

HOUSE JOURNAL

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-FIFTH DAY (CONTINUED) — FRIDAY, MAY 8, 2015

The house met at 9:02 a.m. and, at the request of the speaker, was called to order by Representative Harless.

The roll of the house was called and a quorum was announced present (Record 751).

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

The chair recognized Representative Simpson who introduced Dr. Glynn Stone, Jr., senior pastor, Mobberly Baptist Church, Longview, who offered the invocation as follows:

It is for freedom that you, Jesus, have set us free. As we stand firm, then, in the freedom from sin and slavery, may the actions we take and the decisions we make today not burden us again under any such yoke. My Father, thank you for my rights as a citizen of this country, and please remind me of my serious responsibility as a citizen of this country: to cast my vote, to raise awareness, and to prayerful yield to these, our elected but your appointed men and women who lead our state.

Thank you, Almighty God, for the right you have given me as a pastor to your children in your flock and those who still yet need to be. Remind me of the splendid responsibility as a pastor to lead in your way, to lean on your accurate word, and to listen to your authoritative voice.

Thank you for the leaders of our great state and these specific elected representatives I am honored to be surrounded by this morning. I humbly ask you to remind them of their special responsibility as political leaders to lead in your way, to lean on your word, and, likewise, to listen to your voice. As they speak for their constituents, may they vote their God-given conscience in order to defend the defenseless, protect those in danger, and promote good works and a better life so that we, the people of Texas, can reflect your image, bring glory to your name, and accomplish your will on earth as it is in heaven.

O Lord, I love this state, and I love raising my family in this great state, but mostly I love you, Jesus, who promoted us to these lofty positions, equipped us with these heavy responsibilities, and who will judge our stewardship. You gave us this day, and we submit it and ourselves to you, Jesus, our Lord and only Savior. Amen.

The chair recognized Representative E. Thompson who led the house in the pledges of allegiance to the United States and Texas flags.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 15).

(Huberty in the chair)

HR 2222 - ADOPTED (by Naishtat)

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 2222**.

The motion prevailed.

The following resolution was laid before the house:

HR 2222, Recognizing May 8, 2015, as International Junior Miss Texas Day.

HR 2222 was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Naishtat who introduced representatives of the International Junior Miss Scholarship Program, Inc.

HR 2190 - ADOPTED (by Dukes)

Representative S. Thompson moved to suspend all necessary rules to take up and consider at this time **HR 2190**.

The motion prevailed.

The following resolution was laid before the house:

HR 2190, Congratulating Don T. Haynes, Jr., on his retirement as director of bands at LBJ High School in Austin.

HR 2190 was adopted.

HR 2326 - ADOPTED
(by C. Turner, Collier, and Romero)

Representative C. Turner moved to suspend all necessary rules to take up and consider at this time **HR 2326**.

The motion prevailed.

The following resolution was laid before the house:

HR 2326, In memory of Mary Anna Edwards of Fort Worth.

HR 2326 was read and was unanimously adopted by a rising vote.

On motion of Representatives Romero and Collier, the names of all the members of the house were added to **HR 2326** as signers thereof.

LEAVE OF ABSENCE GRANTED

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

Lucio on motion of Hernandez.

CAPITOL PHYSICIAN

The chair recognized Representative Alonzo who presented Dr. Thomas Shima of Dallas as the "Doctor for the Day."

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

(Speaker in the chair)

HR 100 - ADOPTED
(by Flynn, Geren, S. Thompson, McClendon, Hughes, et al.)

Representative Flynn moved to suspend all necessary rules to take up and consider at this time **HR 100**.

The motion prevailed.

The following resolution was laid before the house:

HR 100, In memory of Julia Alexandra Bass, former journal clerk of the Texas House of Representatives.

HR 100 was read and was unanimously adopted by a rising vote.

On motion of Representatives Geren, S. Thompson, McClendon, Hughes, and E. Rodriguez, the names of all the members of the house were added to **HR 100** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Flynn who introduced family members of Julia Alexandra Bass.

LEAVES OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **HB 1**:

Otto on motion of Geren.

(Leach in the chair)

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

Burrows on motion of Geren.

(Kacal in the chair)

**HR 1952 - ADOPTED
(by S. King)**

Representative S. King moved to suspend all necessary rules to take up and consider at this time **HR 1952**.

The motion prevailed.

The following resolution was laid before the house:

HR 1952, In memory of Jerre Wayne Bardin.

HR 1952 was read and was unanimously adopted by a rising vote.

On motion of Representative S. Thompson, the names of all the members of the house were added to **HR 1952** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative S. King who introduced family members of Jerre Wayne Bardin.

LEAVE OF ABSENCE GRANTED

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

Geren on motion of Frullo.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Phillips requested permission for the Committee on Homeland Security and Public Safety to meet while the house is in session, at 10:10 a.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Homeland Security and Public Safety, 10:10 a.m. today, 1W.14, for a formal meeting, to consider pending business.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Homeland Security and Public Safety:

Dale on motion of Villalba.

HR 2123 - ADOPTED (by Márquez)

Representative Márquez moved to suspend all necessary rules to take up and consider at this time **HR 2123**.

The motion prevailed.

The following resolution was laid before the house:

HR 2123, In memory of Lee Middleton Hooper Walker of El Paso.

HR 2123 was read and was unanimously adopted by a rising vote.

On motion of Representatives Blanco, Pickett, and Moody, the names of all the members of the house were added to **HR 2123** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Márquez who introduced family members of Lee Middleton Hooper Walker.

(Speaker pro tempore in the chair)

(Dale now present)

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR SECOND READING

The following bills were laid before the house, read second time, and passed to third reading (members registering votes are shown following the caption), and the following resolutions were laid before the house on committee report:

HB 96 (by Flynn), A bill to be entitled An Act relating to the authority of the Cash Special Utility District to issue bonds. (Ashby, Aycock, Craddick, Crownover, Darby, Parker, Tinderholt, and Zerwas recorded voting no.)

CSHB 257 (by Farney, S. Thompson, Sheets, K. King, and Price), A bill to be entitled An Act relating to a judge's or justice's significant interest in a business entity that owns, manages, or operates a private correctional or rehabilitation facility.

CSHB 382 (by Canales, Longoria, Martinez, Guillen, and Lucio), A bill to be entitled An Act relating to public junior college district branch campuses, including a requirement that the South Texas Community College District establish an extension facility in a certain location. (Flynn and Zedler recorded voting no.)

CSHB 634 (by Metcalf, et al.), A bill to be entitled An Act relating to the rights of a guardian of a person in the criminal justice system.

CSHB 648 (by Krause), A bill to be entitled An Act relating to the selection of directors to the board of directors for the Viridian Municipal Management District.

CSHB 830 (by Larson and Bernal), A bill to be entitled An Act relating to the issuance of Alamo specialty license plates. (Craddick, Harless, and S. King recorded voting no.)

SB 1117 (Naishtat - House Sponsor), in lieu of **HB 843**, A bill to be entitled An Act relating to housing services provided through the transitional living services program to certain children in the conservatorship of the Department of Family and Protective Services. (Stickland recorded voting no.)

Representative Naishtat moved to lay **HB 843** on the table subject to call, and the motion prevailed.

HB 866 (by E. Thompson), A bill to be entitled An Act relating to the exemption from jury service of a person who is the primary caretaker of another person.

HB 1026 (by E. Thompson), A bill to be entitled An Act relating to eligibility for appointment as a tabulation supervisor in an election.

CSHB 1119 (by Hernandez), A bill to be entitled An Act relating to a study assessing the statewide need for the replacement of mile markers on certain highways. (Ashby, G. Bonnen, Farney, Flynn, Frullo, Goldman, Huberty, Kacal, S. King, Klick, Krause, Kuempel, Larson, Paddie, Phillips, Price, Riddle, Simmons, Stickland, E. Thompson, Tinderholt, and Zedler recorded voting no.)

CSHB 1166 (by Burkett, Wu, and Sheets), A bill to be entitled An Act relating to sworn statements and other documentation provided to support the issuance of a search warrant. (Stickland recorded voting no.)

CSHB 1187 (by Wray, Sheets, Dale, R. Miller, Smith, et al.), A bill to be entitled An Act relating to the designation of a segment of U.S. Highway 287 in Midlothian as the Chris Kyle Memorial Highway.

HB 1329 (by Naishtat), A bill to be entitled An Act relating to the payment of costs incurred by the involuntary commitment of persons with mental illness. (Tinderholt and Zedler recorded voting no.)

HB 1360 (by Isaac), A bill to be entitled An Act relating to the exemption of certain vehicles from registration fees.

HB 1436 (by Smithee), A bill to be entitled An Act relating to appeals regarding dangerous dogs. (Ashby, Farney, Frullo, Kacal, Kuempel, Larson, Paddie, and Price recorded voting no.)

Amendment No. 1

Representative Smithee offered the following amendment to **HB 1436**:

Amend **HB 1436** (house committee report) as follows:

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

SECTION _____. Section 822.042(e), Health and Safety Code, is amended to read as follows:

(e) The court shall order the animal control authority to humanely destroy the dog if the owner has not complied with Subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority, except that, notwithstanding any other law or local regulation, the court may not order the destruction of a dog during the pendency of an appeal under Section 822.0424. The court shall order the authority to return the dog to the owner if the owner complies with Subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority.

(2) On page 1, line 18, strike "and is entitled to a jury trial on request".

(3) On page 2, line 23, between "located" and the underlined period, insert "and is entitled to a jury trial on request".

(4) On page 3, between lines 1 and 2, add the following appropriately lettered subsections and reletter subsequent subsections and cross-references to those subsections accordingly:

(_____) Notwithstanding Section 30.00014, Government Code, or any other law, a person filing an appeal from a municipal court under Subsection (a) is not required to file a motion for a new trial to perfect an appeal.

(_____) A decision of a county court or county court at law under this section may be appealed in the same manner as an appeal for any other case in a county court or county court at law.

Amendment No. 1 was adopted.

HB 1613 (by Guillen), A bill to be entitled An Act relating to the use of performance on certain assessment instruments designated by the Texas Higher Education Coordinating Board to satisfy requirements concerning high school end-of-course assessment instruments. (Krause recorded voting no.)

HB 1631 (by Phelan), A bill to be entitled An Act relating to the enforcement of commercial motor vehicle safety standards in certain municipalities and counties.

HB 1666 (by D. Bonnen), A bill to be entitled An Act relating to the liability of certain persons for damages arising from training exercises to prepare the persons to respond to certain emergencies.

HB 1991 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

HB 2025 (by Gonzales), A bill to be entitled An Act relating to participation of certain school districts in the three-year high school diploma plan pilot program.

CSHB 2055 (by S. Davis), A bill to be entitled An Act relating to the establishment of a sentinel surveillance program for emerging and neglected tropical diseases. (Krause, Simpson, Stickland, and Tinderholt recorded voting no.)

CSHB 2257 (by J. White), A bill to be entitled An Act relating to certain emergency services districts that are exempted from filing an audit report.

HB 2300 (by Riddle), A bill to be entitled An Act relating to eliminating telegraph transmission as a method to communicate certain information in a criminal case. (Flynn and Zedler recorded voting no.)

HB 2302 (by Riddle and Rose), A bill to be entitled An Act relating to the mandatory dismissal of misdemeanor charges against certain defendants determined to be incompetent to stand trial.

CSHB 2313 (by Bohac), A bill to be entitled An Act relating to an exemption from the sales and use tax for items sold by certain nonprofit organizations through a vending machine; adding a provision subject to a criminal offense. (E. S. Turner recorded voting no.) (Bell requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 947 (Howard - House Sponsor), in lieu of **HB 2402**, A bill to be entitled An Act relating to a study and report by the Texas Higher Education Coordinating Board on the feasibility of providing off-campus employment positions through the Texas college work-study program. (Fallon, Flynn, Phillips, Rinaldi, Stickland, and Zedler recorded voting no.)

Representative Howard moved to lay **HB 2402** on the table subject to call, and the motion prevailed.

CSHB 2407 (by D. Miller), A bill to be entitled An Act relating to the creation of the Comal Trinity Groundwater Conservation District; providing authority to issue bonds; providing authority to impose assessments, fees, or surcharges.

Amendment No. 1

Representative D. Miller offered the following amendment to **CSHB 2407**:

Amend **CSHB 2407** (house committee report) on page 4 by striking lines 16 through 19, and substituting the following:

(1) "Maximum production capacity" means the rated capacity of a well that is measured in gallons per minute of production as certified by the driller of the well or a professional geologist or engineer.

Amendment No. 1 was adopted.

HB 2448 (by J. White), A bill to be entitled An Act relating to the creation of an advisory committee to examine the state jail system within the Texas Department of Criminal Justice. (Flynn and Zedler recorded voting no.)

SB 435 (Coleman - House Sponsor), in lieu of **HB 2522**, A bill to be entitled An Act relating to the powers and duties of a county treasurer.

Representative Coleman moved to lay **HB 2522** on the table subject to call, and the motion prevailed.

HB 2529 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

HB 2621 (by Raney, Schubert, and Kacal), A bill to be entitled An Act relating to the board of trustees of the Blinn Junior College District. (Schaefer, Simpson, Stickland, and E. S. Turner recorded voting no.)

HB 2644 (by Blanco), A bill to be entitled An Act relating to notice given of election precinct boundary changes. (C. Anderson, Ashby, Aycock, Craddick, Crownover, Darby, Farney, Frullo, Harless, Kuempel, Larson, R. Miller, Paddie, Parker, Price, Riddle, E. S. Turner, and Zerwas recorded voting no.) (Bell requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

Amendment No. 1

Representative Blanco offered the following amendment to **HB 2644**:

Amend **HB 2644** (introduced version) as follows:

(1) On page 1, lines 20-21, strike "~~on the website of the county [in a newspaper in the county once a week for three consecutive weeks].~~" and substitute "in a newspaper in the county once a week for three consecutive weeks and on the website of the county.".

(2) On page 1, lines 22-23, strike "~~[newspaper is published in the county]~~" and substitute "or no newspaper is published in the county".

Amendment No. 1 was adopted.

CSHB 2752 (by Zerwas and Sheffield), A bill to be entitled An Act relating to a chronic respiratory disease state strategic plan developed by the Department of State Health Services. (Fallon, Rinaldi, and Stickland recorded voting no.)

CSHB 2776 (by Murphy), A bill to be entitled An Act relating to certain premium discounts and rating programs for certain residential property insurance policies.

CSHB 2830 (by Martinez and Springer), A bill to be entitled An Act relating to the duty of a county to refund an amount of \$2 or less paid to the county clerk or district clerk. (Fallon, Flynn, Phillips, Rinaldi, and Zedler recorded voting no.)

CSHB 2920 (by Naishtat), A bill to be entitled An Act relating to the eligibility of a former or retired statutory probate court judge for assignment as a visiting judge. (Huberty and Klick recorded voting no.)

HB 2946 (by Phillips), A bill to be entitled An Act relating to certain laws governing the intersections of railroad tracks and public roadways.

CSHB 3056 (by Reynolds, et al.), A bill to be entitled An Act relating to the procedures for applying for a ballot to be voted by mail; affecting the prosecution of a criminal offense. (Ashby, Aycock, Craddick, Crownover, Darby, Harless, Parker, Phillips, Schaefer, Simpson, Stickland, and Zerwas recorded voting no.)

CSHB 3057 (by Murr), A bill to be entitled An Act relating to the creation of a pilot program for the purpose of controlling certain predatory animals. (Ashby, Aycock, Craddick, Crownover, Darby, Fallon, Farney, Flynn, Frullo, Kuempel, Larson, Paddie, Parker, Price, Rinaldi, Stickland, Tinderholt, Zedler, and Zerwas recorded voting no.)

HB 3070 (by S. Thompson), A bill to be entitled An Act relating to the disposition of remains.

HB 3136 (by Naishtat), A bill to be entitled An Act relating to the use of a small estate affidavit to distribute certain intestate estates.

HB 3160 (by Alonzo and S. Thompson), A bill to be entitled An Act relating to an exception to the period of filing an application for the grant of letters testamentary or of administration of a decedent's estate. (Flynn and Zedler recorded voting no.)

CSHB 3220 (by Martinez, Muñoz, Longoria, and Canales), A bill to be entitled An Act relating to the powers and duties of the Hidalgo County Water Control and Improvement District No. 18; providing authority to issue bonds; providing authority to impose fees and taxes. (Flynn, Tinderholt, and Zedler recorded voting no.)

CSHB 3311 (by Alvarado), A bill to be entitled An Act relating to the scoring criteria for an application for a low income housing tax credit and the allocation of those credits to developments reserved for elderly persons. (Ashby, Craddick, Crownover, Darby, Fallon, Farney, Frullo, Harless, Kuempel, Larson, R. Miller, Paddie, Parker, Phillips, Price, Riddle, Rinaldi, Tinderholt, and Zerwas recorded voting no.) (Workman requested to be recorded voting present, not voting after the deadline established by Rule 5, Section 52 of the House Rules.)

HB 3348 (by Clardy and Schaefer), A bill to be entitled An Act relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.

HB 3424 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

CSHB 3433 (by Sheffield, Springer, and Clardy), A bill to be entitled An Act relating to level of care designations for hospitals that provide neonatal and maternal care. (Tinderholt recorded voting no.)

CSHB 3547 (by Larson, Button, Farias, Blanco, and Villalba), A bill to be entitled An Act relating to a voluntary veteran's employment preference for private employers. (Ashby, Aycock, G. Bonnen, Craddick, Crownover, Darby, Goldman, Harless, Parker, Simmons, E. Thompson, and Zerwas recorded voting no.)

CSHB 3576 (by Alvarado), A bill to be entitled An Act relating to restrictions on the use, transfer, and sale of housing developments that have received certain financial assistance administered by the Texas Department of Housing and Community Affairs. (C. Anderson, Ashby, Craddick, Crownover, Darby, Fallon, Farney, Flynn, Frullo, Harless, Kuempel, Larson, R. Miller,

Paddie, Parker, Phillips, Price, Riddle, Rinaldi, Stickland, Tinderholt, E. S. Turner, Zedler, and Zerwas recorded voting no.) (Workman requested to be recorded voting present, not voting after the deadline established by Rule 5, Section 52 of the House Rules.)

CSHB 3603 (by Burns), A bill to be entitled An Act relating to the creation of the Joshua Farms Municipal Management District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments or fees. (M. White recorded voting no.)

CSHB 3605 (by Burns), A bill to be entitled An Act relating to the creation of the Joshua Farms Municipal Management District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments or fees.

CSHB 3628 (by Geren and Lozano), A bill to be entitled An Act relating to the adoption by the Department of Public Safety of rules governing the use of unmanned aircraft in the Capitol Complex; creating a criminal offense.

HB 3630 was deferred until the end of today's local, consent, and resolutions calendar.

HB 3656 (by S. King), A bill to be entitled An Act relating to the use of telephone interpreter services in any criminal proceeding before a judge or magistrate.

HB 3748 (by Farney), A bill to be entitled An Act relating to the coordination of educational support services for and information regarding students who are currently or were formerly placed in foster care. (Huberty, Klick, and Stickland recorded voting no.)

HB 3866 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

HB 3901 (by R. Miller), A bill to be entitled An Act relating to the repossession of an aircraft.

CSHB 3902 (by Vo), A bill to be entitled An Act relating to providing a voter in a party primary notice of party conventions. (Ashby, Aycock, G. Bonnen, Craddick, Crownover, Darby, Farney, Flynn, Frullo, Goldman, Harless, Kuempel, Larson, Paddie, Parker, Phillips, Price, Simmons, E. Thompson, Zedler, and Zerwas recorded voting no.)

HCR 35 (by Farney, Button, Springer, K. King, et al.), Designating the cowboy hat as the official State Hat of Texas.

HCR 35 was adopted by (Record 752): 141 Yeas, 2 Nays, 2 Present, not voting.

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

Goldman; Gonzales; González; Guerra; Guillen; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Márquez; Martínez; Martínez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Anchia; Gutierrez.

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

Absent, Excused — Burrows; Geren; Lucio.

Absent, Excused, Committee Meeting — Otto.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 752 was taken, I was shown voting yes. I intended to vote no.

S. King

HCR 104 (by Sheets, R. Anderson, Canales, J. White, Wu, et al.), Designating #txlege as the official hashtag of the Texas Legislature.

HCR 104 was adopted by (Record 753): 142 Yeas, 2 Nays, 2 Present, not voting.

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

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

Nays — Anchia; Rinaldi.

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

Absent, Excused — Burrows; Geren; Lucio.

Absent, Excused, Committee Meeting — Otto.

STATEMENT OF VOTE

When Record No. 753 was taken, I was shown voting yes. I intended to vote no.

S. King

HCR 105 (by Sheets, R. Anderson, Canales, J. White, Wu, et al.), Designating #Texas as the official hashtag of Texas.

HCR 105 was adopted by (Record 754): 141 Yeas, 2 Nays, 2 Present, not voting.

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

Nays — Anchia; Rinaldi.

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

Absent, Excused — Burrows; Geren; Lucio.

Absent, Excused, Committee Meeting — Otto.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 754 was taken, I was shown voting yes. I intended to vote no.

S. King

HCR 106 (by Sheets, R. Anderson, Canales, J. White, Wu, et al.), Designating #TexasToDo as the official state hashtag of Texas Tourism.

HCR 106 was adopted by (Record 755): 138 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; 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; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Anchia; Bernal; Dale; Rinaldi; Simpson; Villalba.

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

Absent, Excused — Burrows; Geren; Lucio.

Absent, Excused, Committee Meeting — Otto.

STATEMENT OF VOTE

When Record No. 755 was taken, I was shown voting yes. I intended to vote no.

S. King

SB 449 (Gonzales - House Sponsor), in lieu of **HB 439**, A bill to be entitled An Act relating to the titling, registration, and operation of an autocycle.

Representative Gonzales moved to lay **HB 439** on the table subject to call, and the motion prevailed.

CSHB 1264 (by Wu), A bill to be entitled An Act relating to the preservation of toxicological evidence collected in connection with certain intoxication offenses. (C. Anderson, Flynn, Tinderholt, and Zedler recorded voting no.)

CSHB 1629 (by Johnson, Parker, Isaac, and Anchia), A bill to be entitled An Act relating to crowdfunding portal regulations for small business development. (Flynn, Krause, Schaefer, Stickland, E. S. Turner, and Zedler recorded voting no.) (Bell requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

CSHB 1702 (by Blanco and Aycock), A bill to be entitled An Act relating to the elimination of the fee for the Gold Star mother, father, spouse, or family member specialty license plate.

CSHB 1723 (by Miles), A bill to be entitled An Act relating to the territory included in, the composition of the board of directors of, and the method of assessment of the Harris County Improvement District No. 10 and to clarifying the law to reflect the prior division of the district. (G. Bonnen, Fallon, Goldman, Rinaldi, Simmons, Stickland, and E. Thompson recorded voting no.)

CSHB 1724 (by Sheffield, Zerwas, R. Miller, Guillen, et al.), A bill to be entitled An Act relating to the establishment of a state plan for Streptococcus pneumoniae education and prevention. (Fallon, Krause, Phillips, Rinaldi, Schaefer, Simpson, Stickland, and Tinderholt recorded voting no.)

CSHB 1930 (by J. White and Flynn), A bill to be entitled An Act relating to strategic planning for the operation of community supervision and corrections departments.

CSHB 1949 (by Springer and Lozano), A bill to be entitled An Act relating to the annexation of county roads.

CSHB 1982 (by R. Miller), A bill to be entitled An Act relating to the transfer of certain state property from the Texas Department of Transportation to the University of Houston. (Flynn and Zedler recorded voting no.)

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **HB 1**:

Gonzales on motion of Geren.

CSHB 2100 (by Hernandez), A bill to be entitled An Act relating to the creation of the East Houston Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Fallon, Flynn, and Zedler recorded voting no.)

HB 2401 (by Isaac), A bill to be entitled An Act relating to the powers of the Crosswinds Municipal Utility District; providing authority to issue bonds for road projects. (Flynn and Zedler recorded voting no.)

HB 2562 - RECOMMITTED

Representative Sheets moved to recommit **HB 2562** to the Committee on Public Health.

The motion prevailed.

HB 2722 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

CSHB 3596 (by Huberty and Nevárez), A bill to be entitled An Act relating to public school safety and security policies, procedures, and practices. (Fallon, Phillips, Rinaldi, Schaefer, Stickland, and Tinderholt recorded voting no.)

CSHB 3658 (by S. King), A bill to be entitled An Act relating to the development and administration of a parent orientation and education pilot program for recipients of subsidized child-care services. (Ashby, Aycock, Craddick, Crownover, Darby, Farney, Frullo, Kacal, Kuempel, Larson, Paddie, Parker, Phillips, Price, Rinaldi, Schaefer, Stickland, Tinderholt, E. S. Turner, and Zerwas recorded voting no.) (Bell requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

CSHB 4062 (by Coleman, Keffer, S. Thompson, S. Davis, and Zerwas), A bill to be entitled An Act relating to limitations on the percentage of money awarded by the Cancer Prevention and Research Institute of Texas for certain uses. (Fallon, Krause, Simpson, and M. White recorded voting no.)

CSHB 4128 (by Metcalf), A bill to be entitled An Act relating to the creation of the Montgomery County Municipal Utility District No. 147; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Flynn, Krause, and Zedler recorded voting no.)

HB 4140 (by Metcalf), A bill to be entitled An Act relating to the creation of the Montgomery County Municipal Utility District No. 148; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Flynn and Zedler recorded voting no.)

HB 4155 (by Farney), A bill to be entitled An Act relating to the creation of the Vineyard Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Flynn and Zedler recorded voting no.)

CSHB 4156 (by Reynolds), A bill to be entitled An Act relating to the creation of Missouri City Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Flynn and Zedler recorded voting no.)

HB 4159 (by Aycock), A bill to be entitled An Act relating to the creation of the Bell County Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Flynn and Zedler recorded voting no.)

HB 4160 (by Farney), A bill to be entitled An Act relating to the creation of the Burnet County Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Flynn and Zedler recorded voting no.)

HB 4188 (by G. Bonnen), A bill to be entitled An Act relating to the powers and duties of the Galveston County Municipal Utility District No. 35; providing authority to issue bonds and impose fees and taxes. (Flynn and Zedler recorded voting no.)

HB 4189 (by G. Bonnen), A bill to be entitled An Act relating to the powers and duties of the Galveston County Municipal Utility District No. 36; providing authority to issue bonds and impose fees and taxes. (Flynn and Zedler recorded voting no.)

HB 3630 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 1 and 2).

(Paddie in the chair)

ADJOURNMENT

Representative E. Thompson moved that the house adjourn until 12 p.m. today.

The motion prevailed.

The house accordingly, at 11:29 a.m., adjourned until 12 p.m. today.

ADDENDUM

SIGNED BY THE SPEAKER

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

House List No. 15

HB 975, HJR 73

MESSAGES FROM THE SENATE

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

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 8, 2015 - 1

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 62 Huffines
Relating to accounting for costs incurred by this state as a result of the presence of persons who are not lawfully present in the United States.

SB 374 Schwertner
Relating to requiring state agencies to participate in the federal electronic verification of employment authorization program, or E-verify.

SB 722 Perry
Relating to a disqualification for unemployment benefits for refusing to take or failing a preemployment drug test.

SB 1242 Rodríguez
Relating to the sale, storage, transportation, and disposal of scrap or used tires; providing a civil penalty; creating a criminal offense.

SB 1252 Hall
Relating to an interstate compact on border security and immigration enforcement.

SB 1317 Menéndez
Relating to the prosecution of the offense of invasive visual recording.

SB 1679 Huffines
Relating to procedures for a certain municipalities to adopt or amend a national model building code.

SB 1968 Huffman
Relating to the organization of public employees.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 8, 2015 - 2

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:

LOCAL AND UNCONTESTED CALENDAR

- HB 1219** Raymond SPONSOR: Watson
Relating to a provisional license to practice funeral directing or embalming; amending provisions subject to a criminal penalty.
- HB 1443** Geren SPONSOR: Birdwell
Relating to the Texas Identification Number system.
- HB 1740** Thompson, Senfronia SPONSOR: Menéndez
Relating to the administration of rabies vaccine under a local rabies control program.
- HB 2092** Zerwas SPONSOR: Kolkhorst
Relating to the road powers of the Fort Bend County Municipal Utility District No. 182.
- HB 3031** Thompson, Senfronia SPONSOR: Hancock
Relating to the decertification of a certified capital company.
- HB 3858** Stephenson SPONSOR: Kolkhorst
Relating to fees charged by the Coastal Bend Groundwater Conservation District.
- HB 4126** Zerwas SPONSOR: Kolkhorst
Relating to the creation of the Fort Bend County Municipal Utility District No. 218; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4129** Bell SPONSOR: Kolkhorst
Relating to the creation of the Waller County Municipal Utility District No. 22; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4132** Bell SPONSOR: Kolkhorst
Relating to the creation of the Waller County Municipal Utility District No. 21; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 813** Rodríguez
Relating to the use of digitized signatures in certain family law proceedings.
- SB 821** Rodríguez
Relating to references to school in the Family Code.
- SB 963** Campbell
Relating to the creation of the Comal Trinity Groundwater Conservation District; providing authority to issue bonds; providing authority to impose assessments, fees, or surcharges.
- SB 998** Kolkhorst
Relating to the creation of the Fort Bend County Municipal Utility District No. 216; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 1001** Kolkhorst

Relating to the creation of the Harris County Municipal Utility District No. 545; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 1002 Kolkhorst

Relating to the creation of the Harris County Municipal Utility District No. 540; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 1005 Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 144; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 1034 Rodríguez

Relating to the applicability of canceling an annual application for a ballot to be voted by mail to subsequent elections.

SB 1086 Campbell

Relating to a parent's right to view the body of a deceased child before an autopsy is performed.

SB 1330 Campbell

Relating to injury leave for certain peace officers.

SB 1345 Huffines

Relating to quorum and voting requirements for the transaction of business by the board of the Irving Flood Control District Section III of Dallas County.

SB 1365 Kolkhorst

Relating to the territory of the Harris County Municipal Utility District No. 465.

SB 1427 Lucio

Relating to authorizing an insurer's deposit of certain money and other assets with the Texas Department of Insurance.

SB 1511 Hancock

Relating to the establishment and governance of certain regional transportation authorities.

SB 1569 Lucio

Relating to the applicability of certain immunity and liability laws to open-enrollment charter schools.

SB 1585 Lucio

Relating to a study on the feasibility of establishing a prepaid investment plan or other product to help citizens of this state finance and access residential care.

SB 1652 Eltife

Relating to allowing the holder of a brewpub license to sell beer, ale, and malt liquor to certain wholesalers, distributors, and qualified persons outside the state.

SB 1726 Creighton

Relating to suits affecting the parent-child relationship and the enforcement of child support.

- SB 1727** Creighton
Relating to the duties of the Title IV-D agency regarding the establishment, collection, and enforcement of child support.
- SB 1913** Perry
Relating to a court administrator in certain counties.
- SB 1944** Huffman
Relating to the disposition of a firearm seized from certain persons with mental illness.
- SB 2002** Creighton
Relating to the powers and duties of the Montgomery County Municipal Utility District No. 111; providing authority to issue bonds and impose fees and taxes.
- SB 2007** Kolkhorst
Relating to the creation of the Fort Bend County Municipal Utility District No. 219; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 2009** Kolkhorst
Relating to the creation of the Harris County Municipal Utility District No. 541; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 2013** Kolkhorst
Relating to the creation of the Harris County Municipal Utility District No. 538; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 2025** Nichols
Relating to the creation of the Montgomery County Municipal Utility District No. 147; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 2026** Nichols
Relating to the creation of the Montgomery County Municipal Utility District No. 150; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 2027** Nichols
Relating to the creation of the Montgomery County Municipal Utility District No. 149; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 2028** Nichols
Relating to the creation of the Montgomery County Municipal Utility District No. 151; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 2032** Taylor, Larry
Relating to the powers and duties of the Galveston County Municipal Utility District No. 36; providing authority to issue bonds and impose fees and taxes.
- SB 2033** Taylor, Larry

Relating to the powers and duties of the Galveston County Municipal Utility District No. 35; providing authority to issue bonds and impose fees and taxes.

SB 2043 Nichols

Relating to the creation of Valley Ranch Medical Center Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SB 2044 Nichols

Relating to the creation of Valley Ranch Town Center Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SB 2053 Bettencourt

Relating to the powers and duties of the Pine Forest Municipal Utility District; providing authority to issue bonds and impose a tax.

SB 2056 Bettencourt

Relating to the creation of the Montgomery County Municipal Utility District No. 148; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SCR 38 Fraser

Designating Abilene as the official Storybook Capital of Texas.

SCR 40 Hancock

Authorizing a portrait of Governor Rick Perry to be placed in the Texas Capitol.

SCR 41 Perry

Designating Terry County as the official Grape Capital of Texas.

Respectfully,

Patsy Spaw

Secretary of the Senate