

# HOUSE JOURNAL

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EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SIXTIETH DAY — THURSDAY, APRIL 30, 2015

The house met at 2:04 p.m. and, at the request of the speaker, was called to order by Representative Márquez.

The roll of the house was called and a quorum was announced present (Record 447).

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; Miller, R.

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business:

S. King on motion of Naishtat.

M. White on motion of Schaefer.

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

Muñoz on motion of Raymond.

### LEAVES OF ABSENCE GRANTED

On motion of Representative S. Thompson and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

(R. Miller now present)

### RULES SUSPENDED

Representative S. Thompson moved to suspend all necessary rules to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed.

### MOTION FOR ONE RECORD VOTE

On motion of Representative Sheets and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

### LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following the bill number).

(Record 448): 139 Yeas, 0 Nays, 1 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffler; Keough; King, K.; King, P.; 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; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; 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.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Anderson, R.; Canales; Rose; Schofield.

### STATEMENTS OF VOTE

When Record No. 448 was taken, my vote failed to register. I would have voted yes.

R. Anderson

When Record No. 448 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

**HB 74** (Cook, Fallon, Flynn, Goldman, Huberty, Isaac, Klick, Krause, Leach, Rinaldi, Simmons, Simpson, Springer, Stickland, E. S. Turner, M. White, and Zedler - no) (122 - 17 - 1)

**HB 199** (Fallon, Krause, Rinaldi, Schaefer, Simpson, Tinderholt, E. S. Turner, M. White, and Zedler - no) (130 - 9 - 1)

**HB 210** (Flynn and Zedler - no) (137 - 2 - 1)

**HB 331**

**SB 489**

**HB 367** (Flynn and Zedler - no) (137 - 2 - 1)

**HB 509** (Fallon, Goldman, Krause, Leach, Rinaldi, Schaefer, Simpson, Springer, Stickland, E. S. Turner, and Zedler - no) (128 - 11 - 1)

**HB 512** (Fallon, Klick, Phillips, Rinaldi, Schaefer, Simpson, Stickland, Tinderholt, and M. White - no) (130 - 9 - 1)

**HB 583** (Goldman, Isaac, Leach, and Sheets - no) (135 - 4 - 1)

**HB 642** (Flynn and Zedler - no) (137 - 2 - 1)

**SB 415**

**HB 870** (Fallon, Isaac, Rinaldi, Schaefer, Stickland, and Tinderholt - no) (133 - 6 - 1)

**HB 875** (C. Anderson, Goldman, and Leach - no) (136 - 3 - 1)

**HB 950** (Flynn and Zedler - no) (137 - 2 - 1)

**HB 968** (Goldman, Leach, and Springer - no) (136 - 3 - 1)

**HB 995** (C. Anderson, Cook, Fallon, Flynn, Goldman, Krause, Leach, Phillips, Rinaldi, Schaefer, Simmons, Simpson, Springer, Stickland, Tinderholt, E. S. Turner, and Zedler - no) (122 - 17 - 1)

**SB 227**

**HB 1052** (Fallon, Rinaldi, Stickland, and Tinderholt - no) (135 - 4 - 1)

**HB 1111**

**SB 378** (Bell and E. S. Turner - no) (137 - 2 - 1)

**SB 1066** (Fallon, Krause, Rinaldi, Schaefer, Simpson, Stickland, Tinderholt, E. S. Turner, M. White, and Zedler - no) (129 - 10 - 1)

**HB 1273**

**HB 1289** (Goldman, Huberty, Klick, Krause, Leach, Springer, E. S. Turner, and Zedler - no) (131 - 8 - 1)

**HB 1307**

**SB 562**

**HB 1421** (Stickland, Tinderholt, E. S. Turner, and Zedler - no) (135 - 4 - 1)

**HB 1422** (Fallon, Huberty, Klick, Krause, Rinaldi, Simpson, Stickland, Tinderholt, E. S. Turner, M. White, and Zedler - no) (128 - 11 - 1)

**HB 1428** (Stickland - no) (138 - 1 - 1)

**HB 1464**

**HB 1466** (Stickland - no) (138 - 1 - 1)

**HB 1500** (Stickland - no) (138 - 1 - 1)

**SB 596** (Fallon, Flynn, Isaac, Krause, Rinaldi, Schaefer, Sheets, Simmons, Simpson, Stickland, Tinderholt, E. S. Turner, M. White, and Zedler - no) (125 - 14 - 1)

**HB 1605**

**HB 1640**

**SB 534**

**HB 1709** (Stickland - no) (138 - 1 - 1)

**HB 1736** (C. Anderson, Button, Fallon, Flynn, Huberty, Isaac, Klick, Krause, Phillips, Rinaldi, Schaefer, Simpson, Stickland, E. S. Turner, M. White, and Zedler - no) (123 - 16 - 1) (Bell requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 1738**

**HB 1819** (Schaefer - no) (138 - 1 - 1)

**HB 1832** (Tinderholt - no) (138 - 1 - 1)

**HB 1879** (Goldman, Leach, and Springer - no) (136 - 3 - 1)

**SB 979** (Fallon, Rinaldi, and Stickland - no) (136 - 3 - 1)

**HB 1953** (Stickland - no) (138 - 1 - 1)

**HB 1963**

**HB 1996** (Goldman, Leach, and Springer - no) (136 - 3 - 1)

**SB 788** (Stickland and Tinderholt - no) (137 - 2 - 1)

**HB 2035** (C. Anderson, Fallon, Flynn, Goldman, Leach, Rinaldi, Springer, Stickland, Tinderholt, and Zedler - no) (129 - 10 - 1)

**HB 2079** (Fallon, Flynn, Rinaldi, and Stickland - no) (135 - 4 - 1)

**HB 2091**

**HB 2092** (Fallon, Krause, Rinaldi, Schaefer, Simpson, Stickland, Tinderholt, E. S. Turner, and M. White - no) (130 - 9 - 1)

**HB 2119**

**SB 859** (Stickland - no) (138 - 1 - 1)

**SB 928**

**SB 1452** (Stickland - no) (138 - 1 - 1)

**HB 2189**

**HB 2193**

**HB 2194**

**HB 2232**

**HB 2284** (Stickland - no) (138 - 1 - 1) (Bell requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 45**

**HB 2316** (Flynn and Zedler - no) (137 - 2 - 1)

**SB 774** (Fallon, Rinaldi, and Stickland - no) (136 - 3 - 1)

**HB 2354**

**HB 2428**

**HB 2468** (Goldman and Springer - no) (137 - 2 - 1)

**SB 1749** (Stickland - no) (138 - 1 - 1)

**HB 2519** (Isaac - no) (138 - 1 - 1)

**HB 2547**

**HB 2583**

**HB 2584**

**HB 2599** (C. Anderson, Flynn, Krause, Rinaldi, Schaefer, Simpson, Stickland, Tinderholt, E. S. Turner, M. White, and Zedler - no) (128 - 11 - 1)

**HB 2629** (Fallon and Rinaldi - no) (137 - 2 - 1)

**HB 2680** (Stickland - no) (138 - 1 - 1)

**HB 2736** (Simpson, Stickland, and Tinderholt - no) (136 - 3 - 1)

**HB 2767** (Stickland - no) (138 - 1 - 1)

**HB 2788** (Stickland - no) (138 - 1 - 1)

**SB 1137** (C. Anderson, Cook, Flynn, Sheets, Simmons, and Zedler - no)  
(133 - 6 - 1)

**HB 2849** (Rinaldi - no) (138 - 1 - 1)

**HB 2878**

**HB 2900**

**HB 2917** (Tinderholt - no) (138 - 1 - 1)

**HB 2921** (Cook, Isaac, Sheets, Simmons, and Tinderholt - no) (134 - 5 - 1)

**HB 2975** (Fallon, Rinaldi, Stickland, and Tinderholt - no) (135 - 4 - 1)

**HB 3003**

**HB 3067** (Fallon, Goldman, Leach, Rinaldi, and Stickland - no)  
(134 - 5 - 1)

**HB 3078** (Stickland - no) (138 - 1 - 1)

**HB 3092** (C. Anderson, Flynn, Goldman, Leach, Springer, Stickland, and  
Zedler - no) (132 - 7 - 1)

**HB 3175** (Flynn, Schaefer, Stickland, and Zedler - no) (135 - 4 - 1)

**HB 3187** (Stickland - no) (138 - 1 - 1)

**HB 3211** (Tinderholt - no) (138 - 1 - 1)

**SB 656**

**HB 3237**

**HB 3238** (Stickland - no) (138 - 1 - 1)

**HB 3244**

**SB 1466**

**HB 3485** (Fallon, Rinaldi, and Stickland - no) (136 - 3 - 1)

**HB 3555** (Stickland - no) (138 - 1 - 1)

**HB 3562** (Fallon, Rinaldi, and Stickland - no) (136 - 3 - 1) (Bell requested  
to be recorded voting no after the deadline established by Rule 5, Section 52 of  
the House Rules.)

**HB 3629** (Fallon, Rinaldi, Stickland, and Tinderholt - no) (135 - 4 - 1)

**HB 3668** (Tinderholt - no) (138 - 1 - 1)

**HB 3680**

**HB 3729** (Fallon and Rinaldi - no) (137 - 2 - 1)

**HB 3842** (Fallon and Rinaldi - no) (137 - 2 - 1)

**HB 3858** (Stickland and Tinderholt - no) (137 - 2 - 1)

**HB 3868**

**HB 3872** (Fallon, Krause, Rinaldi, E. S. Turner, and Zedler - no) (134 - 5 - 1) (Sanford requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 4025** (Stickland - no) (138 - 1 - 1) (Hughes requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 4030** (Stickland - no) (138 - 1 - 1)

**HB 4126**

**HB 4129**

**HB 4132**

**HB 4133**

**HB 4134**

**HB 1190** (Bell, Fallon, Huberty, Klick, Krause, Rinaldi, Schaefer, Stickland, Tinderholt, E. S. Turner, and Zedler - no) (128 - 11 - 1)

**HB 2181**

**HB 2697** (Stickland - no) (138 - 1 - 1)

**HB 3738**

The following resolutions which were laid out on the previous legislative day on the local, consent, and resolutions calendar were adopted by the above referenced vote (Record 448): 139 Yeas, 0 Nays, 1 Present, not voting (members registering votes and the results of the vote are shown following the bill number).

**HCR 46**

**HCR 62** (Rinaldi - no) (138 - 1 - 1)

**HCR 76** (Rinaldi - no) (138 - 1 - 1)

**HCR 93** (Rinaldi - no) (138 - 1 - 1)

**HCR 94**

**HR 922** (Stickland - no) (138 - 1 - 1)

**HCR 80**

**HCR 81**

#### **MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

#### **REGULAR ORDER OF BUSINESS SUSPENDED**

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

**HR 2148 - ADOPTED**  
**(by Sheffield)**

Representative Sheffield moved to suspend all necessary rules to take up and consider at this time **HR 2148**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2148**, Recognizing April 30, 2015, as Hard Hats for Little Heads Day at the State Capitol.

**HR 2148** was adopted. (Fallon and Rinaldi recorded voting no.)

On motion of Representative Zerwas, the names of all the members of the house were added to **HR 2148** as signers thereof.

**INTRODUCTION OF GUEST**

The chair recognized Representative Sheffield who introduced Dr. Larry Driver, founder of Hard Hats for Little Heads.

**GENERAL STATE CALENDAR**

**SENATE BILLS**

**THIRD READING**

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

**SB 125 ON THIRD READING**

**(Naishtat - House Sponsor)**

**SB 125**, A bill to be entitled An Act relating to certain assessments for children in the conservatorship of the Department of Family and Protective Services.

**SB 125** was passed by (Record 449): 138 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez(C); Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith;



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

Present, not voting — Mr. Speaker.

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; Keffer; McClendon; Murphy; Raney.

### STATEMENT OF VOTE

When Record No. 449 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

### MAJOR STATE CALENDAR HOUSE BILLS THIRD READING

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

#### HB 1786 ON THIRD READING (by Dutton)

**HB 1786**, A bill to be entitled An Act relating to the transfer of driver and traffic safety education from the Texas Education Agency and the Department of Public Safety to the Texas Department of Licensing and Regulation; changing the amounts of certain fees; amending a provision subject to a criminal penalty.

**HB 1786** was passed by (Record 450): 134 Yeas, 1 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; 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.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; Keffer; Koop; Laubenberg; McClendon; Murphy; Sheffield.

### STATEMENTS OF VOTE

When Record No. 450 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 450 was taken, I was in the house but away from my desk. I would have voted yes.

Koop

### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

#### HB 66 ON THIRD READING (by González, Lucio, and Moody)

**HB 66**, A bill to be entitled An Act relating to the consideration of the performance of students of limited English proficiency on state assessment instruments and inclusion of related information in campus report cards.

**HB 66** was passed by (Record 451): 107 Yeas, 32 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Burkett; Burns; Burrows; Coleman; Collier; Cook; Crownover; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farrar; Fletcher; Frank; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Landgraf; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Peña; Phelan; Phillips; Pickett; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Stephenson; Stickland; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bonnen, D.; Bonnen, G.; Button; Capriglione; Craddick; Cyrier; Dale; Elkins; Fallon; Flynn; Geren; Goldman; Hughes; Keough; Krause; Larson; Laubenberg; Leach; Paul; Price; Rinaldi; Sanford; Schubert; Shaheen; Springer; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, J.; Zedler.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; Farney; McClendon.

**STATEMENTS OF VOTE**

When Record No. 451 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 451 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 451 was taken, I was shown voting yes. I intended to vote no.

Smith

**HB 1841 ON THIRD READING**

(by **G. Bonnen**)

**HB 1841**, A bill to be entitled An Act relating to the applicability of the sales and use tax to certain insurance services.

**HB 1841** was passed by (Record 452): 138 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; King, P.; McClendon; Morrison.

**STATEMENTS OF VOTE**

When Record No. 452 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 452 was taken, I was in the house but away from my desk. I would have voted yes.

P. King

When Record No. 452 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

**HB 2536 ON THIRD READING**  
**(by Harless, Dutton, and S. Davis)**

**HB 2536**, A bill to be entitled An Act relating to jurisdiction in an eminent domain proceeding in Harris County.

**HB 2536** was passed by (Record 453): 132 Yeas, 7 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; 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; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Thompson, E.; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zerwas.

Nays — Peña; Rinaldi; Schaefer; Stickland; Thompson, S.; Tinderholt; Zedler.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon; Stephenson.

**STATEMENT OF VOTE**

When Record No. 453 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

**HB 1293 ON THIRD READING****(by Alvarado, Herrero, S. Davis, Dale, Moody, et al.)**

**HB 1293**, A bill to be entitled An Act relating to the confidentiality of identifying information of victims of stalking; creating a criminal offense.

**HB 1293** was passed by (Record 454): 136 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; 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; González; Guerra; Guillen; Gutierrez; Harless; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; 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; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; 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.; Workman; Wray; Wu; Zedler.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; Gonzales; Hernandez; McClendon; Pickett; Zerwas.

**STATEMENT OF VOTE**

When Record No. 454 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

**HB 1661 ON THIRD READING****(by Guerra, Muñoz, Lucio, Zerwas, Sheffield, et al.)**

**HB 1661**, A bill to be entitled An Act relating to Medicaid billing for the services of substitute dentists.

**HB 1661** was passed by (Record 455): 138 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; 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; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; 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.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon; Murr; Phelan.

### STATEMENTS OF VOTE

When Record No. 455 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 455 was taken, I was in the house but away from my desk. I would have voted yes.

Murr

### HB 1584 ON THIRD READING

(by Farias, Moody, Walle, J. Rodriguez, and Guillen)

**HB 1584**, A bill to be entitled An Act relating to a voluntary donation to the fund for veterans' assistance when applying for a hunting or fishing license.

**HB 1584** was passed by (Record 456): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycok; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee;

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

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; Landgraf; McClendon; Rodriguez, E.

### STATEMENT OF VOTE

When Record No. 456 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

### HB 1539 ON THIRD READING

(by Meyer, Anchia, and Fallon)

**HB 1539**, A bill to be entitled An Act relating to increasing the criminal penalties in certain circumstances for insider trading and other misuse of official information by public servants.

**HB 1539** was passed by (Record 457): 138 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; 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; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; 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.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon; Rodriguez, E.

### STATEMENT OF VOTE

When Record No. 457 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

### HB 1212 ON THIRD READING

(by Price, Coleman, Naishtat, Zerwas, G. Bonnen, et al.)

**HB 1212**, A bill to be entitled An Act relating to the designation and regulation of abusable synthetic substances, the emergency scheduling of certain controlled substances, and the prosecution and punishment of certain offenses involving a controlled substance or controlled substance analogue.

**HB 1212** was passed by (Record 458): 135 Yeas, 4 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; 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; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Rinaldi; Schaefer; Simpson; Stickland.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; Martinez Fischer; McClendon.

### STATEMENTS OF VOTE

When Record No. 458 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 458 was taken, I was shown voting no. I intended to vote yes.

Schaefer



**HB 1282 ON THIRD READING****(by Zerwas, Howard, S. Davis, Sheffield, Farrar, et al.)**

**HB 1282**, A bill to be entitled An Act relating to a human papillomavirus-associated cancer strategic plan developed by the Department of State Health Services.

**HB 1282** was passed by (Record 459): 128 Yeas, 12 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; 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, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheets; Sheffield; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zerwas.

Nays — Bell; Capriglione; Dale; Fallon; Krause; Rinaldi; Schaefer; Shaheen; Simpson; Spitzer; Turner, E.S.; Zedler.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon.

**STATEMENT OF VOTE**

When Record No. 459 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

**HB 1140 ON THIRD READING****(by Israel, J. White, S. King, Coleman, Stickland, et al.)**

**HB 1140**, A bill to be entitled An Act relating to reports regarding the confinement of pregnant prisoners in county jails.

**HB 1140** was passed by (Record 460): 125 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Bohac; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Davis,

S.; Davis, Y.; Deshotel; Dutton; Elkins; Fallon; Farias; Farney; Farrar; Frank; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez(C); Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simpson; Smith; Smithee; Spitzer; Stephenson; Stickland; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zerwas.

Nays — Bell; Bonnen, D.; Bonnen, G.; Darby; Faircloth; Fletcher; Flynn; Goldman; Isaac; Phillips; Riddle; Rinaldi; Simmons; Springer; Thompson, E.; Zedler.

Present, not voting — Mr. Speaker.

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon.

#### STATEMENTS OF VOTE

When Record No. 460 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 460 was taken, I was shown voting no. I intended to vote yes.

Faircloth

#### HB 1924 ON THIRD READING (by Coleman and Zerwas)

**HB 1924**, A bill to be entitled An Act relating to the authority of a psychologist to delegate certain care to an intern.

**HB 1924** was passed by (Record 461): 139 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycocck; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; 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; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Simpson.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon.

### STATEMENTS OF VOTE

When Record No. 461 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 461 was taken, I was shown voting no. I intended to vote yes.

Simpson

### HB 1929 ON THIRD READING

(by Rose)

**HB 1929**, A bill to be entitled An Act relating to the payment in certain counties of expenses associated with the transportation of county residents and visitors for civic, community, educational, and recreational activities.

**HB 1929** was passed by (Record 462): 99 Yeas, 39 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bernal; Blanco; Bohac; Burkett; Burns; Burrows; Capriglione; Coleman; Collier; Cook; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hunter; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Koop; Kuempel; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Miles; Miller, D.; Moody; Morrison; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Peña; Phelan; Pickett; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shaheen; Sheets; Sheffield; Smith; Smithee; Spitzer; Thompson, S.; Turner, C.; VanDeaver; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bonnen, D.; Bonnen, G.; Button; Craddick; Dale; Elkins; Faircloth; Goldman; Gonzales; Huberty; Hughes; Isaac; Klick; Krause; Landgraf; Leach; Metcalf; Meyer; Miller, R.; Murr; Parker; Paul; Price; Rinaldi; Sanford; Schaefer; Simmons; Simpson; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, J.; Zedler.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon; Phillips; Turner, S.

### STATEMENTS OF VOTE

When Record No. 462 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 462 was taken, my vote failed to register. I would have voted no.

Phillips

When Record No. 462 was taken, I was shown voting no. I intended to vote yes.

Price

### HB 825 ON THIRD READING

(by Giddings and M. White)

**HB 825**, A bill to be entitled An Act relating to procedures for identifying any Native American heritage of children in certain hearings in suits affecting the parent-child relationship.

**HB 825** was passed by (Record 463): 125 Yeas, 15 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; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Koop; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheets; Sheffield; Simmons; Smith; Springer; Stickland; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Fallon; Klick; Krause; Laubenberg; Leach; Paul; Rinaldi; Schaefer; Schofield; Shaheen; Simpson; Smithee; Spitzer; Stephenson; Thompson, E.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon.

### STATEMENT OF VOTE

When Record No. 463 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

### HB 473 ON THIRD READING

(by Giddings and Guillen)

**HB 473**, A bill to be entitled An Act relating to a prohibition on the sale or transfer of certain law enforcement vehicles before removal of certain equipment and insignia.

**HB 473** was passed by (Record 464): 136 Yeas, 2 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; 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; Hughes; Hunter; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; 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; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Isaac; Simmons.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon; Sanford; Turner, E.S.

### STATEMENT OF VOTE

When Record No. 464 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

#### HB 545 ON THIRD READING

(by Dutton)

**HB 545**, A bill to be entitled An Act relating to the enforcement of an order to pay child support by contempt.

**HB 545** was passed by (Record 465): 140 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; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Fairecloth; 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, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon.

### STATEMENT OF VOTE

When Record No. 465 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

#### HB 821 ON THIRD READING

(by Sheets, Larson, Fallon, and Anchia)

**HB 821**, A bill to be entitled An Act relating to the requirements of certain minors applying for a hunting or fishing license.

**HB 821** was passed by (Record 466): 140 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; 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; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon.

### STATEMENT OF VOTE

When Record No. 466 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

### HB 923 ON THIRD READING (by Flynn and Fallon)

**HB 923**, A bill to be entitled An Act relating to the issuance of 36th Infantry Division specialty license plates and souvenir license plates.

**HB 923** was passed by (Record 467): 140 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; 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; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer;

Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; McClendon.

### STATEMENT OF VOTE

When Record No. 467 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

### HB 2261 ON THIRD READING (by Villalba and P. King)

**HB 2261**, A bill to be entitled An Act relating to the transfer or termination of certain timeshare interests.

**HB 2261** was passed by (Record 468): 134 Yeas, 5 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; Capriglione; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; 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; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Rinaldi; Simpson; Stickland; Tinderholt; Turner, E.S.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Button; Canales; McClendon.



**STATEMENTS OF VOTE**

When Record No. 468 was taken, I was in the house but away from my desk. I would have voted yes.

Button

When Record No. 468 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 468 was taken, I was shown voting yes. I intended to vote no.

Schaefer

**HB 1248 ON THIRD READING**

(by Lucio and Cyrier)

**HB 1248**, A bill to be entitled An Act relating to the renewal or amendment of certain permits issued by groundwater conservation districts.

**HB 1248** was passed by (Record 469): 136 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; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Huberty; Hughes; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez(C); Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Riddle; Rinaldi; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; Herrero; Hunter; McClendon; Reynolds; Rodriguez, E.; Walle.

### STATEMENTS OF VOTE

When Record No. 469 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 469 was taken, I was in the house but away from my desk. I would have voted yes.

Reynolds

When Record No. 469 was taken, my vote failed to register. I would have voted yes.

E. Rodriguez

### HB 1164 ON THIRD READING

(by VanDeaver, González, Guillen, Huberty, et al.)

**HB 1164**, A bill to be entitled An Act relating to the assessment of public school students in writing and English language arts.

#### Amendment No. 1

Representative Tinderholt offered the following amendment to **HB 1164**:

Amend **HB 1164** on third reading as follows:

(1) In added Section 18.0055, Education Code, in the section heading, between the colon and "WRITING", insert "ENGLISH LANGUAGE ARTS AND".

(2) In added Section 18.0055, Education Code, in the first sentence, between "in" and "writing", insert "English language arts and".

(3) In amended Section 28.0255(g)(3), Education Code, between "in" and "writing", insert "English language arts and".

(4) In added Section 37.011(d-1), Education Code, in the first sentence, between "in" and "writing" insert "English language arts and".

(5) In amended Section 39.023(a), Education Code, as effective until on or before September 1, 2015, in the first sentence, strike "English language arts [writing]," and substitute "[writing]".

(6) In amended Section 39.023(a), Education Code, as effective until on or before September 1, 2015, strike Subdivisions (3)-(6) and substitute the following:

(3) ~~[writing, including spelling and grammar, in grades four and seven;~~

~~[(4)]~~ social studies, in grade eight;

(4) ~~[(5)]~~ science, in grades five and eight; and

~~[(6)]~~ any other subject and grade required by federal law.

(7) In amended Section 39.023(a), Education Code, as effective on or before September 1, 2015, in the first sentence, strike "English language arts [writing]," and substitute "[writing]".

(8) In amended Section 39.023(a), Education Code, as effective on or before September 1, 2015, strike Subdivisions (3)-(5) and substitute the following:

- (3) ~~[writing, including spelling and grammar, in grades four and seven;~~  
~~[(4)]~~ social studies, in grade eight; and  
(4) ~~[(5)]~~ science, in grades five and eight.

(9) In amended Section 39.023(a), Education Code, as effective September 1, 2017, in the first sentence, strike "English language arts [writing]," and substitute "[writing]."

(10) In amended Section 39.023(a), Education Code, as effective September 1, 2017, strike Subdivisions (3)-(6) and substitute the following:

- (3) ~~[writing, including spelling and grammar, in grades four and seven;~~  
~~[(4)]~~ social studies, in grade eight;  
(4) ~~[(5)]~~ science, in grades five and eight; and  
(5) ~~[(6)]~~ any other subject and grade required by federal law.

(11) Strike added Section 39.023(b-2), Education Code.

(12) In amended Section 39.023(c), Education Code, in the third sentence, strike "both reading and language arts [writing] in the same assessment instrument and must provide a single score" and substitute "[both] reading [and writing in the same assessment instrument and must provide a single score]."

(13) In added Section 39.023(q), Education Code, strike "a student's writing" and substitute "a student in English language arts and writing".

(14) In added Section 39.0264, Education Code, in the section heading, between the colon and "WRITING", insert "ENGLISH LANGUAGE ARTS AND".

(15) In added Sections 39.0264(a) and (b), Education Code, strike "writing" each place it appears and substitute "English language arts and".

(16) Strike SECTION 17 of the bill and renumber subsequent SECTIONS of the bill accordingly.

#### AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE TINDERHOLT: Members, in an attempt to decrease high-stakes testing as much as possible, I came up to the front and asked what would be germane, and they said reading—the other part of language arts. So I added this on here in the hopes that we could decrease what all of the teachers, all of the superintendents, the school board, everyone, is telling me is very detrimental to the education system—which is the high-stakes testing. And that's why I did this, and I'm hoping that you will support.

REPRESENTATIVE VANDEAVER: I understand and appreciate the desire to eliminate these high-stakes tests and the stress that's caused by them. We've worked a great deal of time—we've spent a great number of hours working on this bill and developing it, and I'm convinced we have a good bill here. While I believe major changes are needed to our testing system, I agree that changes need to be made to our testing system possibly beyond what this bill does. However, we need to be very methodical when we begin making changes to our testing system. We need to be sure that we don't create some unintended consequences when we make these changes to this system. These changes should not come as a knee-jerk reaction through a quickly crafted amendment. And it's for those reasons that I'm going to move to table this motion.

REPRESENTATIVE STICKLAND: Representative, I appreciate your work. I'll be supporting your bill. Would you argue that part of the process that you're speaking of, that goes toward creating new legislation, is the floor process where every member of this body gets to put their input involved as well—even if we're not on the Public Education Committee?

VANDEAVER: I would agree; that's part of the process.

STICKLAND: And you do understand that there are many of us that disagree with the statements that you made that this was a knee-jerk reaction. There are literally dozens of us who have heard very clearly from our constituents and our school districts, as Representative Tinderholt pointed out, that any chance we get to get rid of high-stakes testing is a chance that we need to take.

VANDEAVER: I understand that, and I don't totally disagree with that. I've had a lot of input from mine.

STICKLAND: And being germane with the bill, which this amendment is, why should we not send a message and take a shot right now at doing exactly what every single one of us tells our constituents we want to do, which is end high-stakes testing?

VANDEAVER: Because I believe that's what this bill does, and I believe this bill is a good bill as it's crafted. There is other—

STICKLAND: It is, but this is an opportunity—

VANDEAVER: There is other legislation moving through the process that would be a much better vehicle for this amendment.

STICKLAND: Representative VanDeaver, again, I support your bill, and I'm going to vote for it no matter what, but we have a chance right now to make it even better. I know we're often told in this process that there will be another chance, or we can do it next session, or anything else. But this is literally going to affect the lives of tens of thousands of children, I believe, in a positive way. And we can do it right now. We don't have to wait for another vehicle. We don't have to wait for another bill or another session or another amendment. Right now, we can keep this amendment on and end high-stakes testing for reading. Would you please reconsider being against it?

VANDEAVER: But it's also—just as this is a very important part of this process, we know that this is just a part of the process. What we do today does not make this bill law. We still have a long process to go with this bill. This is a good bill, and we want to see it reach the finish line.

STICKLAND: I appreciate your efforts. I am going to take the opportunity that I have right now before me to send a message and try and get rid of high-stakes testing for the kids in my district. And I hope that every member in this house will oppose your efforts to table and do what's right by the Texas kids.

REPRESENTATIVE OTTO: Representative VanDeaver, I came to you yesterday and applauded the fact that what you're doing is trying to put back into local districts the decision about the teaching of writing. Is that correct?

VANDEAVER: That's correct.

OTTO: All right. And while a lot of us—I mean, last session are you aware we got rid—we went from 15 high-stakes testing down to five?

VANDEAVER: That's correct, yes.

OTTO: But we have to be careful, as you said earlier, do we not, about removing accountability?

VANDEAVER: Exactly, yes.

OTTO: So what your bill is doing is keeping the accountability, but allowing the local district to determine what that accountability ought to look like. Is that correct?

VANDEAVER: That is correct.

STICKLAND: I think we would all agree here that accountability is good, correct?

VANDEAVER: Absolutely.

STICKLAND: But you do understand that many of us believe in parental accountability and that testing is not necessarily exactly what we need. This amendment is not going to get rid of all accountability in the system, is it? If it's added to this bill?

VANDEAVER: I would not disagree with that.

STICKLAND: So all we are really doing is what you have agreed is a good thing on writing and also applying it to reading. Correct?

VANDEAVER: Yes, I'll accept that.

STICKLAND: So I don't understand how this is a monumental—can you explain to me how this is a monumental change that everybody's scared of?

VANDEAVER: I don't think anyone is scared of it, and I don't think—necessarily, we don't think it's a monumental change. But as I said earlier, this system was created over time; like it or not it has grown into what it is. It has a lot of moving parts, and any time we begin adjusting a moving part it has unintended consequences elsewhere. And I just don't think we need to, with a quickly written floor amendment, come in and change this bill, in this way.

STICKLAND: Representative, we talked about this amendment. I told you that I would author it yesterday, correct?

VANDEAVER: Let's give those changes some thought. We have other vehicles moving through the process, and we can think these things out—get some input from those who are out there actually doing it.

STICKLAND: Representative, me and you talked about this exact amendment yesterday, correct?

VANDEAVER: We did.

STICKLAND: So it was not a knee-jerk reaction written 15 minutes ago.

VANDEAVER: No, and I didn't mean to indicate that it was written 15 minutes ago.

STICKLAND: Has this issue not been discussed in the Public Education Committee, as well? High-stakes testing, in general?

VANDEAVER: Absolutely. This bill came out of Public Education.

STICKLAND: We know it has a negative impact on our kids, right?

VANDEAVER: Sure, absolutely.

STICKLAND: So why are we not supporting an opportunity? Why are we waiting? Why would we wait? Right now, here in the Texas House, we can add this amendment in and do what we already know is right for our kids.

VANDEAVER: And possibly lose the entire bill. I'm not willing to do that.

STICKLAND: Possibly lose the entire bill? I don't understand that. Can you please explain to me why?

VANDEAVER: Mr. Stickland, you've been here longer than me, but I think we all understand that there's another chamber in this legislature. This bill will move from here to the other chamber.

STICKLAND: And if they disagree, we'll go to conference, and we'll work it out with them, correct?

VANDEAVER: That is the typical process.

STICKLAND: So why can't we send over the best possible product by our children right now?

VANDEAVER: As I said—

STICKLAND: We'll work it out with the senate. I want them to take this vote. If they really think that removing high-stakes testing is best, then let that be on their shoulders. But as a body let's take a chance that we have right now for our children.

VANDEAVER: We will take that vote on the motion to table, I believe.

REPRESENTATIVE AYCOCK: Members, we're having a lot of discussion here about really important issues that involve five million kids in the State of Texas. For several years, for many years now, the Texas policy has been—we will do Texas standards communicated through the State Board of Education. We set our curriculum; we set our tests; we set our standards; we set all of our entire education system separate from most of the policies in the rest of the nation. The question becomes at this point, do we really believe in accountability? And if so, what is the appropriate role for setting those standards and testing? And it's a very difficult and complex question. There's been discussion yesterday and today about are we testing too much? I think this bill says we want to test, we want to assess, but we want to do it in a different way than we're presently doing it. As you know, last time we reduced 10 tests. This one takes another one partially out of the mix in that it assesses by portfolio rather than that 26-line formulaic test we've all heard about.

These issues will be magnified in the coming days. Not only this vote you will take today but as we talk about accountability and assessment and all kinds of education policy that's going to come at you in the next week or so. Do we wish to leave accountability? I think not. I think we need to find a good balance, and that balance is, admittedly, not easy to achieve. Do we want to leave the policy of state decision about our own standards, which I believe are better than Common Core? Or do we want to go to Common Core-aligned tests? If you go to Common Core-aligned tests, now you've got to go to Common Core-aligned standards, and a whole bunch of curriculum and other things that we'll talk about over the coming days. But when we talk about testing, it's personal to all of us. I don't think anybody has stood here and fought more to reduce testing than I've done. I will continue to try to find a good balance, and encourage my committee to find a good balance between appropriate testing and assessment, and try to reel it in where appropriate and leave it tight enough that we can find accountability, hopefully, in the right places.

STICKLAND: Mr. Chairman, I appreciate your work, and you know I supported your efforts on **HB 4**. I think that was a monumental bill that we passed last session—

AYCOCK: **HB 5**.

STICKLAND: I'm sorry, **HB 5**.

AYCOCK: **HB 4** was a good bill, too.

STICKLAND: I voted for **HB 4**, too. But, Mr. Chairman, I don't—I have a hard time understanding your argument right now because you're acting like this amendment will get rid of accountability. All we're doing is adding reading to what you said we already need to do for writing.

AYCOCK: Do you really want to remove reading from the testing program?

STICKLAND: I absolutely would support that at this point, because let me explain something to you. I honestly believe that accountability is best to come from parents and the community leaders at the local level, rather than Austin bureaucrats or Pearson Publishing's high-stakes testing system that we've had set up. And I'm not saying that you agree with that, but right now we have an opportunity. And it's often said on this floor that we need to respect the process, we need to not go too far, we need to protect the bill from dying. Why are we afraid of that? I believe we have an opportunity to do what's right, what you've already agreed to in one aspect and said this is good for kids. Let's apply it to reading, too. And if we get into a fight with the senate, then let's go over there and make the argument.

AYCOCK: The fundamentals of the bill, Mr. Stickland, are that we will assess writing in a different methodology than we are presently doing.

STICKLAND: And I just want to do that to reading, too.

AYCOCK: And what is your proposed methodology for reading? That we not test it?

STICKLAND: No, I believe that we need to add it in to the way that we're going to allow them the ability to come up with their own parameters.

AYCOCK: And you would allow reading to be assessed by a portfolio-type approach?

STICKLAND: Or whatever else that we're using as a parameter on the writing that you have proposed and you're supporting.

AYCOCK: It's a portfolio approach of a body of work that would be proposed in the place of the standardized test.

STICKLAND: Mr. Chairman, this is what I know. We have an opportunity right now to address a problem that you and I both hear from every day when we walk our districts—when we talk to school moms, soccer moms, coaches, dads. This is what they're talking about. I got hundreds of phone calls and e-mails and Facebook posts last week during the STAAR tests of kids whose lives are turned upside down with the system that we have put into place. Let's free them from that right now. We don't have to wait on anything. We can make this bill better right now.

AYCOCK: While I support the diminishment of a thing that I think has gone too far in the State of Texas—it has gone back and forth over many years, and I think we've swung too far to the test side. I'm not for—

STICKLAND: Well, then let's knock it back. Let's swing the pendulum right back.

AYCOCK: We have swung it back dramatically. I think we're trying to find a good balance. I think this is a good bill, and I urge you not to burden it down with further restrictions on good policy.

TINDERHOLT: I'm not trying to get rid of accountability. I want them to be able to manage accountability at their level. I move to pass this amendment, and I'm hoping that you'll support us in decreasing the number of high-stakes tests.

REPRESENTATIVE PHILLIPS: One of the concerns I have is whether this will impact federal funding because No Child Left Behind requires certain things. Do you know? Can you tell us 100 percent today that your amendment will not affect federal funding?

TINDERHOLT: No, I cannot.

PHILLIPS: I think that's the concern that we're hearing there. I'm also concerned that you're targeting reading because I would assume that reading—and you would remove it from third grade? And said it has to be done at the local level?

TINDERHOLT: I just think that the high-stakes testing has really had a negative impact on the education system, and they keep doing benchmark or the equivalents. They're allowed two a year, but what it causes the districts to want to do is do additional, more testing, not called benchmark.

PHILLIPS: I think all of us agree with what you just said. My concern is how this impacts our federal budget, and that's the concern I have. And also, that we're talking about reading. If we don't have those kids at third grade reading, we've



got to identify them and what we've had is—I don't allow school districts to take the easy way out when it comes to reading, and I think there are bills coming through that deal with this issue. I'm just trying to get my hands around this because I want to get rid of high-stakes testing as much as the next person. We've been here trying to do that.

REPRESENTATIVE C. TURNER: Mr. Tinderholt, we both represent the Arlington school district. Did they ask you to carry this amendment?

TINDERHOLT: They are in full support of this amendment. They are.

C. TURNER: They are?

TINDERHOLT: They were here yesterday, we talked about it, and they support this.

C. TURNER: I visited with them yesterday, too, and they never mentioned—whether they support Mr. VanDeaver's bill, they never mentioned a word about supporting this amendment to me.

TINDERHOLT: I did. I talked to them, I believe it was 3:00 or 3:30 yesterday, and this is something that they do want to support. Now, they don't want to get rid of accountability. They just want to manage this stuff at their own level. I want to think that teachers, educators, are going to do the right thing, and they're not going to take shortcuts and cheat the students. So that's why I want to manage this at their level.

REPRESENTATIVE HUBERTY: Representative Tinderholt, I appreciate your respectable nature of how you've offered this. I think this is important for us to realize. I recognize what Representative Simmons did yesterday, and obviously that was important for those of us with special needs children. However, I read your amendment. The intent of the bill, and again just so you know, and I appreciate what Representative Stickland said—you know, we sit through hours and hours and hours of testimony in Public Education. This is a very well-crafted bill. You have struck, basically, writing including spelling and grammar in grades four and seven. That's what your amendment did, right?

TINDERHOLT: Yes. What we're doing is we're taking writing, which was the bill, and we're including reading which is all of the English language arts.

HUBERTY: Yes, but what you're specifically, what was in statute was—and what we did was we took it from a high-stakes to a local control.

TINDERHOLT: Yes, sir.

HUBERTY: But if you did this, school districts could, theoretically, not test writing, not require spelling, not require grammar in grades four and seven. That's what your amendment does.

TINDERHOLT: What I'm saying is, I want them to still test the way that they deem necessary for testing. That's what I'm saying.

Amendment No. 1 failed of adoption by (Record 470): 20 Yeas, 119 Nays, 1 Present, not voting.

Yeas — Burns; Burrows; Elkins; Fallon; Farias; Frank; Guillen; Isaac; King, T.; Krause; Laubenberg; Leach; Rinaldi; Sheets; Simpson; Spitzer; Stickland; Tinderholt; Turner, E.S.; Zedler.

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

Present, not voting — Mr. Speaker.

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales; Hunter; McClendon; Romero.

#### STATEMENTS OF VOTE

When Record No. 470 was taken, I was shown voting no. I intended to vote yes.

R. Anderson

When Record No. 470 was taken, I was shown voting no. I intended to vote yes.

D. Bonnen

When Record No. 470 was taken, I was shown voting no. I intended to vote yes.

G. Bonnen

When Record No. 470 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 470 was taken, I was shown voting no. I intended to vote yes.

Cyrier

When Record No. 470 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

When Record No. 470 was taken, I was shown voting no. I intended to vote yes.

Murr

When Record No. 470 was taken, I was in the house but away from my desk. I would have voted no.

Romero

**HB 1164** was passed by (Record 471): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; 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; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Canales.

### STATEMENT OF VOTE

When Record No. 471 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

### REMARKS ORDERED PRINTED

Representative Stickland moved to print all remarks on Amendment No. 1.

The motion prevailed.

### HOUSE AT EASE

At 2:57 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 2:59 p.m.

(Speaker in the chair)

### OATH OF OFFICE ADMINISTERED

Speaker Straus administered the constitutional oath of office to Ina Minjarez, District 124, member-elect of the House of Representatives of the Eighty-Fourth Legislature of the State of Texas.

### POSTPONED BUSINESS

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

#### SB 804 ON SECOND READING

**(K. King - House Sponsor)**

**SB 804**, A bill to be entitled An Act relating to the period of eligibility for support from the universal service plan for certain providers.

**SB 804** was considered in lieu of **HB 1618**.

**SB 804** was read second time and was passed to third reading by (Record 472): 125 Yeas, 15 Nays, 1 Present, not voting.

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

Nays — Bell; Bonnen, G.; Fallon; Goldman; Krause; Leach; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Simpson; Stickland; Turner, E.S.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Ashby; Canales; McClendon; Morrison.

### STATEMENTS OF VOTE

When Record No. 472 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ashby

When Record No. 472 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 472 was taken, I was shown voting yes. I intended to vote no.

Frank

When Record No. 472 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 472 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 472 was taken, I was shown voting yes. I intended to vote no.

Sheets

When Record No. 472 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

### **HB 1618 - LAID ON THE TABLE SUBJECT TO CALL**

Representative K. King moved to lay **HB 1618** on the table subject to call.

The motion prevailed.

### **SB 641 ON SECOND READING (Raney - House Sponsor)**

**SB 641**, A bill to be entitled An Act relating to debit card or stored value card surcharges; providing a civil penalty.

**SB 641** was considered in lieu of **CSHB 3442**.

**SB 641** was read second time.

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

Representative Raney offered the following amendment to **SB 641**:

Amend **SB 641** (house committee printing) as follows:

(1) On page 2, line 16, strike "\$1,000" and substitute "\$500".

(2) Strike page 2, line 23, through page 3, line 4, and substitute the following:

(b) Before bringing the action, the attorney general or prosecuting attorney shall give the person notice of the person's noncompliance and liability for a civil penalty. The notice must:

(1) contain guidance to assist the person in complying with this chapter;

(2) advise the person of the prohibition under Section 604A.002; and

(3) state that the person may be liable for a civil penalty for a subsequent violation of Section 604A.002.

(b-1) If the person complies with Section 604A.002 not later than the 30th day after the date of the notice under Subsection (b), the violation is cured and the person is not liable for the civil penalty. A person who has previously received notice of noncompliance under Subsection (b) is not entitled to notice of or the opportunity to cure a subsequent violation of Section 604A.002.

Amendment No. 1 was adopted.

**SB 641**, as amended, was passed to third reading by (Record 473): 118 Yeas, 21 Nays, 1 Present, not voting.

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

Nays — Anderson, R.; Bonnen, G.; Burrows; Faircloth; Fallon; Frank; Goldman; Hughes; Krause; Leach; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Simpson; Stickland; Turner, E.S.; White, J.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Ashby; Canales; Keough; McClendon; Morrison.

#### STATEMENTS OF VOTE

When Record No. 473 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ashby

When Record No. 473 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 473 was taken, I was shown voting no. I intended to vote yes.

Faircloth

When Record No. 473 was taken, I was in the house but away from my desk. I would have voted no.

Keough

When Record No. 473 was taken, I was shown voting no. I intended to vote yes.

Simmons

### **CSHB 3442 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Raney moved to lay **CSHB 3442** on the table subject to call.

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, postponed until April 28, and was again postponed until 9 a.m. today.

Representative Dale moved to postpone consideration of **CSHB 861** until 9 a.m. Monday, May 4.

The motion prevailed.

### **CSSB 1191 ON SECOND READING**

**(Crownover - House Sponsor)**

**CSSB 1191**, A bill to be entitled An Act relating to the amount and allocation of the annual constitutional appropriation to certain agencies and institutions of higher education.

**CSSB 1191** was considered in lieu of **CSHB 2848**.

**CSSB 1191** was read second time.

Representative Crownover moved to postpone consideration of **CSSB 1191** until the end of today's calendar.

The motion prevailed.

### **MAJOR STATE CALENDAR**

#### **HOUSE BILLS**

#### **SECOND READING**

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

### **CSHB 13 ON SECOND READING**

**(by Pickett, Phillips, Martinez, Simmons, Burkett, et al.)**

**CSHB 13**, A bill to be entitled An Act relating to categories of and funding allocation for transportation projects by the Texas Department of Transportation and local transportation entities.

**Amendment No. 1**

Representative Pickett offered the following amendment to **CSHB 13**:

Amend **CSHB 13** (house committee printing), on page 2, line 26, by striking "201.993(d)" and substituting "201.9921(b)".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Pickett offered the following amendment to **CSHB 13**:

Amend **CSHB 13** (house committee report) as follows:

(1) On page 3, line 20, following the underscored semicolon, add "and".

(2) On page 3, lines 21 through 23, strike proposed Section 201.9921(b)(4), Transportation Code, and renumber subsequent subdivisions accordingly.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Pickett offered the following amendment to **CSHB 13**:

Amend **CSHB 13** (house committee report) as follows:

(1) On page 3, line 20, following the underscored semicolon, add "and".

(2) On page 3, lines 21 through 23, strike proposed Section 201.9921(b)(4), Transportation Code, and renumber subsequent subdivisions accordingly.

(3) On page 5, strike lines 3 through 10 and substitute the following:

(d) The commission may not consider transferring funds between categories by any method outside the established formulas or allocating funds subject to the discretion of the commission unless:

(1) the commission considers the transfer or allocation at a regularly scheduled commission meeting; and

(2) the department presents to the commission a written explanation of the transfer, including the need and justification for the deviation from the formula allocation or use of discretionary funds, at a regularly scheduled commission meeting held in the month before the meeting described by Subdivision (1).

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Tinderholt offered the following amendment to **CSHB 13**:

Amend **CSHB 13** (house committee report) on page 2, between lines 14 and 15, by inserting the following new subsection, appropriately lettered, and relettering subsections of added Section 201.9902, Transportation Code, and cross-references to those subsections accordingly:



( ) The planning organizations may not adopt final consensus recommendations for the updated funding allocation formulas under Subsection (b) until the board of each metropolitan planning organization votes to approve the changes to the funding allocation formulas that affect the region served by the organization.

Amendment No. 4 was withdrawn.

**Amendment No. 5**

Representative Sanford offered the following amendment to **CSHB 13**:

Amend **CSHB 13** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) In awarding and prioritizing project under Section 201.999(d), the department shall consider the results of a study with the following features described below. The Texas Department of Transportation, in coordination with the Texas A&M Transportation Institute, shall conduct a study regarding the costs and benefits of implementing a traffic light synchronization program similar to the Traffic Light Synchronization II Program that was implemented in this state by the Texas Department of Transportation.

(b) The study shall address:

(1) the benefits of using closed-loop control systems versus time-based control systems to synchronize traffic lights;

(2) potential changes in fuel consumption and traffic congestion that could result from traffic light synchronization; and

(3) potential environmental impacts of traffic light synchronization, including any potential reduction in pollution levels.

(c) As part of the study, the Texas Department of Transportation shall compile new data regarding the intersections in the cities that participated in the Traffic Light Synchronization II Program and review the data to analyze the efficiency and synchronicity of these intersections.

(d) Not later than October 1, 2016, the Texas Department of Transportation shall issue a report on the study required under this section to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the house of representatives and the senate.

(e) This section expires September 1, 2017.

Amendment No. 5 was withdrawn.

**CSHB 13**, as amended, was passed to engrossment.

**CSHB 20 ON SECOND READING****(by Simmons, Pickett, Burkett, Phillips, Goldman, et al.)**

**CSHB 20**, A bill to be entitled An Act relating to the operations of and transportation planning and expenditures by the Texas Department of Transportation and local transportation entities.

**Amendment No. 1**

Representative Simmons offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee printing) as follows:

(1) On page 2, line 12, strike "for sustainable objectives".

(2) On page 2, line 18, strike "sustainability" and substitute "considerations".

(3) On page 3, line 22, strike "viability and sustainability" and substitute "short-term and long-term viability".

Amendment No. 1 was adopted.

**CSHB 20 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE TINDERHOLT: Representative Simmons, you and I talked about this and this is a simple question to discern legislative intent with this bill. The bill, to some, could seem to have the process or the steps out of order because it says that they're supposed to have a right-of-way acquired or approved and no construction dates with certainty while they're trying to get funding. But we all know that one of the first steps is to acquire funding. Can you explain the purpose of that?

REPRESENTATIVE SIMMONS: Yeah, well, all we're trying to do in here, Representative Tinderholt, is to provide some guidelines for TxDOT, the department and the commission, to develop a prioritization system kind of like we did in the **HB 4**, the water bill, last session. Some of the factors to consider are has there been right-of-way purchased yet or are all of the other things that are necessary? It doesn't require them to purchase the right-of-way. It says that those are part of what you consider.

TINDERHOLT: Thank you, sir. I just want to validate. What I heard you say is that they don't have to acquire, and they don't have to have all this set up. It's considerations that need to be made.

SIMMONS: It's part of the consideration in selecting projects.

**REMARKS ORDERED PRINTED**

Representative Tinderholt moved to print remarks between Representative Simmons and Representative Tinderholt.

The motion prevailed.

**Amendment No. 2**

Representative Simmons offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee report) as follows:

(1) On page 2, line 8, strike the final "and".

(2) On page 2, line 9, between "accountability" and the period, insert the following:  
; and

(5) address other issues the department considers necessary

(3) On page 2, line 11, strike "specific" and substitute "to the extent not in conflict with federal law,".

(4) On page 3, lines 11-13, strike "LOCAL TRANSPORTATION ENTITIES AND DEPARTMENT DISTRICTS. (a) All local transportation entities" and substitute "PLANNING ORGANIZATIONS. (a) All planning organizations".

(5) On page 3, line 15, strike "entities" and substitute "organizations".

(6) On page 3, lines 16 and 17, strike "local transportation entity" and substitute "planning organization".

(7) On page 4, lines 3 and 4, strike "local transportation entity and department district" and substitute "planning organization".

(8) On page 4, line 5, strike "entity's" and substitute "organization's".

(9) On page 4, lines 8 and 9, strike "local transportation entity and department district" and substitute "planning organization".

(10) On page 4, line 10, strike "entity's" and substitute "organization's".

(11) On page 4, line 14, strike "improvement".

(12) On page 4, lines 22 and 23, strike "local transportation entities" and substitute "planning organizations".

(13) On page 5, lines 4 and 5, strike "give priority to projects that" and substitute "consider projects that".

(14) On page 5, line 13, strike "; and" and substitute "with consideration given to the time needed to purchase rights-of-way and complete environmental studies, if required,".

(15) On page 5, line 15, between "project" and the period, insert the following:  
; and

(8) meet other criteria adopted by the department

(16) On page 5, line 17, between "consider" and the colon, insert "other criteria, including".

(17) On page 6, line 11, strike "local transportation entity" and substitute "planning organization".

(18) On page 6, line 22, strike "nine" and substitute "five".

(19) On page 6, between lines 24 and 25, insert the following:

(b-1) In making appointments under Subsection (b) of this section, the speaker and the lieutenant governor should consider members that reflect diverse constituencies with respect to:

(1) geographic areas in the state;

(2) urban and rural areas; and

(3) ethnicity.

(20) On page 7, line 26, strike "and".

(21) On page 8, line 1, strike "significance." and substitute "significance;".

(22) On page 8, between lines 1 and 2, insert the following:

(8) any possible benefits of utilizing zero-based budgeting principles;  
and

(9) any other matter the committee considers appropriate.

(23) On page 8, lines 3 and 4, strike "jointly adopt recommendations related to" and substitute "prepare a written report on".

(24) On page 8, lines 5 and 6, strike "a written report of the committees' recommendations on the reviewed subjects" and substitute "the report".

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

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

SECTION \_\_\_\_\_. Subchapter P, Chapter 201, Transportation Code, is amended by adding Section 201.9901 to read as follows:

Sec. 201.9901. DEFINITIONS. In this subchapter:

(1) "Planning organization" means:

(A) a metropolitan planning organization; or

(B) for an area that is not within the boundaries of a metropolitan planning organization, the department district that serves the area.

(2) "Region" means the area for which a planning organization develops plans under this subchapter.

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Rinaldi offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee printing) on page 4, line 27, between "state" and the period, by inserting ", and must be only for nontoll projects".

Representative Simmons moved to table Amendment No. 3.

The motion to table prevailed by (Record 474): 107 Yeas, 28 Nays, 1 Present, not voting.

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

Nays — Anchia; Anderson, R.; Burrows; Capriglione; Guillen; Huberty; Hughes; Keough; King, T.; Klick; Krause; Laubenberg; Leach; Metcalf; Rinaldi; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simpson; Spitzer; Stickland; Tinderholt; Turner, E.S.; White, J.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Ashby; Button; Canales; Davis, Y.; Gutierrez; McClendon; Meyer; Raney; Stephenson.

#### STATEMENTS OF VOTE

When Record No. 474 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ashby

When Record No. 474 was taken, I was shown voting yes. I intended to vote no.

Aycock

When Record No. 474 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 474 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 474 was taken, I was in the house but away from my desk. I would have voted no.

Meyer

When Record No. 474 was taken, my vote failed to register. I would have voted yes.

Raney

#### Amendment No. 4

Representative Stickland offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee report), in added Section 201.9991(f), Transportation Code, by striking Subdivisions (1) (page 5, lines 18 and 19) and (3) (page 5, lines 23 and 24) and renumbering remaining subdivisions of Section 201.9991(f) accordingly.

Representative Pickett moved to table Amendment No. 4.

The motion to table prevailed by (Record 475): 131 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; 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; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; 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; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Hughes; Keough; Krause; Leach; Rinaldi; Sanford; Simpson; Stickland; Tinderholt; White, J.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Ashby; Canales; McClendon.

#### STATEMENTS OF VOTE

When Record No. 475 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ashby

When Record No. 475 was taken, I was shown voting yes. I intended to vote no.

Aycock

When Record No. 475 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

#### Amendment No. 5

Representative Sanford offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Subchapter P, Chapter 201, Transportation Code, is amended by adding Section 201.9992 to read as follows:

Sec. 201.9992. INCLUSION OF CERTAIN TOLL PROJECTS. The department may not include in the unified transportation program under Section 201.991 or the statewide transportation plan under Section 201.601 a

project to convert a nontolled highway to a tolled highway in accordance with Section 228.201(a)(3) unless the highway is reconstructed so that the number of nontolled general-purpose lanes, not including frontage lanes, on the converted highway is greater than or equal to the number of those lanes in existence before the reconstruction.

(b) Section 228.201(c), Transportation Code, as added by this section, applies only to a highway reconstruction in accordance with Section 228.201(a)(3), Transportation Code, that is begun on or after the effective date of this Act.

Amendment No. 5 was withdrawn.

### **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. 4).

### **CSHB 20 - (consideration continued)**

#### **Amendment No. 6**

Representative Y. Davis offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee report) on page 6, between lines 24 and 25, by inserting the following:

(b-1) In making appointments under Subsection (b) of this section, the speaker and the lieutenant governor shall consider members that reflect diverse constituencies with respect to:

- (1) geographic areas in the state;
- (2) gender; and
- (3) ethnicity.

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

(Keffer in the chair)

Representative Simmons moved to postpone consideration of **CSHB 20** until 4:35 p.m. today.

The motion prevailed.

### **HB 3123 ON SECOND READING**

(by Price)

**HB 3123**, A bill to be entitled An Act relating to governmental entities subject to the sunset review process.

(Márquez in the chair)

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

Representative Howard offered the following amendment to **HB 3123**:

Amend **HB 3123** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE as appropriate:

SECTION \_\_\_\_\_. INTERMUNICIPAL COMMUTER RAIL DISTRICTS. Section 173.005, Transportation Code, is amended to read as follows:

Sec. 173.005. SUNSET PROVISION. A district is subject ~~[every 12th year]~~ to review under Chapter 325, Government Code (Texas Sunset Act). A district shall be reviewed during the periods in which state agencies abolished in 2021 and every 12th year after that year are reviewed.

Amendment No. 1 was adopted.

### Amendment No. 2

Representative Gonzales offered the following amendment to **HB 3123**:

Amend **HB 3123** (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill as appropriate:

#### ARTICLE \_\_\_\_\_. ENTITIES GIVEN 2017 SUNSET DATE

SECTION \_\_\_\_\_.01. FINANCE COMMISSION OF TEXAS. Section 11.108, Finance Code, is amended to read as follows:

Sec. 11.108. SUNSET PROVISION. The finance commission is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the commission is abolished September 1, 2017 ~~[2019]~~.

SECTION \_\_\_\_\_.02. OFFICE OF BANKING COMMISSIONER. Section 12.109, Finance Code, is amended to read as follows:

Sec. 12.109. SUNSET PROVISION. The office of banking commissioner is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished September 1, 2017 ~~[2019]~~.

SECTION \_\_\_\_\_.03. OFFICE OF SAVINGS AND MORTGAGE LENDING COMMISSIONER AND THE DEPARTMENT OF SAVINGS AND MORTGAGE LENDING. Section 13.012, Finance Code, is amended to read as follows:

Sec. 13.012. SUNSET PROVISION. The office of savings and mortgage lending commissioner and the Department of Savings and Mortgage Lending are subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office and department are abolished September 1, 2017 ~~[2019]~~.

SECTION \_\_\_\_\_.04. OFFICE OF CONSUMER CREDIT COMMISSIONER. Section 14.066, Finance Code, is amended to read as follows:

Sec. 14.066. SUNSET PROVISION. The office is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished September 1, 2017 ~~[2019]~~.

### Amendment No. 3

Representative Gonzales offered the following amendment to Amendment No. 2:



Amend Floor Amendment No. 2 by Gonzales to **HB 3123** by adding the following appropriately numbered SECTION to the ARTICLE of the bill added by the amendment and renumbering subsequent SECTIONS of that ARTICLE as appropriate:

SECTION \_\_\_\_\_. CREDIT UNION DEPARTMENT AND CREDIT UNION COMMISSION. Section 15.212, Finance Code, is amended to read as follows:

Sec. 15.212. SUNSET PROVISION. The Credit Union Department and the Credit Union Commission are subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department and commission are abolished September 1, 2017 [~~2021~~].

Representative Collier moved to table Amendment No. 3.

The motion to table prevailed by (Record 476): 135 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Davis, Y.; Deshotel; 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, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; 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; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Gonzales.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent — Ashby; Aycock; Canales; Darby; Davis, S.; Schaefer; Villalba.

#### STATEMENTS OF VOTE

When Record No. 476 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ashby

When Record No. 476 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

**Amendment No. 4**

Representative McClendon offered the following amendment to Amendment No. 2:

Amend the Gonzales amendment to **HB 3123** (house committee printing) relating to governmental entities subject to the sunset review process, by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent articles of the bill, as appropriate:

ARTICLE \_\_\_\_\_. ENTITIES GIVEN 2017 SUNSET DATE

SECTION \_\_\_\_\_. TEXAS JUVENILE JUSTICE DEPARTMENT.  
Section 202.010 of SECTION 1.04, Human Resources Code, is amended to read as follows:

Sec. 202.010. SUNSET PROVISION. The Texas Juvenile Justice Board and the Texas Juvenile Justice Department are subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board and the department are abolished September 1, 2021 [~~2017~~].

Amendment No. 4 was adopted.

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

**HB 3123**, as amended, was passed to engrossment. (The vote was reconsidered later today, and **HB 3123**, as amended, was passed to engrossment.)

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 4:50 p.m. today, in 3W.9, to set a calendar.

(Speaker in the chair)

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, 4:50 p.m. today, 3W.9, for a formal meeting, to set a calendar.

**POSTPONED BUSINESS**

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

**CSHB 20 ON SECOND READING**

(by Simmons, Pickett, Burkett, Phillips, Goldman, et al.)

**CSHB 20**, A bill to be entitled An Act relating to the operations of and transportation planning and expenditures by the Texas Department of Transportation and local transportation entities.

**CSHB 20** was read second time earlier today, amendments were offered and disposed of, and **CSHB 20** was postponed until this time.

**Amendment No. 7**

Representative Sanford offered the following amendment to **CSHB 20**:

Amend **CSHB 20** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Subchapter P, Chapter 201, Transportation Code, is amended by adding Section 201.9992 to read as follows:

Sec. 201.9992. INCLUSION OF CERTAIN TOLL PROJECTS. The department may not include in the unified transportation program under Section 201.991 or the statewide transportation plan under Section 201.601 a project to convert a nontolled highway to a tolled highway in accordance with Section 228.201(a)(3) unless the highway is reconstructed so that the number of nontolled general-purpose lanes, not including frontage lanes, on the converted highway is greater than or equal to the number of those lanes in existence before the reconstruction.

(b) Section 201.9992, Transportation Code, as added by this section, does not apply to a project for which the Texas Department of Transportation or a local transportation entity has entered into a contract for the planning, design, or construction before the effective date of this Act.

**LEAVES OF ABSENCE GRANTED**

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

Alonzo on motion of Phillips.

Cook on motion of Phillips.

S. Davis on motion of Phillips.

Geren on motion of Phillips.

Giddings on motion of Phillips.

Harless on motion of Phillips.

Huberty on motion of Phillips.

Hunter on motion of Phillips.

Johnson on motion of Phillips.

K. King on motion of Phillips.

Larson on motion of Phillips.

Lucio on motion of Phillips.

Price on motion of Phillips.

Riddle on motion of Phillips.

E. Rodriguez on motion of Phillips.

**CSHB 20 - (consideration continued)**

Amendment No. 7 was withdrawn.

**CSHB 20**, as amended, was passed to engrossment. (Rinaldi and Tinderholt recorded voting no.)

### REASONS FOR VOTE

Second reading Amendment No. 6 mandates ethnic and sex discrimination under the law and is, I believe, a violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. If not for Amendment No. 6, I would have voted for the bill.

Rinaldi

I disagree with the amendment that forces the speaker and lieutenant governor to consider an individual's geographic area in the state, gender, and ethnicity. They should choose the best qualified individual regardless of those. This amendment discourages appointing only the best qualified in lieu of making appointments according to location, gender, and ethnicity.

Tinderholt

### 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. 5).

### SJR 5 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Pickett, Representatives Otto, Harless, Parker, Y. Davis, Capriglione, Darby, T. King, Koop, Krause, Márquez, Martinez, D. Miller, R. Miller, Moody, Phillips, Tinderholt, and J. White were authorized as house sponsors to **SJR 5**.

### CONSTITUTIONAL AMENDMENTS CALENDAR HOUSE JOINT RESOLUTIONS SECOND READING

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

#### CSSJR 5 ON SECOND READING

**(Pickett, Otto, Harless, Parker, Y. Davis, et al. - House Sponsors)**

**CSSJR 5**, A joint resolution proposing a constitutional amendment temporarily dedicating a portion of the revenue derived from the state sales and use tax to the state highway fund.

**CSSJR 5** was considered in lieu of **HJR 13**.

#### Amendment No. 1

Representative Pickett offered the following amendment to **CSSJR 5**:

Amend **CSSJR 5** (house committee report) on page 1, line 17, by adding the following after the underlined period:

The comptroller may not make a deposit otherwise required by this subsection during the next state fiscal biennium if, in preparing the statement required by Section 49a, Article III, of this constitution, for that next state fiscal biennium, the

comptroller estimates that the total amount of anticipated revenue for that biennium will be less than the most recent estimate of the total amount of received and anticipated revenue for the then-current state fiscal biennium.

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative Pickett offered the following amendment to **CSSJR 5**:

Amend **CSSJR 5** (house committee printing) as follows:

- (1) On page 2, line 13, strike "7-c(a)" and substitute "7-c".
- (2) On page 2, strike lines 15-16, and reletter the subsections of the temporary provision accordingly.
- (3) On page 2, line 19, strike "November 3, 2015" and substitute "November 8, 2016".

Amendment No. 2 was adopted.

### **CSSJR 5 - REMARKS**

REPRESENTATIVE LEACH: Mr. Chairman, I want to just commend you for your work on this bill. I'm proud to support it, and I think it's a good, substantial step forward for transportation funding. But as you know, we've had these conversations in committee and on the floor. I know you've heard from a number of members here and people across the state who, again, are tired of the—what's seemingly a rush to toll across the state. You've seen amendments today, you've seen bills filed, and I appreciate your work and your willingness to have conversations about that. But when we go home from here having, at this point at least, not passed any anti-toll legislation, if you will—what do we say to our constituents on both sides of the aisle and everywhere in between and across the state, different parts of the state, specifically up in the metroplex? My district, as you know, has three toll roads in it, and they're planning to build another one, different toll roads. What do we say to our constituents, to the people of Texas who really want to see us push back and ultimately see a stop to the rush to toll?

REPRESENTATIVE PICKETT: The answer to the question is going to be based on every region. It's going to be up to them. It's going to be their decision whether they go forward with more tolls or less tolls. The proposal before you, like we did in Proposition 1, on the first page, lines 20 and 21 say, construction, maintenance, acquiring rights-of-way, public roadways other than toll roads.

LEACH: Right.

PICKETT: So this money is taken out of the mix to being used for perpetuating tolls. But I don't want to stand up here and say there isn't any community that still might want to do one—that should be up to them. What this will mean is they're going to have to sharpen the pencil like they should have been doing. And maybe the only toll projects that go forward are those that make financial sense—that actually can prove up and use the revenues to generate what bonds need to be issued and can't use this money as part of that.

LEACH: Mr. Chairman, I appreciate your answer, and I think you're right. This is a regional issue and should be that way. I don't think the answer should come from Austin, from this body, necessarily. However, I do think there are limits we can put on our regional transportation authorities. For instance, in the metroplex, one of the leaders of the RTC in the DFW area said publicly at a forum—to people, over 500 people, who had come out and testified against the construction of a new toll road—he actually said publicly that every new highway that's built in the DFW area, every new highway, will have a tolling component as part of the highway. That's very concerning for me. That's concerning for my constituents. I know it's concerning to a number of members who represent different areas of the DFW area. So in that respect—I know you say it's left up to the regional transportation authorities—but in that respect is there anything that we can do as a legislature, whether it's now or in the interim or next session, to tighten the reins and to push back on an authority who says that—whose largely unaccountable, unelected—and who says that every new project will have a tolling component to it?

PICKETT: The answer to your question is yes. It's also going to be back to regionally. These metropolitan planning organizations—a lot of people who aren't involved on a regular basis get confused. I know this is a bad word here today but—federal government. Planning organizations were created by federal statute. So if I was building a railroad from this end, and you were building a railroad from that end, they'd meet. And in the '70s the federal government said, y'all aren't looking regionally and planning things together. So these were created. The boards that oversee them is where the power is and where people are misdirected in their attention. If you want that statement to be retracted or be a different statement, that's a vote of those members on that body, and there's where you put the pressure to get members elected on that body who feel the same way. Now, you only have so much money to deal with and if this passes today, senate works something out, goes to the public—it's going to go into funding formulas that still might not be enough to do everything, but it is guaranteed, it is regular, and it is possible.

Also, I want to make sure that you understand on the metropolitan planning organization process, we give TxDOT too much credibility of their authority. The Texas Department of Transportation is a partner. They're not allowed to do projects unless they're approved by the MPO. Everybody believes TxDOT tells us what we're supposed to be doing because they do have the expertise, they do have the experts, they know all the acronyms, they know all the answers to the questions—but they're not the power base; they're not the brokers. It's the metropolitan planning organizations.

LEACH: Sure, and I appreciate that, and again, I respect you for the work you've done on this. I think you and I agree on many of these issues. And the last thing I'll say is that when the legislature speaks, when TxDOT speaks, when we speak here on behalf of our constituents, when county commissioner courts are speaking, and city councils are speaking on behalf of their constituents just wanting to push back or at least slow the rush to toll across this state—it would be my hope, and I think that it would be our expectation, that the RTCs, the

regional transportation authorities across the state, that they would listen. I'm on the board of the RTC of the COG in the metroplex. I'm a non-voting member, unfortunately, but I look forward to continuing to have this conversation. It's an important one, and I think this bill goes a long way to help.

PICKETT: Mr. Leach, this isn't on the floor today, but I offered it as an amendment to the appropriations bill. There is a bill coming Saturday that tells our transportation partner across the street to inventory every toll project in the State of Texas. Tell us which ones that are right for being removed, if possible, and tell us what a plan could be. And the number may be outrageous, but tell us what it would take to eliminate tolls in the State of Texas. And whether we really have the appetite to go that far is unknown, but nobody knows what that number is yet, and I think it's important that we find that out. And even though that's not a part of today, it's a part of the package that we're trying to bring the legislature.

LEACH: I agree. And I don't want to be here Saturday, but if it's to vote on a bill like that then I'm glad to. So I appreciate your work on this. Thank you. This is a great bill.

### REMARKS ORDERED PRINTED

Representative Leach moved to print remarks between Representative Pickett and representative Leach.

The motion prevailed.

(Alonzo, Cook, Geren, Giddings, Harless, Huberty, Johnson, K. King, Larson, Lucio, Price, Riddle, and E. Rodriguez now present)

### Amendment No. 3

Representative Martinez Fischer offered the following amendment to **CSSJR 5**:

Amend **CSSJR 5** (house committee report) on page 1, between lines 17 and 18, by inserting the following:

(b-1) If, in preparing the statement required by Section 49a, Article III, of this constitution, for the next state fiscal biennium, the comptroller of public accounts estimates that the total amount of anticipated revenue for that biennium will be less than the most recent estimate of the total amount of received and anticipated revenue for the then-current state fiscal biennium, the comptroller shall provide notice of that estimate to the legislature at the same time the comptroller provides the statement under Section 49a, Article III. The legislature, in the next regular legislative session that occurs after the comptroller provides the notice described by this section, shall review the deposits required under this section to determine whether continuing those deposits until the date provided by Subsection (d) of this section is appropriate. The legislature may by general law adjust the date prescribed by Subsection (d) of this section.

Amendment No. 3 was adopted.

**CSSJR 5**, as amended, was adopted by (Record 477): 138 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; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, Y.; Deshotel; Elkins; Fairecloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Huberty; Hughes; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; 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.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Dutton; Howard; Rose.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; White, M.

Absent, Excused, Committee Meeting — Davis, S.; Hunter.

Absent — Canales.

### STATEMENTS OF VOTE

When Record No. 477 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 477 was taken, I was shown voting no. I intended to vote yes.

Rose

### LEAVE OF ABSENCE GRANTED

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

Isaac on motion of Frank.

### HB 3123 - VOTE RECONSIDERED

Representative D. Bonnen moved to reconsider the vote by which **HB 3123**, as amended, was passed to engrossment.

The motion to reconsider prevailed.



**HB 3123 ON SECOND READING**  
**(by Price)**

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

**HB 3123**, A bill to be entitled An Act relating to governmental entities subject to the sunset review process.

**HB 3123** was read second time earlier today and was passed to engrossment, as amended.

**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. 2, as amended, was withdrawn.

**HB 3123**, as amended, was passed to engrossment.

(Speaker pro tempore in the chair)

**HJR 13 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Pickett moved to lay **HJR 13** on the table subject to call.

The motion prevailed.

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

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

(S. Davis now present)

**CSHB 26 ON SECOND READING**  
**(by Button, E. Rodriguez, Ashby, Springer, Parker, et al.)**

**CSHB 26**, A bill to be entitled An Act relating to state economic development measures, including administration of the Texas Enterprise Fund, creation of the Economic Incentive Oversight Board and the governor's university research initiative, abolishment of the Texas emerging technology fund and certain programs administered by the Texas Economic Development Bank, and renaming the Major Events trust fund to the Major Events Reimbursement Program.

**Amendment No. 1**

Representative Button offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) as follows:

(1) On page 20, line 21, between "MEETINGS." and "The board", insert "(a)".

(2) On page 20, between lines 22 and 23, insert the following:

(b) The board may hold a meeting by telephone conference call or videoconference.

(c) A board meeting held under Subsection (b) is subject to the requirements of Subchapter F, Chapter 551, Government Code, except that a quorum of the board is not required to be physically present at one location of the meeting.

Amendment No. 1 was adopted.

#### **Amendment No. 2**

Representative Button offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) by striking page 15, line 26, through page 16, line 6, and substituting the following:

(3) the governor's university research initiative fund established under Subchapter H, Chapter 62, Education Code, as added by this Act;

(4) the Texas Enterprise Fund established under Section 481.078, Government Code; and

(5) the comptroller for the purposes of expenses incurred in managing the state's portfolio of equity positions and other investments in connection with awards from the former Texas emerging technology fund in accordance with Section 404.1031, Government Code, as added by this article.

Amendment No. 2 was adopted.

#### **Amendment No. 3**

Representative E. Rodriguez offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) as follows:

(1) On page 1, line 13, strike "(e-2) and (m)" and substitute "(e-2), (e-3), (m), and (n)".

(2) On page 3, between lines 4 and 5, insert the following:

(e-3) An entity seeking a grant is ineligible to receive the grant if, during the period beginning on the 90th day before the date on which the entity applies for the grant and ending on the date the grant is to be awarded, the entity:

(1) offers, confers, or agrees to confer a benefit, as defined by Section 36.01, Penal Code, with a value that exceeds \$500 in a calendar year on an officer or employee with the authority to award the grant; or

(2) makes political contributions, as defined by Section 251.001, Election Code, that in the aggregate exceed \$500 in a calendar year to an officer or employee with the authority to award the grant.

(3) On page 5, between lines 14 and 15, insert the following:

(n) A grant recipient that, during the period beginning on the date the grant is awarded and ending on the 180th day after the date the grant is awarded, takes an action described by Subsection (e-3)(1) or (2) shall repay the grant to the state.

Amendment No. 3 was adopted.

#### **Amendment No. 4**

Representative Springer offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) as follows:

(1) On page 1, line 13, strike "and (m)" and substitute ", (m), (n), and (o)".

(2) On page 5, between lines 14 and 15, insert the following:

(n) In each calendar year, at least 20 percent of the grant agreements entered into under this section must:

(1) contain a provision that requires all of the jobs created under the agreement to be created in a county that has a population of less than 300,000; and

(2) be with companies that:

(A) have not less than 25 or more than 200 employees; and

(B) will benefit a county described by Subdivision (1).

(o) The governor may not award a grant to a business that intends to use grant money for the development or establishment of a retail business that would be in direct competition with an existing business in this state and would have a negative impact on the existing business.

(3) On page 19, between lines 6 and 7, insert the following appropriately numbered SECTION:

SECTION 1. \_\_\_\_\_. (a) Section 481.078(o), Government Code, as added by this Act, applies only to an application for a grant filed on or after the effective date of this Act. An application for a grant that is filed before the effective date of this Act is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

(b) Section 481.078(n), Government Code, as added by this Act, applies only in a calendar year that begins after the effective date of this Act.

(4) Renumber the SECTIONS of ARTICLE 1 of the bill as appropriate.

Amendment No. 4 was adopted. (Rinaldi recorded voting no.) (The vote was reconsidered later today, and Amendment No. 4 was withdrawn.)

#### **Amendment No. 5**

Representative Capriglione offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) on page 6, line 4, by striking "shall" and substituting "may".

Amendment No. 5 was adopted.

#### **Amendment No. 6**

Representative Y. Davis offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) as follows:

(1) On page 5, strike lines 15 and 16 and substitute the following:

SECTION \_\_\_\_\_. Section 481.079, Government Code, is amended by amending Subsections (a) and (a-1) and adding Subsection (d) to read as follows:

(2) On page 5, between lines 16 and 17, insert the following:

(a) Before the beginning of each regular session of the legislature, the governor shall submit to the lieutenant governor, the speaker of the house of representatives, and each other member of the legislature a report on grants made under Section 481.078 that states:

(1) the number of direct jobs each recipient committed to create in this state, categorized by region and qualified census tract;

(2) the number of direct jobs each recipient created in this state, categorized by region and qualified census tract;

(3) the median wage of the jobs each recipient created in this state, categorized by region and qualified census tract;

(4) the amount of capital investment each recipient committed to expend or allocate per project in this state, categorized by region and qualified census tract;

(5) the amount of capital investment each recipient expended or allocated per project in this state, categorized by region and qualified census tract;

(6) the total amount of grants made to each recipient;

(7) the average amount of money granted in this state for each job created in this state by grant recipients, categorized by region and qualified census tract;

(8) the number of jobs created in this state by grant recipients in each sector of the North American Industry Classification System (NAICS); ~~and~~

(9) of the number of direct jobs each recipient created in this state, the number of positions created that provide health benefits for employees, categorized by region and qualified census tract;

(10) the typical anticipated or actual duration of the jobs created by each grant recipient; and

(3) On page 5, between lines 19 and 20, insert the following:

(d) In this section:

(1) "Qualified census tract" has the meaning assigned by Section 143(j), Internal Revenue Code of 1986 (26 U.S.C. Section 143(j)).

(2) "Region" means the central region, gulf coast and east region, lower south region, or north and northeast region of this state, as designated by the office.

(4) Renumber the SECTIONS of ARTICLE 1 of the bill as appropriate.

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

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

Representative Keffer offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) on page 19, between lines 18 and 19, by inserting the following:

(2-a) "Rural county" means a county with a population of less than 60,000.

Amendment No. 7 was adopted.

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

Representative E. Rodriguez offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) on page 20, between lines 10 and 11, by inserting the following:

(b-1) An individual is ineligible to serve on the board if during the 120-day period preceding the date of appointment the individual made a political contribution to the governor, the comptroller, the lieutenant governor, or the speaker of the house of representatives or to a candidate for election or selection to any of those offices.

Amendment No. 8 was adopted.

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

Representative Keffer offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) as follows:

(1) On page 22, line 13, between "board" and the underlined period, insert "and the Texas Ethics Commission".

(2) On page 22, line 19, between "board" and the underlined period, insert "and the Texas Ethics Commission".

Amendment No. 9 was adopted.

#### **Amendment No. 10**

Representative E. Rodriguez offered the following amendment to **CSHB 26**:

Amend **CSHB 26** on page 21, by striking lines 8-15 and substituting the following:

(c) In developing the performance matrix, the board shall consider whether the performance matrix should address the following factors in relation to each business entity or other person that receives a state monetary or tax incentive under a program or from a fund described by Subsection (a):

(1) economic factors, including:

(A) the investment made by the business entity or other person in the economic development activity associated with the receipt of the incentive;

(B) the output produced by the associated economic development activity; and

(C) the jobs created by the associated economic development activity and:

(i) the wages and benefits paid for those jobs; and

(ii) the general locations at which the persons hired for those jobs resided at the time the persons were hired, disaggregated by country, state, and county;

(2) fiscal factors, including:

(A) the amount of state monetary and tax incentives received by the business entity or other person;

(B) the additional taxes and other revenue paid to this state and to local governments because of the associated economic development activity; and

(C) the public service and infrastructure costs of the associated economic development activity; and

(3) intangible factors the board considers appropriate.

**Amendment No. 11**

Representative Capriglione offered the following amendment to Amendment No. 10:

Amend Amendment No. 10 by E. Rodriguez to **CSHB 26** on page 1 by striking Paragraph (B) of Subsection (c)(1) and substituting the following:

(B) the economic output produced by the associated economic development activity, including:

(i) direct project gains from economic output, including contractor, supplier, and employee spending and construction and event expenditures; and

(ii) ancillary or indirect benefits from contractor, supplier, and employee spending and construction and event expenditures; and

Amendment No. 11 was adopted.

Amendment No. 10, as amended, was adopted.

**Amendment No. 12**

Representative Leach offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) on page 31, by striking lines 15 through 20 and substituting the following:

Sec. 62.164. GRANT AWARD CRITERIA; PRIORITIES. (a) The office may award grants only to grant proposals that involve the recruitment of distinguished researchers in the fields of science, technology, engineering, mathematics, and medicine. The office shall give priority to proposals that:

Amendment No. 12 was adopted. (The vote was reconsidered later today, and Amendment No. 12 was adopted by Record No. 478.)

**Amendment No. 13**

Representative Springer offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) on page 38, line 16, by striking "6.25" and substituting "the prevailing state sales tax rate [6.25]".

Amendment No. 13 was adopted.

**Amendment No. 12 - Vote Reconsidered**

Representative Leach moved to reconsider the vote by which Amendment No. 12 was adopted.

The motion to reconsider prevailed.

Amendment No. 12 was adopted by (Record 478): 137 Yeas, 0 Nays, 3 Present, not voting.

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

Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; 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; 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.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Clardy; Dukes; Isaac; King, S.; Muñoz; White, M.

Absent, Excused, Committee Meeting — Hunter.

Absent — Canales; Faircloth; Romero.

#### STATEMENTS OF VOTE

When Record No. 478 was taken, I was absent to attend the birth of my twins. I would have voted no.

Canales

When Record No. 478 was taken, my vote failed to register. I would have voted yes.

Faircloth

#### Amendment No. 14

Representative Shaheen offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of the article accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 485, Government Code, is amended by adding Section 485.0215 to read as follows:

Sec. 485.0215. SUNSET PROVISION. The Moving Image Industry Incentive Program is subject to review under Chapter 325 (Texas Sunset Act), as if it were a state agency subject to review under that chapter. Unless continued in existence as provided by that chapter, the Moving Image Industry Incentive Program is abolished and this subchapter expires September 1, 2019.

(Isaac now present)

Amendment No. 14 was withdrawn.

#### Amendment No. 15

Representatives Villalba, Murphy, Springer, and Capriglione offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) as follows:

(1) On page 6, strike lines 17 through 20 and substitute the following:

SECTION 1.04. Subchapter C, Chapter 490, Government Code, is amended by adding Section 490.104 to read as follows:

Sec. 490.104. MANAGEMENT OF INVESTMENT PORTFOLIO; WINDING UP AND FINAL LIQUIDATION. (a) In this section,

(2) On page 6, line 24, strike "former".

(3) On page 7, line 1, strike "former".

(4) On page 7, strike lines 2 through 8 and substitute the following:

(b) The Texas Treasury Safekeeping Trust Company shall manage and wind up the state's emerging technology investment portfolio. The trust company shall wind up the portfolio in a manner that, to the extent feasible, provides for the maximum return on the state's investment while also ensuring the return of the state's investment. In managing those investments through procedures and subject to restrictions that the trust company considers appropriate, the trust company may acquire, exchange, sell, supervise, manage, or retain any kind of investment that a prudent investor, exercising reasonable care, skill, and caution, would acquire or retain in light of the purposes, terms, distribution requirements, and other circumstances then prevailing pertinent to each investment. The trust company may recover its reasonable and necessary costs incurred in the management of the portfolio, including costs incurred in the retaining of professional or technical advisors, from the earnings on the investments in the portfolio.

(5) On page 7, line 9, between "Any" and "proceeds", insert "realized".

(6) On page 7, line 13, strike "trust company" and substitute "Texas Treasury Safekeeping Trust Company".

(7) On page 7, between lines 14 and 15, insert the following:

(d) The Texas Treasury Safekeeping Trust Company has any power necessary to accomplish the purposes of this section.

(e) On final liquidation of the state's emerging technology investment portfolio, the Texas Treasury Safekeeping Trust Company shall promptly notify the comptroller of that occurrence. As soon as practicable after receiving that notice, the comptroller shall verify that the final liquidation has been completed and, if the comptroller so verifies, shall certify to the governor that the final liquidation of the portfolio has been completed. The governor shall post notice of the certification on the office of the governor's Internet website.

(8) On page 7, strike lines 15 through 20 and substitute the following:

SECTION 1.05. Effective September 1, 2016, Subchapter C, Chapter 490, Government Code, is amended by adding Section 490.105 to read as follows:

Sec. 490.105. VALUATION OF STATE'S INVESTMENT PORTFOLIO; BIENNIAL REPORT. (a) To the maximum extent practicable, the Texas Treasury Safekeeping Trust Company biennially shall perform a valuation of the equity positions

(9) On page 7, line 22, strike "former".

(10) On page 7, line 27, between "each" and "year", insert "odd-numbered".



(11) On page 7, line 27, through page 8, line 1, strike "the trust company" and substitute "the Texas Treasury Safekeeping Trust Company".

(12) On page 8, strike lines 9 and 10 and substitute the following:

CHAPTER 490. WINDING UP CONTRACTS AND STATE'S INVESTMENT PORTFOLIO IN CONNECTION WITH AWARDS FROM TEXAS ~~[FUNDING FOR]~~ EMERGING TECHNOLOGY FUND

(13) On page 8, strike lines 11 through 14 and substitute the following:

SECTION 1.07. Section 490.001(4), Government Code, is amended to read as follows:

(14) On page 9, line 3, strike "FORMER".

(15) In Article 1 of the bill, add the following appropriately numbered SECTION:

SECTION 1.\_\_\_\_. Section 490.101, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The fund may be used only for the purposes described by Section 490.104.

(16) Strike page 14, line 7, through page 15, line 10.

(17) On page 15, at the end of line 16, strike "and".

(18) On page 15, strike lines 17 and 18, and substitute the following:

(4) Sections 490.101(c), (d), (e), (f), (f-1), (g), (h), and (i), Government Code;

(5) Section 490.102, Government Code; and

(6) Subchapters D, E, F, and G, Chapter 490, Government Code.

(19) Strike page 15, line 19, through page 16, line 6, and substitute the following:

SECTION 1.17. (a) The Texas emerging technology fund is continued solely for the purposes of winding up the contracts governing awards from that fund and the state's portfolio of equity positions and other investments in connection with awards from that fund in accordance with Section 490.104, Government Code, as added by this Act. The Texas emerging technology fund is abolished and Sections 490.101(a), (b), and (b-1), Government Code, are repealed when the comptroller certifies to the governor as provided by Section 490.104, Government Code, as added by this Act, that the final liquidation of the state's portfolio of equity positions and other investments by the Texas Treasury Safekeeping Trust Company has been completed. Any unencumbered fund balance remaining when the Texas emerging technology fund is abolished may be appropriated in accordance with Subsection (a-1) of this section.

(a-1) Any unencumbered balance of the Texas emerging technology fund may be appropriated only to one or more of the following:

(1) the Texas Research Incentive Program (TRIP) under Subchapter F, Chapter 62, Education Code;

(2) the Texas research university fund, subject to Subsection (b) of this section; and

(3) the governor's university research initiative fund established under Subchapter H, Chapter 62, Education Code, as added by this Act.

(20) On page 16, line 8, strike "Subsection (a)" and substitute "Subsection (a-1)".

(21) On page 17, strike lines 10 through 15 and substitute the following:

(f) On or after the effective date of this Act, the following payments or other amounts shall be sent to the comptroller for deposit to the Texas emerging technology fund to be used solely for the purposes of winding down the state's portfolio of equity positions and other investments as provided by Sections 490.101(b-1) and 490.104, Government Code, as added by this Act:

(22) On page 17, line 19, strike "former".

(23) On page 17, line 25, strike "Section 490.101" and substitute "Section 490.101(g)".

(24) On page 18, line 1, strike "Section 490.101" and substitute "Section 490.101(g)".

(25) Renumber the SECTIONS of ARTICLE 1 of the bill as appropriate.

#### **AMENDMENT NO. 15 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE MURPHY: I want to establish some legislative intent because one of the issues is this amendment that is before us is different from the original amendment filed. I want to thank Representative Villalba for tweaking it in what I think is a pretty significant way. When I saw the original amendment, the instructions were to maximize our returns. That sounds terrific from an investment point of view, but from a governmental point of view we want to make sure we got our investment returned. The Public Funds Investment Act is pretty clear for those of us who have the stewardship of public funds. What Representative Villalba has done is simply add a section to say that we're going to maximize the state's investment while ensuring the return of the state's investment. I think that's an important element and I appreciate you making that change. It makes your good amendment better.

Amendment No. 15 was adopted.

#### **Amendment No. 4 - Vote Reconsidered**

Representative Springer moved to reconsider the vote by which Amendment No. 4 was adopted.

The motion to reconsider prevailed.

Amendment No. 4 was withdrawn.

#### **Amendment No. 16**

Representative Springer offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) as follows:

(1) On page 1, line 13, strike "and (m)" and substitute ", (m), (n), and (o)".

(2) On page 5, between lines 14 and 15, insert the following:

(n) In each calendar year, at least 20 percent of the grant agreements entered into under this section must:

(1) contain a provision that requires all of the jobs created under the agreement to be created in a county that has a population of less than 300,000;  
and

(2) be with companies that:

(A) have not less than 25 or more than 200 employees; and

(B) will benefit a county described by Subdivision (1).

(3) On page 19, between lines 6 and 7, insert the following appropriately numbered SECTION:

SECTION 1. \_\_\_\_\_. (a) Section 481.078(o), Government Code, as added by this Act, applies only to an application for a grant filed on or after the effective date of this Act. An application for a grant that is filed before the effective date of this Act is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

(b) Section 481.078(n), Government Code, as added by this Act, applies only in a calendar year that begins after the effective date of this Act.

(4) Renumber the SECTIONS of ARTICLE 1 of the bill as appropriate.

(Geren in the chair)

Amendment No. 16 was withdrawn.

### **Amendment No. 17**

Representative Shaheen offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of the article accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 485, Government Code, is amended by adding Section 485.0215 to read as follows:

Sec. 485.0215. SUNSET PROVISION. The Moving Image Industry Incentive Program is subject to review under Chapter 325 (Texas Sunset Act), as if it were a state agency subject to review under that chapter. Unless continued in existence as provided by that chapter, the Moving Image Industry Incentive Program is abolished and this subchapter expires September 1, 2019.

### **LEAVE OF ABSENCE GRANTED**

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

Smithee on motion of Parker.

### **CSHB 26 - (consideration continued)**

Amendment No. 17 was withdrawn.

**CSHB 26**, as amended, was passed to engrossment.

### **CSHB 2031 ON SECOND READING**

**(by Lucio, Keffer, Hunter, D. Miller, and Workman)**

**CSHB 2031**, A bill to be entitled An Act relating to the diversion, treatment, and use of marine seawater and the discharge of treated marine seawater and waste resulting from the desalination of marine seawater; adding provisions subject to a criminal penalty.

**Amendment No. 1**

Representative Lucio offered the following amendment to **CSHB 2031**:

Amend **CSHB 2031** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. (a) With this state facing an ongoing drought, continuing population growth, and the need to remain economically competitive, every effort must be made to secure and develop plentiful and cost-effective water supplies to meet the ever-increasing demand for water. The purpose of this Act is not to hinder efforts to conserve or develop other surface water supplies but rather to more fully explore and expedite the development of all this state's water resources in order to balance this state's supply and demand for water, which is one of the most precious resources of this state.

(b) Currently, the projected long-term water needs of this state far exceed the firm supplies that are available and that can reasonably be made available from freshwater sources within this state. The legislature recognizes the importance of providing for this state's current and future water needs at all times, including, consistent with reasonable drought contingency measures, during severe droughts.

(c) In this state, marine seawater is a potential new source of water for drinking and other beneficial uses. This state has access to vast quantities of marine seawater from the Gulf of Mexico. The purpose of this Act is to streamline the regulatory process for and reduce the time required for and cost of marine seawater desalination.

(d) The legislature finds that marine seawater desalination facilities should be cost-effectively and timely developed, concurrently with other water planning solutions, to help this state meet its current and future water needs.

(e) The legislature finds that it is necessary and appropriate to grant authority and provide for expedited and streamlined authorization for marine seawater desalination facilities, consistent with appropriate environmental and water right protections, in order to avoid unnecessary costs, delays, and uncertainty and thereby help justify the investment of significant resources in the development of such facilities.

SECTION 2. Section 5.509(a), Water Code, is amended to read as follows:

(a) The commission may issue an emergency or temporary order relating to the discharge of waste or pollutants into or adjacent to water in the state if:

(1) the order is necessary to enable action to be taken more expeditiously than is otherwise provided by Chapter 18 or 26, as applicable, to effectuate the policy and purposes of that chapter; and

(2) the commission finds that:

(A) the discharge is unavoidable to:

(i) prevent loss of life, serious injury, or severe property damage;

(ii) prevent severe economic loss or ameliorate serious drought conditions, to the extent consistent with the requirements for United States Environmental Protection Agency authorization of a state permit program; or

(iii) make necessary and unforeseen repairs to a facility;

(B) there is no feasible alternative to the proposed discharge;

(C) the discharge will not cause significant hazard to human life and health, unreasonable damage to the property of persons other than the applicant, or unreasonable economic loss to persons other than the applicant; and

(D) the discharge will not present a significant hazard to the uses that will be made of the receiving water after the discharge.

SECTION 3. Section 5.551, Water Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding Section 18.002, this subchapter does not apply to a permit issued under Section 18.005(c)(2) if the point of discharge is not located within three miles of any point located on the coast of this state.

SECTION 4. Section 7.302(a), Water Code, is amended to read as follows:

(a) This section applies to a permit or exemption issued by the commission under:

(1) Section 18.005 of this code;

(2) Chapter 26, 27, 28, or 31 of this code;

(3) ~~(C)~~ Subchapter C or R, Chapter 361, Health and Safety Code;

(4) ~~(D)~~ Subchapter D, Chapter 366, Health and Safety Code;

(5) ~~(4)~~ Chapter 382, Health and Safety Code; or

(6) ~~(5)~~ a rule adopted under any of those provisions.

SECTION 5. Section 11.0237(b), Water Code, is amended to read as follows:

(b) This section does not alter the commission's obligations under Section 11.042(a-1), (b), or (c), 11.046(b), 11.085(k)(2)(F), 11.134(b)(3)(D), 11.147, 11.1471, 11.1491, 11.150, 11.152, 16.058, ~~or~~ 16.059, or 18.004.

SECTION 6. Section 11.082, Water Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding Section 18.002, this section does not apply to a violation of:

(1) Section 18.003 or a permit issued under that section; or

(2) Section 18.004 or an authorization granted under that section.

SECTION 7. Section 11.0842, Water Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding Section 18.002, this section does not apply to a violation of:

(1) Section 18.003 or a permit issued under that section; or

(2) Section 18.004 or an authorization granted under that section.

SECTION 8. Section 11.121, Water Code, is amended to read as follows:

Sec. 11.121. PERMIT REQUIRED. Except as provided in Sections 11.142, 11.1421, ~~and~~ 11.1422, and 18.003 [of this code], no person may appropriate any state water or begin construction of any work designed for the storage, taking, or diversion of water without first obtaining a permit from the commission to make the appropriation.

SECTION 9. Section 16.053(e), Water Code, is amended to read as follows:

(e) Each regional water planning group shall submit to the development board a regional water plan that:

(1) is consistent with the guidance principles for the state water plan adopted by the development board under Section 16.051(d);

(2) provides information based on data provided or approved by the development board in a format consistent with the guidelines provided by the development board under Subsection (d);

(2-a) is consistent with the desired future conditions adopted under Section 36.108 for the relevant aquifers located in the regional water planning area as of the date the board most recently adopted a state water plan under Section 16.051 or, at the option of the regional water planning group, established subsequent to the adoption of the most recent plan;

(3) identifies:

(A) each source of water supply in the regional water planning area, including information supplied by the executive administrator on the amount of modeled available groundwater in accordance with the guidelines provided by the development board under Subsections (d) and (f);

(B) factors specific to each source of water supply to be considered in determining whether to initiate a drought response;

(C) actions to be taken as part of the response; and

(D) existing major water infrastructure facilities that may be used for interconnections in the event of an emergency shortage of water;

(4) has specific provisions for water management strategies to be used during a drought of record;

(5) includes but is not limited to consideration of the following:

(A) any existing water or drought planning efforts addressing all or a portion of the region;

(B) approved groundwater conservation district management plans and other plans submitted under Section 16.054;

(C) all potentially feasible water management strategies, including but not limited to improved conservation, reuse, and management of existing water supplies, conjunctive use, acquisition of available existing water supplies, and development of new water supplies;

(D) protection of existing water rights in the region;

(E) opportunities for and the benefits of developing regional water supply facilities or providing regional management of water supply facilities;

(F) appropriate provision for environmental water needs and for the effect of upstream development on the bays, estuaries, and arms of the Gulf of Mexico and the effect of plans on navigation;

(G) provisions in Section 11.085(k)(1) if interbasin transfers are contemplated;

(H) voluntary transfer of water within the region using, but not limited to, regional water banks, sales, leases, options, subordination agreements, and financing agreements; ~~and~~

(I) emergency transfer of water under Section 11.139, including information on the part of each permit, certified filing, or certificate of adjudication for nonmunicipal use in the region that may be transferred without causing unreasonable damage to the property of the nonmunicipal water rights holder; and

(J) opportunities for and the benefits of developing large-scale desalination facilities for marine seawater that serve local or regional entities;

(6) identifies river and stream segments of unique ecological value and sites of unique value for the construction of reservoirs that the regional water planning group recommends for protection under Section 16.051;

(7) assesses the impact of the plan on unique river and stream segments identified in Subdivision (6) if the regional water planning group or the legislature determines that a site of unique ecological value exists;

(8) describes the impact of proposed water projects on water quality; and

(9) includes information on:

(A) projected water use and conservation in the regional water planning area; and

(B) the implementation of state and regional water plan projects, including water conservation strategies, necessary to meet the state's projected water demands.

SECTION 10. Subtitle C, Title 2, Water Code, is amended by adding Chapter 18 to read as follows:

CHAPTER 18. MARINE SEAWATER DESALINATION PROJECTS

Sec. 18.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Commission on Environmental Quality.

(2) "Marine seawater" means water that is derived from the Gulf of Mexico.

(3) "Project" means:

(A) a marine seawater desalination project; or

(B) a facility for the storage, conveyance, and delivery of desalinated marine seawater.

Sec. 18.002. RELATIONSHIP TO OTHER LAWS. (a) Except as provided by Subsection (b) or as otherwise provided by law:

(1) Chapter 11 applies to a permit or authorization under Section 18.003 or 18.004 in the same manner as that chapter applies to a permit or authorization under that chapter; and

(2) Chapter 26 applies to a permit under Section 18.005 in the same manner as that chapter applies to a permit under that chapter.

(b) In the event of a conflict between this chapter and Chapter 11 or 26, this chapter controls.

Sec. 18.003. DIVERSIONS OF MARINE SEAWATER. (a) A person must obtain a permit to divert and use state water that consists of marine seawater if:

(1) the point of diversion is located less than three miles seaward of any point located on the coast of this state; or

(2) the seawater contains a total dissolved solids concentration based on a yearly average of samples taken monthly at the water source of less than 20,000 milligrams per liter.

(b) A person may divert and use state water that consists of marine seawater without obtaining a permit if Subsection (a) does not apply.

(c) A person who diverts and uses state water that consists of marine seawater under a permit required by Subsection (a) or as authorized by Subsection (b) must determine the total dissolved solids concentration of the seawater at the water source by monthly sampling and analysis and provide the data collected to the commission. A person may not begin construction of a facility for the diversion of marine seawater without obtaining a permit until the person has provided data to the commission based on the analysis of samples taken at the water source over a period of at least one year demonstrating that Subsection (a)(2) does not apply. A person who has begun construction of a facility for the diversion of marine seawater without obtaining a permit because the person has demonstrated that Subsection (a)(2) does not apply is not required to obtain a permit for the facility if the total dissolved solids concentration of the seawater at the water source subsequently changes so that Subsection (a)(2) applies.

(d) A person may use marine seawater diverted under a permit required by Subsection (a) or as authorized by Subsection (b) for any beneficial purpose, but only if the seawater is treated in accordance with rules adopted by the commission before it is used. Rules adopted under this subsection may impose different treatment requirements based on the purpose for which the seawater is to be used.

(e) The commission shall adopt rules providing an expedited procedure for acting on an application for a permit required by Subsection (a). The rules must provide for notice, an opportunity for the submission of written comment, and an opportunity for a contested case hearing regarding commission actions relating to an application for a permit.

(f) The point of diversion of marine seawater may not be in a bay or estuary.

(g) An application for a permit required by Subsection (a) must address the points from which, and the rate at which, the facility the applicant proposes to construct will divert marine seawater.

(h) The commission by rule shall prescribe reasonable measures to minimize impingement and entrapment.

(i) The Parks and Wildlife Department and the General Land Office jointly shall conduct a study to identify zones in the Gulf of Mexico that are appropriate for the diversion of marine seawater, taking into account the need to protect marine organisms. Not later than September 1, 2018, the Parks and Wildlife Department and the General Land Office shall submit a report on the results of the study to the commission. The report must include recommended diversion zones for designation by the commission and recommendations for the number of points from which, and the rate at which, a facility may divert marine seawater. Not later than September 1, 2020, the commission by rule shall designate appropriate diversion zones. A diversion zone may be contiguous to, be the same



as, or overlap a discharge zone. The point or points from which a facility may divert marine seawater must be located in a diversion zone designated by the commission under rules adopted under this subsection if:

(1) the facility is authorized by a permit as required by Subsection (a) issued after the rules are adopted; or

(2) the facility is exempt under Subsection (b) from the requirement of a permit and construction of the facility begins after the rules are adopted.

(j) Until the commission adopts rules under Subsection (i), a person must consult the Parks and Wildlife Department and the General Land Office regarding the point or points from which a facility the person proposes to construct may divert marine seawater before submitting an application for a permit for the facility if Subsection (a) applies or before beginning construction of the facility if Subsection (b) applies.

Sec. 18.004. BED AND BANKS AUTHORIZATION. (a) With prior authorization granted under rules prescribed by the commission, a person may use the bed and banks of any flowing natural stream in this state or a lake, reservoir, or other impoundment in this state to convey marine seawater that has been treated so as to meet standards that are at least as stringent as the water quality standards applicable to the receiving stream or impoundment adopted by the commission.

(b) The commission shall provide for notice and an opportunity for the submission of written comment but may not provide an opportunity for a contested case hearing regarding commission actions relating to an application for an authorization under this section to use the bed and banks of a flowing natural stream to convey treated marine seawater. The commission shall provide for notice, an opportunity for the submission of written comment, and an opportunity for a contested case hearing regarding commission actions relating to an application for an authorization under this section to use a lake, reservoir, or other impoundment to convey treated marine seawater.

(c) A person may not discharge treated marine seawater into a flowing natural stream in this state or a lake, reservoir, or other impoundment in this state for the purpose of conveyance of the water under an authorization granted under this section unless the person holds a permit issued under Section 18.005 authorizing the discharge.

(d) Treated marine seawater that is conveyed under an authorization granted under this section may be used only by the person to whom the authorization is granted.

(e) Section 11.042(c) applies to an authorization granted under this section in the same manner as that subsection applies to an authorization granted under Section 11.042.

(f) This section does not prohibit a person from conveying treated marine seawater in any other manner authorized by law.

Sec. 18.005. DISCHARGE OF TREATED MARINE SEAWATER OR WASTE RESULTING FROM DESALINATION OF MARINE SEAWATER. (a) In this section, "permit," "person," "to discharge," "waste," and "water" have the meanings assigned by Section 26.001.

(b) Section 26.011 applies to discharges governed by this section in the same manner as that section applies to discharges governed by Chapter 26.

(c) A person must obtain a permit to discharge:

(1) treated marine seawater into a natural stream in this state or a lake, reservoir, or other impoundment in this state; or

(2) waste resulting from the desalination of treated marine seawater into the Gulf of Mexico.

(d) A person shall:

(1) treat marine seawater so as to meet standards that are at least as stringent as the water quality standards adopted by the commission applicable to the receiving stream or impoundment before discharging the seawater under this section; and

(2) comply with all applicable state and federal requirements when discharging waste resulting from the desalination of marine seawater into the Gulf of Mexico.

(e) The commission by rule shall provide an expedited procedure for acting on an application for a permit under this section. The rules must provide for:

(1) notice, an opportunity for the submission of written comment, and an opportunity to request a public meeting and may authorize a contested case hearing regarding commission actions relating to an application for a permit described by Subsection (c)(1);

(2) notice, an opportunity for the submission of written comment, an opportunity to request a public meeting, and an opportunity for a contested case hearing regarding commission actions relating to an application for a permit described by Subsection (c)(2) if the point of discharge is located within three miles of any point located on the coast of this state; and

(3) notice and an opportunity for the submission of written comment regarding commission actions relating to an application for a permit described by Subsection (c)(2) if Subdivision (2) of this subsection does not apply.

(f) A person may not discharge waste resulting from the desalination of marine seawater into a bay or estuary.

(g) The Parks and Wildlife Department and the General Land Office jointly shall conduct a study to identify zones in the Gulf of Mexico that are appropriate for the discharge of waste resulting from the desalination of marine seawater, taking into account the need to protect marine organisms. Not later than September 1, 2018, the Parks and Wildlife Department and the General Land Office shall submit a report on the results of the study to the commission. The report must include recommended discharge zones for designation by the commission. Not later than September 1, 2020, the commission by rule shall designate appropriate discharge zones. The point at which a facility may discharge waste resulting from the desalination of marine seawater must be located in a discharge zone designated by the commission under rules adopted under this subsection if the facility is authorized by a permit issued under Subsection (c)(2) after the rules are adopted.

(h) Until the commission adopts rules under Subsection (g), a person must consult the Parks and Wildlife Department and the General Land Office regarding the point at which the facility the person proposes to construct may discharge waste resulting from the desalination of marine seawater before submitting an application for a permit under Subsection (c)(2) for the facility.

SECTION 11. Section 26.0291(a), Water Code, is amended to read as follows:

(a) An annual water quality fee is imposed on:

(1) each wastewater discharge permit holder, including the holder of a permit issued under Section 18.005, for each wastewater discharge permit held;  
and

(2) each user of water in proportion to the user's water right, through permit or contract, as reflected in the commission's records, provided that the commission by rule shall ensure that no fee shall be assessed for the portion of a municipal or industrial water right directly associated with a facility or operation for which a fee is assessed under Subdivision (1) of this subsection.

SECTION 12. Subchapter C, Chapter 341, Health and Safety Code, is amended by adding Section 341.0316 to read as follows:

Sec. 341.0316. DESALINATION OF MARINE SEAWATER FOR DRINKING WATER. (a) This section applies only to a desalination facility that is intended to treat marine seawater for the purpose of producing water for the public drinking water supply. This section does not apply to a desalination facility used to produce nonpotable water.

(b) The commission shall adopt rules to:

(1) allow water treated by a desalination facility to be used as public drinking water; and

(2) ensure that water treated by a desalination facility meets the requirements of Section 341.031 and rules adopted under that section.

(c) A person may not begin construction of a desalination facility that treats marine seawater for the purpose of removing primary or secondary drinking water contaminants unless the commission approves the construction of the facility.

SECTION 13. Section 16.060, Water Code, is repealed.

SECTION 14. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

## **Amendment No. 2**

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

Amend the floor substitute to **CSHB 2031** as follows:

(1) On page 8, between lines 2 and 3, insert the following:

(c) This chapter is intended to provide an alternative procedure for obtaining an authorization to divert and use state water that consists of marine seawater or to discharge treated marine seawater or waste resulting from the desalination of treated marine seawater under the circumstances provided by this chapter. This chapter does not affect the authority of a person to:

(1) divert and use state water that consists of marine seawater in accordance with the procedures provided by Chapter 11, including the authority to divert marine seawater from a point of diversion located in a bay or estuary; or

(2) discharge treated marine seawater or waste resulting from the desalination of treated marine seawater in accordance with the procedures provided by Chapter 26, including the authority to discharge waste resulting from the desalination of marine seawater into a bay or estuary.

(2) On page 9, strike lines 12 and 13 and substitute the following:

(f) A person may not divert marine seawater under a permit required by Subsection (a) or as authorized by Subsection (b) from a point of diversion located in a bay or estuary.

(3) On page 12, strike lines 27 and 28 and substitute the following:

(f) A person may not discharge waste resulting from the desalination of marine seawater into a bay or estuary under a permit issued under Subsection (c)(2).

(Workman in the chair)

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

**CSHB 2031**, as amended, was passed to engrossment.

**CSHB 1051 ON SECOND READING**  
**(by Wray and Fallon)**

**CSHB 1051**, A bill to be entitled An Act relating to the creation of a campus of the Texas State Technical College System in Ellis County.

**CSHB 1051** was passed to engrossment.

**CSHB 175 ON SECOND READING**  
**(by R. Miller, Sheffield, Cyrier, Zerwas, Farias, et al.)**

**CSHB 175**, A bill to be entitled An Act relating to the establishment of the Veterans Recovery Pilot Program to provide certain veterans with hyperbaric oxygen treatment.

**Amendment No. 1**

Representative R. Miller offered the following amendment to **CSHB 175**:

Amend **CSHB 175** (house committee printing) as follows:

(1) On page 2, line 17, strike "The department" and substitute "Except as provided by Subsection (b), the department, using existing resources,".

(2) On page 2, between lines 20 and 21, insert the following and renumber subsequent subsections of proposed Section 49.002, Health and Safety Code, accordingly:

(b) If there is insufficient money in the veterans recovery account established under Section 49.004 to cover the department's expenses in administering the pilot program, the department is not required to operate the pilot program.

(3) On page 3, lines 26 and 27, strike "the Medicaid and Medicare programs,".

Amendment No. 1 was adopted.

**CSHB 175**, as amended, was passed to engrossment.

**HB 189 ON SECOND READING**  
**(by S. Thompson, Moody, and Guillen)**

**HB 189**, A bill to be entitled An Act relating to the elimination of the statute of limitations for the offenses of sexual assault and aggravated sexual assault.

**Amendment No. 1**

Representative S. Thompson offered the following amendment to **HB 189**:

Amend **HB 189** (house committee printing) as follows:

(1) On page 1, strike lines 12-19 and substitute the following:

(B) sexual assault under Section 22.011(a)(2), Penal Code, or aggravated sexual assault under Section 22.021(a)(1)(B), Penal Code;

(C) sexual assault, if:

(i) during the investigation of the offense biological matter is collected and subjected to forensic DNA testing and the testing results show that the matter does not match the victim or any other person whose identity is readily ascertained; or

(ii) probable cause exists to believe that the defendant has committed the same or a similar sexual offense against five or more victims;

(2) On page 1, line 20, strike "(C) [~~(D)~~]" and substitute "(D)".

(3) On page 1, line 22, strike "(D) [~~(E)~~]" and substitute "(E)".

(4) On page 1, line 24, strike "(E) [~~(F)~~]" and substitute "(F)".

(5) On page 2, line 3, strike "(F) [~~(G)~~]" and substitute "(G)".

(6) On page 2, line 5, strike "(G) [~~(H)~~]" and substitute "(H)".

(7) On page 2, strike lines 20-21 and substitute the following:

(E) sexual assault, except as provided by Subdivision (1);

(8) On page 2, line 22, strike "[~~(F)~~]" and substitute "(F)".

(9) On page 2, line 23, strike "(F) [~~(G)~~]" and substitute "(G)".

(10) On page 2, line 25, strike "(G) [~~(H)~~]" and substitute "(H)".

(11) On page 4, line 13, strike "(C) [~~(D)~~]" and substitute "(D)".

Amendment No. 1 was adopted.

**HB 189**, as amended, was passed to engrossment by (Record 479): 88 Yeas, 46 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bernal; Blanco; Bohac; Button; Coleman; Collier; Craddick; Crownover; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Geren; Giddings; González; Guerra; Guillen; Gutierrez;

Harless; Hernandez; Herrero; Howard; Hughes; Israel; Johnson; Kacal; Keffer; King, K.; King, T.; Koop; Kuempel; Larson; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Naishtat; Nevárez; Paddie; Parker; Phillips; Pickett; Price; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Simpson; Smith; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cook; Cyrier; Dale; Faircloth; Flynn; Galindo; Goldman; Gonzales; Isaac; Keough; King, P.; Krause; Landgraf; Laubenberg; Leach; Metcalf; Murphy; Murr; Otto; Paul; Peña; Phelan; Raney; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Wray; Zedler.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent, Excused, Committee Meeting — Hunter.

Absent — Canales; Capriglione; Huberty; Klick; Morrison; Oliveira; Sheets.

#### STATEMENTS OF VOTE

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

R. Anderson

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Bell

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Burrows

When Record No. 479 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 479 was taken, my vote failed to register. I would have voted yes.

Capriglione

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Cook

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Faircloth

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Flynn

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Galindo

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Goldman

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Isaac

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Keough

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

P. King

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Krause

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Landgraf

When Record No. 479 was taken, I was shown voting yes. I intended to vote no.

Larson

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Laubenberg

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Murr

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Simmons

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Spitzer

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

E. S. Turner

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Wray

When Record No. 479 was taken, I was shown voting no. I intended to vote yes.

Zedler

### **SB 709 ON SECOND READING**

**(Morrison, D. Bonnen, Deshotel, Harless, Smith, et al. - House Sponsors)**

**SB 709**, A bill to be entitled An Act relating to procedures for certain environmental permit applications.

**SB 709** was considered in lieu of **HB 1865**.

### **SB 709 - POINT OF ORDER**

Representative Rose raised a point of order against further consideration of **SB 709** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Morrison moved to postpone consideration of **SB 709** until 7:20 p.m. today.

The motion prevailed.

### **CSHB 218 ON SECOND READING**

**(by Márquez, Moody, and Gonzáles)**

**CSHB 218**, A bill to be entitled An Act relating to certification requirements for teachers in bilingual education.



**CSHB 218** was passed to engrossment.

**CSHB 298 ON SECOND READING**

**(by Wu, Morrison, Alvarado, K. King, McClendon, et al.)**

**CSHB 298**, A bill to be entitled An Act relating to measures to facilitate the transfer, academic progress, and timely graduation of students in public higher education.

**CSHB 298** was passed to engrossment.

(Hunter now present)

**CSHB 158 ON SECOND READING**

**(by Larson, Keffer, Smith, Guillen, Kacal, et al.)**

**CSHB 158**, A bill to be entitled An Act relating to the allocation and use of the proceeds from taxes imposed on the sale, storage, or use of sporting goods.

**CSHB 158 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE DESHOTEL: One of the provisions in this bill, representative, would move a so-far budget approved item of \$22 million from this fund to GLO for beach restoration. Is that correct?

REPRESENTATIVE LARSON: Well, that's what's happened since 2007, and they started diverting \$22 million over there to the beach erosion program. This will eliminate that.

DESHOTEL: And that is in the current budget. So you and I have discussed and met with GLO, Parks and Wildlife, and leadership, and we're going to work together to try to replace that \$22 million in lieu of me putting an amendment on here to fund it for another two years. Is that correct?

LARSON: Yes, sir. There's various sources of money, primarily in general revenue, but the Deepwater Horizon funding that's coming to the governor's office, that'll also be something we can look at if we can define a project that would meet the parameters set up with that funding. But we will fill that hole.

(Speaker in the chair)

**REMARKS ORDERED PRINTED**

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

The motion prevailed.

**CSHB 158** was passed to engrossment.

**SB 94 ON SECOND READING**

**(Guerra - House Sponsor)**

**SB 94**, A bill to be entitled An Act relating to certain fees charged for the adjudication of pharmacy benefit claims.

**SB 94** was considered in lieu of **HB 255**.

**SB 94 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE SHEETS: Mr. Guerra, just to clarify legislative intent, is this bill limited to fees in the context of adjudication of claims?

REPRESENTATIVE GUERRA: This bill is limited to what is prescribed by the TDI and the contractual arrangements that are between the small pharmacies, and what is provided in the statute.

**REMARKS ORDERED PRINTED**

Representative Sheets moved to print remarks between Representative Guerra and Representative Sheets.

The motion prevailed.

**SB 94** was passed to third reading.

**HB 255 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Guerra moved to lay **HB 255** on the table subject to call.

The motion prevailed.

**HB 2182 ON SECOND READING**  
**(by Clardy, Kuempel, Faircloth, et al.)**

**HB 2182**, A bill to be entitled An Act relating to the collection and refunding of certain fees and deposits by a county clerk or district clerk; increasing certain fees.

Representative K. King moved to postpone consideration of **HB 2182** until 8 a.m. Monday, May 4.

The motion prevailed.

**HB 484 ON SECOND READING**  
**(by Capriglione, Raney, Murr, Howard, Goldman, et al.)**

**HB 484**, A bill to be entitled An Act relating to the eligibility of a person to be a candidate for or holder of a public elective office.

**Amendment No. 1**

Representative Capriglione offered the following amendment to **HB 484**:

Amend **HB 484** (house committee printing) as follows:

(1) On page 1, line 5, strike "141.001(a), Election Code, is amended" and substitute "141.001, Election Code, is amended by amending Subsection (a) and adding Subsection (d)".

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

(d) Subsection (a)(6) does not apply to an appointed member of the governing body of a district created under Section 52(b)(1) or (2), Article III, or Section 59, Article XVI, Texas Constitution.

Amendment No. 1 was adopted.

**HB 484**, as amended, was passed to engrossment.

**CSHB 574 ON SECOND READING**  
**(by G. Bonnen and Fallon)**

**CSHB 574**, A bill to be entitled An Act relating to the operation of certain managed care plans with respect to health care providers; amending provisions subject to a criminal penalty.

**Amendment No. 1**

Representative G. Bonnen offered the following amendment to **CSHB 574**:

Amend **CSHB 574** (house committee printing) as follows:

(1) On page 1, line 23, strike "843.363(a)" and substitute "843.363".

(2) On page 1, at the end of line 23, add "by amending Subsection (a) and adding Subsection (a-1)".

(3) On page 2, between lines 20-21, insert the following:

(a-1) A health maintenance organization may not, as a condition of payment with a physician, dentist, or provider, or in any other manner, require a physician, dentist, or provider to provide a notification form stating that the physician, dentist, or provider is an out-of-network provider to a current, prospective, or former patient, or a person designated by the patient, if the form contains additional information that is intended, or is otherwise required to be presented in a manner that is intended, to intimidate the patient.

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

SECTION \_\_\_\_\_. Section 1301.067, Insurance Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) An insurer may not, as a condition of payment with a physician or health care provider or in any other manner, require a physician or health care provider to provide a notification form stating that the physician or health care provider is an out-of-network provider to a current, prospective, or former patient, or a person designated by the patient, if the form contains additional information that is intended, or is otherwise required to be presented in a manner that is intended, to intimidate the patient.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Zerwas offered the following amendment to **CSHB 574**:

Amend **CSHB 574** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 1301.069, Insurance Code, is amended to read as follows:

Sec. 1301.069. SERVICES PROVIDED BY CERTAIN PHYSICIANS AND HEALTH CARE PROVIDERS. The provisions of this chapter relating to prompt payment by an insurer of a physician or health care provider and to verification of medical care or health care services apply to a physician or provider who:

(1) is an out-of-network ~~[not a preferred]~~ provider ~~[included in the preferred provider network]~~; and

(2) provides to an insured:

(A) care related to an emergency or its attendant episode of care as required by state or federal law; or

(B) specialty or other medical care or health care services at the request of the insurer, ~~or~~ a preferred provider, or an insured with out-of-network coverage [because the services are not reasonably available from a preferred provider who is included in the preferred delivery network].

SECTION \_\_\_\_\_. Section 1301.069, Insurance Code, as amended by this Act, applies only to payment of a claim submitted to an insurer for payment on or after January 1, 2016. A claim submitted before January 1, 2016, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

Amendment No. 2 was adopted.

**CSHB 574**, as amended, was passed to engrossment.

### **HB 684 ON SECOND READING** (by Sheets)

**HB 684**, A bill to be entitled An Act relating to the authority of a county to adopt a fire code.

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

Representatives Burrows and Springer offered the following amendment to **HB 684**:

Amend **HB 684** (house committee report) as follows:

(1) Strike lines 6 through 9 and substitute the following:

(a) The commissioners court of a county with a population of over 25,000 ~~[250,000]~~ or a county adjacent to a county with a population of over 250,000 may adopt a fire code and rules necessary to administer and enforce the fire code.

(2) Add the following appropriately numbered SECTION and renumber the subsequent SECTIONS appropriately:

SECTION \_\_\_\_\_. Section 233.062, Local Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The commissioners court of a county with a population of 250,000 or less that is not adjacent to a county with a population of more than 250,000 may not adopt a fire code that applies to:

(1) a building or other structure used by a person who holds a retail fireworks permit issued under Section 2154.202, Occupations Code, for the exclusive purpose of selling fireworks;

(2) a building or other structure used for an agricultural operation, as defined by Section 251.002, Agriculture Code

(3) the facilities or operations of energy transporters; or

(4) any activities related to the drilling, exploration including completion, production, or processing of oil or natural gas.

Amendment No. 1 was adopted.

**HB 684**, as amended, was passed to engrossment by (Record 480): 86 Yeas, 55 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Bernal; Blanco; Burkett; Burrows; Coleman; Collier; Craddick; Crownover; Dale; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Farrar; Fletcher; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Huberty; Hunter; Israel; Johnson; Keffer; Keough; King, K.; King, T.; Klick; Koop; Kuempel; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Minjarez; Moody; Naishtat; Nevárez; Oliveira; Paul; Peña; Pickett; Price; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheets; Smith; Stephenson; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burns; Button; Capriglione; Cook; Cyrier; Darby; Elkins; Fallon; Flynn; Frank; Geren; Goldman; Harless; Hughes; Isaac; Kacal; King, P.; Krause; Landgraf; Larson; Leach; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Phelan; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Simpson; Spitzer; Springer; Stickland; Thompson, E.; Turner, E.S.; White, J.; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Canales; Raney.

#### STATEMENTS OF VOTE

When Record No. 480 was taken, I was shown voting no. I intended to vote yes.

G. Bonnen

When Record No. 480 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 480 was taken, I was shown voting no. I intended to vote yes.

Fallon

When Record No. 480 was taken, I was shown voting no. I intended to vote yes.

Flynn

When Record No. 480 was taken, I was shown voting yes. I intended to vote no.

Guillen

When Record No. 480 was taken, I was shown voting no. I intended to vote yes.

Harless

When Record No. 480 was taken, I was shown voting yes. I intended to vote no.

Lozano

When Record No. 480 was taken, I was shown voting yes. I intended to vote no.

Paul

When Record No. 480 was taken, I was shown voting yes. I intended to vote no.

Price

When Record No. 480 was taken, I was shown voting yes. I intended to vote no.

Riddle

When Record No. 480 was taken, I was shown voting no. I intended to vote yes.

Simmons

When Record No. 480 was taken, I was shown voting yes. I intended to vote no.

Smith

When Record No. 480 was taken, I was shown voting no. I intended to vote yes.

Springer

When Record No. 480 was taken, I was shown voting yes. I intended to vote no.

Workman

### **CSHB 48 ON SECOND READING**

**(by McClendon, Leach, Herrero, Moody, Simpson, et al.)**

**CSHB 48**, A bill to be entitled An Act relating to the creation of a commission to review convictions after exoneration and to prevent wrongful convictions.

#### **ADDRESS BY REPRESENTATIVE MCCLENDON**

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

Good evening, Mr. Speaker and members. When we convict an innocent person based on invalid evidence, false testimony, or other faults in the judicial process, a grave injustice happens, wasting taxpayer money to arrest, prosecute, and imprison the wrong person. This also undermines public safety because the person truly responsible may remain free to do more harm.

The commission created in this bill would be named after Timothy Cole who died in prison for a rape he did not commit based on false testimony. Those of you who have heard about the case of Michael Morton know he was wrongfully convicted of murdering his wife because DNA evidence was withheld. Those of you who have read *To Kill a Mockingbird* know about the courage of Atticus Finch who defended Tom Robinson, a black man wrongfully convicted of raping a white woman. Those of you who read the Bible well know of the most unforgettable, wrongful conviction of all time.

I ask those of you who have heard me speak on this before to stand beside me. For those of you who are not familiar with these issues, I ask you to join me in support. It is time for Texas to take an orderly, objective, and deliberate approach in studying the history of these cases so we do not continue to repeat the mistakes of the past. It is time for us to look at the big picture and courageously seek the truth about any flaws in the state's criminal justice system and take action to address them. The Timothy Cole Exoneration Review Commission would be an independent entity attached to the Office of Court Administration. This nine-member commission of state officials will bring the experience, impartiality, knowledge, and sound judgment needed to bear this responsibility. Although Texas has taken many steps in the right direction, their focused evaluation of these cases would lead to suggestions for more improvements in the law to address problems in advance, instead of reacting only after a case hits the news media. You need to know that there is no other agency charged with this mission. It is time we create this one.

I could read for you the names of the 200 or so wrongfully convicted individuals exonerated in Texas since 1989, but that would take too much time. You need to know that altogether 2,000 years of their time have been wasted in prison for crimes they did not commit. You need to be aware—this could happen to you or someone you love.

Texas is known for honoring families, but wrongful convictions tear families apart. That is appalling and certainly not worthy of Texas. Now is the time to act courageously and vote for **CSHB 48** to help ensure that Texas is a state that honors our national principles of fairness and justice for all.

Before you cast your vote, I ask you to consider this important principle expressed by Martin Luther King, Jr.: "Injustice anywhere is a threat to justice everywhere."

**CSHB 48** was passed to engrossment by (Record 481): 138 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Phillips; Rinaldi; Schofield.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Canales; Huberty.

#### STATEMENTS OF VOTE

When Record No. 481 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

When Record No. 481 was taken, I was shown voting yes. I intended to vote no.

Wray

#### REMARKS ORDERED PRINTED

Representative Murphy moved to print remarks between Representative Villalba and Representative Murphy on **CSHB 26**.

The motion prevailed.

#### HB 716 ON SECOND READING (by Lozano)

**HB 716**, A bill to be entitled An Act relating to the certification of certain peace officers to enforce commercial motor vehicle safety standards.

**HB 716** was passed to engrossment.

#### REMARKS ORDERED PRINTED

Representative Leach moved to print remarks by Representative McClendon on **CSHB 48**.

The motion prevailed.



**CSHB 885 ON SECOND READING**  
**(by Paddie, et al.)**

**CSHB 885**, A bill to be entitled An Act relating to the meetings of certain county bail bond boards.

**Amendment No. 1**

Representative Paddie offered the following amendment to **CSHB 885**:

Amend **CSHB 885** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 1704.162, Occupations Code, is amended by adding Subsection (h) to read as follows:

(h) Notwithstanding the expiration date of a license issued under this chapter, if the board tables the license holder's application for renewal or otherwise does not take action to approve or deny the application, the applicant's current license continues in effect until the next meeting of the board.

SECTION \_\_\_\_\_. Section 1704.162(h), Occupations Code, as added by this Act, applies only to an application for renewal of a license filed with a county bail bond board on or after the effective date of this Act. An application filed before that date is governed by the law in effect at the time the application was filed, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

**CSHB 885**, as amended, was passed to engrossment.

**POSTPONED BUSINESS**

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

**CSSB 1191 ON SECOND READING**  
**(Crownover - House Sponsor)**

**CSSB 1191**, A bill to be entitled An Act relating to the amount and allocation of the annual constitutional appropriation to certain agencies and institutions of higher education.

**CSSB 1191** was read second time earlier today and was postponed until this time.

**CSSB 1191** was passed to third reading. (Workman recorded voting no.)

**HB 2848 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Crownover moved to lay **HB 2848** on the table subject to call.

The motion prevailed.

**SB 709 ON SECOND READING**  
**(Morrison, D. Bonnen, Deshotel, Harless, Smith, et al. - House Sponsors)**

**SB 709**, A bill to be entitled An Act relating to procedures for certain environmental permit applications.

**SB 709** was read second time earlier today and was postponed until this time.

### **SB 709 - POINT OF ORDER**

Representative Rose raised a point of order against further consideration of **SB 709** under Rule 4, Section 32(c)(3) of the House Rules on the grounds that bill analysis is incorrect.

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

Representative Rose raised a point of order against further consideration of **SB 709** on the grounds that the bill analysis failed to sufficiently identify Section 4 of the bill as containing rulemaking authority. The point of order is respectfully overruled.

Rule 4, Section 32(c)(3) of the House Rules requires the bill analysis to include "a statement indicating whether or not any rulemaking authority is expressly delegated. . . and, if so, identifying the sections of the measure in which that rulemaking authority is delegated." Section 4 of **SB 709** provides that "Not later than January 1, 2016, the Texas Commission on Environmental Quality shall adopt rules to implement the changes in law made by this Act." Representative Rose correctly notes that this provision contains a deadline for implementing rules. She further observes that the chair has previously ruled that such provisions do not normally constitute a new, independent, express grant of rulemaking authority that must be identified in the bill analysis. 83 H.J. Reg. 4053 (2013) (Cortez point of order on **SB 14**); 83 H.J. Reg. 4053-4054 (2013) (Schaefer point of order on **SB 1079**). She asserts, however, that because the sections of code amended by the bill do not contain a grant of rulemaking authority that would allow the commission to implement all rules necessary to effectuate the bill's provisions, the Section 4 deadline provides the sole basis for such authority, and, therefore, Section 4 functions as an independent grant of rulemaking authority. Contrary to the assertion that the commission's current rulemaking authority would not allow the commission to make rules as to the changes made by the bill, Section 5.103 of the Water Code, which governs the commission's general powers and duties, provides: "The commission shall adopt any rules necessary to carry out its powers and duties under this code and other laws of this state." The chair, therefore, determines that Section 4 is not a new, independent, express grant of rulemaking authority.

### **Amendment No. 1**

Representative Morrison offered the following amendment to **SB 709**:

Amend **SB 709** (house committee printing) on page 3, by striking lines 1-6 and substituting the following:

(2) demonstrates that one or more provisions in the draft permit violate a specifically applicable state or federal requirement.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Lucio offered the following amendment to **SB 709**:

Amend **SB 709** (house committee report) as follows:

(1) On page 1, line 6, between "(e-4)," and "(i-1)", insert "(e-5),".

(2) On page 2, between lines 9 and 10, insert the following:

(e-5) This subsection applies only to a matter referred under Section 5.557, Water Code. The administrative law judge may not hold a preliminary hearing until after the executive director has issued a response to public comments under Section 5.555, Water Code.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative E. Rodriguez offered the following amendment to **SB 709**:

Amend **SB 709** (house committee report) on page 1, line 22, by striking "180th" and substituting "270th".

Representative Morrison moved to table Amendment No. 3.

The motion to table prevailed by (Record 482): 99 Yeas, 41 Nays, 1 Present, not voting.

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

Nays — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Coleman; Collier; Davis, Y.; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Lucio; Martinez Fischer; McClendon; Miles; Minjarez; Naishtat; Nevárez; Oliveira; 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 — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Bell; Canales; Longoria.

### STATEMENTS OF VOTE

When Record No. 482 was taken, I was absent to attend the birth of my twins. I would have voted no.

Canales

When Record No. 482 was taken, I was shown voting yes. I intended to vote no.

Moody

#### Amendment No. 4

Representative E. Rodriguez offered the following amendment to **SB 709**:

Amend **SB 709** (house committee printing) as follows:

(1) On page 1, lines 6-7, strike "(e-4), (i-1), (i-2), and (i-3)" and substitute "and (e-4)".

(2) Strike page 2, line 10, through page 3, line 10.

(3) Strike page 4, line 25, through page 5, line 8.

(4) Renumber the SECTIONS of the bill accordingly.

(Kuempel in the chair)

Representative Morrison moved to table Amendment No. 4.

The motion to table prevailed by (Record 483): 90 Yeas, 48 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Canales; McClendon; Pickett; Thompson, E.

**STATEMENTS OF VOTE**

When Record No. 483 was taken, I was absent to attend the birth of my twins. I would have voted no.

Canales

When Record No. 483 was taken, I was shown voting yes. I intended to vote no.

Cyrier

**Amendment No. 5**

Representative Dutton offered the following amendment to **SB 709**:

Amend **SB 709** as follows: After page 2, line 8, and before page 2, line 9, insert the following language:

(e-3) The deadline specified by Subsection (e-2) may be extended:

(1) by agreement of the parties with the approval of the administrative law judge;

(2) by the administrative law judge if the judge determines that failure to extend the deadline would unduly deprive a party of due process or another constitutional right; or

(3) By the administrative law judge for sufficient cause supported by affidavit.

Representative Morrison moved to table Amendment No. 5.

The motion to table prevailed by (Record 484): 87 Yeas, 53 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycok; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddock; 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, T.; Klick; Koop; Krause; Landgraf; Larson; Laubenberg; Leach; Lozano; Martinez; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Paddie; Parker; Paul; Peña; Phelan; Phillips; Price; Raney; Rinaldi; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Turner, E.S.; VanDeaver; Villalba; White, J.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Longoria; Lucio; Márquez; Martinez Fischer; McClendon; Miles; Minjarez; Moody; Naishtat; Nevárez; Oliveira; Otto; Pickett; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Simpson; Stickland; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Canales; Romero.

### STATEMENTS OF VOTE

When Record No. 484 was taken, I was absent to attend the birth of my twins. I would have voted no.

Canales

When Record No. 484 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 484 was taken, I was shown voting yes. I intended to vote no.

T. King

When Record No. 484 was taken, I was shown voting no. I intended to vote yes.

Otto

When Record No. 484 was taken, my vote failed to register. I would have voted no.

Romero

### Amendment No. 6

Representative Farrar offered the following amendment to **SB 709**:

Amend **SB 709** (house committee report) as follows:

(1) On page 3, line 12, strike "Subsection (a)" and substitute "Subsections (a) and (d)".

(2) On page 4, between lines 24 and 25, insert the following:

(d) The commission shall adopt rules for the notice required by this section.

The rules must provide for the notice required by this section to be posted on the internet by the commission.

Amendment No. 6 was adopted.

### Amendment No. 7

Representative Reynolds offered the following amendment to **SB 709**:

Amend **SB 709** as follows: In SECTION 2 of the bill, strike Subsection (A), page 4, lines 2-4; renumber subsequent sections and adjust cross-references accordingly.

Representative Morrison moved to table Amendment No. 7.

The motion to table prevailed by (Record 485): 92 Yeas, 47 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; 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, T.; Klick; Koop; Krause; Landgraf; Larson; Laubenberg; Leach; Lozano; Martinez; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Price; Raney; Rinaldi; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, J.; Workman; Wray; Zedler; Zerwas.

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

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

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Canales; Sheets; VanDeaver.

#### STATEMENTS OF VOTE

When Record No. 485 was taken, I was absent to attend the birth of my twins. I would have voted no.

Canales

When Record No. 485 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 485 was taken, my vote failed to register. I would have voted yes.

VanDeaver

#### Amendment No. 8

Representative Moody offered the following amendment to **SB 709**:

Amend **SB 709** (house committee report) as follows:

- (1) On page 5, line 4, strike "~~and~~" and substitute "and".
- (2) On page 5, line 6, strike "; and" and substitute ", unless the executive director has revised or reversed that position."
- (3) On page 5, strike lines 7 and 8.

Amendment No. 8 was adopted.

#### Amendment No. 9

Representative P. King offered the following amendment to **SB 709**:

Amend **SB 709** on page 5 by striking lines 9-15 and substituting the following:

SECTION 4. (a) The changes in law made by this Act apply only to:

(1) a permit application that is filed with the Texas Commission on Environmental Quality on or after the effective date of this Act; or

(2) a judicial proceeding initiated on or after the effective date of this Act that challenges an act or decision of the Texas Commission on Environmental Quality made during a permit proceeding.

(b) A permit application filed or a judicial proceeding initiated before the effective date of this Act is governed by the law in effect when the permit application was filed or the judicial proceeding was initiated, and the former law is continued in effect for that purpose.

(c) Not later than January 1, 2016, the Texas Commission on

#### **Amendment No. 10**

Representative Schofield offered the following amendment to Amendment No. 9:

Amend Amendment No. 9 by P. King to **SB 709** by inserting the following subsection to the SECTION amended by the amendment and relettering subsequent subsections of that SECTION accordingly:

(c) Notwithstanding Subsection (a), the changes in law made by this Act do not apply to:

(1) a permit application:

(A) filed after the effective date of this Act; and

(B) that is substantially similar to a permit application for which a draft permit has been issued and that was:

(i) filed before the effective date of this Act; and

(ii) withdrawn at the request of the permit applicant; or

(2) a judicial proceeding:

(A) initiated after the effective date of this Act; and

(B) that is substantially similar to a judicial proceeding initiated before the effective date of this Act that has been dismissed at the request of the permit applicant.

Amendment No. 10 was adopted.

(Speaker in the chair)

Amendment No. 9, as amended, was adopted.

#### **Amendment No. 11**

Representative Miles offered the following amendment to **SB 709**:

Amend **SB 709** by striking (i-2) of SECTION 1 and substituting the following:

(i-2). No later than 15 days after the first preliminary hearing, the applicant shall designate a sponsoring witness for each document filed with the office under (i-1). Such witness shall be produced at the hearing on the merits and subject to cross-examination.

Representative Morrison moved to table Amendment No. 11.



The motion to table prevailed by (Record 486): 85 Yeas, 55 Nays, 1 Present, not voting.

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

Nays — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Bernal; Blanco; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Herrero; Howard; Huberty; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Meyer; Miles; Minjarez; Moody; Naishtat; Nevárez; Oliveira; Pickett; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Simmons; Springer; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Bell; Canales; Stickland.

### STATEMENTS OF VOTE

When Record No. 486 was taken, I was absent to attend the birth of my twins. I would have voted no.

Canales

When Record No. 486 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 486 was taken, I was shown voting no. I intended to vote yes.

Springer

### Amendment No. 12

Representative Reynolds offered the following amendment to **SB 709**:

Amend **SB 709** by inserting the following appropriately numbered SECTION and renumbering the subsequent sections of the bill accordingly:

SECTION 4. Section 5.315, Water Code, is amended to read as follows:

Sec. 5.315. DISCOVERY IN CASES REGARDING ENVIRONMENTAL PERMITS USING PREFILED WRITTEN TESTIMONY. In a contested case hearing related to an application for an environmental permit delegated by the

commission to the State Office of Administrative Hearings that uses prefiled written testimony, all discovery must be completed before the deadline for the submission of that testimony, except for water and sewer ratemaking proceedings.

Representative Morrison moved to table Amendment No. 12.

The motion to table prevailed by (Record 487): 93 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; 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, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Romero; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; Workman; Wray; Zedler; Zerwas.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Bell; Canales; Stickland.

#### STATEMENTS OF VOTE

When Record No. 487 was taken, I was absent to attend the birth of my twins. I would have voted no.

Canales

When Record No. 487 was taken, I was shown voting no. I intended to vote yes.

Guillen

#### Amendment No. 13

Representative S. Turner offered the following amendment to **SB 709**:

Amend **SB 709** (house committee printing) as follows:

(1) On page 1, strike lines 8 and 9 and substitute the following:

(e-1) Notwithstanding any other law, this subsection applies to any contested case hearing on a matter involving an environmental permit. Each issue referred by the

(2) On page 1, strike lines 18 and 19, and substitute the following:

(e-2) Notwithstanding any other law, this subsection applies to any contested case hearing on a matter involving an environmental permit. An administrative law judge must complete the

(3) On page 2, strike lines 10 and 11 and substitute the following:

(i-2) Notwithstanding any other law, this subsection applies to any contested case hearing on a matter involving an environmental permit. in a contested case, the filing with

(4) Strike page 2, line 22 through page 3, line 6, and substitute the following:

(i-2) A party may rebut a demonstration under Subsection (i-1) by presenting evidence that demonstrates that:

(1) the draft permit violates a specific state or federal legal or technical requirement; or

(2) the draft permit, if issued, would not protect human health and safety, the environment, or physical property.

(5) On page 3, strike lines 21-27 and substitute the following:

(a-1) In [The commission shall adopt rules specifying factors which must be considered in] determining whether a person is an affected person in any contested case arising in connection with any environmental permit, the commission: [under the air, waste, or water programs within the commission's jurisdiction and whether an affected association is entitled to standing in contested case hearings.]

Representative Morrison moved to table Amendment No. 13.

The motion to table prevailed by (Record 488): 85 Yeas, 53 Nays, 1 Present, not voting.

Yeas — Anchia; Anderson, C.; Anderson, R.; Ashby; Aycok; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Harless; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Price; Rinaldi; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Spitzer; Springer; Stephenson; Stickland; Tindholt; Turner, E.S.; VanDeaver; Villalba; White, J.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Bell; Bernal; Blanco; Coleman; Collier; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Huberty; Israel; Johnson; Keough; Krause; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; Miles; Minjarez; Moody; Naishtat; Nevárez; Oliveira; Pickett; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Simpson; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Canales; King, T.; McClendon; Raney; Thompson, E.

### STATEMENTS OF VOTE

When Record No. 488 was taken, I was absent to attend the birth of my twins. I would have voted no.

Canales

When Record No. 488 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 488 was taken, I was shown voting no. I intended to vote yes.

Keough

When Record No. 488 was taken, I was in the house but away from my desk. I would have voted yes.

E. Thompson

**SB 709**, as amended, was passed to third reading by (Record 489): 92 Yeas, 50 Nays, 1 Present, not voting.

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

Nays — Allen; Alonzo; Alvarado; Anchia; Bell; Bernal; Blanco; Coleman; Collier; Davis, Y.; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Huberty; Israel; Johnson; Longoria; Lucio; Márquez; Martinez Fischer; McClendon; Metcalf; Miles; Minjarez; Moody; Murr; Naishtat; Nevárez; Oliveira; Pickett; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Canales.

**STATEMENTS OF VOTE**

When Record No. 489 was taken, I was absent to attend the birth of my twins. I would have voted no.

Canales

When Record No. 489 was taken, I was shown voting yes. I intended to vote no.

Cyrier

**HB 1865 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Morrison moved to lay **HB 1865** on the table subject to call.

The motion prevailed.

**RULES SUSPENDED**

Representative Hunter moved to suspend all necessary rules to place **HB 63, HB 94, HB 102, HB 120, HB 121, HB 184, HB 256, HB 274, HB 300, HB 478, HB 499, HB 565, HB 771, HB 787, HB 973, HB 1062, HB 1094, HB 1123, HB 1484, HB 1535, HB 1545, HB 1860, HB 2207, HB 2311, HB 2474, HB 2521, HB 2589, HB 2612, HB 2732, and HB 3230** on the revised daily calendar set for tomorrow.

The motion prevailed by (Record 490): 139 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; 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; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Wray; Wu; Zedler; Zerwas.

Nays — Workman.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Dukes; King, S.; Muñoz; Smithee; White, M.

Absent — Canales; Leach; Thompson, E.

**STATEMENT OF VOTE**

When Record No. 490 was taken, I was absent to attend the birth of my twins. I would have voted yes.

Canales

**COMMITTEES GRANTED PERMISSION TO MEET**

Pursuant to Rule 4, Section 9 of the House Rules, Representative D. Bonnen requested permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings. For purposes of this motion, those committees and subcommittees that are scheduled to meet upon adjournment or final recess today shall be considered to be scheduled to meet during bill referral today.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Agriculture and Livestock, during bill referral today, 1W.14, for a formal meeting, to consider pending business.

County Affairs, during bill referral today, 3W.15, for a formal meeting, to consider pending business.

Elections, during bill referral today, 3W.9, for a formal meeting, to consider pending business.

Ways and Means, 8:15 a.m. tomorrow, 1W.14, for a formal meeting, to consider pending business.

(J. White in the chair)

**PROVIDING FOR ADJOURNMENT**

At 9:13 p.m., Representative C. Anderson moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 9 a.m. tomorrow.

The motion prevailed.

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

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

**ADJOURNMENT**

In accordance with a previous motion, the house, at 9:49 p.m., adjourned until 9 a.m. tomorrow.

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**ADDENDUM**

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**REFERRED TO COMMITTEES**

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

**List No. 1**

**HR 1717** (By González), Recognizing Art Fierro for his service to the El Paso Community College Board of Trustees.

To Rules and Resolutions.

**HR 1718** (By González), In memory of Misael Hernandez of El Paso.

To Rules and Resolutions.

**HR 1720** (By Anchia), Recognizing May 18, 2015, as Texas Promotores and Community Health Workers Day at the State Capitol.

To Rules and Resolutions.

**HR 1721** (By González), Congratulating the Stingers team of Horizon Heights Elementary School on winning first place in the regional Destination Imagination competition.

To Rules and Resolutions.

**HR 1722** (By J. White), Congratulating the All-District honorees from the Polk County boys' high school basketball teams.

To Rules and Resolutions.

**HR 1723** (By J. White), Congratulating the All-District honorees from the Polk County girls' high school basketball teams.

To Rules and Resolutions.

**HR 1724** (By J. White), Congratulating the All-District honorees from the Buna High School girls' basketball team.

To Rules and Resolutions.

**HR 1725** (By J. White), Congratulating the All-District honorees from the Silsbee High School girls' basketball team.

To Rules and Resolutions.

**HR 1726** (By J. White), Congratulating the All-District honorees from the Newton High School boys' basketball team.

To Rules and Resolutions.

**HR 1727** (By J. White), Congratulating Angel Bullock of Big Sandy High School in Dallardsville on his selection to the 2A boys' basketball state All-Tournament Team.

To Rules and Resolutions.

**HR 1728** (By Burkett), Congratulating the Sunnyvale High School girls' basketball team on winning the 2015 UIL 3A state championship.

To Rules and Resolutions.

**HR 1729** (By S. King), In memory of Brian Green of Abilene.

To Rules and Resolutions.

**HR 1730** (By S. King), In memory of Lane Frizzell of Abilene.

To Rules and Resolutions.

**HR 1731** (By S. King), In memory of Dr. Karen Hicks-Allredge of Sweetwater.

To Rules and Resolutions.

**HR 1732** (By S. King), Congratulating the Texas Veterans Commission on its receipt of the Abraham Lincoln Pillars of Excellence Award for Outstanding State Program.

To Rules and Resolutions.

**HR 1734** (By Tinderholt), Congratulating the Arlington Police Department on its accomplishments in crime reduction.

To Rules and Resolutions.

**HR 1735** (By Ashby), Congratulating World War II veteran Leon Evans of Trinity on his 103rd birthday.

To Rules and Resolutions.

**HR 1737** (By Murr), Congratulating the Llano Junior High School Percussion Ensemble on its performance at the 2015 Music for All National Festival.

To Rules and Resolutions.

**HR 1738** (By Murr), Congratulating Bill and Susie Black of Ozona on their 54th wedding anniversary.

To Rules and Resolutions.

**HR 1739** (By Murr), Congratulating the Honorable James E. Barden on his retirement as Medina County judge.

To Rules and Resolutions.

**HR 1740** (By Murr), Congratulating Chester and Rosella Balzen of Hondo on their 65th wedding anniversary.

To Rules and Resolutions.

**HR 1742** (By Simpson), Congratulating retired teacher C. C. Turner of Longview on his 100th birthday.

To Rules and Resolutions.

**HR 1745** (By D. Bonnen), Congratulating Florence Terry McGinnis of Lake Jackson on her 100th birthday.

To Rules and Resolutions.



**HR 1746** (By D. Bonnen), Congratulating Monsignor Leo Wleczyk of St. Michael the Archangel Catholic Church on the 50th anniversary of his ordination.

To Rules and Resolutions.

**HR 1747** (By D. Bonnen), Congratulating Robert M. Worley on his retirement as president and CEO of the Economic Development Alliance for Brazoria County.

To Rules and Resolutions.

**HR 1748** (By D. Bonnen), Congratulating Beatrice Trevino on her election as the first female commander of Charles Dixon American Legion Post No. 241 in Angleton.

To Rules and Resolutions.

**HR 1749** (By Raymond), In memory of Alissa Aileen Winch Bradford.

To Rules and Resolutions.

**HR 1750** (By J. White), Congratulating Pam McFarland of Jasper High School on her selection as a Wendy's 12Star Athlete of the Week.

To Rules and Resolutions.

**HR 1754** (By C. Anderson), Congratulating Jonathan Lewis and Zach Zajicek on their selection as members of the 2015 Texas All-State Band by the Association of Texas Small School Bands.

To Rules and Resolutions.

**HR 1755** (By C. Anderson), Congratulating the students from Waco Baptist Academy on their success at the Central Texas Science and Engineering Fair.

To Rules and Resolutions.

**HR 1756** (By C. Anderson), Congratulating the Heart of Texas RSVP of McLennan Community College on its receipt of a Community Leadership Award from the OneStar Foundation.

To Rules and Resolutions.

**HR 1757** (By C. Anderson), Commending Officers Kurt Morsbach and Charles Herren of the Waco Police Department for assisting a motorist in need.

To Rules and Resolutions.

**HR 1758** (By C. Anderson), In memory of Glendon O. DeZell of Waco.

To Rules and Resolutions.

**HR 1759** (By C. Anderson), Commemorating the 78th annual Rodeo Austin.

To Rules and Resolutions.

**HR 1760** (By Bell), Congratulating Fields Store Elementary School in Waller on its selection as a 2014 National Blue Ribbon School.

To Rules and Resolutions.

**HR 1761** (By Craddick), Honoring Marie Borland Rinewalt of Dawson County on her 90th birthday.

To Rules and Resolutions.

**HR 1762** (By Meyer), Congratulating the Southern Methodist University men's basketball team on its success during the 2014-2015 season.

To Rules and Resolutions.

**HR 1763** (By Herrero), Congratulating Leonard Tipton on his induction into the Coastal Bend Coaches Association Hall of Honor.

To Rules and Resolutions.

**HR 1764** (By Herrero), Congratulating David McKinney on his induction into the Coastal Bend Coaches Association Hall of Honor.

To Rules and Resolutions.

**HR 1765** (By Herrero), Congratulating Dr. Karen Nykorchuk McCaleb on her selection as a 2015 inductee of the Texas A&M University System Chancellor's Academy of Teacher Educators.

To Rules and Resolutions.

**HR 1766** (By Herrero), Congratulating Annie Mucheru-Garza on being named Elementary Teacher of the Year by the Corpus Christi Independent School District.

To Rules and Resolutions.

**HR 1767** (By Herrero), Congratulating Morris McRae on being named Secondary Teacher of the Year by the Corpus Christi Independent School District.

To Rules and Resolutions.

**HR 1768** (By Herrero), In memory of Guadalupe Benavidez Gutierrez and Manuel Gutierrez, Jr., of Robstown.

To Rules and Resolutions.

**HR 1769** (By Herrero), Congratulating John Jordan on compiling more than 1,500 points, 500 rebounds, and 500 assists as a member of the Texas A&M University–Corpus Christi men's basketball team.

To Rules and Resolutions.

**HR 1770** (By Herrero), Congratulating the members of the 1990 girls' basketball team from Calallen High School on the 25th anniversary of their state championship victory.

To Rules and Resolutions.

**HR 1771** (By Herrero), Congratulating the Tuloso-Midway Middle School Theater Arts group on winning first place in the UIL One-Act Play district competition.

To Rules and Resolutions.

**HR 1772** (By Herrero), In memory of C. C. Winn of Corpus Christi.

To Rules and Resolutions.

**HR 1773** (By Dale), In memory of Walter "Yukon" Yates of Cedar Park.

To Rules and Resolutions.

**HR 1774** (By Guillen), Commending Rene Garcia Gonzalez of Hebronville for his military service in the Vietnam War.

To Rules and Resolutions.

**HR 1775** (By Craddick), In memory of Joe Raymond Henderson, Jr., of Midland.

To Rules and Resolutions.

**HR 1776** (By D. Bonnen), Honoring the Brazoria County Head Start Early Learning School System.

To Rules and Resolutions.

**HR 1778** (By J. White), Congratulating Cheyenne Kennedy of Livingston High School on winning the Texas High School Women's Powerlifting Association 5A state championship in the 220+ division.

To Rules and Resolutions.

**HR 1779** (By J. White), Congratulating Colten Smith of Kountze High School on qualifying for the 2015 Texas High School Powerlifting Association State Meet.

To Rules and Resolutions.

**HR 1780** (By J. White), Congratulating the All-District honorees from the Silsbee High School boys' basketball team.

To Rules and Resolutions.

**HR 1781** (By J. White), Congratulating Patrick Hudson of Silsbee High School on his second-place finish in the super heavyweight division at the Texas High School Powerlifting Association State Championship.

To Rules and Resolutions.

**HR 1783** (By J. White), Congratulating David Caddie of Livingston High School on qualifying for the 2015 Texas High School Powerlifting Association State Championships.

To Rules and Resolutions.

**HR 1784** (By S. Turner), Welcoming R&B artist John Legend to the State Capitol.

To Rules and Resolutions.

**HR 1785** (By J. White), Commending Lillie Pierce of Timber Creek Elementary School for her success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

**HR 1786** (By J. White), Commending Brooke Adams of Timber Creek Elementary School for her success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

**HR 1787** (By J. White), Commending Mason Brooks of Timber Creek Elementary School for his success in the 2014-2015 UIL academic competition.

To Rules and Resolutions.

**HR 1789** (By J. White), Commending Jacie David of Timber Creek Elementary School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1790** (By J. White), Commending Shawn Severance of Timber Creek Elementary School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1791** (By J. White), Commending Drew Davidson of Timber Creek Elementary School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1792** (By J. White), Commending Allison Snook of Timber Creek Elementary School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1793** (By J. White), Commending Walker Thiel of Timber Creek Elementary School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1794** (By J. White), Commending Brady Ganzer of Pine Ridge Elementary School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1795** (By J. White), Commending Kaegan Howard of Pine Ridge Elementary School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1796** (By J. White), Commending Caden Kesler of Pine Ridge Elementary School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1797** (By J. White), Commending Jaycee Knighton of Pine Ridge Elementary School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1798** (By J. White), Commending Josi St. Martin of Pine Ridge Elementary School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1799** (By J. White), Commending Reece Henderson of Livingston Intermediate School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1800** (By J. White), Commending Daniel Jordan of Livingston Intermediate School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1801** (By J. White), Commending Mackenzie Gober of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1802** (By J. White), Commending Nevaeh Garner of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1803** (By J. White), Commending Maddison Rogers of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1804** (By J. White), Commending Maci Hill of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1805** (By J. White), Commending Kirbie Evans of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1806** (By J. White), Commending Mallory Lester of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1807** (By J. White), Commending Taylor Tolar of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1808** (By J. White), Commending Madi Burke of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1809** (By J. White), Commending Carson Robison of Livingston Intermediate School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1810** (By J. White), Commending Dylan Shannon of Livingston Intermediate School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1811** (By J. White), Commending Chase Culp of Livingston Intermediate School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1812** (By J. White), Commending Skylar Plunk of Livingston Intermediate School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1813** (By J. White), Commending Veronica Dickens of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1814** (By J. White), Commending Summer Ewing of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1815** (By J. White), Commending Jesus Adame of Livingston Intermediate School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1816** (By J. White), Commending Raqeeb Anjum of Livingston Intermediate School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1817** (By J. White), Commending Kaylie Campbell of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1818** (By J. White), Commending Katie Dobbs of Livingston Intermediate School for her success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1819** (By J. White), Commending Kyle Stanley of Livingston Intermediate School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1820** (By J. White), Commending Damian Zuniga of Livingston Intermediate School for his success in the 2014-2015 UIL academic competition.  
To Rules and Resolutions.

**HR 1823** (By Blanco), Congratulating Patricia Rodarte of El Paso on receiving a \$20,000 scholarship from the Coca-Cola Scholars Foundation.  
To Rules and Resolutions.

**HR 1825** (By Israel), Congratulating the City of Pflugerville on the 50th anniversary of its incorporation.  
To Rules and Resolutions.

**HR 1830** (By Lozano), In memory of Bee County Judge David Silva.  
To Rules and Resolutions.

**HR 1831** (By J. White), Congratulating Amber Litchfield of Livingston High School on her receipt of a President's Volunteer Service Award.  
To Rules and Resolutions.

**HR 1833** (By J. White), Congratulating Logan O'Dell and Blaine Marks of the Buna High School fishing team on winning first place in the Costa Bassmaster High School Central Open.  
To Rules and Resolutions.

**HR 1834** (By Sheets), Congratulating Mesquite native Craig Wayne Boyd for winning Season 7 of The Voice.  
To Rules and Resolutions.

**HR 1837** (By Leach), Congratulating Captain Christopher D. Fox of Plano on his retirement from the U.S. Navy.  
To Rules and Resolutions.

**HR 1839** (By Leach), In memory of Todd Andersen of Fulshear.  
To Rules and Resolutions.

**HR 1841** (By Guillen), Congratulating Jasmine Chapa of Sarita on being named the winner of the Texas Conservation Awards Poster Contest by the Texas State Soil and Water Conservation Board.  
To Rules and Resolutions.

**HR 1842** (By Guillen), In memory of DeWitt Monroe "Chachi" Jones, Jr., of Rio Grande City.  
To Rules and Resolutions.

**HR 1844** (By Herrero), Congratulating Texas A&M University–Corpus Christi student Melinda Martinez on her selection as a 2015 USDA graduate fellow.

To Rules and Resolutions.

**HR 1845** (By Herrero), Congratulating Texas A&M University–Corpus Christi student Maria Rodriguez on her selection as a 2015 USDA graduate fellow.

To Rules and Resolutions.

**HR 1846** (By Herrero), Congratulating Texas A&M University–Corpus Christi student Mayra Lopez on her selection as a 2015 USDA graduate fellow.

To Rules and Resolutions.

**HR 1847** (By Herrero), Congratulating Erin Lynn Escobedo on her graduation from Sanger High School.

To Rules and Resolutions.

**HR 1856** (By Morrison and Schubert), Recognizing April 16, 2015, as Republican Women of Yoakum Day at the State Capitol.

To Rules and Resolutions.

**HR 1857** (By Martinez), Welcoming the 2014-2015 Leadership Mid Valley class to the State Capitol on April 8, 2015.

To Rules and Resolutions.

**HR 1858** (By Herrero), Congratulating Patricia Alonzo on the success of Beefy Burger in Robstown.

To Rules and Resolutions.

**HR 1859** (By Herrero), Congratulating the Corpus Christi Caller-Times on its receipt of numerous awards at the Texas Associated Press Managing Editors convention.

To Rules and Resolutions.

**HR 1860** (By Herrero), In memory of Richard Leo Harrell of Portland.

To Rules and Resolutions.

**HR 1861** (By Herrero), Congratulating Jim Cliburn on his induction into the Coastal Bend Coaches Association Hall of Honor.

To Rules and Resolutions.

**HR 1862** (By Herrero), Congratulating Casper Wenzel on his induction into the Coastal Bend Coaches Association Hall of Honor.

To Rules and Resolutions.

**HR 1866** (By J. White), Congratulating the members of the Kirbyville Wildcat Bassmasters Club on their performance at the Bassmaster Elite Tournament in Orange.

To Rules and Resolutions.

**HR 1867** (By Flynn), Commemorating the 40th anniversary of My Credit Union.

To Rules and Resolutions.

**HR 1870** (By Blanco), Commemorating the 15th annual Black History Art Show in El Paso.

To Rules and Resolutions.

**HR 1871** (By C. Anderson), Congratulating the Greater Waco Chamber of Commerce on its selection as a 2014 Chamber of the Year finalist by the American Chamber of Commerce Executives.

To Rules and Resolutions.

**HR 1872** (By C. Anderson), Congratulating Dr. Cecelia Boswell on her receipt of the 2014 State Administrator of the Gifted Award from the Texas Association for the Gifted and Talented.

To Rules and Resolutions.

**HR 1873** (By C. Anderson), Congratulating the McGregor High School freshman football team on winning the 2014 district championship.

To Rules and Resolutions.

**HR 1874** (By C. Anderson), Commemorating the 60th wedding anniversary of Kenneth and Dorothy Ludwig of Waco.

To Rules and Resolutions.

**HR 1875** (By C. Anderson), Congratulating Larry and Grace Obr of Robinson on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1876** (By C. Anderson), Congratulating the Youth Chorus of Central Texas on its receipt of the 2014 Model of Unity Award.

To Rules and Resolutions.

**HR 1878** (By J. White), Congratulating Kathy Lowe on her induction into the Livingston Independent School District Apple Corps.

To Rules and Resolutions.

**HR 1879** (By Márquez), In memory of Officer Adrian Arellano of El Paso.

To Rules and Resolutions.

**HR 1881** (By Márquez), Congratulating Commander Gomecindo Lopez on his retirement from the El Paso County Sheriff's Office.

To Rules and Resolutions.

**HR 1882** (By Márquez), Congratulating El Paso Police Chief Gregory Allen on his receipt of the 2013 Excellence in Leadership Award from the National Tactical Officers Association.

To Rules and Resolutions.

**HR 1883** (By Márquez), Congratulating Dr. Richard Lange on his appointment as the inaugural president of the Texas Tech University Health Sciences Center El Paso.

To Rules and Resolutions.

**HR 1884** (By Márquez), In memory of the Reverend Theodore M. Hesburgh.

To Rules and Resolutions.



**HR 1885** (By Márquez), Commending the El Paso Electric Company on its support of the El Paso Independent School District Education Foundation.

To Rules and Resolutions.

**HR 1886** (By Márquez), Honoring the El Paso Community Foundation.

To Rules and Resolutions.

**HR 1887** (By Márquez), Congratulating Eric Darnell of El Paso on his election as a fellow of the Texas Bar Foundation.

To Rules and Resolutions.

**HR 1888** (By Márquez), In memory of Carlos Garcia, Jr., of El Paso.

To Rules and Resolutions.

**HR 1889** (By Márquez), Commemorating the inaugural academic year of the El Paso Leadership Academy.

To Rules and Resolutions.

**HR 1890** (By Márquez), Congratulating Dr. Patrick Mitchell of El Paso on his nomination for the 2014 Dentist of the Year Award presented by the Texas Academy of General Dentistry.

To Rules and Resolutions.

**HR 1891** (By J. White), Congratulating Susan Wright of Jean C. Few Primary School in Jasper on her receipt of a 2015 Reaud Excellence in Education Award.

To Rules and Resolutions.

**HR 1892** (By J. White), Congratulating the Bella Sera Italian restaurant on earning the 2015 People's Choice Award from the Pilot Club of Jasper.

To Rules and Resolutions.

**HR 1894** (By Villalba), Congratulating Anna Matheny on her retirement from the Grace Academy of Dallas.

To Rules and Resolutions.

**HR 1895** (By Anchia), Congratulating Liz Cedillo-Pereira on her receipt of a 2015 Maura Women Helping Women Award from the Dallas Women's Foundation.

To Rules and Resolutions.

**HR 1896** (By J. White), Congratulating Lumberton High School student Lauren Glover on signing a national letter of intent to play soccer at Lamar University.

To Rules and Resolutions.

**HR 1897** (By Faircloth), Congratulating Rusty Senac on his selection as 2014 Person of the Year by the West Chambers County Chamber of Commerce.

To Rules and Resolutions.

**HR 1898** (By Faircloth), In memory of Lawrence John Del Papa, Sr., of Galveston.

To Rules and Resolutions.

**HR 1899** (By Wu), Congratulating Lazaro and Margarita Villalobos of Houston on their 25th wedding anniversary.

To Rules and Resolutions.

**HR 1900** (By Wu), Congratulating T. J. Aulds and Dr. Beth Lewis of League City on their marriage.

To Rules and Resolutions.

**HR 1902** (By Peña), Commending Officer Tina Taylor of the Deer Park Police Department for her service as crime prevention officer.

To Rules and Resolutions.

**HR 1904** (By J. White), Congratulating the Kirbyville High School junior varsity tennis team on its performance in the Woodville JV Invitational Tournament.

To Rules and Resolutions.

**HR 1905** (By Herrero), Congratulating Radiology Associates of Corpus Christi on its recognition by the American Cancer Society for its fund-raising success.

To Rules and Resolutions.

**HR 1906** (By Herrero), Commemorating the 20th anniversary of the Robstown Area Development Commission.

To Rules and Resolutions.

**HR 1908** (By Hughes), In memory of Eugene Mallory of Mineola.

To Rules and Resolutions.

**HR 1909** (By Hughes), Commending the Honorable Alice Tomerlin for her service as justice of the peace for Precinct 1 of Wood County.

To Rules and Resolutions.

**HR 1910** (By Hughes), In memory of Jimmie Lou Robinson of Mineola.

To Rules and Resolutions.

**HR 1911** (By Hughes), In memory of Joanne Russell Williams of Mineola.

To Rules and Resolutions.

**HR 1912** (By Hughes), Congratulating Elizabeth Williams of Rains County on her 100th birthday.

To Rules and Resolutions.

**HR 1913** (By Hughes), Congratulating Arthur Skelton on his retirement from the Chapel Hill Independent School District.

To Rules and Resolutions.

**HR 1914** (By Hughes), In memory of LaVeta Duncan Curry of Dallas.

To Rules and Resolutions.

**HR 1915** (By Hughes), In memory of Alvin Clayton Welborn of Mount Pleasant.

To Rules and Resolutions.

**HR 1916** (By Hughes), In memory of Orvil Glyn Briggs of Point.

To Rules and Resolutions.

**HR 1917** (By Herrero), In memory of Anastazie Nemec Kennedy of Corpus Christi.

To Rules and Resolutions.

**HR 1918** (By Herrero), Congratulating Sarah R. Saldaña on her confirmation as assistant secretary in charge of Immigration and Customs Enforcement at the Department of Homeland Security.

To Rules and Resolutions.

**HR 1919** (By Faircloth), Commemorating the 175th anniversary of the founding of First Presbyterian Church in Galveston.

To Rules and Resolutions.

**HR 1922** (By Israel), Honoring Cynthia Rivera Lueck of Austin on her career and accomplishments.

To Rules and Resolutions.

**HR 1923** (By Springer), Commemorating the 15th anniversary of North Central Texas College–Bowie.

To Rules and Resolutions.

**HR 1924** (By Springer), Paying tribute to the life and service of U.S. Navy Lieutenant Wilma Ledbetter of Chillicothe.

To Rules and Resolutions.

**HR 1925** (By Springer), Commemorating the centennial of Kiwanis International and honoring the Kiwanis Club of Vernon for its service to the community.

To Rules and Resolutions.

**HR 1926** (By Springer), Congratulating Dr. Nelson Coulter on his retirement as superintendent of the Guthrie Common School District.

To Rules and Resolutions.

**HR 1927** (By Springer), Congratulating Katelin Bailey of Jacksboro High School on her achievements in FFA.

To Rules and Resolutions.

**HR 1929** (By Isaac), Commending Michelle Brucato on her service in the office of State Representative Jason Isaac as a participant in the Clements Legislative Study Program.

To Rules and Resolutions.

**HR 1930** (By Isaac), Commending Taylor A. Griffin for her service as an intern in the office of State Representative Jason Isaac.

To Rules and Resolutions.

**HR 1931** (By Isaac), Commending Tyler Reese Blakey for his service as an intern in the office of State Representative Jason Isaac.

To Rules and Resolutions.

**HR 1932** (By Isaac), Commending Miranda Heck on her service in the office of State Representative Jason Isaac as a participant in the Texas A&M University Public Policy Internship Program.

To Rules and Resolutions.

**HR 1933** (By Isaac), Congratulating TexasHSFootball.com on its success.

To Rules and Resolutions.

**HR 1935** (By Reynolds), Recognizing April 14, 2015, as Blue Ribbon Lobby Day at the State Capitol.

To Rules and Resolutions.

**HR 1936** (By Reynolds), Congratulating Alice Aanstoos of Missouri City on her retirement from AT&T.

To Rules and Resolutions.

**HR 1938** (By Hughes), Recognizing Sean Carter of WhenSeanSpeaks, Inc., for his work in focusing attention on drunk driving and helping its victims.

To Rules and Resolutions.

**HR 1939** (By Kuempel), Recognizing December 9, 2015, as Educational Technology Appreciation Day.

To Rules and Resolutions.

#### **List No. 2**

**SB 172** to Criminal Jurisprudence.

**SB 173** to Criminal Jurisprudence.

**SB 212** to Human Services.

**SB 236** to Criminal Jurisprudence.

**SB 239** to Public Health.

**SB 265** to Public Education.

**SB 287** to Judiciary and Civil Jurisprudence.

**SB 289** to Licensing and Administrative Procedures.

**SB 292** to Public Health.

**SB 295** to Higher Education.

**SB 304** to Human Services.

**SB 306** to Judiciary and Civil Jurisprudence.

**SB 316** to Criminal Jurisprudence.

**SB 321** to Transportation.

**SB 332** to Insurance.

**SB 335** to County Affairs.

**SB 336** to Urban Affairs.

**SB 337** to Special Purpose Districts.

- SB 347 to Higher Education.
- SB 363 to Natural Resources.
- SB 367 to Licensing and Administrative Procedures.
- SB 373 to Public Health.
- SB 382 to Public Education.
- SB 383 to Elections.
- SB 386 to Higher Education.
- SB 387 to Judiciary and Civil Jurisprudence.
- SB 390 to Juvenile Justice and Family Issues.
- SB 394 to Environmental Regulation.
- SB 397 to Licensing and Administrative Procedures.
- SB 398 to Homeland Security and Public Safety.
- SB 424 to Public Health.
- SB 431 to Elections.
- SB 432 to Judiciary and Civil Jurisprudence.
- SB 449 to Transportation.
- SB 450 to Judiciary and Civil Jurisprudence.
- SB 453 to Public Education.
- SB 460 to Public Health.
- SB 461 to Criminal Jurisprudence.
- SB 473 to Criminal Jurisprudence.
- SB 474 to Land and Resource Management.
- SB 476 to Homeland Security and Public Safety.
- SB 478 to Judiciary and Civil Jurisprudence.
- SB 479 to Business and Industry.
- SB 481 to Insurance.
- SB 487 to Criminal Jurisprudence.
- SB 494 to Insurance.
- SB 503 to Defense and Veterans' Affairs.
- SB 512 to Judiciary and Civil Jurisprudence.
- SB 519 to Public Health.
- SB 521 to Environmental Regulation.
- SB 526 to Licensing and Administrative Procedures.
- SB 530 to Transportation.

- SB 540** to Licensing and Administrative Procedures.
- SB 551** to Natural Resources.
- SB 572** to Insurance.
- SB 582** to Public Health.
- SB 603** to Environmental Regulation.
- SB 610** to Agriculture and Livestock.
- SB 611** to Natural Resources.
- SB 630** to Criminal Jurisprudence.
- SB 633** to Economic and Small Business Development.
- SB 652** to Business and Industry.
- SB 653** to Business and Industry.
- SB 680** to Licensing and Administrative Procedures.
- SB 683** to Ways and Means.
- SB 685** to Higher Education.
- SB 686** to Higher Education.
- SB 691** to Higher Education.
- SB 734** to State Affairs.
- SB 737** to Judiciary and Civil Jurisprudence.
- SB 746** to Criminal Jurisprudence.
- SB 752** to Ways and Means.
- SB 757** to Ways and Means.
- SB 759** to Ways and Means.
- SB 760** to Human Services.
- SB 761** to Ways and Means.
- SB 775** to Energy Resources.
- SB 783** to Insurance.
- SB 790** to Corrections.
- SB 791** to Public Health.
- SB 795** to Elections.
- SB 805** to Economic and Small Business Development.
- SB 806** to Higher Education.
- SB 807** to Defense and Veterans' Affairs.
- SB 818** to Juvenile Justice and Family Issues.
- SB 825** to Criminal Jurisprudence.

**SB 833** to Ways and Means.  
**SB 836** to Public Education.  
**SB 849** to Ways and Means.  
**SB 853** to Ways and Means.  
**SB 855** to Special Purpose Districts.  
**SB 858** to Licensing and Administrative Procedures.  
**SB 866** to Licensing and Administrative Procedures.  
**SB 873** to Criminal Jurisprudence.  
**SB 875** to Investments and Financial Institutions.  
**SB 880** to Agriculture and Livestock.  
**SB 888** to Juvenile Justice and Family Issues.  
**SB 892** to Public Education.  
**SB 893** to Public Education.  
**SB 899** to Investments and Financial Institutions.  
**SB 900** to Insurance.  
**SB 912** to Natural Resources.  
**SB 914** to Public Health.  
**SB 915** to Higher Education.  
**SB 917** to Licensing and Administrative Procedures.  
**SB 932** to State Affairs.  
**SB 933** to State Affairs.  
**SB 945** to Public Education.  
**SB 950** to Juvenile Justice and Family Issues.  
**SB 953** to Licensing and Administrative Procedures.  
**SB 978** to Insurance.  
**SB 988** to Public Health.  
**SB 991** to Land and Resource Management.  
**SB 1007** to Licensing and Administrative Procedures.  
**SB 1051** to Natural Resources.  
**SB 1070** to Criminal Jurisprudence.  
**SB 1071** to Criminal Jurisprudence.  
**SB 1073** to Elections.  
**SB 1077** to Business and Industry.  
**SB 1081** to Insurance.

**SB 1128** to Public Health.

**SB 1132** to Culture, Recreation, and Tourism.

**SB 1135** to Criminal Jurisprudence.

**SB 1139** to Judiciary and Civil Jurisprudence.

**SB 1149** to Juvenile Justice and Family Issues.

**SB 1154** to Ways and Means.

**SB 1189** to Higher Education.

**SB 1339** to Agriculture and Livestock.

**SB 1574** to Urban Affairs.

**SCR 1** to Select State and Federal Power and Responsibility.

### MESSAGES FROM THE SENATE

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

#### Message No. 3

#### MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, April 30, 2015 - 3

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**SB 681** Zaffirini

Relating to a bailiff administering the selection of names of persons for jury service in certain counties.

**SB 724** Perry

Relating to the motor vehicle sales tax applicable to motor vehicles used by transportation companies for certain purposes.

**SB 955** Schwertner

Relating to permissible locations of open-enrollment charter schools created by certain institutions of higher education.

**SB 1072** Zaffirini

Relating to the removal of a precinct or county chair for abandonment of office.

**SB 1215** Bettencourt



Relating to a study of the feasibility and benefits to this state of abolishing the property tax assistance division of the office of the comptroller of public accounts and transferring its powers and duties to an independent agency.

**SB 1309** Menéndez

Relating to eligibility requirements for issuance of a teaching certificate to an applicant who holds a Junior Reserve Officer Training Corps instructor teaching certification.

**SB 1864** Burton

Relating to requiring a peace officer to obtain a warrant to search a cellular telephone or other wireless communications device.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 4**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Thursday, April 30, 2015 - 4

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 142** Garcia

Relating to the appointment and training of volunteer deputy registrars.

**SB 164** Lucio

Relating to a notification requirement if a school counselor is not assigned to a public school campus in certain school districts.

**SB 740** West

Relating to the assessment of court costs and fees on conviction of multiple offenses or on conviction of multiple counts of the same offense.

**SB 750** Taylor, Larry

Relating to a report made by the Texas Education Agency regarding the property and casualty insurance costs of school districts and open-enrollment charter schools.

**SB 1057** Hinojosa

Relating to the provision of funding for indigent defense services.

**SB 1059** Hinojosa

Relating to the issuance of certain permits for the movement of oversize or overweight vehicles.

**SB 1108** Lucio

Relating to the creation of regional emergency communication districts; authorizing a fee.

**SB 1148** Watson

Relating to the functions of the Public Utility Commission of Texas in relation to the economic regulation of water and sewer service.

**SB 1434** Taylor, Van

Relating to counting time spent by students participating in certain approved off-campus instructional programs in calculation of the average daily attendance for a school district or open-enrollment charter school.

**SB 1641** West

Relating to the establishment of a pilot program to provide protective services to certain persons determined to be at risk of future harm from abuse, neglect, or exploitation.

**SB 1820** Taylor, Van

Relating to the exemption of certain vehicles from towing regulations.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 5**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Thursday, April 30, 2015 - 5

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:

**HCR 88** Moody SPONSOR: Rodríguez  
In memory of El Paso Constable Robert Parker White.

**SB 183** Huffman  
Relating to the offenses of the violation of civil rights of and improper sexual activity with individuals in custody; imposing a criminal penalty.

**SB 228** Creighton  
Relating to an exemption from the sales tax for firearms and hunting supplies for a limited period.

**SB 715**

Hall

Relating to sworn statements and other documentation provided to support the issuance of a search warrant.

**SB 778**

Seliger

Relating to performance-based tuition limitations for certain public institutions of higher education.

**SB 1170**

Garcia

Relating to excluding certain students from the computation of dropout and completion rates for purposes of public school accountability.

**SB 1530**

Burton

Relating to the offense of leaving a motor vehicle unattended.

Respectfully,

Patsy Spaw

Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**April 29**

Agriculture and Livestock - **HB 1513, SB 928, SB 1749**

Business and Industry - **HB 748, HB 1178, HB 1208, HB 1603, HB 1715, HB 1984, HB 2391, HB 3082, HB 3190, SB 859, SB 901**

County Affairs - **HB 1272, HB 2556, HB 3474, HB 4149**

Criminal Jurisprudence - **SB 112**

Culture, Recreation, and Tourism - **HB 1919, HCR 35, HCR 69, HCR 77, HCR 78**

Economic and Small Business Development - **HB 1251, HB 2996, HB 3685**

Elections - **HJR 86**

Energy Resources - **HB 2558, HB 3749, HB 3835**

Environmental Regulation - **SB 709**

General Investigating and Ethics - **HB 1295, HB 3789**

Higher Education - **SB 947, SB 1066, SB 1466**

Homeland Security and Public Safety - **HB 3462, SB 788**

Human Services - **HB 2070**

Insurance - **SB 979**

Judiciary and Civil Jurisprudence - **HB 634, HB 969, HB 1403, HB 1455, HB 1510, HB 1799, HB 2303, HB 2486, HB 2665, HB 2747, HB 2794, HB 2868, HB 3747, HB 4103, SB 378, SB 534**

Juvenile Justice and Family Issues - **HB 725, HB 2398, HB 3277**

Licensing and Administrative Procedures - **HB 2745, HB 3043, HB 3131**

Natural Resources - **HCR 90**

Pensions - **HB 3897**

Public Education - **HB 1759**

Public Health - **HB 2081, HB 2498, HB 2906, HB 3860**

Special Purpose Districts - **HB 3603, HB 4138, HB 4152**

State Affairs - **HB 2351, SB 774**

Transportation - **HB 1317, HB 1954, HB 2574, HB 2861, SB 45, SB 227, SB 288, SB 415, SB 489, SB 562, SB 742**

Ways and Means - **SB 1452**

#### **ENGROSSED**

**April 29 - HB 31, HB 32, HB 364, HB 606, HB 699, HB 737, HB 872, HB 1277, HB 1550, HB 1701, HB 1887, HB 2007, HB 2115, HB 2154, HB 2400, HB 3052, HB 3373**