

HOUSE JOURNAL

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-EIGHTH DAY — TUESDAY, APRIL 28, 2015

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

The roll of the house was called and a quorum was announced present (Record 398).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; 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; 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, Excused — Canales; Nevárez.

Absent — Ashby.

The speaker recognized Representative K. King who introduced Danny Sanders, senior pastor, First United Methodist Church, Canadian, who offered the invocation as follows:

Heavenly Father, thank you so much for this blessing we call today. Although it starts like any other day, help us to see that it is a gift not to be taken for granted. Thank you, also, that in this gift of today, we can rest assured that we will be blessed by your presence as you have promised never to leave us or forsake us.

Today, we enter these chambers with the reality that all history eventually rests in your hands. In this fast-paced world, change happens so quickly that it is hard to keep up. One thing I know that hasn't changed, however, is the need for sound men and women who are willing to step up and lead our state into a future that is ever-changing.

Today, I pray for every woman and man who has been voted into this position for such a time as this. We recognize that although we have the free will to choose the path that our state will take, we will never reach the fullness of who we can be without yielding to your guidance and providence. We know that your love is for the whole world—so in our decision making, may it be that every law produced from this legislature be for the good of all.

Lord, also I pray that not just what we do here in these chambers reflect your guiding hand, but every aspect of our personal lives, as well. I pray that each person here understands the amazing potential they have to provide the people of this state with an example of leadership that will inspire all of us to work together for the good of the greatest state in the country.

Finally, Lord, I pray for your blessings to fall upon this group of people. Bless them with the very best from your heavenly hands—the blessings of peace, of joy, of health, of great friendships, and the great blessing of wisdom that comes only from you—so that when we look back into the history that will include today, we will know indeed we were walking hand in hand with you, the Almighty. We pray all of this in the name above all names, the name of Jesus, the King of kings and Lord of lords.

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

(Ashby now present)

LEAVES OF ABSENCE GRANTED

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

Canales on motion of Walle.

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

Nevárez on motion of Walle.

(Wu in the chair)

REGULAR ORDER OF BUSINESS SUSPENDED

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

MESSAGE FROM THE SENATE

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

CAPITOL PHYSICIAN

The chair recognized Representative Naishtat who presented Dr. Timothy Vachris of Austin as the "Doctor for the Day."

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

HR 2261 - ADOPTED (by Hunter and Herrero)

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HR 2261**.

The motion prevailed.

The following resolution was laid before the house:

HR 2261, Honoring Valerie Rangel, the reigning queen of Feria de las Flores, and the 2015 Scholarship Pageant contestants.

HR 2261 was adopted.

HR 2314 - ADOPTED (by Ashby)

Representative Ashby moved to suspend all necessary rules to take up and consider at this time **HR 2314**.

The motion prevailed.

The following resolution was laid before the house:

HR 2314, Congratulating the Lufkin High School boys' soccer team on winning the UIL 5A state championship.

HR 2314 was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative R. Anderson who introduced representatives of Uplift North Hills Preparatory.

HR 1893 - ADOPTED (by Ashby)

Representative Ashby moved to suspend all necessary rules to take up and consider at this time **HR 1893**.

The motion prevailed.

The following resolution was laid before the house:

HR 1893, In memory of Waymon Bullock of Etoile.

HR 1893 was unanimously adopted by a rising vote.

FIVE-DAY POSTING RULE SUSPENDED

Representative Zerwas moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Higher Education to consider **SB 18** and **SB 495** at 8 a.m. tomorrow in E2.014.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Higher Education, 8 a.m. tomorrow, E2.014, for a public hearing, to consider **SB 18**, **SB 495**, and the previously posted agenda.

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

**HR 1957 - ADOPTED
(by Walle)**

Representative Walle moved to suspend all necessary rules to take up and consider at this time **HR 1957**.

The motion prevailed.

The following resolution was laid before the house:

HR 1957, Recognizing April 28, 2015, as Workers' Memorial Day at the State Capitol.

HR 1957 was adopted.

On motion of Representative S. Thompson, the names of all the members of the house were added to **HR 1957** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Walle who introduced participants in Workers' Memorial Day.

**HR 2280 - ADOPTED
(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 2280**.

The motion prevailed.

The following resolution was laid before the house:

HR 2280, Congratulating Michael Donald Neely of Houston on his 75th birthday.

HR 2280 was adopted.

RESOLUTIONS ADOPTED

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

The motion prevailed.

The following resolutions were laid before the house:

HR 1995 (by Fletcher), In memory of Chief of Police Michael A. Pimentel of the Elmendorf Police Department.

HR 1996 (by Fletcher), In memory of Constable Martin Jennings "Popeye" Holmes of the Jefferson County Constable's Office.

HR 1997 (by Fletcher), In memory of Sergeant Alejandro "Alex" Martinez of the Willacy County Sheriff's Office.

HR 1998 (by Fletcher), In memory of Constable Robert Parker White of the El Paso County Constable's Office, Precinct 1.

HR 1999 (by Fletcher), In memory of Deputy Sheriff Jesse Valdez III of the Harris County Sheriff's Office.

HR 2000 (by Fletcher), In memory of Sergeant Michael Joe Naylor of the Midland County Sheriff's Office.

HR 2001 (by Fletcher), In memory of Senior Deputy Jessica Laura Hollis of the Travis County Sheriff's Office.

HR 2002 (by Fletcher), In memory of Constable Cleveland Drew Johnson of the Titus County Constable's Office, Precinct 2.

HR 2003 (by Fletcher), In memory of Chief of Police Lee Dixon of the Little River-Academy Police Department.

HR 2004 (by Fletcher), In memory of Sergeant Paul A. Buckles of the Potter County Sheriff's Office.

HR 2005 (by Fletcher), In memory of Detective Charles D. Dinwiddie of the Killeen Police Department.

HR 2006 (by Fletcher), In memory of Police Officer Marc Uland Kelley of the Trinity University Police Department.

HR 2007 (by Fletcher), In memory of Police Officer Robert C. Deckard, Jr., of the San Antonio Police Department.

HR 2008 (by Fletcher), In memory of Sergeant Investigator Fredrich Adam Sowders of the Burleson County Sheriff's Office.

HR 2009 (by Fletcher), In memory of Deputy Sheriff Adam J. Davis of the Bell County Sheriff's Office.

HR 2010 (by Fletcher), In memory of Police Chief Steven K. Fleming of the Gainesville Police Department.

HR 2011 (by Fletcher), In memory of Lieutenant Clay D. Crabb of the Austin Police Department.

HR 2012 (by Fletcher), In memory of Deputy Sheriff Billy F. "Bubba" Kennedy, Jr., of the Upton County Sheriff's Department.

HR 2013 (by Fletcher), In memory of Deputy Sheriff Michael Neal Freeman of the Harrison County Sheriff's Office.

HR 2014 (by Fletcher), In memory of Sergeant Jorge Luis "JL" Garcia of the Pharr Police Department.

HR 2015 (by Fletcher), In memory of Police Officer Robert Layden "Bobby" Hornsby of the Killeen Police Department.

HR 2016 (by Fletcher), In memory of Sergeant Lance Allen "Lou" McLean of the Hood County Sheriff's Office.

HR 2017 (by Fletcher), In memory of Police Officer William Jason Sprague of the Texarkana Police Department.

HR 2018 (by Fletcher), In memory of Police Officer Larry Dale Candelari of the Pasadena Police Department.

HR 2019 (by Fletcher), In memory of Deputy Sheriff Chad Christian Key of the Grayson County Sheriff's Office.

HR 2020 (by Fletcher), In memory of Border Patrol Agent Tyler R. Robledo of the U.S. Department of Homeland Security, Customs and Border Protection.

HR 2021 (by Fletcher), In memory of Deputy Sheriff Jacob Rene Rayos of the Reeves County Sheriff's Department.

The resolutions were unanimously adopted by a rising vote.

On motion of Representatives Burkett, Herrero, and S. Turner, the names of all the members of the house were added to the resolutions as signers thereof.

ADDRESS BY REPRESENTATIVE RINALDI

The chair recognized Representative Rinaldi who addressed the house, speaking as follows:

It's with great sadness today that I announce what many of the Dallas County delegation already knows, the passing of Jan Woody. Jan served on the Board of Trustees of Dallas County Schools, was a Volunteer of the Year by the Republican Party of Texas, Dallas County Republican Party, and president of the Richardson Republican Women. She was wife of Judge Bruce Woody and worked on a suicide hotline for 13 years. Merely citing her accomplishments doesn't really give the full measure of what Jan means to the Dallas County delegation and so many people in Dallas County. If you're involved in your community in North Dallas, if you're involved in politics in North Dallas, you know Jan. We are absolutely shocked to hear of her passing. Our prayers are with her husband, Bruce, our prayers are with her, and it's my sadness to announce today her passing. I think a couple of the Dallas County delegation have some words as well.

Representative Koop addressed the house, speaking as follows:

Jan was a good friend, and her optimism was so wonderful. Even though she was suffering from cancer you would never have known it. She was always still willing to help all the legislators and just be a ray of sunshine to us all. Her husband was such a partner in this journey. So while we mourn her passing today, we're also grateful she came into our lives.

Representative Villalba addressed the house, speaking as follows:

If you look behind me at the people that are before you, you'll find that Jan not only knew each of us personally, but actually worked for most of our campaigns. Jan was not just a legislative aide, not just a person who was involved with politics; she was a friend to each of us. She was there early in the morning to help set up the donut stands, to get the walkers ready, and she was there late at night finishing up the clipboards. She cared about each of us as people, and she was just a wonderful human being we got to know. The scourge of cancer touches everyone—it's touched everyone in this room. Yet again, we lose someone to this awful and this terrible and this random disease. I don't want to inject politics into this, but members let's find a way to end this. Let's find a way to fight cancer in a way we've never fought before. Let's do something that we've never done before and just move forward and try to find solutions and answers, members. We cannot afford to lose our friends, our neighbors, our family members, to this awful disease. Let's just keep fighting.

Representative Button addressed the house, speaking as follows:

I have been praying for Jan throughout the past several months and last night I suddenly felt my heart ache so hard I can't hardly sleep. I was wondering what happened, then finally I went to sleep. This morning at six o'clock I woke up, and my husband told me the sad news. He read an e-mail and I started to cry. Jan is the spirit—the kind of role model for all the republican women and all the human beings. She will always, always go the extra mile to help people, and she never, never, never asked for any credit. One thing I can tell myself is now she is in God's arms and doesn't have to suffer anymore. My dear friend, thank you.

REMARKS ORDERED PRINTED

Representative Leach moved to print remarks by Representatives Rinaldi, Koop, Villalba, and Button.

The motion prevailed.

(Márquez in the chair)

MAJOR STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 7 ON THIRD READING (by Darby, Otto, Howard, S. Turner, Murr, et al.)

HB 7, A bill to be entitled An Act relating to the amounts, availability, and use of certain statutorily dedicated revenue and accounts; reducing or affecting the amounts or rates of certain statutorily dedicated fees and assessments.

HB 7 was passed by (Record 399): 137 Yeas, 0 Nays, 1 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; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier;

Dale; Darby; Davis, S.; Deshotel; Dutton; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; 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; Leach; Longoria; Lozano; Lucio; Márquez(C); 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.; 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.

Absent, Excused — Canales; Nevárez.

Absent — Alonzo; Capriglione; Davis, Y.; Dukes; Faircloth; Huberty; Martinez; Reynolds; Romero.

STATEMENTS OF VOTE

When Record No. 399 was taken, I was in the house but away from my desk. I would have voted yes.

Capriglione

When Record No. 399 was taken, I was in the house but away from my desk. I would have voted yes.

Faircloth

When Record No. 399 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez

HB 6 ON THIRD READING (by Otto, Frank, et al.)

HB 6, A bill to be entitled An Act relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue, and the exemption of unappropriated money from use for general governmental purposes.

HB 6 was passed by (Record 400): 141 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; 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(C); Martínez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; Spitzer; Springer; 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 — Simpson.

Present, not voting — Mr. Speaker.

Absent, Excused — Canales; Nevárez.

Absent — Martínez; Moody; Romero; Stephenson.

STATEMENTS OF VOTE

When Record No. 400 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez

When Record No. 400 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

When Record No. 400 was taken, my vote failed to register. I would have voted yes.

Stephenson

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 1388 ON THIRD READING (by Bohac)

HB 1388, A bill to be entitled An Act relating to certain diseases or illnesses suffered by firefighters and emergency medical technicians.

HB 1388 was passed by (Record 401): 143 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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(C); 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; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; 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.

Nays — Rinaldi; Schaefer; Shaheen.

Present, not voting — Mr. Speaker.

Absent, Excused — Canales; Nevárez.

STATEMENT OF VOTE

When Record No. 401 was taken, I was shown voting no. I intended to vote yes.

Schaefer

HB 2903 ON THIRD READING (by S. Davis)

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

HB 2903 was passed by (Record 402): 103 Yeas, 40 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Aycock; Bernal; Blanco; Bohac; Burkett; Capriglione; Clardy; Coleman; Collier; Cook; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Koop; Kuempel; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheets; Sheffield; Smith; Smithee; Stephenson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; Wray; Wu; Zedler; Zerwas.

Nays — Ashby; Bell; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Craddick; Cyrier; Fallon; Flynn; Goldman; Hughes; Isaac; Keffer; Klick; Krause; Landgraf; Leach; Metcalf; Murr; Otto; Phillips; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Simmons; Simpson; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, J.; White, M.; Workman.

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

Absent, Excused — Canales; Nevárez.

Absent — Anderson, C.; Geren.

STATEMENTS OF VOTE

When Record No. 402 was taken, I was in the house but away from my desk. I would have voted no.

Geren

When Record No. 402 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 402 was taken, I was shown voting yes. I intended to vote no.

Huberty

When Record No. 402 was taken, I was shown voting yes. I intended to vote no.

S. King

When Record No. 402 was taken, I was shown voting yes. I intended to vote no.

R. Miller

When Record No. 402 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 402 was taken, I was shown voting yes. I intended to vote no.

Smith

HB 2505 ON THIRD READING (by Clardy, E. Rodriguez, and Keough)

HB 2505, A bill to be entitled An Act relating to health benefit plan coverage for abuse-deterrent opioid analgesic drugs.

HB 2505 was passed by (Record 403): 106 Yeas, 37 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Bernal; Blanco; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Faircloth; Farias; Farney; Farrar; Fletcher; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, S.; King, T.; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Paddie; Parker; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheets; Sheffield; Simmons; Smith; Stephenson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; White, J.; Workman; Wray; Wu; Zerwas.

Nays — Ashby; Bell; Bohac; Bonnen, D.; Bonnen, G.; Cyrier; Elkins; Fallon; Flynn; Frank; Goldman; Harless; Hughes; Klick; Krause; Longoria; Murr; Otto; Paul; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simpson; Smithee; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, M.; Zedler.

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

Absent, Excused — Canales; Nevárez.

Absent — King, P.; Oliveira.

STATEMENTS OF VOTE

When Record No. 403 was taken, I was shown voting yes. I intended to vote no.

Huberty

When Record No. 403 was taken, I was shown voting yes. I intended to vote no.

Keffer

HB 23 ON THIRD READING (by S. Davis, Márquez, et al.)

HB 23, A bill to be entitled An Act relating to disclosure of certain relationships with local government officers and vendors; creating criminal offenses.

HB 23 was passed by (Record 404): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; 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; 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; Márquez(C).

Absent, Excused — Canales; Nevárez.

Absent — Keough; Price.

STATEMENTS OF VOTE

When Record No. 404 was taken, I was shown voting yes. I intended to vote no.

Darby

When Record No. 404 was taken, my vote failed to register. I would have voted yes.

Keough

HB 590 ON THIRD READING (by Elkins, Lucio, and Button)

HB 590, A bill to be entitled An Act relating to the creation of research technology corporations for the development and commercialization of technologies owned by institutions of higher education or by certain medical centers with members that are institutions of higher education; providing for tax exemptions; providing a penalty.

HB 590 was passed by (Record 405): 135 Yeas, 8 Nays, 2 Present, not voting.

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

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

Nays — Craddick; Hughes; Rinaldi; Schaefer; Simpson; Stickland; White, J.; White, M.

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

Absent, Excused — Canales; Nevárez.

Absent — Flynn; Laubenberg.

HB 324 ON THIRD READING
(by Dutton, Simpson, and Wu)

HB 324, A bill to be entitled An Act relating to a requirement that a peace officer obtain a search warrant before conducting a body cavity search during a traffic stop.

HB 324 was passed by (Record 406): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; 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; 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; Márquez(C).

Absent, Excused — Canales; Nevárez.

HB 426 ON THIRD READING
(by Howard and Geren)

HB 426, A bill to be entitled An Act relating to the acceptance of employment applications through the online system for listing state agency employment openings maintained by the Texas Workforce Commission.

HB 426 was passed by (Record 407): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; 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; 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; 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; Márquez(C).

Absent, Excused — Canales; Nevárez.

Absent — Davis, S.; Gonzales.

HB 1902 ON THIRD READING
(by Howard, Isaac, Workman, and Lucio)

HB 1902, A bill to be entitled An Act relating to the regulation and use of graywater and alternative onsite water.

HB 1902 was passed by (Record 408): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; 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; 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; 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.

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

Absent, Excused — Canales; Nevárez.

Absent — Anderson, R.; Zerwas.

HB 2083 ON THIRD READING
(by Darby, Otto, Cook, D. Bonnen, and Israel)

HB 2083, A bill to be entitled An Act relating to the determination of the appraised value of property for purposes of an ad valorem tax protest or appeal.

HB 2083 was passed by (Record 409): 142 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; 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; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; 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 — Rinaldi; Schofield; Stickland.

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

Absent, Excused — Canales; Nevárez.

HB 2068 ON THIRD READING
(by Coleman)

HB 2068, A bill to be entitled An Act relating to automatic employee participation in and administration of a deferred compensation plan provided by certain hospital districts.

HB 2068 was passed by (Record 410): 112 Yeas, 30 Nays, 2 Present, not voting.

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

Nays — Bell; Bonnen, D.; Bonnen, G.; Burrows; Craddick; Fallon; Goldman; Hughes; Klick; Krause; Leach; Metcalf; Meyer; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Simpson; Smith; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; White, J.; White, M.; Workman; Zedler.

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

Absent, Excused — Canales; Nevárez.

Absent — Burkett; Galindo; Paul.

STATEMENTS OF VOTE

When Record No. 410 was taken, I was shown voting yes. I intended to vote no.

Darby

When Record No. 410 was taken, I was in the house but away from my desk. I would have voted yes.

Galindo

When Record No. 410 was taken, I was shown voting yes. I intended to vote no.

Huberty

When Record No. 410 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 410 was taken, I was shown voting yes. I intended to vote no.

R. Miller

When Record No. 410 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 410 was taken, I was in the house but away from my desk. I would have voted yes.

Paul

When Record No. 410 was taken, I was shown voting yes. I intended to vote no.

Wray

HB 1022 ON THIRD READING
(by Moody, Martinez Fischer, and G. Bonnen)

HB 1022, A bill to be entitled An Act relating to the eligibility for an exemption from ad valorem taxation of the residence homestead of certain persons with a life estate in the homestead property.

HB 1022 was passed by (Record 411): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycocock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; 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; 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; 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.; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Canales; Nevárez.

Absent — Workman.

STATEMENT OF VOTE

When Record No. 411 was taken, I was in the house but away from my desk. I would have voted yes.

Workman

HB 699 ON THIRD READING
(by Nevárez, Alvarado, Villalba, et al.)

HB 699, A bill to be entitled An Act relating to requiring public institutions of higher education to establish a policy on campus sexual assault.

Amendment No. 1

On behalf of Representative Nevárez, Representative Alvarado offered the following amendment to **HB 699**:

Amend **HB 699** on third reading on page 2, line 3, between "freshman" and "student", by inserting "or undergraduate transfer".

Amendment No. 1 was adopted.

HB 699, as amended, was passed by (Record 412): 102 Yeas, 40 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bernal; Blanco; Bohac; Burkett; Burns; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Fallon; Farias; Farney; Farrar; Fletcher; Frank; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Hunter; Isaac; Israel; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Koop; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shaheen; Sheffield; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wu.

Nays — Anderson, C.; Anderson, R.; Bell; Bonnen, D.; Bonnen, G.; Burrows; Button; Elkins; Faircloth; Flynn; Frullo; Geren; Goldman; Harless; Huberty; Hughes; Klick; Krause; Laubenberg; Leach; Metcalf; Murphy; Rinaldi; Sanford; Schaefer; Sheets; Simmons; Simpson; Smith; Smithee; Spitzer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; White, J.; White, M.; Wray; Zedler.

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

Absent, Excused — Canales; Nevárez.

Absent — Johnson; Springer; Zerwas.

STATEMENTS OF VOTE

When Record No. 412 was taken, I was shown voting no. I intended to vote yes.

Faircloth

When Record No. 412 was taken, I was in the house but away from my desk. I would have voted yes.

Johnson

HB 2053 ON THIRD READING
(by Farney, Craddick, S. Thompson, Burkett, et al.)

HB 2053, A bill to be entitled An Act relating to the protection of certain children who may be subject to child abuse or neglect through the operation of the child safety check alert list.

HB 2053 was passed by (Record 413): 144 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; 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; 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; 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; Frullo; Márquez(C).

Absent, Excused — Canales; Nevárez.

HB 2771 ON THIRD READING
(by Martinez, Springer, and Guillen)

HB 2771, A bill to be entitled An Act relating to employment activities of certain emergency response personnel for purposes of the Texas Workers' Compensation Act.

HB 2771 was passed by (Record 414): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; 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; 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; 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; 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; Márquez(C).

Absent, Excused — Canales; Nevárez.

Absent — Bohac; Coleman; Fallon.

HB 1794 ON THIRD READING

(by Geren, Harless, Burkett, Longoria, Murphy, et al.)

HB 1794. A bill to be entitled An Act relating to suits brought by local governments for violations of certain laws under the jurisdiction of, or rules adopted or orders or permits issued by, the Texas Commission on Environmental Quality; affecting civil penalties.

HB 1794 was passed by (Record 415): 108 Yeas, 36 Nays, 1 Present, not voting.

Yeas — Alvarado; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra; Guillen; Gutierrez; Harless; 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; Martinez Fischer; McClendon; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Blanco; Coleman; Collier; Davis, Y.; Farias; Farrar; Giddings; González; Hernandez; Herrero; Howard; Israel; Lucio; Márquez(C); Martinez; Miles; Moody; Muñoz; Naishtat; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Smith; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker.

Absent, Excused — Canales; Nevárez.

Absent — Dukes; Oliveira.

STATEMENTS OF VOTE

When Record No. 415 was taken, I was shown voting yes. I intended to vote no.

Alvarado

When Record No. 415 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 415 was taken, I was shown voting yes. I intended to vote no.

S. Davis

When Record No. 415 was taken, I was shown voting yes. I intended to vote no.

Guerra

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

SB 835 ON THIRD READING **(Sheets - House Sponsor)**

SB 835, A bill to be entitled An Act relating to increasing the punishment for the offense of fraudulent or fictitious military record.

SB 835 was passed by (Record 416): 136 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; 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; Martinez; Martinez Fischer; 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; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; Spitzer;

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

Nays — Rinaldi; Schaefer; Simpson; Stickland; Tinderholt; White, M.

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

Absent, Excused — Canales; Nevárez.

Absent — Dukes; Hughes; McClendon.

STATEMENT OF VOTE

When Record No. 416 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

POSTPONED BUSINESS

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

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.

CSHB 1852 was read second time on April 20 and was postponed until 9 a.m. today.

Representative Naishtat moved to postpone consideration of **CSHB 1852** until 9 a.m. tomorrow.

The motion prevailed.

CSHB 2493 ON SECOND READING (by Parker, Capriglione, et al.)

CSHB 2493, A bill to be entitled An Act relating to the self-directed and semi-independent status of the State Securities Board; authorizing fees.

CSHB 2493 was read second time on April 21 and was postponed until 9 a.m. today.

Representative Parker moved to postpone consideration of **CSHB 2493** until 10 a.m. Friday, May 1.

The motion prevailed.

HB 1742 - RECOMMITTED

Representative D. Bonnen moved to recommit **HB 1742** to the Committee on Ways and Means.

The motion prevailed.

HB 3630 - RECOMMITTED

Representative D. Bonnen moved to recommit **HB 3630** to the Committee on Ways and Means.

The motion prevailed.

**POSTPONED BUSINESS
(consideration continued)****CSHB 946 ON SECOND READING**

(by Workman, Frullo, Frank, C. Anderson, T. King, et al.)

CSHB 946, A bill to be entitled An Act relating to painting and marking requirements for certain meteorological evaluation towers; creating an offense.

CSHB 946 was read second time on April 21 and was postponed until 9 a.m. today.

Representative Workman moved to postpone consideration of **CSHB 946** until 12 p.m. Tuesday, May 5.

The motion prevailed.

**HR 2241 - ADOPTED
(by Cyrier)**

Representative Cyrier moved to suspend all necessary rules to take up and consider at this time **HR 2241**.

The motion prevailed.

The following resolution was laid before the house:

HR 2241, Recognizing April 28, 2015, as Karnes County Day at the State Capitol.

HR 2241 was adopted.

(Speaker in the chair)

**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, postponed until April 20, postponed until April 22, and was again postponed until 9 a.m. today.

Representative E. Rodriguez moved to postpone consideration of **HB 2769** until 9 a.m. Monday, May 4.

The motion prevailed.

CSHB 861 ON SECOND READING
(by Dale, P. King, Sheffield, Burkett, Frullo, et al.)

CSHB 861, A bill to be entitled An Act relating to the prosecution of the offense of online solicitation of a minor.

CSHB 861 was read second time on April 23 and was postponed until 9 a.m. today.

Representative Dale moved to postpone consideration of **CSHB 861** until 9 a.m. Thursday, April 30.

The motion prevailed.

HB 2007 ON THIRD READING
(by Raymond)

HB 2007, A bill to be entitled An Act relating to fees imposed by a county for licensing a junkyard or automotive wrecking and salvage yard.

HB 2007 was read third time on April 22 and was postponed until 10 a.m. today.

Amendment No. 1

Representative Stickland offered the following amendment to **HB 2007**:

Amend **HB 2007** on third reading, in added Section 396.041(c)(1)(D), Transportation Code, by striking "with a population of less than one million" and substituting "located on the Texas-Mexico border that has a population of less than 300,000 and contains one or more municipalities with a population of 200,000 or more".

Amendment No. 1 was adopted.

HB 2007, as amended, was passed by (Record 417): 119 Yeas, 15 Nays, 2 Present, not voting.

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

Nays — Anderson, C.; Bonnen, D.; Burrows; Craddick; Frullo; King, P.; Krause; Leach; Meyer; Parker; Sanford; Schaefer; Schofield; Tinderholt; Zedler.

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

Absent, Excused — Canales; Nevárez.

Absent — Alonzo; Anderson, R.; Bell; Dale; Darby; Dukes; Faircloth; Gonzales; Gutierrez; Huberty; Turner, E.S.

STATEMENTS OF VOTE

When Record No. 417 was taken, I was in the house but away from my desk. I would have voted no.

R. Anderson

When Record No. 417 was taken, my vote failed to register. I would have voted yes.

Darby

When Record No. 417 was taken, I was in the house but away from my desk. I would have voted yes.

Faircloth

When Record No. 417 was taken, my vote failed to register. I would have voted yes.

Gonzales

When Record No. 417 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

When Record No. 417 was taken, I was shown voting yes. I intended to vote no.

Rinaldi

When Record No. 417 was taken, I was shown voting yes. I intended to vote no.

Shaheen

When Record No. 417 was taken, I was shown voting yes. I intended to vote no.

Springer

When Record No. 417 was taken, I was in the house but away from my desk. I would have voted no.

E. S. Turner

MAJOR STATE CALENDAR HOUSE BILLS SECOND READING

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

CSHB 2154 ON SECOND READING
(by Dutton)

CSHB 2154, A bill to be entitled An Act relating to the functions and operation of the State Office of Administrative Hearings.

Amendment No. 1

Representative Darby offered the following amendment to **CSHB 2154**:

Amend **CSHB 2154** (house committee printing) as follows:

(1) On page 1, line 6, strike "adding Subsection (d-1)" and substitute "adding Subsections (d-1) and (e-1) and amending Subsection (e)".

(2) On page 1, between lines 17 and 18, insert the following:

(e) Except as provided by Subsection (e-1), a [A] state agency may change a finding of fact or conclusion of law made by the administrative law judge, or may vacate or modify an order issued by the administrative judge, only if the agency determines:

(1) that the administrative law judge did not properly apply or interpret applicable law, agency rules, written policies provided under Subsection (c), or prior administrative decisions;

(2) that a prior administrative decision on which the administrative law judge relied is incorrect or should be changed; or

(3) that a technical error in a finding of fact should be changed.

The agency shall state in writing the specific reason and legal basis for a change made under this subsection.

(e-1) Notwithstanding any other law, in a contested case before the agency that concerns licensing in relation to an occupational license, a state agency may not change a finding of fact or conclusion of law or vacate or modify an order of the administrative law judge. The state agency may obtain judicial review of any finding of fact or conclusion of law issued by the administrative law judge as provided by Subsection (f)(5). Except as provided by Subsection (f), for each case, the state agency has the sole authority and discretion to determine the appropriate action or sanction, and the administrative law judge may not make any recommendation regarding the appropriate action or sanction.

Amendment No. 1 was adopted.

CSHB 2154, as amended, was passed to engrossment.

HR 2207 - ADOPTED
(by G. Bonnen)

Representative G. Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 2207**.

The motion prevailed.

The following resolution was laid before the house:

HR 2207, Recognizing Faithful Friends Animal-Assisted Therapy Ministry.

HR 2207 was adopted.

On motion of Representative D. Bonnen, the names of all the members of the house were added to **HR 2207** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative G. Bonnen who introduced representatives of the Faithful Friends Animal-Assisted Therapy Ministry.

HR 2283 - ADOPTED (by Martinez Fischer)

Representative Martinez Fischer moved to suspend all necessary rules to take up and consider at this time **HR 2283**.

The motion prevailed.

The following resolution was laid before the house:

HR 2283, Honoring the San Antonio chapter of the AFL-CIO for its efforts in behalf of workers and commemorating its observance of Workers' Memorial Day 2015 and the 44th anniversary of the Occupational Safety and Health Act.

HR 2283 was adopted.

CSHB 31 ON SECOND READING

(by D. Bonnen, Martinez Fischer, Parker, Krause, Oliveira, et al.)

CSHB 31, A bill to be entitled An Act relating to decreasing the state sales and use tax rate.

Amendment No. 1

Representative D. Bonnen offered the following amendment to **CSHB 31**:
Floor Packet Page No. 2

Amend **CSHB 31** (house committee printing) on page 1, line 14, by striking "October 1, 2015" and substituting "January 1, 2016".

Amendment No. 1 was adopted.

Amendment No. 2

Representative D. Bonnen offered the following amendment to **CSHB 31**:
Floor Packet Page No. 3

Amend **CSHB 31** (house committee printing) as follows:

(1) On page 1, line 6, strike "5.95" and substitute "the lower of 5.95".

(2) On page 1, line 7, between "sold" and the period, insert "or the rate adopted under Section 151.0511".

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

SECTION _____. Subchapter C, Chapter 151, Tax Code, is amended by adding Section 151.0511 to read as follows:

Sec. 151.0511. COMPTROLLER TAX RATE ADJUSTMENT. (a) On the date the comptroller makes the transfer of any unencumbered positive balance of general revenues from a preceding biennium to the economic stabilization fund as described by Section 49-g(b), Article III, Texas Constitution, the comptroller shall:

(1) identify an amount of money equal to 25 percent of those unencumbered general revenues that are not transferred under that subsection;

(2) estimate the amount of revenue attributable to the taxes imposed under Sections 151.051 and 151.101 that would be received by the comptroller during the current state fiscal biennium if the taxes were imposed at the rate in effect on the date the estimate is made; and

(3) subtract the amount of money identified under Subdivision (1) from the amount of revenue estimated under Subdivision (2).

(b) If the amount of money determined under Subsection (a)(3) is greater than zero, the comptroller shall determine the rate for purposes of Sections 151.051 and 151.101 that, if applied beginning January 1 of the current state fiscal biennium, is estimated to generate the amount of money determined by the comptroller under Subsection (a)(3) for that biennium.

(c) Not later than December 15 of each odd-numbered year, the comptroller shall:

(1) adopt the adjusted tax rate determined under Subsection (b);

(2) publish notice of the adjusted tax rate in the Texas Register; and

(3) provide any other notice relating to the adjusted tax rate that the comptroller considers appropriate.

(d) The adjusted tax rate adopted by the comptroller under this section is effective on January 1 of the even-numbered year following the date the rate is adopted.

(e) In a state fiscal year in which the amount of money determined under Subsection (a)(3) is zero or less, the comptroller shall adopt an adjusted tax rate of zero percent.

(f) An action taken by the comptroller under this section is final and may not be appealed.

(g) The comptroller shall adopt rules to implement this section.

Amendment No. 3

Representative D. Bonnen offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by D. Bonnen to **CSHB 31** (bar code no. 841057) on page 2, line 6 of the amendment by inserting the following between "Subsection (b)" and the underlined semicolon:
, rounded to the nearest thousandth

Amendment No. 3 was adopted.

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

Amendment No. 4

Representative Howard offered the following amendment to **CSHB 31**:

Floor Packet Page No. 6

Amend **CSHB 31** (house committee printing) by striking SECTION 3 of the bill (page 1, line 14) and substituting the following appropriately numbered SECTION of the bill:

SECTION _____. This Act takes effect January 1, 2016, but only if the comptroller of public accounts certifies that no portion of any revenue of, or money received by, this state, or any account or fund balance, that by law has been dedicated to a particular purpose or entity was considered as available for the purpose of certifying the budget for the state fiscal biennium ending August 31, 2017, as required by Section 49a, Article III, Texas Constitution. If the comptroller of public accounts does not make that certification, this Act has no effect.

Representative D. Bonnen moved to table Amendment No. 4.

The motion to table prevailed by (Record 418): 102 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycok; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra; Harless; 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; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Price; 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.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Coleman; Collier; Davis, Y.; Dutton; Farias; Farrar; Giddings; González; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; 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 — Canales; Nevárez.

Absent — Burrows; Deshotel; Dukes.

STATEMENT OF VOTE

When Record No. 418 was taken, I was in the house but away from my desk. I would have voted no.

Deshotel

LEAVE OF ABSENCE GRANTED

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

Muñoz on motion of Raymond.

CSHB 31 - (consideration continued)**Amendment No. 2 - Vote Reconsidered**

Representative D. Bonnen moved to reconsider the vote by which Amendment No. 2, as amended, was adopted.

The motion to reconsider prevailed.

Amendment No. 5

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

Amend Amendment No. 2 by D. Bonnen as amended to **CSHB 31** by adding the following appropriately numbered SECTION to item (3) of the amendment:

SECTION _____. The comptroller of public accounts shall study and report to the legislature on the impact of this Act on the rate of the state sales and use tax and what further reductions in the rate of the state sales and use tax may be made following a review of existing exemptions from the state sales and use tax. The comptroller shall provide the report to the legislature not later than December 31, 2016.

Amendment No. 5 was adopted.

Amendment No. 2, as amended, was adopted.

CSHB 31, as amended, was passed to engrossment by (Record 419): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; 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; Murphy; Murr; Naishtat; 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.; Turner, C.; Turner, E.S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Muñoz; Nevárez.

Absent — Dukes; Galindo; Tinderholt; Turner, S.

STATEMENT OF VOTE

When Record No. 419 was taken, my vote failed to register. I would have voted yes.

Galindo

CSHB 32 ON SECOND READING

(by D. Bonnen, Murphy, Parker, Oliveira, Simmons, et al.)

CSHB 32, A bill to be entitled An Act relating to the computation and rates of the franchise tax; decreasing tax rates; amending provisions subject to a criminal penalty.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 13).

CSHB 32 - (consideration continued)

Amendment No. 1

Representative D. Bonnen offered the following amendment to **CSHB 32**:
Floor Packet Page No. 2

Amend **CSHB 32** (house committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 171.002(a), Tax Code (page 1, line 8), between "171.003" and "and", insert ", 171.004".

(2) In SECTION 1 of the bill, in amended Section 171.002(b), Tax Code (page 1, line 11), between "171.003" and "and", insert ", 171.004".

(3) In SECTION 2 of the bill, in amended Section 171.1016(b), Tax Code (page 1, line 22), strike "The" and insert in its place, "Subject to Section 171.004, the".

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

SECTION _____. Subchapter A, Chapter 171, Tax Code, is amended by adding Section 171.004 to read as follows:

Sec. 171.004. ADJUSTMENT OF TAX RATES. (a) Beginning in 2018, on January 1 of each year of a biennium for which the comptroller's biennial revenue estimate projects state tax revenues not dedicated by the constitution will exceed the limit on those appropriations under Section 22(a), Article VIII, Texas Constitution:

(1) the rate of the franchise tax under Section 171.002(a) is adjusted by subtracting 0.15 from the rate in effect on December 31 of the previous year;

(2) the rate of the franchise tax under Section 171.002(b) is adjusted by subtracting 0.075 from the rate in effect on December 31 of the previous year; and

(3) the rate of the franchise tax under Section 171.1016(b)(3) is adjusted by subtracting 0.0662 from the rate in effect on December 31 of the previous year.

(b) The tax rates determined under Subsection (a) apply to a report originally due on or after the date the determination is made.

(c) Notwithstanding Subsection (a), if an adjustment otherwise required by Subsection (a) would reduce a rate of the franchise tax to less than zero, the rate is instead reduced to zero.

(d) Notwithstanding any other law, if the rates of the franchise tax are reduced to zero under Subsection (a) or (c), a taxable entity does not owe any tax and is not required to file a report that would otherwise be originally due on or after the date the rates are reduced to zero.

(e) The comptroller shall make the determination required by Subsection (a) and may adopt rules related to making that determination. The comptroller shall publish the franchise tax rates determined under this section in the Texas Register and on the comptroller's Internet website not later than January 15 of each year.

(f) A determination by the comptroller under this section is final and may not be appealed.

Amendment No. 2

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

Amend Amendment No. 1 by D. Bonnen to **CSHB 32** amending the text starting on line 15 as follows:

(a) Beginning in 2018, on January 1 of each ~~year of a biennium~~ even-numbered year for which the comptroller's ~~biennial revenue~~ most recent certification estimate projects state tax revenues not dedicated by the constitution will exceed the limit on ~~these~~ appropriations in effect for the current biennium under Section 22(a), Article VIII, Texas Constitution:

(1) The rate of the franchise tax under Section 171.002(1) is adjusted by subtracting ~~0.15~~ 0.30 from the rate in effect on December 31 of the previous year;

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

Amendment No. 3

Representative D. Bonnen offered the following amendment to **CSHB 32**:
Floor Packet Page No. 4

Amend **CSHB 32** (house committee printing) as follows:

(1) On page 1, line 8, between "171.003" and "and", insert ", 171.007,".

(2) On page 1, line 11, between "171.003" and "and", insert ", 171.007,".

(3) On page 1, line 14, strike "171.1016(a) and (b)," and substitute "171.1016(a), (b), and (e),".

(4) On page 2, line 7, between "percent" and the period, insert "or, if applicable, the adjusted tax rate adopted by the comptroller under Section 171.007".

(5) On page 2, between lines 7 and 8, insert the following:

(e) A reference in this chapter or other law to the rate of the franchise tax means, as appropriate:

(1) [5] the rate under Section 171.002 or, for a taxable entity that elects to pay the tax as provided by this section, the rate under this section; or

(2) the adjusted rates under Section 171.007.

(6) Add the following appropriately numbered SECTIONS to the bill, and renumber the SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 171, Tax Code, is amended by adding Section 171.007 to read as follows:

Sec. 171.007. COMPTROLLER TAX RATE ADJUSTMENT. (a) On the date the comptroller makes the transfer of any unencumbered positive balance of general revenues from a preceding biennium to the economic stabilization fund as described by Section 49-g(b), Article III, Texas Constitution, the comptroller shall:

(1) identify an amount of money equal to 25 percent of those unencumbered general revenues that are not transferred under that subsection;

(2) estimate the amount of revenue attributable to the tax imposed under this chapter that would be received by the comptroller during the current state fiscal biennium if the tax were imposed at the rates under Sections 171.002(a) and (b) and Section 171.1016 in effect on the date the estimate is made; and

(3) subtract the amount of money identified under Subdivision (1) from the amount of revenue estimated under Subdivision (2).

(b) If the amount of money determined under Subsection (a)(3) is greater than zero, the comptroller shall determine the rates for purposes of Sections 171.002(a) and (b) and Section 171.1016 that, if applied beginning January 1 of the current state fiscal biennium, are estimated to generate the amount of money determined by the comptroller under Subsection (a)(3) for that biennium. In determining the rates under this subsection, the comptroller shall proportionally reduce the rates under Sections 171.002(a) and (b) and Section 171.1016 that are in effect on the date the comptroller makes the determination.

(c) Not later than December 15 of each odd-numbered year, the comptroller shall:

(1) adopt the adjusted tax rates determined under Subsection (b);

(2) publish notice of the adjusted tax rates in the Texas Register; and

(3) provide any other notice relating to the adjusted tax rates that the comptroller considers appropriate.

(d) The adjusted tax rates adopted by the comptroller under this section apply to a report originally due on or after January 1 of the even-numbered year following the date the rates are adopted.

(e) In the state fiscal year in which the amount of money determined under Subsection (a)(3) is zero or less:

(1) this chapter expires as provided by Section 171.975; and

(2) not later than December 15 of that year the comptroller shall:

(A) publish notice in the Texas Register that an entity previously subject to the tax imposed under this chapter is no longer required to file a report or pay the tax; and

(B) provide any other notice relating to the expiration of the tax that the comptroller considers appropriate.

(f) An action taken by the comptroller under this section is final and may not be appealed.

(g) The comptroller shall adopt rules to implement this section.

SECTION _____. Chapter 171, Tax Code, is amended by adding Subchapter Z to read as follows:

SUBCHAPTER Z. EXPIRATION

Sec. 171.975. EXPIRATION. This chapter expires on December 31 of the year in which the amount of money determined by the comptroller under Section 171.007(a)(3) is zero or less.

SECTION _____. (a) Chapter 171, Tax Code, and Subtitle B, Title 2, Tax Code, continue to apply to audits, deficiencies, redeterminations, and refunds of any tax due or collected under Chapter 171 until barred by limitations.

(b) The expiration of Chapter 171, Tax Code, does not affect:

(1) the status of a taxable entity that has had its corporate privileges, certificate of authority, certificate of organization, certificate of limited partnership, corporate charter, or registration revoked, suit filed against it, or a receiver appointed under Subchapter F, G, or H of that chapter;

(2) the ability of the comptroller of public accounts, secretary of state, or attorney general to take action against a taxable entity under Subchapter F, G, or H of that chapter for actions that took place before the chapter expired; or

(3) the right of a taxable entity to contest a forfeiture, revocation, lawsuit, or appointment of a receiver under Subchapter F, G, or H of that chapter.

Amendment No. 4

Representative Y. Davis offered the following amendment to Amendment No. 3:

Amend Amendment No. 3 by D. Bonnen to **CSHB 32** by adding the following appropriately numbered SECTION to item (6) of the amendment:

SECTION _____. The comptroller of public accounts shall study and report to the legislature on the impact of this Act on the rate of the franchise tax and what further reductions in the rate of that tax may be made following a review of existing exemptions and credits from the franchise tax. The comptroller shall provide the report to the legislature not later than December 31, 2016.

Amendment No. 4 was adopted.

Amendment No. 3, as amended, was adopted.

Amendment No. 5

Representative Y. Davis offered the following amendment to **CSHB 32**:

Floor Packet Page No. 9

Amend **CSHB 32** (house committee report) as follows:

(1) Strike SECTION 1 of the bill (page 1, lines 6 through 13) and substitute the following appropriately numbered SECTION of the bill:

SECTION _____. Subchapter A, Chapter 171, Tax Code, is amended by adding Sections 171.0025 and 171.0026 to read as follows:

Sec. 171.0025. TEMPORARY PERMISSIVE ALTERNATE RATES FOR 2016. (a) Notwithstanding Section 171.002(a) and subject to Sections 171.1016, 171.1017, and Subsections (b) and (d) of this section, a taxable entity may elect to pay the tax imposed under this chapter at a rate of 0.75 percent of taxable margin.

(b) Notwithstanding Section 171.002(b) and subject to Sections 171.1016 and 171.1017 and Subsection (d) of this section, a taxable entity primarily engaged in retail or wholesale trade as defined by Sections 171.002(c) and (c-1) may elect to pay the tax imposed under this chapter at a rate of 0.375 percent of taxable margin.

(c) This section applies only to a report originally due on or after January 1, 2016, and before January 1, 2017.

(d) A taxable entity may elect to compute the tax at the rate provided by Subsection (a) or (b), as applicable, on a report specified by Subsection (c) only if the comptroller certifies, on or after September 1, 2015, that probable revenue for the state fiscal year ending August 31, 2016, is estimated to exceed probable revenue for that state fiscal year as stated in the comptroller's Biennial Revenue Estimate for the 2016-2017 fiscal biennium, as adjusted for estimates of revenue and disbursements associated with legislation enacted by the 84th Legislature, including any contingent appropriations certified before September 1, 2015, by an amount sufficient to offset the loss in probable revenue that will result if taxable entities elect to compute the tax at the rates provided by Subsections (a) and (b) and in the manner provided by Section 171.1017. If the comptroller does not make the certification described by this subsection, a taxable entity may not elect to pay the tax at the rate provided by Subsection (a) or (b) and shall pay the tax at the rates provided by Section 171.002.

(e) This section expires December 31, 2016.

Sec. 171.0026. TEMPORARY PERMISSIVE ALTERNATE RATES FOR 2017. (a) Notwithstanding Section 171.002(a) and subject to Sections 171.1016 and 171.1018 and Subsections (b) and (d) of this section, a taxable entity may elect to pay the tax imposed under this chapter at a rate of 0.75 percent of taxable margin.

(b) Notwithstanding Section 171.002(b) and subject to Sections 171.1016 and 171.1018 and Subsection (d) of this section, a taxable entity primarily engaged in retail or wholesale trade as defined by Sections 171.002(c) and (c-1) may elect to pay the tax imposed under this chapter at a rate of 0.375 percent of taxable margin.

(c) This section applies only to a report originally due on or after January 1, 2017, and before January 1, 2018.

(d) A taxable entity may elect to compute the tax at the rate provided by Subsection (a) or (b), as applicable, on a report specified by Subsection (c) only if the comptroller certifies, on or after September 1, 2016, that probable revenue for the state fiscal year ending August 31, 2017, is estimated to exceed probable revenue for that state fiscal year as stated in the comptroller's Biennial Revenue Estimate for the 2016-2017 fiscal biennium, as adjusted for estimates of revenue and disbursements associated with legislation enacted by the 84th Legislature, including any contingent appropriations certified before September 1, 2016, by an amount sufficient to offset the loss in probable revenue that will result if taxable entities elect to compute the tax at the rates provided by Subsections (a) and (b) and in the manner provided by Section 171.1018. If the comptroller does not make the certification described by this subsection, a taxable entity may not elect to pay the tax at the rate provided by Subsection (a) or (b) and shall pay the tax at the rates provided by Section 171.002.

(e) This section expires December 31, 2017.

(2) Strike SECTION 2 of the bill (page 1, line 14, through page 2, line 7) and substitute the following appropriately numbered SECTION of the bill:

SECTION ____. Subchapter C, Chapter 171, Tax Code, is amended by adding Sections 171.1017 and 171.1018 to read as follows:

Sec. 171.1017. TEMPORARY PERMISSIVE E-Z COMPUTATION AND RATE FOR 2016. (a) Notwithstanding any provision of this chapter other than Subsection (f), a taxable entity whose total revenue from its entire business is not more than \$20 million may elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section rather than in the amount computed and at the tax rate provided by Section 171.002, 171.0025, or 171.1016.

(b) The amount of the tax for which a taxable entity that elects to pay the tax as provided by this section is liable is computed by:

(1) determining the taxable entity's total revenue from its entire business, as determined under Section 171.1011;

(2) apportioning the amount computed under Subdivision (1) to this state, as provided by Section 171.106, to determine the taxable entity's apportioned total revenue; and

(3) multiplying the amount computed under Subdivision (2) by the rate of 0.331 percent.

(c) A taxable entity that elects to pay the tax as provided by this section may not take a credit, deduction, or other adjustment that is not specifically authorized by this section.

(d) A reference in this chapter or other law to the rate of the franchise tax means, as appropriate, the rate under Section 171.002, 171.0025, or 171.1016 or, for a taxable entity that elects to pay the tax as provided by this section, the rate under this section.

(e) This section applies to a report originally due on or after January 1, 2016, and before January 1, 2017.

(f) A taxable entity may elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section on a report specified by Subsection (e) only if the comptroller certifies, on or after September 1, 2015, that probable revenue for the state fiscal year ending August 31, 2016, is estimated to exceed probable revenue for that state fiscal year as stated in the comptroller's Biennial Revenue Estimate for the 2016-2017 fiscal biennium, as adjusted for estimates of revenue and disbursements associated with legislation enacted by the 84th Legislature, including any contingent appropriations certified before September 1, 2015, by an amount sufficient to offset the loss in probable revenue that will result if taxable entities elect to compute the tax at the rates provided by Section 171.0025 and in the manner provided by this section. If the comptroller does not make the certification described by this subsection, a taxable entity may not elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section and shall pay the tax at the rates provided by Section 171.002 or in the manner provided by Section 171.1016, as appropriate.

(g) This section expires December 31, 2016.

Sec. 171.1018. TEMPORARY PERMISSIVE E-Z COMPUTATION AND RATE FOR 2017. (a) Notwithstanding any provision of this chapter other than Subsection (f), a taxable entity whose total revenue from its entire business is not more than \$20 million may elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section rather than in the amount computed and at the tax rate provided by Section 171.002, 171.0026, or 171.1016.

(b) The amount of the tax for which a taxable entity that elects to pay the tax as provided by this section is liable is computed by:

(1) determining the taxable entity's total revenue from its entire business, as determined under Section 171.1011;

(2) apportioning the amount computed under Subdivision (1) to this state, as provided by Section 171.106, to determine the taxable entity's apportioned total revenue; and

(3) multiplying the amount computed under Subdivision (2) by the rate of 0.331 percent.

(c) A taxable entity that elects to pay the tax as provided by this section may not take a credit, deduction, or other adjustment that is not specifically authorized by this section.

(d) A reference in this chapter or other law to the rate of the franchise tax means, as appropriate, the rate under Section 171.002, 171.0026, or 171.1016 or, for a taxable entity that elects to pay the tax as provided by this section, the rate under this section.

(e) This section applies to a report originally due on or after January 1, 2017, and before January 1, 2018.

(f) A taxable entity may elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section on a report specified by Subsection (e) only if the comptroller certifies, on or after September 1, 2016, that probable revenue for the state fiscal year ending August 31, 2017, is

estimated to exceed probable revenue for that state fiscal year as stated in the comptroller's Biennial Revenue Estimate for the 2016-2017 fiscal biennium, as adjusted for estimates of revenue and disbursements associated with legislation enacted by the 84th Legislature, including any contingent appropriations certified before September 1, 2016, by an amount sufficient to offset the loss in probable revenue that will result if taxable entities elect to compute the tax at the rates provided by Section 171.0026 and in the manner provided by this section. If the comptroller does not make the certification described by this subsection, a taxable entity may not elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section and shall pay the tax at the rates provided by Section 171.002 or in the manner provided by Section 171.1016, as appropriate.

(g) This section expires December 31, 2017.

Amendment No. 5 was withdrawn.

Amendment No. 6

Representative C. Turner offered the following amendment to **CSHB 32**:

Floor Packet Page No. 21

Amend **CSHB 32** (house committee report) as follows:

(1) Strike SECTION 1 of the bill (page 1, lines 6 through 13) and substitute the following appropriately numbered SECTION of the bill:

SECTION _____. Subchapter A, Chapter 171, Tax Code, is amended by adding Section 171.0025 to read as follows:

Sec. 171.0025. TEMPORARY PERMISSIVE ALTERNATE RATES FOR 2016 AND 2017. (a) Notwithstanding Section 171.002(a) and subject to Sections 171.1016 and 171.1017 and Subsection (b) of this section, a taxable entity may elect to pay the tax imposed under this chapter at a rate of 0.75 percent of taxable margin.

(b) Notwithstanding Section 171.002(b) and subject to Sections 171.1016 and 171.1017, a taxable entity primarily engaged in retail or wholesale trade as defined by Sections 171.002(c) and (c-1) may elect to pay the tax imposed under this chapter at a rate of 0.375 percent of taxable margin.

(c) This section applies only to a report originally due on or after January 1, 2016, and before January 1, 2018.

(d) This section expires December 31, 2017.

(2) Strike SECTION 2 of the bill (page 1, line 14, through page 2, line 7) and substitute the following appropriately numbered SECTION of the bill:

SECTION _____. Subchapter C, Chapter 171, Tax Code, is amended by adding Section 171.1017 to read as follows:

Sec. 171.1017. TEMPORARY PERMISSIVE E-Z COMPUTATION AND RATE FOR 2016 AND 2017. (a) Notwithstanding any other provision of this chapter, a taxable entity whose total revenue from its entire business is not more than \$20 million may elect to pay the tax imposed under this chapter in the

amount computed and at the rate provided by this section rather than in the amount computed and at the tax rate provided by Section 171.002, 171.0025, or 171.1016.

(b) The amount of the tax for which a taxable entity that elects to pay the tax as provided by this section is liable is computed by:

(1) determining the taxable entity's total revenue from its entire business, as determined under Section 171.1011;

(2) apportioning the amount computed under Subdivision (1) to this state, as provided by Section 171.106, to determine the taxable entity's apportioned total revenue; and

(3) multiplying the amount computed under Subdivision (2) by the rate of 0.331 percent.

(c) A taxable entity that elects to pay the tax as provided by this section may not take a credit, deduction, or other adjustment that is not specifically authorized by this section.

(d) A reference in this chapter or other law to the rate of the franchise tax means, as appropriate, the rate under Section 171.002, 171.0025, or 171.1016 or, for a taxable entity that elects to pay the tax as provided by this section, the rate under this section.

(e) This section applies only to a report originally due on or after January 1, 2016, and before January 1, 2018.

(f) This section expires December 31, 2017.

Representative D. Bonnen moved to table Amendment No. 6.

The motion to table prevailed by (Record 420): 102 Yeas, 41 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.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Price; 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; 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; Márquez; Martinez; Martinez Fischer; McClendon; Moody; Naishtat; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Muñoz; Nevárez.

Absent — Dukes; Guillen.

STATEMENT OF VOTE

When Record No. 420 was taken, I was shown voting yes. I intended to vote no.

Miles

Amendment No. 7

Representative Y. Davis offered the following amendment to **CSHB 32**:
Floor Packet Page No. 9

Amend **CSHB 32** (house committee report) as follows:

(1) Strike SECTION 1 of the bill (page 1, lines 6 through 13) and substitute the following appropriately numbered SECTION of the bill:

SECTION _____. Subchapter A, Chapter 171, Tax Code, is amended by adding Sections 171.0025 and 171.0026 to read as follows:

Sec. 171.0025. TEMPORARY PERMISSIVE ALTERNATE RATES FOR 2016. (a) Notwithstanding Section 171.002(a) and subject to Sections 171.1016, 171.1017, and Subsections (b) and (d) of this section, a taxable entity may elect to pay the tax imposed under this chapter at a rate of 0.75 percent of taxable margin.

(b) Notwithstanding Section 171.002(b) and subject to Sections 171.1016 and 171.1017 and Subsection (d) of this section, a taxable entity primarily engaged in retail or wholesale trade as defined by Sections 171.002(c) and (c-1) may elect to pay the tax imposed under this chapter at a rate of 0.375 percent of taxable margin.

(c) This section applies only to a report originally due on or after January 1, 2016, and before January 1, 2017.

(d) A taxable entity may elect to compute the tax at the rate provided by Subsection (a) or (b), as applicable, on a report specified by Subsection (c) only if the comptroller certifies, on or after September 1, 2015, that probable revenue for the state fiscal year ending August 31, 2016, is estimated to exceed probable revenue for that state fiscal year as stated in the comptroller's Biennial Revenue Estimate for the 2016-2017 fiscal biennium, as adjusted for estimates of revenue and disbursements associated with legislation enacted by the 84th Legislature, including any contingent appropriations certified before September 1, 2015, by an amount sufficient to offset the loss in probable revenue that will result if taxable entities elect to compute the tax at the rates provided by Subsections (a) and (b) and in the manner provided by Section 171.1017. If the comptroller does not make the certification described by this subsection, a taxable entity may not elect to pay the tax at the rate provided by Subsection (a) or (b) and shall pay the tax at the rates provided by Section 171.002.

(e) This section expires December 31, 2016.

Sec. 171.0026. TEMPORARY PERMISSIVE ALTERNATE RATES FOR 2017. (a) Notwithstanding Section 171.002(a) and subject to Sections 171.1016 and 171.1018 and Subsections (b) and (d) of this section, a taxable entity may elect to pay the tax imposed under this chapter at a rate of 0.75 percent of taxable margin.

(b) Notwithstanding Section 171.002(b) and subject to Sections 171.1016 and 171.1018 and Subsection (d) of this section, a taxable entity primarily engaged in retail or wholesale trade as defined by Sections 171.002(c) and (c-1) may elect to pay the tax imposed under this chapter at a rate of 0.375 percent of taxable margin.

(c) This section applies only to a report originally due on or after January 1, 2017, and before January 1, 2018.

(d) A taxable entity may elect to compute the tax at the rate provided by Subsection (a) or (b), as applicable, on a report specified by Subsection (c) only if the comptroller certifies, on or after September 1, 2016, that probable revenue for the state fiscal year ending August 31, 2017, is estimated to exceed probable revenue for that state fiscal year as stated in the comptroller's Biennial Revenue Estimate for the 2016-2017 fiscal biennium, as adjusted for estimates of revenue and disbursements associated with legislation enacted by the 84th Legislature, including any contingent appropriations certified before September 1, 2016, by an amount sufficient to offset the loss in probable revenue that will result if taxable entities elect to compute the tax at the rates provided by Subsections (a) and (b) and in the manner provided by Section 171.1018. If the comptroller does not make the certification described by this subsection, a taxable entity may not elect to pay the tax at the rate provided by Subsection (a) or (b) and shall pay the tax at the rates provided by Section 171.002.

(e) This section expires December 31, 2017.

(2) Strike SECTION 2 of the bill (page 1, line 14, through page 2, line 7) and substitute the following appropriately numbered SECTION of the bill:

SECTION _____. Subchapter C, Chapter 171, Tax Code, is amended by adding Sections 171.1017 and 171.1018 to read as follows:

Sec. 171.1017. TEMPORARY PERMISSIVE E-Z COMPUTATION AND RATE FOR 2016. (a) Notwithstanding any provision of this chapter other than Subsection (f), a taxable entity whose total revenue from its entire business is not more than \$20 million may elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section rather than in the amount computed and at the tax rate provided by Section 171.002, 171.0025, or 171.1016.

(b) The amount of the tax for which a taxable entity that elects to pay the tax as provided by this section is liable is computed by:

(1) determining the taxable entity's total revenue from its entire business, as determined under Section 171.1011;

(2) apportioning the amount computed under Subdivision (1) to this state, as provided by Section 171.106, to determine the taxable entity's apportioned total revenue; and

(3) multiplying the amount computed under Subdivision (2) by the rate of 0.331 percent.

(c) A taxable entity that elects to pay the tax as provided by this section may not take a credit, deduction, or other adjustment that is not specifically authorized by this section.

(d) A reference in this chapter or other law to the rate of the franchise tax means, as appropriate, the rate under Section 171.002, 171.0025, or 171.1016 or, for a taxable entity that elects to pay the tax as provided by this section, the rate under this section.

(e) This section applies to a report originally due on or after January 1, 2016, and before January 1, 2017.

(f) A taxable entity may elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section on a report specified by Subsection (e) only if the comptroller certifies, on or after September 1, 2015, that probable revenue for the state fiscal year ending August 31, 2016, is estimated to exceed probable revenue for that state fiscal year as stated in the comptroller's Biennial Revenue Estimate for the 2016-2017 fiscal biennium, as adjusted for estimates of revenue and disbursements associated with legislation enacted by the 84th Legislature, including any contingent appropriations certified before September 1, 2015, by an amount sufficient to offset the loss in probable revenue that will result if taxable entities elect to compute the tax at the rates provided by Section 171.0025 and in the manner provided by this section. If the comptroller does not make the certification described by this subsection, a taxable entity may not elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section and shall pay the tax at the rates provided by Section 171.002 or in the manner provided by Section 171.1016, as appropriate.

(g) This section expires December 31, 2016.

Sec. 171.1018. TEMPORARY PERMISSIVE E-Z COMPUTATION AND RATE FOR 2017. (a) Notwithstanding any provision of this chapter other than Subsection (f), a taxable entity whose total revenue from its entire business is not more than \$20 million may elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section rather than in the amount computed and at the tax rate provided by Section 171.002, 171.0026, or 171.1016.

(b) The amount of the tax for which a taxable entity that elects to pay the tax as provided by this section is liable is computed by:

(1) determining the taxable entity's total revenue from its entire business, as determined under Section 171.1011;

(2) apportioning the amount computed under Subdivision (1) to this state, as provided by Section 171.106, to determine the taxable entity's apportioned total revenue; and

(3) multiplying the amount computed under Subdivision (2) by the rate of 0.331 percent.

(c) A taxable entity that elects to pay the tax as provided by this section may not take a credit, deduction, or other adjustment that is not specifically authorized by this section.

(d) A reference in this chapter or other law to the rate of the franchise tax means, as appropriate, the rate under Section 171.002, 171.0026, or 171.1016 or, for a taxable entity that elects to pay the tax as provided by this section, the rate under this section.

(e) This section applies to a report originally due on or after January 1, 2017, and before January 1, 2018.

(f) A taxable entity may elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section on a report specified by Subsection (e) only if the comptroller certifies, on or after September 1, 2016, that probable revenue for the state fiscal year ending August 31, 2017, is estimated to exceed probable revenue for that state fiscal year as stated in the comptroller's Biennial Revenue Estimate for the 2016-2017 fiscal biennium, as adjusted for estimates of revenue and disbursements associated with legislation enacted by the 84th Legislature, including any contingent appropriations certified before September 1, 2016, by an amount sufficient to offset the loss in probable revenue that will result if taxable entities elect to compute the tax at the rates provided by Section 171.0026 and in the manner provided by this section. If the comptroller does not make the certification described by this subsection, a taxable entity may not elect to pay the tax imposed under this chapter in the amount computed and at the rate provided by this section and shall pay the tax at the rates provided by Section 171.002 or in the manner provided by Section 171.1016, as appropriate.

(g) This section expires December 31, 2017.

Amendment No. 7 was withdrawn.

Amendment No. 8

Representative Smithee offered the following amendment to **CSHB 32**:

Floor Packet Page No. 8

Amend **CSHB 32** (house committee report) as follows:

(1) On page 1, line 6, strike "171.002(a) and (b)" and substitute "171.002(a), (b), and (d)".

(2) On page 1, line 9, strike "0.75" and substitute "____".

(3) On page 1, line 12, strike "0.375" and substitute "____".

(4) On page 1, between lines 13 and 14, insert the following:

(d) A taxable entity is not required to pay any tax and is not considered to owe any tax for a period if:

(1) the amount of tax computed for the taxable entity is less than \$1,000; or

(2) the amount of the taxable entity's total revenue from its entire business is less than or equal to \$4 [~~\$+~~] million or the amount determined under Section 171.006 per 12-month period on which margin is based.

(5) On page 2, line 7, strike "0.331" and substitute "____".

Amendment No. 9

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

Amend Amendment No. 8 by Smithee to **CSHB 32** (bar code no. 841042) as follows:

(1) In Item 2 of the amendment (page 1, line 4), strike the underlined blank and substitute "0.815".

(2) In Item 3 of the amendment (page 1, line 6), strike the underlined blank and substitute "0.4075".

(3) Strike Item 5 of the amendment (page 1, line 17).

Amendment No. 9 was adopted.

Representative D. Bonnen moved to table Amendment No. 8, as amended.

The motion to table prevailed by (Record 421): 120 Yeas, 16 Nays, 0 Present, not voting.

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

Nays — Allen; Alonzo; Burrows; Davis, Y.; Farrar; Guillen; Hughes; Miles; Reynolds; Rinaldi; Schofield; Smithee; Spitzer; Stephenson; Stickland; Turner, C.

Absent, Excused — Canales; Muñoz; Nevárez.

Absent — Anchia; Bell; Dukes; Giddings; Martinez; McClendon; Moody; Naishtat; Romero; Turner, S.

STATEMENTS OF VOTE

When Record No. 421 was taken, I was shown voting no. I intended to vote yes.

Alonzo

When Record No. 421 was taken, my vote failed to register. I would have voted yes.

Anchia

When Record No. 421 was taken, I was in the house but away from my desk. I would have voted yes.

Bell

When Record No. 421 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez

When Record No. 421 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

When Record No. 421 was taken, I was in the house but away from my desk. I would have voted yes.

Naishtat

When Record No. 421 was taken, I was in the house but away from my desk. I would have voted yes.

Romero

When Record No. 421 was taken, I was shown voting no. I intended to vote yes.

C. Turner

When Record No. 421 was taken, I was in the house but away from my desk. I would have voted yes.

S. Turner

Amendment No. 10

Representative Howard offered the following amendment to **CSHB 32**:
Floor Packet Page No. 28

Amend **CSHB 32** (house committee report) by striking SECTION 4 of the bill (page 2, line 10) and substituting the following appropriately numbered SECTION of the bill:

SECTION _____. This Act takes effect January 1 of the year following the year in which the Texas Supreme Court renders a final judgment in the cause of action known as "The Texas Taxpayer & Student Fairness Coalition, et al.; Calhoun County ISD, et al.; Edgewood ISD, et al.; Fort Bend ISD, et al.; Texas Charter School Association, et al.; and Joyce Coleman, et al. v. Michael Williams, Commissioner of Education, in his official capacity; Glenn Hegar, Texas Comptroller of Public Accounts, in his official capacity; the Texas State Board of Education; and the Texas Education Agency," but only if the court holds with respect to each claim alleged by the plaintiffs in that cause of action that this

state's system of financing public schools is constitutional. If the court holds with respect to any claim alleged by a plaintiff in that cause of action that this state's system of financing public schools is unconstitutional, this Act has no effect.

AMENDMENT NO. 10 - REMARKS

REPRESENTATIVE MOODY: Representative Howard, you're creating kind of a contingency plan here. Is that correct?

REPRESENTATIVE HOWARD: That's correct.

MOODY: So we all know there's a decision being worked through the courts. We don't know what the ultimate resolution is going to be. We have pieces of legislation that have gone through this chamber, that are still maybe coming through this chamber, that are going to impact that litigation. Is that correct?

HOWARD: That's correct.

MOODY: The property tax relief fund, I think you explained, is a significant component of our public education funding. Can you detail that? And I know you passed out some information. I hope the members are reading that.

HOWARD: If anybody wants to pay attention and look at that—

MOODY: Well, we're just talking about public education. I would hope people would pay attention.

HOWARD: Right, funding our schools—one of the most significant things that we do here. And the decisions that we make impact how we're going to be funding our schools. The fact is that when the property tax reductions were made in 2006, one of the ways that we were going to be replacing the \$14 billion that were no longer going to be available through a biennium was with the revised franchise tax—and a portion of the franchise tax, above what was being collected at that time under those laws, that goes into the property tax relief fund to help pay for our schools. We have never brought in the amount of money that was originally projected by the Legislative Budget Board. So now we put in a significant amount of GR to pay for our schools. What we're doing today is—already we've looked at reducing our sales tax, which will further decrease our GR available—but specifically with this bill, we're talking about reducing, by almost half, the amount of franchise tax that goes into paying for our schools. That will have to be made up with other money. It won't be there through the franchise tax any longer. This money goes to pay for our schools—no longer there. We'll have to find other general revenue sources to pay for our schools, and that's even before the courts have ruled, which may show us that we'll need to be putting in even more money into our public schools.

MOODY: I think it's a wise thing to do, to look long term, and I appreciate that you put a careful eye on these things. And again, I hope that everybody is tuned in to what we're doing with our public school finance system because there are a lot of moving parts; this is one of them. And all your amendment is doing is creating a contingency plan for if the court comes back and says that our system

is unconstitutional, then we're not going to put this into effect because obviously we've thrown a big question mark over the entire funding of public schools. Is that correct?

HOWARD: That's absolutely correct. This will not go into place if we are ruled unconstitutional because we're going to need to have the money available to us to help pay for our schools.

MOODY: And I would say it's not necessarily that you would be for or against the measure, it's—this is a significant component to funding public education, and if we have a court decision that throws the whole thing out, we need to not exacerbate the problem and put this bill into effect. So I appreciate what you're doing, and I'm glad that you're keyed into this. I hope that other people are because this impacts every single neighborhood school in our districts.

Representative D. Bonnen moved to table Amendment No. 10.

The motion to table prevailed by (Record 422): 107 Yeas, 36 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; 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; Leach; Longoria; Lozano; Lucio; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; 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; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Bernal; Blanco; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Moody; Naishtat; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Canales; Muñoz; Nevárez.

Absent — Anchia; Dukes.

STATEMENT OF VOTE

When Record No. 422 was taken, I was in the house but away from my desk. I would have voted no.

Anchia

CSHB 32 - REMARKS

REPRESENTATIVE MARTINEZ FISCHER: Members, I rise to speak against **CSHB 32**. As a member of the Ways and Means Committee, I want to congratulate Chairman Bonnen for his hard work. I know he's worked with the committee. He's worked with all of us. At the end of the day, it's \$2.56 billion that I can't support to give away at a time when we have not fully funded public schools; at a time where we have not made a promise to our veterans with Hazlewood; at a time that we do not have resources to provide money for transportation, parks, colleges, universities; we haven't even talked about health care. We passed **CSHB 31** nearly unanimously with a sales tax reduction. Forty percent of all the revenue that pays into the sales tax comes from Texas businesses. When we cut the sales tax, we cut taxes for our Texas businesses. But this \$2.56 billion is a lot of money to give away at a time when we have yet to meet our state's needs.

I will only tell you, from the letter dated March 20, 2015, from the Texas Association of Manufacturers, the Texas Taxpayers and Research Association, Association of Electric Companies of Texas, Texas Association of Business, Texas Chemical Council, Texas Oil and Gas Association, and the Texas Association of Retailers: "Our state government has a substantial budget surplus today largely because of the resurgence in the oil and gas industry and the taxes that our base industries have paid. For once in a generation, you have an opportunity to make progress on the issues that confront our state—congested roads, educational challenges, obsolete infrastructure, high debt, and underfunded pensions, to name a few. To continue our economic success and job-creating machine, we need to address those challenges and to protect our business climate. If there is money left over, it is appropriate to consider tax relief." If there is money left over, it is appropriate to consider tax relief.

So if you think we have enough money in our roads, vote for this bill. If you think we have enough money in our schools, vote for this bill. If you think our parks have the money they need, vote for this bill. If you believe our health care plan is the best plan that we can provide to our Texans, vote for this bill. Otherwise, know we've just sent a tax relief bill to the senate with **CSHB 31**. Let's continue to work hard; let's continue to roll up our sleeves to confront Texas' biggest challenges. And let's keep that \$2.56 billion where we need it, and that is to invest in our children, our families, our citizens, and our ailing infrastructure. With that, I respectfully rise and ask you to vote no on **CSHB 32**.

REPRESENTATIVE D. BONNEN: I'm going to be brief, but there are a couple of things I want to point out. We got here by the committee doing a great job. We had the LBB, we had the comptroller, we had different trade associations, we had think tanks from all different directions coming before our committee numerous times so that we could figure out what was the best way to spur the economy on by giving Texans money back.

When we, hopefully, pass this bill—and having passed **CSHB 31**, which I thank you very much for—we will have created 72,300 new jobs by 2020 with this plan. The Texas economic output will grow by a cumulative \$21.7 billion. Texans' personal income will have grown with these two tax-cutting measures by

\$17.6 billion. And we will have put the franchise margins tax on a path to elimination. I want to thank you for helping me in my committee. And to all the members here today: pass tax cuts that the only people who can change or take those cuts away from our taxpayers are those of us on this floor or in that senate chamber. That's the appropriate, responsible thing for members of the Texas House and the Texas Senate to cut taxes. Cut the ones you're responsible for. Cut the ones you control, not the ones an appraisal district or a local entity can change, and we can't explain why or how.

CSHB 32, as amended, was passed to engrossment by (Record 423): 116 Yeas, 29 Nays, 0 Present, not voting.

Yeas — Mr. Speaker(C); Alonzo; Alvarado; 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; Dutton; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; 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; Leach; Longoria; Lozano; Lucio; Márquez; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; Vo; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Allen; Anchia; Bernal; Blanco; Coleman; Collier; Davis, Y.; Farias; Farrar; Giddings; González; Gutierrez; Herrero; Howard; Israel; Johnson; Martinez; Martinez Fischer; McClendon; Miles; Moody; Naishtat; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Turner, C.; Turner, S.; Walle.

Absent, Excused — Canales; Muñoz; Nevárez.

Absent — Dukes.

(Keffer in the chair)

REMARKS ORDERED PRINTED

Representative Anchia moved to print remarks by Representative Martinez Fischer.

The motion prevailed.

INTRODUCTION OF GUEST

The chair recognized Representative Fletcher who introduced Dr. Stephanie Mills, Ms. America 2015.

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

HB 559 ON SECOND READING
(by Anchia and Moody)

HB 559, A bill to be entitled An Act relating to the duties of a magistrate to inform an arrested person of consequences of a plea of guilty or nolo contendere.

Representative Anchia moved to postpone consideration of **HB 559** until 9 a.m. Tuesday, May 5.

The motion prevailed.

CSHB 364 ON SECOND READING
(by Dutton)

CSHB 364, A bill to be entitled An Act relating to the child support obligation of an obligor during the obligor's confinement in jail or prison.

(Sheets in the chair)

CSHB 364 was passed to engrossment. (C. Anderson, Button, Fallon, Hunter, D. Miller, Paul, and Workman recorded voting no.)

REMARKS ORDERED PRINTED

Representative Howard moved to print remarks between Representative Moody and Representative Howard on **CSHB 32**.

The motion prevailed.

Representative Leach moved to print Representative D. Bonnen's closing remarks on **CSHB 32**.

The motion prevailed.

HB 3373 ON SECOND READING
(by D. Miller)

HB 3373, A bill to be entitled An Act relating to the liability of reimbursing employers under the Texas Unemployment Compensation Act.

HB 3373 was passed to engrossment.

HB 3052 ON SECOND READING
(by D. Bonnen)

HB 3052, A bill to be entitled An Act relating to the allocation of state hotel occupancy tax revenue to certain barrier island coastal municipalities.

HB 3052 was passed to engrossment by (Record 424): 126 Yeas, 6 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; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Dutton; Faircloth; Fallon; Farias; Farney; 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.; Klick; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; Metcalf; Meyer; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Rinaldi; Schaefer; Spitzer; Stickland; Tinderholt; White, M.

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

Absent, Excused — Canales; Muñoz; Nevárez.

Absent — Alonzo; Davis, Y.; Dukes; Elkins; Farrar; King, T.; Koop; Krause; McClendon; Miles; Phillips; Reynolds.

STATEMENTS OF VOTE

When Record No. 424 was taken, I was shown voting yes. I intended to vote no.

R. Anderson

When Record No. 424 was taken, I was in the house but away from my desk. I would have voted yes.

Koop

When Record No. 424 was taken, my vote failed to register. I would have voted no.

Phillips

When Record No. 424 was taken, I was shown voting yes. I intended to vote no.

Zedler

CSHB 2753 ON SECOND READING

(by Villalba)

CSHB 2753, A bill to be entitled An Act relating to the names of certain businesses.

CSHB 2753 was passed to engrossment. (Collier and Rinaldi recorded voting no.)

CSHB 2400 ON SECOND READING

(by Bohac, Martínez Fischer, Wu, and Keough)

CSHB 2400, A bill to be entitled An Act relating to the sale of a new motor vehicle to certain manufacturers or distributors; imposing a tax.

Amendment No. 1

Representative Bohac offered the following amendment to **CSHB 2400**:

Amend **CSHB 2400** (house committee printing) as follows:

(1) On page 2, line 7, strike "Chapter 503" and substitute "Section 503.064".

(2) Strike SECTIONS 2, 3, and 4 of the bill (page 2, lines 9-25) and renumber subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

CSHB 2400, as amended, was passed to engrossment.

HB 2115 ON SECOND READING
(by Phillips and Fallon)

HB 2115, A bill to be entitled An Act relating to the initial inspection period for motor vehicles purchased by certain commercial fleet buyers.

HB 2115 was passed to engrossment.

CSHB 1550 ON SECOND READING
(by Zerwas, Guerra, Farney, R. Miller, et al.)

CSHB 1550, A bill to be entitled An Act relating to the administration of epinephrine by pharmacists.

CSHB 1550 was passed to engrossment.

HB 1887 ON SECOND READING
(by Muñoz, Canales, Guerra, and Lucio)

HB 1887, A bill to be entitled An Act relating to the establishment of a regional center for public safety excellence in the Rio Grande Valley.

Amendment No. 1

On behalf of Representative Muñoz, Representative Guerra offered the following amendment to **HB 1887**:

Amend **HB 1887** (house committee printing) by striking added Section 130.093(e), Education Code (page 2, lines 13 through 16), and relettering the subsections of added Section 130.093, Education Code, accordingly.

Amendment No. 1 was adopted.

HB 1887, as amended, was passed to engrossment.

HB 606 ON SECOND READING
(by S. Davis)

HB 606, A bill to be entitled An Act relating to a study on the benefits of prenatal surgical procedures to treat birth defects.

HB 606 was passed to engrossment.

CSHB 737 ON SECOND READING
(by Aycock)

CSHB 737, A bill to be entitled An Act relating to the creation of regional emergency communications districts; authorizing the issuance of bonds; authorizing a fee.

Amendment No. 1

Representative Aycock offered the following amendment to **CSHB 737**:

Amend **CSHB 737** (house committee printing) by striking page 7, line 27 through page 8, line 1 and inserting "exceed 50 cents.".

Amendment No. 1 was adopted.

CSHB 737, as amended, was passed to engrossment by (Record 425): 81 Yeas, 53 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bernal; Blanco; Burkett; Capriglione; Clardy; Coleman; Collier; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Huberty; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, T.; Koop; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Moody; Morrison; Murphy; Naishtat; Oliveira; Otto; Peña; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Smith; Stephenson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bonnen, D.; Bonnen, G.; Burns; Button; Craddick; Cyrier; Elkins; Fallon; Flynn; Galindo; Geren; Goldman; Hughes; Keffer; Klick; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Metcalf; Meyer; Miller, D.; Miller, R.; Murr; Parker; Paul; Phelan; Price; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Simpson; Smithee; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, J.; White, M.; Wray; Zedler.

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

Absent, Excused — Canales; Muñoz; Nevárez.

Absent — Bohac; Burrows; Cook; Dukes; Harless; Hunter; King, P.; King, S.; Paddie; Phillips.

STATEMENTS OF VOTE

When Record No. 425 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 425 was taken, I was in the house but away from my desk. I would have voted no.

Bohac

When Record No. 425 was taken, I was shown voting yes. I intended to vote no.

Capriglione

When Record No. 425 was taken, I was in the house but away from my desk. I would have voted no.

Harless

When Record No. 425 was taken, I was shown voting yes. I intended to vote no.

Huberty

When Record No. 425 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 425 was taken, I was temporarily out of the house chamber. I would have voted no.

P. King

When Record No. 425 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 425 was taken, my vote failed to register. I would have voted no.

Phillips

When Record No. 425 was taken, I was shown voting no. I intended to vote yes.

M. White

CSHB 872 ON SECOND READING

(by Raymond)

CSHB 872, A bill to be entitled An Act relating to the reactivation of a peace officer license; authorizing fees.

CSHB 872 was passed to engrossment.

HB 1701 ON SECOND READING

(by Villalba)

HB 1701, A bill to be entitled An Act relating to the approval period for a proposal for an award of a grant from the Texas Enterprise Fund.

HB 1701 was passed to engrossment.

HB 1277 ON SECOND READING

(by Ashby and Fallon)

HB 1277, A bill to be entitled An Act relating to requirements for annexation of certain commercial or industrial areas by a general-law municipality.

HB 1277 was passed to engrossment.

CSHB 1843 ON SECOND READING
(by Aycock)

CSHB 1843, A bill to be entitled An Act relating to providing training academies for public school teachers who provide reading instruction to students in prekindergarten through grade three.

Representative Aycock moved to postpone consideration of **CSHB 1843** until 9 a.m. Monday, May 4.

The motion prevailed.

FIVE-DAY POSTING RULE SUSPENDED

Representative Fletcher moved to suspend the five-day posting rule and all necessary rules to allow the Select Committee on Emerging Issues in Texas Law Enforcement to consider **HB 3165** upon final adjournment/recess Thursday, April 30 in E2.030.

The motion prevailed.

Representative Cook moved to suspend the five-day posting rule and all necessary rules to allow the Committee on State Affairs to consider **HB 3804** at 10:30 a.m. or upon final adjournment/recess tomorrow in JHR 140.

The motion prevailed.

Representative Alvarado moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Urban Affairs to consider **HB 4042** upon adjournment today in E2.028.

The motion prevailed.

Representative D. Bonnen moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Ways and Means to consider **HB 1742** and **HB 3630** at 8:30 a.m. today in E2.010.

The motion prevailed.

Representative Parker moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Investments and Financial Services to consider **HB 4209** at 8:30 a.m. tomorrow in E2.028.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Transportation, upon adjournment today, 3W.15, for a formal meeting, to consider pending business.

Urban Affairs, upon adjournment today, E2.028, for a public hearing, to consider **HB 4042** and the previously posted agenda.

Ways and Means, 8:30 a.m. today, E2.010, for a public hearing, to consider **HB 1742**, **HB 3630**, and the previously posted agenda.

Investments and Financial Services, 8:30 a.m. tomorrow, E2.028, for a public hearing, to consider **HB 4209** and the previously posted agenda.

State Affairs, 10:30 a.m. or upon final adjournment/recess tomorrow, JHR 140, for a public hearing, to consider **HB 3804**.

Select Committee on Emerging Issues in Texas Law Enforcement, upon adjournment today, Desk 38, for a formal meeting, to consider **HB 2279** and **HB 3929**.

Select Committee on Emerging Issues in Texas Law Enforcement, upon final adjournment/recess Thursday, April 30, E2.030, for a public hearing, to consider **HB 3165**.

ADJOURNMENT

Representatives K. King and Rinaldi moved that the house adjourn until 10 a.m. tomorrow in memory of Morse Burroughs of Canadian and Jan Woody of Dallas County.

The motion prevailed.

The house accordingly, at 1:23 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

SIGNED BY THE SPEAKER

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

Senate List No. 13

SB 903, SB 1985

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

Tuesday, April 28, 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 239** Schwertner
Relating to student loan repayment assistance for certain mental health professionals.
- SB 367** Garcia
Relating to the unauthorized use of an alcoholic beverage permit or license; providing a criminal penalty.
- SB 900** Taylor, Larry
Relating to the operation of the Texas Windstorm Insurance Association and the renaming of the Texas Windstorm Insurance Association as the Texas Coastal Insurance Association.
- SB 945** Taylor, Larry
Relating to funding under the public school finance system for a school district with a compressed tax rate below the state maximum compressed tax rate.
- SB 1070** Hinojosa
Relating to allowing certain defendants to successfully complete education at a substance abuse treatment facility in lieu of attending an education program; changing required conditions of community supervision for certain defendants.
- SB 1081** Creighton
Relating to the disclosure of certain information under a consolidated insurance program.
- SB 1139** Huffman
Relating to the operation and administration of and practice in courts in the judicial branch of state government and the composition of certain juvenile boards.
- SB 1461** West
Relating to the appointment and terms of the board of hospital managers of the Dallas County Hospital District.
- SB 1626** Rodríguez
Relating to the regulation by a developer of the installation of solar energy devices in a residential subdivision.
- SB 1638** Zaffirini
Relating to training for state employees, including procurement and contract management training; authorizing fees.
- SB 1881** Zaffirini
Relating to authorizing supported decision-making agreements for certain adults with disabilities.
- SB 1984** Huffman
Relating to the canvass of election returns for the offices of governor and lieutenant governor.
- SJR 66** Huffman

Proposing a constitutional amendment to provide for the governor's and lieutenant governor's terms of office to begin at 10 a.m. on the day preceding the day the regular legislative session convenes.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 27

Agriculture and Livestock - **HB 2202**

Appropriations - **HB 4034**

Business and Industry - **HB 162, HB 187, HB 1072, HB 1199, HB 2063, HB 2147, HB 2148, HB 2404, HB 2590, HB 2681, HB 2797, HB 3479, HJR 26**

County Affairs - **HB 549, HB 1150, HJR 41**

Criminal Jurisprudence - **HB 1123**

Defense and Veterans' Affairs - **SB 835**

Elections - **HB 3005**

Government Transparency and Operation - **HB 852, HB 856, HB 1169, HB 1405, HB 2839, HB 3342**

Homeland Security and Public Safety - **HB 2018**

Human Services - **HB 1069, HB 1337, HB 1541, HB 2039, HB 2588**

Insurance - **HB 335, HB 838, HB 1624, HB 2424, HB 2586**

Judiciary and Civil Jurisprudence - **HB 241, HB 262, HB 723, HB 1492, HB 1558, HB 1774, HB 1779, HB 1847, HB 1923, HB 2369, HB 2379, HB 2390, HB 2573, HB 2822**

Juvenile Justice and Family Issues - **HB 263, HB 1143, HB 1311, HB 1391, HB 1480, HB 1490, HB 2372, HB 2616, HB 2632, HB 2751, HB 2945, HB 2992, HB 3121, HB 3830, HB 4003, HB 4086**

Licensing and Administrative Procedures - **HB 108, HB 688, HB 3093**

Natural Resources - **HB 648, HB 2179, HB 2528, HB 2852, HB 3324, HB 3356**

Public Health - **HB 2271, SB 97**

Special Purpose Districts - **HB 3605**

State Affairs - **HB 2511**

Urban Affairs - **HB 1789, HB 1790, HB 2162, HB 2529, HB 2870, HB 3060, HB 3089, HB 3380, HB 3535, HB 3576, HB 3608, HB 3660, HB 3711, HB 4011**

Ways and Means - **HB 3630**

ENGROSSED

April 27 - HB 750, HB 786, HB 1107, HB 1583, HB 1881, HB 1947, HB 2244, HB 2557, HB 2559, HB 3014, HB 3227, HB 3823

SENT TO THE GOVERNOR

April 27 - HCR 99

RECOMMENDATIONS FILED WITH THE SPEAKER

April 27 - HB 4152, HB 4153, HB 4154, HB 4155, HB 4156, HB 4157, HB 4158, HB 4159, HB 4160, HB 4161, HB 4162, HB 4163, HB 4164, HB 4165, HB 4195