day before the expiration of the statute of limitations for the prosecution of an offense against public administration alleged in a complaint referred by the Texas Rangers under Subsection (b), the prosecutor to whom the complaint was referred shall notify the Texas Rangers of the status of the case. The Texas Rangers shall immediately notify the legislature if a prosecutor does not provide the status notification to the Texas Rangers within the time provided in this subsection.

Amendment No. 5 was adopted. (Fallon and Rinaldi recorded voting no.)

### Amendment No. 6

Representative Martinez Fischer offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 2, line 24, between "41.353(b)" and "may", insert "or the defendant".

(2) On page 2, line 25, strike "permit" and substitute "order".

Amendment No. 6 was adopted. (Fallon and Rinaldi recorded voting no.)

#### **Amendment No. 7**

Representative C. Turner offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 2, following line 27, insert the following:

(c) A prosecutor to whom a complaint has been referred under Section 41.353(b) and who has, either currently or in the past, a financial or other business relationship with the defendant must request that the court with jurisdiction over the complaint permit the prosecutor to be recused from the case for good cause. If the court approves the request, the prosecutor shall be considered disqualified.

(2) On page 3, line 1, strike "(c)" and substitute "(d)".

(3) On page 3, line 2, between "(b)" and ",", insert "or (c)".

(4) On page 3, line 7, strike "(d)" and substitute "(e)".

(5) On page 3, line 11, strike "(e)" and substitute "(f)".

(6) On page 5, line 6, strike "41.354(c)" and substitute "41.354(d)".

Amendment No. 7 was adopted.

#### **Amendment No. 8**

Representative E. Rodriguez offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing), on page 3 of the bill, by striking lines 11-14.

#### **Amendment No. 9**

Representative Schofield offered the following amendment to Amendment No. 8:

Amend Amendment No. 8 by E. Rodriguez on page 1, line 2 of the amendment, between "lines 11-14" and the period by inserting the following: and substituting the following:

(e) The prosecutor selected to prosecute the public integrity offense under this section may pursue a waiver to extend the statute of limitations by no more than two years. If the waiver adds less than two years to limitations, the prosecutor may pursue a successive waiver for good cause shown to the court, providing that the total time of all waivers does not exceed two years.

Amendment No. 9 was adopted.

Amendment No. 8, as amended, was adopted. (Fallon and Rinaldi recorded voting no.)

**Amendment No. 10**

Representative Martinez Fischer offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 4 of the bill, between lines 2 and 3, insert the following:

(b) If, in the course of conducting an investigation of a complaint, the Texas Rangers determine that an individual who is assigned to the security detail of a state official is a fact witness or has knowledge of the facts underlying the complaint, the Texas Rangers shall refer the investigation of the complaint to another law enforcement agency. The public safety director shall notify the chair of the Public Safety Commission of the referral of a complaint to another law enforcement agency within 24 hours after the referral is made.

(2) On page 4, line 3, strike "(b)" and substitute "(c)".

(Kuempel in the chair)

Amendment No. 10 was adopted. (Fallon and Rinaldi recorded voting no.)

**Amendment No. 11**

Representative S. Davis offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 4 of the bill, between lines 2 and 3, insert the following:

(b) If a formal or informal complaint alleges that the public safety director or a deputy or assistant director of the Department of Public Safety has committed an offense against public administration, the Texas Rangers shall refer the investigation of the complaint to another law enforcement agency. The public safety director shall notify the chair of the Public Safety Commission of the referral of a complaint to another law enforcement agency within 24 hours after the referral is made.

(2) On page 4, line 3, strike "(b)" and substitute "(c)".

Amendment No. 11 was adopted.

**Amendment No. 12**

Representative Moody offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) Between page 3, line 27 and page 4, line 1, insert the following:

(c) A prosecutor to whom a complaint has been referred under Section 41.353(b) shall disclose to the court if the prosecutor, in either a personal or professional capacity, has ever made a campaign contribution to or received a campaign contribution from the person against whom the complaint was made or a political committee organized for the benefit of the person against whom the complaint was made. A disclosure made under this subsection creates a rebuttable presumption of good cause for recusal.

Amendment No. 12 was withdrawn.

**Amendment No. 13**

Representative Gutierrez offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) on page 4, by striking lines 7-18 and substituting the following:

Sec. 41.357. VENUE. Notwithstanding Chapter 13, Code of Criminal Procedure, or any other law, venue for a prosecution under this subchapter is:

(1) the county in which the conduct constituting an offense against public administration occurred;

(2) if Subdivision (1) does not apply, the county of the defendant's residence at the time the offense was committed if the defendant is a natural person; or

(3) if Subdivisions (1) and (2) do not apply, Travis County.

Representative P. King moved to table Amendment No. 13.

(Speaker in the chair)

The motion to table prevailed by (Record 289): 92 Yeas, 53 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; Craddock; 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, K.; King, P.; King, S.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Simmons; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Dukes; Dutton; Farias; Farrar; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Simpson; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; White, J.; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Miles; Price.

Absent — Farney.

**HR 783 - PREVIOUSLY ADOPTED  
(by Herrero)**

The chair laid out the following previously adopted resolution:

**HR 783**, Congratulating Aaron Suarez of Corpus Christi on being recognized by Project Lead The Way during Computer Science Education Week.

**CSHB 1690 - (consideration continued)****Amendment No. 14**

Representative S. Turner offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 4, line 9, strike "(b)" and substitute "(c)".

(2) On page 4, line 9, strike "natural person" and substitute "state officer".

(3) On page 4, between lines 11 and 12, insert the following:

(b) Notwithstanding any other law, if the defendant is a state employee, venue for a prosecution under this subchapter is the county in which the conduct constituting the offense against public administration occurred.

(4) On page 4, line 12, strike "(b)" and substitute "(c)".

Amendment No. 14 was withdrawn.

**Amendment No. 15**

Representative S. Turner offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 4, line 9, strike "(b)" and substitute "(c)".

(2) On page 4, line 9, strike "natural person" and substitute "state officer".

(3) On page 4, between lines 11 and 12, insert the following:

(b) Notwithstanding any other law, if the defendant is a state employee, venue for a prosecution under this subchapter is the county in which the conduct constituting the offense against public administration occurred.

(4) On page 4, line 12, strike "(b)" and substitute "(c)".

**Amendment No. 16**

Representative S. Turner offered the following amendment to Amendment No. 15:

Amend Amendment No. 15 by S. Turner to **CSHB 1690** on page 1, line 9, between "employee" and ";", by inserting "who is not a state officer".

Amendment No. 16 was adopted.

Amendment No. 15, as amended, was adopted.

**Amendment No. 2 - Vote Reconsidered**

Representative P. King moved to reconsider the vote by which Amendment No. 2 was adopted.

The motion to reconsider prevailed.

**Amendment No. 17**

Representative E. Rodriguez offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by P. King to **CSHB 1690** (house committee printing) as follows:

(1) Strike Items 1 and 2 of the amendment (page 1, lines 3-6) and substitute the following:

(2) On page 4, line 16, strike "that office" and substitute "the term of that office during which the offense was committed".

(3) In Item 3 of the amendment (page 1, line 7), strike "(3)" and substitute "(2)".

(4) Renumber any other sections of the section appropriately.

Amendment No. 17 was adopted. (C. Anderson, R. Anderson, Ashby, Bell, Bohac, D. Bonnen, G. Bonnen, Burkett, Burns, Burrows, Button, Capriglione, Clardy, Crownover, Cyrier, Elkins, Faircloth, Fallon, Fletcher, Flynn, Galindo, Goldman, Gonzales, Huberty, Hughes, Kacal, Keough, Klick, Koop, Krause, Landgraf, Laubenberg, Leach, Lozano, Metcalf, Meyer, R. Miller, Murphy, Murr, Paddie, Parker, Paul, Peña, Phelan, Phillips, Raney, Riddle, Rinaldi, Sanford, Schofield, Schubert, Shaheen, Sheets, Simmons, Smithee, Spitzer, Springer, Stephenson, Stickland, E. Thompson, Tinderholt, E. S. Turner, M. White, Wray, and Zedler recorded voting no.)

Amendment No. 2, as amended, was adopted. (C. Anderson, R. Anderson, Ashby, Bell, Bohac, D. Bonnen, G. Bonnen, Burkett, Burns, Burrows, Button, Capriglione, Clardy, Crownover, Cyrier, Elkins, Faircloth, Fallon, Fletcher, Flynn, Galindo, Goldman, Gonzales, Huberty, Hughes, Keough, Klick, Koop, Krause, Landgraf, Laubenberg, Leach, Lozano, Metcalf, Meyer, R. Miller, Murphy, Murr, Paddie, Parker, Paul, Peña, Phelan, Phillips, Raney, Riddle, Rinaldi, Sanford, Schofield, Schubert, Shaheen, Sheets, Simmons, Smithee, Spitzer, Springer, Stephenson, Stickland, E. Thompson, Tinderholt, E. S. Turner, M. White, Wray, and Zedler recorded voting no.)

### **Amendment No. 18**

Representative Martinez Fischer offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 4, line 9, between "(b)" and ";", insert "or (c)".

(2) On page 4 of the bill, between lines 18 and 19, insert the following:

(c) If a complaint alleging an offense against public administration under this subchapter alleges that an offense was committed by two or more defendants, venue for the prosecution of all defendants under this subchapter is any county in which the conduct constituting the offense against public administration occurred.

Amendment No. 18 was adopted. (Fallon and Rinaldi recorded voting no.)

### **Amendment No. 19**

Representative Simpson offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 4, line 11, between "resides" and ":", insert "or the county in which the conduct constituting the offense against public administration occurred".

(2) On page 4, strike lines 12-18 and substitute the following:



(b) If the defendant holds an office of the executive branch subject to a residency requirement under Article IV, Texas Constitution, venue for a prosecution under this subchapter is:

(1) the county in which the defendant resided at the time the defendant was elected to that office or another office of the executive branch subject to that requirement that the defendant held immediately before being elected to the office being held by the defendant; or

(2) the county in which the conduct constituting the offense against public administration occurred.

Representative P. King moved to table Amendment No. 19.

The motion to table prevailed by (Record 290): 93 Yeas, 49 Nays, 1 Present, not voting.

Yeas — Allen; 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.; Dutton; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Martinez; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Phelan; Phillips; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Farias; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez Fischer; McClendon; Muñoz; Naishtat; Nevárez; Oliveira; Peña; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Simpson; Spitzer; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; White, J.; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Miles; Price.

Absent — Dukes; Farney; Farrar; Moody.

### **Amendment No. 20**

Representative C. Turner offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) on page 4 of the bill, between lines 22 and 23, by inserting the following:

Sec. 41.359. PROSECUTION OF OFFENSES BY COUNTY OR DISTRICT ATTORNEY. Nothing in this subchapter shall be construed to limit the authority of a county attorney, district attorney, or criminal district attorney to investigate and prosecute offenses against public administration that occur within the jurisdiction of that prosecuting attorney.

Amendment No. 20 was withdrawn.

**Amendment No. 21**

Representative Martinez Fischer offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) On page 5, between lines 20 and 21, insert the following:

SECTION 5. The investigation of an offense against public administration that is classified as ongoing or pending on the effective date of this Act shall remain with the entity that is conducting the investigation, unless the entity consents to transfer the investigation to the Texas Rangers.

(2) On page 5, line 21, strike "5" and substitute "6".

Amendment No. 21 was adopted. (Fallon and Rinaldi recorded voting no.)

**Amendment No. 22**

Representative Sheets offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** by adding the following appropriately numbered SECTION to the bill and renumber remaining SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Amendment No. 22 was adopted.

**Amendment No. 23**

Representative Moody offered the following amendment to **CSHB 1690**:

Amend **CSHB 1690** (house committee printing) as follows:

(1) Between page 3, line 27 and page 4, line 1, insert the following:

(c) A prosecutor to whom a complaint has been referred under Section 41.353(b) shall disclose to the court if the prosecutor, in either a personal or professional capacity, has ever made a campaign contribution to or received a campaign contribution from the person against whom the complaint was made or a political committee organized for the benefit of the person against whom the complaint was made. The court shall consider a disclosure made under this subsection in determining whether good cause exists for recusal.

(2) On page 3, line 1, strike "(c)" and substitute "(d)".

(3) On page 3, line 7, strike "(d)" and substitute "(e)".

(4) On page 3, line 11, strike "(e)" and substitute "(f)".

(5) On page 5, line 6, strike "41.354(c)" and substitute "41.354(d)".

Amendment No. 23 was adopted. (Fallon and Rinaldi recorded voting no.)

**Amendment No. 24**

Representative Dutton offered the following amendment to **CSHB 1690**:

Strike everything below enacting clause, and insert:

SECTION 1. Chapter 41, Government Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. PUBLIC INTEGRITY UNIT

Sec. 41.351. DEFINITIONS. In this subchapter:

(1) "Offense" means a prohibited act for which state law imposes a criminal or civil penalty.

(2) "Prosecute" means represent the state to impose a criminal or civil penalty.

(3) "The Public Integrity Prosecutor" means a district attorney, criminal district attorney, or county attorney appointed by the Governor. The public integrity prosecutor serves in the position for a six-year term. The Governor shall appoint a person to be the Public Integrity Prosecutor of the Public Integrity Unit from a list of not fewer than 3 nominees submitted by the Texas District and County Attorney Association who they recommend as the toughest ethics prosecutors in the state.

Sec. 41.352. OFFENSES AGAINST PUBLIC ADMINISTRATION. For purposes of this subchapter, the following are offenses against public administration:

(1) an offense under Title 8, Penal Code, committed by a state officer or a state employee in connection with the powers and duties of the state office or state employment;

(2) an offense under Chapter 301, 302, 305, 571, 572, or 2004;

(3) an offense under Chapter 573 committed by a state officer in connection with the powers and duties of the state office; and

(4) an offense under Title 15, Election Code, committed in connection with:

(A) a campaign for or the holding of state office; or

(B) an election on a proposed constitutional amendment.

Sec. 41.353. OFFENSES INVOLVING INSURANCE FRAUD. For purposes of this subchapter, the following are offenses involving insurance fraud:

(1) an offense under Chapter 35, Penal Code, including an offense under that chapter that involves workers' compensation insurance under Title 5, Labor Code; or

(2) a fraudulent insurance act as defined by Section 701.001, Insurance Code, including an act that involves workers' compensation insurance under Title 5, Labor Code.

Sec. 41.354. OFFENSES INVOLVING MOTOR FUELS TAX. For purposes of this subchapter, an offense involving motor fuels tax means a felony offense under Section 162.403, Tax Code.

Sec. 41.355. PUBLIC INTEGRITY UNIT. (a) The office of the public integrity unit shall consist of such attorneys, investigators and support personnel needed to investigate and prosecute offenses described by this subchapter.

Sec. 41.356. INVESTIGATION AND PROSECUTION BY PUBLIC INTEGRITY UNIT. (a) On receiving a formal or informal complaint regarding an offense described by this subsection or on request of a prosecuting attorney, the public integrity unit may perform an investigation into whether a person has committed:

(1) an offense against public administration;

(2) an offense involving insurance fraud; or

(3) an offense involving motor fuels tax.

(b) If an investigation by the public integrity unit finds a reasonable suspicion that an offense:

(1) described by Subsection (a)(1) occurred, the matter shall be prosecuted by the public integrity unit or referred to the prosecuting attorney of the county in which venue is proper under Chapter 13, Code of Criminal Procedure; or

(2) described by (a)(2) occurred, venue is proper under Section 85.051, Insurance Code; or

(3) described by (a)(3) occurred, venue is proper under Section 162.407, Tax Code.

Representative P. King moved to table Amendment No. 24.

The motion to table prevailed by (Record 291): 97 Yeas, 45 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.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; Walle; 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; Hernandez; Herrero; Howard; Israel; Johnson; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Moody; Muñoz; Naishtat; Oliveira; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Miles; Price.

Absent — Dukes; González; King, T.; Nevárez.

**CSHB 1690**, as amended, was passed to engrossment by (Record 292): 94 Yeas, 51 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.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; 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; Dukes; Dutton; Farias; Farrar; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer;

McClendon; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Simpson; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Miles; Price.

Absent — Klick.

### STATEMENT OF VOTE

When Record No. 292 was taken, my vote failed to register. I would have voted yes.

Klick

### REMARKS ORDERED PRINTED

Representative Simpson moved to print all remarks on **CSHB 1690**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSHB 1690**.]

### POSTPONED BUSINESS

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

#### **HB 3633 ON SECOND READING** (by Herrero and Collier)

**HB 3633**, A bill to be entitled An Act relating to reimbursement for the costs of legal services provided to an indigent defendant in a criminal case.

**HB 3633** was read second time on April 16, postponed until 8 a.m. today, and was again postponed until this time.

**HB 3633** was passed to engrossment.

#### **HB 910 ON THIRD READING** (by Phillips, Flynn, J. White, Riddle, Guillen, et al.)

**HB 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.

**HB 910** was read third time earlier today and was postponed until this time.

#### **Amendment No. 1**

Representative Burns offered the following amendment to **HB 910**:

Amend **HB 910** on third reading as follows:

(1) In SECTION 42 of the bill, amending Section 30.06, Penal Code, strike amended Subsection (d) 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 was personally given the notice by oral communication described by Subsection (b) and subsequently failed to depart.

(2) In SECTION 44 of the bill, adding Section 30.07, Penal Code, strike added Subsections (a) and (d) and substitute the following:

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

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

(2) received notice that entry on the property by a license holder openly carrying a handgun was forbidden.

(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 was personally given the notice by oral communication described by Subsection (b) and subsequently failed to depart.

Amendment No. 1 was adopted by (Record 293): 126 Yeas, 15 Nays, 1 Present, not voting.

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

Nays — Alonzo; Blanco; Davis, Y.; Guerra; Israel; Márquez; McClendon; Muñoz; Naishtat; Reynolds; Rose; Thompson, S.; Turner, C.; Vo; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Miles; Price.

Absent — Allen; Dukes; Farias; Rodriguez, E.; Romero.

### STATEMENTS OF VOTE

When Record No. 293 was taken, I was shown voting no. I intended to vote yes.

Muñoz

When Record No. 293 was taken, my vote failed to register. I would have voted no.

E. Rodriguez

### Amendment No. 2

Representative Anchia offered the following amendment to **HB 910**:

Amend **HB 910** on third reading 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) Subject to Subsection (b), the governing body of a municipality with a population of more than 750,000 may adopt an ordinance prohibiting a license holder from openly carrying the license holder's handgun within the boundaries of the municipality.

(b) The governing body of a municipality described by Subsection (a) may adopt an ordinance under that subsection only if a majority of the municipality's voters voting at an election held for that purpose approve a proposition to authorize the governing body to enact the ordinance.

Representative Phillips moved to table Amendment No. 2.

The motion to table prevailed by (Record 294): 97 Yeas, 45 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.; 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.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; 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; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

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

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

Absent, Excused — Miles; Price.

Absent — Canales; Dukes; King, T.

### STATEMENT OF VOTE

When Record No. 294 was taken, I was in the house but away from my desk. I would have voted no.

Canales

### Amendment No. 3

Representatives Dutton and Rinaldi offered the following amendment to **HB 910**:

Amend **HB 910** on third reading 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 411.2049 to read as follows:

Sec. 411.2049. CERTAIN INVESTIGATORY STOPS AND INQUIRIES PROHIBITED. A peace officer may not make an investigatory stop or other temporary detention to inquire as to whether a person possesses a handgun license solely because the person is carrying a partially or wholly visible handgun carried in a shoulder or belt holster.

Amendment No. 3 was adopted by (Record 295): 133 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; Guerra; Guillen; Harless; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martínez; McClendon; Metcalf; Meyer; Miller, D.; Miller, R.; 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; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Alvarado; Anchia; Collier; González; Gutierrez; Hernandez; Johnson; Moody; Turner, C.; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Miles; Price.

Absent — Dukes; Farias; Martinez Fischer.

#### STATEMENTS OF VOTE

When Record No. 295 was taken, I was shown voting no. I intended to vote yes.

Collier

When Record No. 295 was taken, I was shown voting yes. I intended to vote no.

Nevárez

When Record No. 295 was taken, I was shown voting yes. I intended to vote no.

J. Rodriguez

#### 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).



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

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

Amend **HB 910** on third reading 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 411.2036 to read as follows:

Sec. 411.2036. MUNICIPAL REGULATION OF OPENLY CARRYING HANDGUN. (a) Subject to Subsection (b), the governing body of a municipality with a population of more than 175,000 may adopt an ordinance prohibiting a license holder from openly carrying the license holder's handgun within the boundaries of the municipality.

(b) The governing body of a municipality described by Subsection (a) may adopt an ordinance under that subsection only if a majority of the municipality's voters voting at an election held for that purpose approve a proposition to authorize the governing body to enact the ordinance.

Representative Phillips moved to table Amendment No. 4.

The motion to table prevailed by (Record 296): 97 Yeas, 45 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycok; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; 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; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; 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 — Miles; Price.

Absent — Dukes; Frank; King, S.; White, M.

**STATEMENT OF VOTE**

When Record No. 296 was taken, I was in the house but away from my desk. I would have voted yes.

Frank

**HB 910**, as amended, was passed by (Record 297): 101 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.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Herrero; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; 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; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; 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 — Miles; Price.

Absent — Dukes; Riddle; Thompson, E.

#### STATEMENTS OF VOTE

When Record No. 297 was taken, I was in the house but away from my desk. I would have voted yes.

Riddle

When Record No. 297 was taken, my vote failed to register. I would have voted yes.

E. Thompson

#### FIVE-DAY POSTING RULE SUSPENDED

Representative Keffer moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Natural Resources to consider **HB 2173** at 2 p.m. or upon final adjournment/recess Wednesday, April 22 in E2.010.

The motion prevailed.

Representative Dutton moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Juvenile Justice and Family Issues to consider **HB 2550** and **HB 3715** at 10:30 a.m. or upon final adjournment/recess Wednesday, April 22 in E2.016.

The motion prevailed.

Representative Phillips moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Homeland Security and Public Safety to consider **HB 3042** at 8 a.m. tomorrow in E2.014.

The motion prevailed.

### **PROVIDING FOR A CONGRATULATORY AND MEMORIAL CALENDAR**

Representative Kacal moved to set a congratulatory and memorial calendar for 10 a.m. Thursday, April 23.

The motion prevailed.

### **COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Natural Resources, 2 p.m. or upon final adjournment/recess Wednesday, April 22, E2.010, for a public hearing, to consider **HB 2173** and the previously posted agenda.

Juvenile Justice and Family Issues, 10:30 a.m. or upon final adjournment/recess Wednesday, April 22, E2.016, for a public hearing, to consider **HB 2550**, **HB 3715**, and the previously posted agenda.

Homeland Security and Public Safety, 8 a.m. tomorrow, E2.014, for a public hearing, to consider **HB 3042** and the previously posted agenda.

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

County Affairs, upon adjournment today, 1W.14, for a formal meeting, to consider pending business.

Agriculture and Livestock, upon adjournment today, Desk 28, for a formal meeting, to consider pending business.

Transportation, 9 a.m. tomorrow, 1W.14, for a formal meeting, to consider **SJR 5** and pending business.

Public Education, upon adjournment today, Desk 110, for a formal meeting, to consider pending business.

### **BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES CORRECTIONS IN REFERRAL**

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

### **ADJOURNMENT**

Representative Sheets moved that the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

The house accordingly, at 4:43 p.m., adjourned until 10 a.m. tomorrow.

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**ADDENDUM**


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**REFERRED TO COMMITTEES**

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

**List No. 1**

**HCR 96** (By Hunter), Requesting the speaker of the house of representatives and the lieutenant governor to create a joint interim committee to study the issue of advertising public notices.

To Government Transparency and Operation.

**SB 788** to Homeland Security and Public Safety.

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

**HB 3876** (By Workman), Relating to the issuance of local permits by a regulatory agency of a political subdivision; limiting the amount of a fee.

To Land and Resource Management.

**MESSAGES FROM THE SENATE**

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

**Message No. 1**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Monday, April 20, 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 168**

Uresti

Relating to temporary waiver of superintendent certification for employment of public school district superintendents.

**SB 1020**

Creighton

Relating to the designation of the trustee of an express trust as a beneficiary of a trust account or a P.O.D. payee of a P.O.D. account.

**SB 1213**

Kolkhorst

Relating to prohibiting the reidentification of certain deidentified information and the release of any reidentified information; creating a criminal offense.

**SB 1394**

Hancock

Relating to the presentation of evidence in appraisal review board hearings on protests.

**SB 1452**

Bettencourt

Relating to the power of a commissioners court to authorize ad valorem tax sales of real property to be conducted by means of online auctions.

**SB 1512**

Hancock

Relating to the Texas Department of Motor Vehicles fund.

Respectfully,

Patsy Spaw

Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**April 17**

Business and Industry - **HB 512, HB 1736, HB 1966**

Corrections - **HB 875, HB 1685**

County Affairs - **HB 995, HB 1681, HB 1929, HB 2068, HB 2977**

Criminal Jurisprudence - **HB 1181**

Culture, Recreation, and Tourism - **HB 118, HB 821, HB 1466, HCR 62, HCR 76, HCR 80, HCR 81, HCR 93, HCR 94**

Economic and Small Business Development - **HB 1701, HB 2732, HB 3373**

Environmental Regulation - **HB 1865, HB 2244**

General Investigating and Ethics - **HB 1690**

Higher Education - **HB 2629**

Homeland Security and Public Safety - **HB 3211**

Human Services - **SB 203**

Insurance - **HB 963, HB 1514, HB 1700**

Judiciary and Civil Jurisprudence - **HB 2154**

Land and Resource Management - **HB 1277, HB 2316, HB 2468, HB 2536**

Licensing and Administrative Procedures - **HB 409**

Natural Resources - **HB 2647, HB 3298**

Pensions - **HB 3307, HB 3573**

Public Education - **HB 771, HB 917, HB 1164, HB 1305**

Public Health - **HB 1052, HB 1212, HB 1263, HB 1550**

Special Purpose Districts - **HB 737, HB 1074**

State Affairs - **HB 1839, HB 3123**

Transportation - **HB 199, HB 392, HB 397, HB 1324, HB 1605, HB 1738, HB 1755, HB 1944, HB 1963, HB 2115, HB 2181, HB 2194, HB 2265, HB 2312, HB 2549, HB 2736, HB 2905, HB 3225, HB 3236, HB 3485, HB 3868, HB 4025, HB 4099, HJR 29**

Urban Affairs - **HB 1428, HB 2878, HB 3393**

Ways and Means - **HB 1458, HB 1871, HB 1953, HB 2506**

**ENGROSSED**

**April 17 - HB 643, HB 896, HB 975, HB 1769, HB 1771, HB 1853, HB 1914, HB 1925, HB 1926**

**RECOMMENDATIONS FILED WITH THE SPEAKER**

**April 17 - HB 4168, HB 4177**