

HOUSE JOURNAL

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-NINTH DAY — WEDNESDAY, MAY 13, 2015

The house met at 9:04 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 985).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; 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; 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.

Absent, Excused, Committee Meeting — Ashby.

Absent — Elkins.

The speaker recognized Representative Bohac who introduced Brenton Phillips, pastor, Encounter God, Houston, who offered the invocation.

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

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**:

Ashby on motion of Geren.

(Kacal in the chair)

CAPITOL PHYSICIAN

The chair recognized Representative Guillen who presented Dr. Horacio R. Ramirez of San Antonio as the "Doctor for the Day."

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

REMARKS ORDERED PRINTED

Representative Isaac moved to print all remarks on **CSHB 1150** from Tuesday, May 12.

The motion prevailed.

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**:

Aycock on motion of Geren.

**HR 2689 - ADOPTED
(by Naishtat and Workman)**

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 2689**.

The motion prevailed.

The following resolution was laid before the house:

HR 2689, Recognizing May 13, 2015, as Texas Asian and Pacific Islander Day of Civic Engagement.

HR 2689 was adopted.

On motion of Representatives Button, Workman, Israel, Howard, and Wu, the names of all the members of the house were added to **HR 2689** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Naishtat who introduced representatives of the Indian American Coalition of Texas.

**HR 2687 - ADOPTED
(by Raney)**

Representative Raney moved to suspend all necessary rules to take up and consider at this time **HR 2687**.

The motion prevailed.

The following resolution was laid before the house:

HR 2687, In memory of Dr. Eugene B. "Gene" Smith of College Station.

HR 2687 was unanimously adopted by a rising vote.

HR 2674 - ADOPTED
(by Gutierrez)

Representative Gutierrez moved to suspend all necessary rules to take up and consider at this time **HR 2674**.

The motion prevailed.

The following resolution was laid before the house:

HR 2674, Paying tribute to 19th-century San Antonio mayor José Miguel Arciniega.

HR 2674 was adopted.

On motion of Representative Alonzo, the names of all the members of the house were added to **HR 2674** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Gutierrez who introduced descendants of José Miguel Arciniega.

HR 2704 - ADOPTED
(by Cyrrier)

Representative Cyrrier moved to suspend all necessary rules to take up and consider at this time **HR 2704**.

The motion prevailed.

The following resolution was laid before the house:

HR 2704, Recognizing May 13, 2015, as Caldwell County Day at the State Capitol.

HR 2704 was adopted.

LEAVE OF ABSENCE GRANTED

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

E. Thompson on motion of Leach.

HR 1992 - ADOPTED
(by S. King)

Representative S. King moved to suspend all necessary rules to take up and consider at this time **HR 1992**.

The motion prevailed.

The following resolution was laid before the house:

HR 1992, Congratulating former state representative Diane Patrick on having a new elementary school named in her honor by the Arlington Independent School District.

(Aycock now present)

HR 1992 was adopted.

On motion of Representatives C. Turner, Collier, Howard, Murphy, and VanDeaver, the names of all the members of the house were added to **HR 1992** as signers thereof.

INTRODUCTION OF GUEST

The chair recognized Representative S. King who introduced the Honorable Diane Patrick.

(Ashby now present)

HR 1261 - PREVIOUSLY ADOPTED (by Guillen)

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

HR 1261, In memory of Horacio Paul Guerra III of Rio Grande City.

INTRODUCTION OF GUESTS

The chair recognized Representative Guillen who introduced family members of Horacio Paul Guerra III.

(Burkett in the chair)

HR 1290 - PREVIOUSLY ADOPTED (by Kacal)

The chair laid out the following previously adopted resolution:

HR 1290, Recognizing the Texas A&M University Agricultural and Natural Resources Policy Internship Program and the Public Policy Internship Program and the interns for the 84th legislative session.

On motion of Representative Hughes, the names of all the members of the house were added to **HR 1290** as signers thereof.

(Márquez in the chair)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Crownover requested permission for the Committee on Public Health to meet while the house is in session, at 10:30 a.m. today, in 1W.14, to consider **SB 339**, **SB 983**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Health, 10:30 a.m. today, 1W.14, for a formal meeting, to consider **SB 339**, **SB 983**, and pending business.

HB 3380 - VOTE RECONSIDERED

Representative Capriglione moved to reconsider the vote by which **HB 3380** failed to pass by Record No. 929 on Tuesday, May 12.

The motion to reconsider prevailed.

HB 3380 ON THIRD READING

(by Y. Davis)

The chair laid before the house, on its third reading and final passage,

HB 3380, A bill to be entitled An Act relating to the grounds for and process by which an elected officer of a home-rule municipality may be removed from office.

HB 3380 was read third time on Tuesday, May 12 and failed to pass by Record No. 929.

HB 3380 was passed by (Record 986): 132 Yeas, 13 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez(C); 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; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Stephenson; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bonnen, G.; Dale; Goldman; Krause; Rinaldi; Sanford; Schaefer; Spitzer; Springer; Stickland; Tinderholt; Zedler.

Present, not voting — Mr. Speaker.

Absent, Excused — Thompson, E.

Absent — Dukes; Elkins; King, S.

STATEMENTS OF VOTE

When Record No. 986 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 986 was taken, I was shown voting yes. I intended to vote no.

Keough

When Record No. 986 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 684 ON THIRD READING
(G. Bonnen - House Sponsor)**

SB 684, A bill to be entitled An Act relating to the designation of certain optometrists, therapeutic optometrists, and ophthalmologists as preferred providers.

SB 684 was passed by (Record 987): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; 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; Dutton; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; 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, 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 — Thompson, E.

Absent — Anchia; Ashby; Dukes; Elkins; Hughes; White, M.

STATEMENTS OF VOTE

When Record No. 987 was taken, I was in the house but away from my desk. I would have voted yes.

Ashby

When Record No. 987 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

When Record No. 987 was taken, I was in the house but away from my desk. I would have voted yes.

M. White

SB 678 ON THIRD READING
(Simmons - House Sponsor)

SB 678, A bill to be entitled An Act relating to coordinated county transportation authorities.

SB 678 - REMARKS

REPRESENTATIVE SPRINGER: Is it true that yesterday during the layout of **SB 678** you mentioned that DCTA asked for language to assist them in negotiating with railroads for possible shared use of assets, and the bill did not mention any entity by name other than DCTA? Is that correct?

REPRESENTATIVE SIMMONS: The bill only deals with DCTA and the insurance they're providing that's available.

SPRINGER: I think I heard it stated yesterday that it was an agreed upon bill between the BNSF and DCTA. BNSF is not mentioned in the bill, in no way, and necessarily hasn't agreed with—

SIMMONS: That's correct. They're not specifically mentioned. It's just a specific corridor. While the BNSF was aware of what's going on and they weren't against the bill. Those are separate contract negotiations so this isn't something that, okay, we're all one big happy family yet. This is to allow for the negotiations and the contract between those two entities to continue having discussions.

REMARKS ORDERED PRINTED

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

The motion prevailed.

SB 678 was passed by (Record 988): 139 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; Button; Canales; Capriglione; Clardy; Coleman; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheets; Sheffield;

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

Nays — Collier; Nevárez; Schaefer; Stickland; White, M.

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

Absent, Excused — Thompson, E.

Absent — Dukes; Elkins; Keough.

STATEMENTS OF VOTE

When Record No. 988 was taken, I was in the house but away from my desk. I would have voted yes.

Keough

When Record No. 988 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

SB 66 ON THIRD READING (Crownover and Herrero - House Sponsors)

SB 66, A bill to be entitled An Act relating to the use of epinephrine auto-injectors on public school and open-enrollment charter school campuses and at or in transit to or from off-campus school events.

SB 66 was passed by (Record 989): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Thompson, E.

Absent — Dukes; Elkins; Galindo; Miller, D.

STATEMENT OF VOTE

When Record No. 989 was taken, my vote failed to register. I would have voted yes.

D. Miller

**SB 389 ON THIRD READING
(Blanco - House Sponsor)**

SB 389, A bill to be entitled An Act relating to the placement of military occupational specialty codes on certain notices of state agency employment openings.

SB 389 was passed by (Record 990): 139 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Leach; Longoria; Lozano; Lucio; 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; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Frank; Schaefer; Stickland.

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

Absent, Excused — Thompson, E.

Absent — Coleman; Dukes; Elkins; Laubenberg; Turner, E.S.

STATEMENT OF VOTE

When Record No. 990 was taken, my vote failed to register. I would have voted no.

E. S. Turner

SB 622 ON THIRD READING
(Laubenberg and Zedler - House Sponsors)

SB 622, A bill to be entitled An Act relating to the physician assistant board.

SB 622 was passed by (Record 991): 144 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; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; 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, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Thompson, E.

Absent — Craddick; Dukes; Elkins.

STATEMENT OF VOTE

When Record No. 991 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

SB 359 ON THIRD READING
(Workman - House Sponsor)

SB 359, A bill to be entitled An Act relating to the authority of a peace officer to apprehend a person for emergency detention and the authority of certain facilities and physicians to temporarily detain a person with mental illness.

SB 359 was passed by (Record 992): 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; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Fallon; Farias; Farney; Farrar; Flynn; Frank; Frullo; Galindo; Geren;

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

Nays — Bell; Burrows; Hughes; Klick; Krause; Phillips; Rinaldi; Springer; Stickland; Turner, E.S.; White, J.; Zedler.

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

Absent, Excused — Thompson, E.

Absent — Dukes; Elkins; Fletcher; Huberty; Morrison; Naishtat; Raney.

STATEMENT OF VOTE

When Record No. 992 was taken, I was shown voting yes. I intended to vote no.

Burns

SB 1387 ON THIRD READING (Deshotel - House Sponsor)

SB 1387, A bill to be entitled An Act relating to the creation and operations of health care provider participation programs in certain municipalities.

SB 1387 was passed by (Record 993): 145 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Thompson, E.

Absent — Dukes; Elkins.

SB 373 ON THIRD READING
(Rose - House Sponsor)

SB 373, A bill to be entitled An Act relating to increased oversight by the Department of State Health Services of hospitals that commit certain violations.

SB 373 was passed by (Record 994): 81 Yeas, 58 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Bohac; Burkett; Burns; Canales; Clardy; Coleman; Collier; Cook; Crownover; Darby; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farrar; Fletcher; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hunter; Israel; Johnson; Kacal; Keffer; King, T.; Kuempel; Larson; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Minjarez; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Peña; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, J.; Romero; Rose; Smith; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; White, J.; Wu; Zerwas.

Nays — Bell; Bonnen, D.; Bonnen, G.; Burrows; Button; Capriglione; Craddick; Cyrier; Dale; Davis, S.; Fallon; Flynn; Frank; Goldman; Huberty; Isaac; Keough; King, K.; King, P.; King, S.; Klick; Koop; Krause; Landgraf; Laubenberg; Leach; Metcalf; Meyer; Miller, R.; Morrison; Murr; Paddie; Parker; Paul; Phelan; Phillips; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; Smithee; Spitzer; Springer; Stephenson; Stickland; Tinderholt; Turner, E.S.; Villalba; White, M.; Workman; Wray; Zedler.

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

Absent, Excused — Thompson, E.

Absent — Dukes; Elkins; Farney; Geren; Hughes; Miller, D.; Rodriguez, E.; Sheffield.

STATEMENTS OF VOTE

When Record No. 994 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 994 was taken, I was in the house but away from my desk. I would have voted no.

Farney

When Record No. 994 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 994 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

When Record No. 994 was taken, I was shown voting yes. I intended to vote no.

Smith

**SB 679 ON THIRD READING
(Burkett - House Sponsor)**

SB 679, A bill to be entitled An Act relating to public meetings of joint airport boards.

SB 679 was passed by (Record 995): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Thompson, E.

Absent — Alonzo; Dukes; Elkins; Sheffield.

**GENERAL STATE CALENDAR
SENATE BILLS
SECOND READING**

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

SB 2004 ON SECOND READING
(Geren - House Sponsor)

SB 2004, A bill to be entitled An Act relating to deferred maintenance funding for state facilities.

SB 2004 was passed to third reading.

LEAVE OF ABSENCE GRANTED

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

Sheffield on motion of Hughes.

GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING

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

HB 2919 ON THIRD READING
(by Raney, Anchia, Darby, Murphy, and Hughes)

HB 2919, A bill to be entitled An Act relating to an energy efficiency pilot program for state-owned buildings operated by the Texas Facilities Commission.

HB 2919 was passed by (Record 996): 93 Yeas, 48 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Bernal; Blanco; Bohac; Burkett; Burrows; Canales; Clardy; Coleman; Collier; Cook; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Farrar; Fletcher; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Israel; Johnson; Kacal; Keffer; King, K.; King, T.; Koop; Kuempel; Larson; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Stephenson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bonnen, D.; Bonnen, G.; Burns; Button; Capriglione; Craddick; Fallon; Flynn; Frank; Geren; Goldman; Hughes; Isaac; Keough; King, P.; King, S.; Klick; Krause; Landgraf; Laubenberg; Leach; Metcalf; Meyer; Morrison; Murr; Paul; Peña; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Sheets; Simmons; Simpson; Smithee; Spitzer; Springer; Stickland; Tinderholt; Turner, E.S.; Villalba; White, J.; White, M.; Wray; Zedler.

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

Absent, Excused — Thompson, E.

Absent, Excused, Committee Meeting — Sheffield.

Absent — Aycock; Dukes; Elkins; McClendon; Smith.

STATEMENTS OF VOTE

When Record No. 996 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 996 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 996 was taken, I was shown voting no. I intended to vote yes.

Morrison

**HB 2473 ON THIRD READING
(by Y. Davis and Blanco)**

HB 2473, A bill to be entitled An Act relating to establishing a grant program in the Texas Department of Housing and Community Affairs to assist certain organizations that make residential mortgage loans to residents of certain neighborhoods.

Amendment No. 1

Representatives Y. Davis and Isaac offered the following amendment to **HB 2473**:

Amend **HB 2473** on third reading, by striking SECTION 1 of the bill and substituting the following:

SECTION 1. Subchapter K, Chapter 2306, Government Code, is amended by adding Section 2306.2562 to read as follows:

Sec. 2306.2562. HOMEBUYER AND HOMEOWNERSHIP ASSISTANCE PROGRAM. (a) The department shall create and administer a program that:

(1) assists homebuyer education and counseling services provided by nonprofit organizations to residents of neighborhoods that have homeownership rates of less than 50 percent;

(2) assists foreclosure prevention programs provided by nonprofit organizations to residents of neighborhoods that have homeownership rates of less than 50 percent;

(3) supports enforcement activities by public entities to prevent and prosecute financial fraud or deceptive practices relating to homebuyers; and

(4) provides public outreach for programs described by Subdivisions (1) and (2).

(b) The board shall adopt rules to implement the program established under this section.

(c) The department shall consult with the Department of Savings and Mortgage Lending in creating and administering the program under this section.

Amendment No. 1 was adopted.

HB 2473, as amended, was passed by (Record 997): 81 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bernal; Blanco; Burkett; Canales; Capriglione; Clardy; Collier; Cook; Crownover; Darby; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Fletcher; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hunter; Isaac; Israel; Johnson; Keffer; King, K.; King, T.; Kuempel; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Minjarez; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Parker; Peña; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Smith; Stephenson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Craddick; Cyrier; Dale; Davis, S.; Fallon; Flynn; Geren; Goldman; Hughes; Kacal; Keough; King, P.; Klick; Krause; Landgraf; Laubenberg; Leach; Metcalf; Meyer; Miller, D.; Miller, R.; Murr; Paddie; Paul; Phelan; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; Smithee; Spitzer; Springer; Stickland; Tinderholt; Turner, E.S.; White, M.; Workman; Wray.

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

Absent, Excused — Thompson, E.

Absent, Excused, Committee Meeting — Sheffield.

Absent — Allen; Bohac; Coleman; Dukes; Elkins; Farrar; Frank; Huberty; King, S.; Koop; Larson; Morrison; Otto; Zedler.

STATEMENTS OF VOTE

When Record No. 997 was taken, I was in the house but away from my desk. I would have voted no.

Bohac

When Record No. 997 was taken, I was shown voting yes. I intended to vote no.

Crownover

When Record No. 997 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 997 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 997 was taken, my vote failed to register. I would have voted no.

Koop

When Record No. 997 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 997 was taken, I was in the house but away from my desk. I would have voted no.

Otto

HB 678 ON THIRD READING
(by S. Turner, Otto, and Phelan)

HB 678, A bill to be entitled An Act relating to advance notice regarding the housing of sexually violent predators at a new location in various counties of this state.

HB 678 was passed by (Record 998): 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; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; 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, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; 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 — Thompson, E.

Absent, Excused, Committee Meeting — Sheffield.

Absent — Dukes; Elkins; Huberty; Miller, R.; Riddle; White, M.

STATEMENTS OF VOTE

When Record No. 998 was taken, I was in the house but away from my desk. I would have voted yes.

R. Miller

When Record No. 998 was taken, my vote failed to register. I would have voted yes.

M. White

HB 1390 ON THIRD READING (by S. Thompson)

HB 1390, A bill to be entitled An Act relating to remedies for discrimination by a public employer against a public employee in connection with a claim for workers' compensation.

HB 1390 was passed by (Record 999): 126 Yeas, 16 Nays, 2 Present, not voting.

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

Nays — Allen; Bonnen, G.; Klick; Krause; Phillips; Rinaldi; Schaefer; Schofield; Shaheen; Spitzer; Springer; Stickland; Tinderholt; Turner, E.S.; White, M.; Zedler.

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

Absent, Excused — Thompson, E.

Absent, Excused, Committee Meeting — Sheffield.

Absent — Bernal; Dukes; Elkins; Minjarez.

STATEMENTS OF VOTE

When Record No. 999 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 999 was taken, I was shown voting yes. I intended to vote no.

Simpson

**HB 1513 ON THIRD READING
(by Fletcher)**

HB 1513, A bill to be entitled An Act relating to the minimum size of a tract of land used to raise or keep bees in order for the tract to be eligible for appraisal for ad valorem tax purposes as qualified open-space land.

HB 1513 was passed by (Record 1000): 136 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; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; 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.; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; 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; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Dutton; Frank; Klick; Krause; Schaefer; Stickland; Tinderholt.

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

Absent, Excused — Thompson, E.

Absent, Excused, Committee Meeting — Sheffield.

Absent — Dukes; Elkins; Stephenson.

(Elkins and E. Thompson now present)

HB 1403 ON THIRD READING
(by Sheets, C. Turner, and Fallon)

HB 1403, A bill to be entitled An Act relating to the scope and contents of an expert report for a health care liability claim.

HB 1403 was passed by (Record 1001): 141 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; 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; Dutton; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; 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 — Nevárez.

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

Absent, Excused, Committee Meeting — Sheffield.

Absent — Bernal; Dukes; Elkins; Faircloth; Guerra.

STATEMENTS OF VOTE

When Record No. 1001 was taken, my vote failed to register. I would have voted yes.

Faircloth

When Record No. 1001 was taken, I was absent to attend a committee meeting. I would have voted no.

Guerra

HB 1670 ON THIRD READING
(by Sheets, Hernandez, Spitzer, Zerwas, et al.)

HB 1670, A bill to be entitled An Act relating to the possession and removal of a placenta from a hospital or birthing center.

HB 1670 was passed by (Record 1002): 142 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; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; 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.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Sheffield.

Absent — Dukes; Elkins; Fallon; Raney; Rodriguez, E.

STATEMENT OF VOTE

When Record No. 1002 was taken, my vote failed to register. I would have voted yes.

Fallon

HB 1998 ON THIRD READING (by Coleman, G. Bonnen, and Walle)

HB 1998, A bill to be entitled An Act relating to the definition of "non-physician mental health professional" for purposes of the Texas Mental Health Code.

Amendment No. 1

Representative Coleman offered the following amendment to **HB 1998**:

Amend **HB 1998** on third reading in added Section 571.003(15)(B)(ii), Health and Safety Code, as added by Floor Amendment No. 2 by Walle, by striking "or a licensed physician assistant".

Amendment No. 1 was adopted.

HB 1998, as amended, was passed by (Record 1003): 125 Yeas, 17 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Button; Canales; Capriglione; Clardy; 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; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheets; Simmons; Smith; Smithee; Springer; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Bell; Burns; Hughes; Keough; Krause; Leach; Murr; Phelan; Rinaldi; Sanford; Schaefer; Shaheen; Simpson; Spitzer; Stephenson; Stickland; Turner, E.S.

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

Absent, Excused, Committee Meeting — Sheffield.

Absent — Dukes; Fallon; Guerra; Hunter; Peña.

STATEMENTS OF VOTE

When Record No. 1003 was taken, my vote failed to register. I would have voted yes.

Fallon

When Record No. 1003 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1003 was taken, I was shown voting yes. I intended to vote no.

Metcalf

HB 3190 ON THIRD READING (by Villalba)

HB 3190, A bill to be entitled An Act relating to persons authorized to direct, consent to, or disapprove a trustee's decisions.

HB 3190 was passed by (Record 1004): 108 Yeas, 34 Nays, 5 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Button; Capriglione; Coleman; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; Guerra; Guillen; Hernandez; Herrero; Howard; Huberty; Isaac; Israel; Kacal; Keffer; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson;

Laubenberg; Leach; Lozano; Lucio; Martinez; McClendon; Metcalf; Meyer; Miles; Miller, D.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Romero; Sanford; Schaefer; Schubert; Sheets; Simmons; Smithee; Springer; Stephenson; Thompson, E.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, M.; Workman; Wu; Zedler; Zerwas.

Nays — Anderson, C.; Bohac; Canales; Clardy; Collier; Deshotel; Fletcher; González; Gutierrez; Harless; Hughes; Hunter; King, S.; Longoria; Martinez Fischer; Miller, R.; Minjarez; Moody; Muñoz; Nevárez; Oliveira; Phillips; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Schofield; Shaheen; Simpson; Smith; Spitzer; Thompson, S.; White, J.; Wray.

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

Absent, Excused, Committee Meeting — Sheffield.

Absent — Dukes; Naishtat.

STATEMENTS OF VOTE

When Record No. 1004 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 1004 was taken, I was shown voting present, not voting. I intended to vote yes.

Burns

When Record No. 1004 was taken, I was shown voting yes. I intended to vote present, not voting.

Cook

HB 3093 ON THIRD READING (by Guillen)

HB 3093, A bill to be entitled An Act relating to the value of a residential dwelling that may be offered or awarded as a prize at a charitable raffle.

HB 3093 was passed by (Record 1005): 139 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; 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; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Nevárez;

Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Sheets; 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.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Shaheen.

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

Absent, Excused, Committee Meeting — Sheffield.

Absent — Bernal; Dukes; Hughes; Laubenberg; Naishtat; Riddle; Walle.

STATEMENTS OF VOTE

When Record No. 1005 was taken, I was in the house but away from my desk. I would have voted yes.

Bernal

When Record No. 1005 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

COMMITTEE GRANTED PERMISSION TO MEET

Representative Raymond requested permission for the Committee on Human Services to meet while the house is in session, at 11 a.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Human Services, 11 a.m. today, 1W.14, for a formal meeting, to consider pending business.

HB 3987 ON THIRD READING (by Farney, Guillen, and Schubert)

HB 3987, A bill to be entitled An Act relating to programs in public schools designed to facilitate planning and saving for higher education and facilitate personal financial literacy instruction.

HB 3987 was passed by (Record 1006): 129 Yeas, 13 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; Button; Canales; Capriglione; Clardy; Coleman; 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; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; 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; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Simmons; Simpson; Smith; Smithee; Stephenson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Bell; Burrows; Keough; Krause; Rinaldi; Schaefer; Shaheen; Spitzer; Springer; Stickland; Tinderholt; Turner, E.S.; White, M.

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

Absent, Excused, Committee Meeting — Sheffield.

Absent — Collier; Dukes; King, S.; Sheets; Thompson, E.

STATEMENTS OF VOTE

When Record No. 1006 was taken, my vote failed to register. I would have voted yes.

Collier

When Record No. 1006 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1006 was taken, I was shown voting no. I intended to vote yes.

Schaefer

When Record No. 1006 was taken, I was in the house but away from my desk. I would have voted yes.

E. Thompson

When Record No. 1006 was taken, I was shown voting no. I intended to vote yes.

M. White

**HB 3439 ON THIRD READING
(by Riddle)**

HB 3439, A bill to be entitled An Act relating to the donation of property from a state agency to an assistance organization or a local governmental entity.

HB 3439 was passed by (Record 1007): 131 Yeas, 14 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; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; 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; Sheets; Simmons; Simpson; Smith; Smithee; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zerwas.

Nays — Keough; Krause; Peña; Rinaldi; Schaefer; Shaheen; Spitzer; Springer; Stephenson; Stickland; Tinderholt; Turner, E.S.; White, M.; Zedler.

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

Absent, Excused, Committee Meeting — Sheffield.

Absent — Dukes; Elkins.

HB 3777 ON THIRD READING
(by Collier, Capriglione, Klick, and C. Turner)

HB 3777, A bill to be entitled An Act relating to the establishment and governance of certain regional transportation authorities.

HB 3777 was passed by (Record 1008): 145 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; 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; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; 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.; 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.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Romero.

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

Absent, Excused, Committee Meeting — Sheffield.

Absent — Dukes.

HB 3248 ON THIRD READING
(by Y. Davis and Guillen)

HB 3248, A bill to be entitled An Act relating to state agency procedures and policies to protect and properly destroy certain information that identifies an individual.

HB 3248 was passed by (Record 1009): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused, Committee Meeting — Sheffield.

Absent — Dukes; Dutton; Elkins; Goldman.

HB 3043 ON THIRD READING
(by S. Thompson)

HB 3043, A bill to be entitled An Act relating to the licensing and regulation of a journeyman lineman.

HB 3043 was passed by (Record 1010): 124 Yeas, 21 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Aycock; Bell; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Button; Canales; 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; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; 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; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Sheets; Smith; Smithee; Spitzer; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, M.; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Ashby; Bonnen, G.; Burrows; Clardy; Fallon; Hughes; Keough; Krause; Phelan; Rinaldi; Shaheen; Simmons; Simpson; Springer; Stephenson; Stickland; Tinderholt; Turner, E.S.; White, J.; Zedler.

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

Absent, Excused, Committee Meeting — Sheffield.

Absent — Bernal; Dukes.

STATEMENTS OF VOTE

When Record No. 1010 was taken, I was in the house but away from my desk. I would have voted yes.

Bernal

When Record No. 1010 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1010 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1010 was taken, I was shown voting yes. I intended to vote no.

Metcalf

(Sheffield now present)

HB 1066 ON THIRD READING (by Goldman)

HB 1066, A bill to be entitled An Act relating to the regulation of certain motor vehicle auctions.

HB 1066 was passed by (Record 1011): 145 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent — Dukes; Miller, R.; Paul.

STATEMENT OF VOTE

When Record No. 1011 was taken, I was in the house but away from my desk. I would have voted yes.

Paul

HB 3028 ON THIRD READING (by Frullo)

HB 3028, A bill to be entitled An Act relating to regulation of certain conduct by discount health care program operators, or concerning discount health care programs, that relates to prescription drugs or prescription drug benefits; authorizing administrative and civil penalties.

HB 3028 was passed by (Record 1012): 144 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; 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; 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.; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach;

Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; 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.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent — Dukes; Klick; Paul; Turner, S.

STATEMENT OF VOTE

When Record No. 1012 was taken, I was in the house but away from my desk. I would have voted yes.

Paul

HB 2346 ON THIRD READING

(by Pickett)

HB 2346, A bill to be entitled An Act relating to granting limited state law enforcement authority to commissioned law enforcement officers of a Federal Reserve bank.

HB 2346 was passed by (Record 1013): 112 Yeas, 31 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Canales; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Koop; Krause; Kuempel; Larson; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Nevárez; Oliveira; Otto; Paddie; Parker; Peña; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, J.; Romero; Rose; Schubert; Sheets; Sheffield; Simmons; Smith; Springer; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Bell; Burrows; Capriglione; Hughes; Keough; Klick; Landgraf; Laubenberg; Leach; Metcalf; Meyer; Miles; Murr; Paul; Phelan; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simpson; Smithee; Spitzer; Stephenson; Stickland; Tinderholt; Turner, E.S.; White, J.; White, M.; Wray.

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

Absent — Dukes; Elkins; Hunter; Naishtat; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 1013 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 1013 was taken, I was shown voting yes. I intended to vote no.

Fallon

When Record No. 1013 was taken, I was shown voting yes. I intended to vote no.

Krause

HB 2398 ON THIRD READING
(by J. White)

HB 2398, A bill to be entitled An Act relating to the establishment of judicial donation trust funds to assist needy children and families appearing before justice and municipal courts, dismissal of charges related to school attendance, and expunction of truancy records.

HB 2398 was passed by (Record 1014): 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; 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; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent — Dukes; Hughes; Hunter; King, K.; Leach; Peña; Rodriguez, E.; Spitzer.

STATEMENTS OF VOTE

When Record No. 1014 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

When Record No. 1014 was taken, I was temporarily out of the house chamber. I would have voted yes.

Spitzer

HB 2524 ON THIRD READING
(by Coleman)

HB 2524, A bill to be entitled An Act relating to legal services provided by a district or county attorney to county and precinct officials.

HB 2524 was passed by (Record 1015): 138 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Ashby; Aycok; 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; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; 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, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Bell; Rinaldi; Schaefer; Turner, E.S.

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

Absent — Anchia; Hunter; Keough; Leach; Martinez Fischer; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 1015 was taken, my vote failed to register. I would have voted yes.

Anchia

When Record No. 1015 was taken, I was in the house but away from my desk. I would have voted yes.

Keough

HB 2486 ON THIRD READING
(by Keffer, Lucio, and Fallon)

HB 2486, A bill to be entitled An Act relating to the right of a person to enter the person's residence or former residence accompanied by a peace officer to recover certain personal property; creating an offense.

HB 2486 was passed by (Record 1016): 145 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent — Dukes; Faircloth; Rodriguez, E.

STATEMENT OF VOTE

When Record No. 1016 was taken, my vote failed to register. I would have voted yes.

Faircloth

HB 2739 ON THIRD READING
(by Capriglione, Simmons, Goldman, Fallon, et al.)

HB 2739, A bill to be entitled An Act relating to the use of a concealed handgun license as valid proof of personal identification.

HB 2739 was passed by (Record 1017): 133 Yeas, 7 Nays, 2 Present, not voting.

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

Goldman; Gonzales; Guerra; Guillen; Gutierrez; Harless; Hernandez; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; 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 — Bernal; Collier; Dutton; González; Howard; Israel; Martinez Fischer.

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

Absent — Coleman; Deshotel; Dukes; Herrero; Hughes; Naishtat; Rodriguez, E.; Rodriguez, J.

STATEMENTS OF VOTE

When Record No. 1017 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1017 was taken, I was shown voting yes. I intended to vote no.

Giddings

When Record No. 1017 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

HB 2835 ON THIRD READING

(by S. King)

HB 2835, A bill to be entitled An Act relating to the name of the program serving certain persons with special health care needs and prioritizing services provided under the program.

HB 2835 was passed by (Record 1018): 138 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; Canales; Capriglione; Clardy; 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; Guillen; Gutierrez; Harless; Hernandez; Herrero; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Koop; Krause; Kuempel;

Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; 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; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Howard; Israel; Minjarez; Stickland.

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

Absent — Davis, Y.; Dukes; Klick; Reynolds; Rodriguez, E.; Sheffield.

STATEMENTS OF VOTE

When Record No. 1018 was taken, I was shown voting yes. I intended to vote no.

Anchia

When Record No. 1018 was taken, I was in the house but away from my desk. I would have voted yes.

E. Rodriguez

When Record No. 1018 was taken, I was in the house but away from my desk. I would have voted yes.

Sheffield

HB 2891 ON THIRD READING (by Otto, Murr, and Fallon)

HB 2891, A bill to be entitled An Act relating to certain reporting requirements for taxable entities.

HB 2891 was passed by (Record 1019): 144 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; 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; 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; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; 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.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent — Dukes; King, S.; Paul; Rodriguez, E.

STATEMENT OF VOTE

When Record No. 1019 was taken, I was in the house but away from my desk. I would have voted yes.

Paul

HB 65 ON THIRD READING

(by McClendon, Naishtat, Zerwas, Coleman, et al.)

HB 65, A bill to be entitled An Act relating to disease control pilot programs to reduce the risk of certain communicable diseases; authorizing fees.

HB 65 was passed by (Record 1020): 85 Yeas, 61 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bernal; Blanco; Burns; Burrows; Canales; Clardy; Coleman; Collier; Cook; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farrar; Flynn; Frank; Galindo; Geren; Giddings; González; Guerra; Gutierrez; Harless; Hernandez; Herrero; Howard; Hunter; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, S.; King, T.; Koop; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Meyer; Miles; Minjarez; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Peña; Pickett; Raney; Raymond; Reynolds; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Simpson; Spitzer; Stickland; Thompson, S.; Tinderholt; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, M.; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Capriglione; Craddick; Crownover; Cyrier; Dale; Elkins; Fallon; Farney; Fletcher; Frullo; Goldman; Gonzales; Guillen; Huberty; Hughes; Isaac; King, P.; Klick; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Metcalf; Miller, D.; Miller, R.; Morrison; Murr; Paddie; Parker; Paul; Phelan; Phillips; Price; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Sheets; Simmons; Smith; Smithee; Springer; Stephenson; Thompson, E.; Turner, E.S.; White, J.; Workman; Wray; Zedler.

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

Absent — Dukes; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 1020 was taken, I was shown voting yes. I intended to vote no.

Ashby

When Record No. 1020 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1020 was taken, I was shown voting yes. I intended to vote no.

Schubert

HB 114 ON THIRD READING

(by Flynn, Dale, Shaheen, Parker, Capriglione, et al.)

HB 114, A bill to be entitled An Act relating to the issuance of certain capital appreciation bonds by political subdivisions.

HB 114 was passed by (Record 1021): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; 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, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent — Dukes; Hughes; McClendon; Rodriguez, E.; White, J.

STATEMENTS OF VOTE

When Record No. 1021 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

When Record No. 1021 was taken, I was in the house but away from my desk. I would have voted yes.

J. White

HB 2950 ON THIRD READING
(by **Klick, Price, Fallon, Crownover, et al.**)

HB 2950, A bill to be entitled An Act relating to the Task Force on Infectious Disease Preparedness and Response.

HB 2950 was passed by (Record 1022): 142 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Muñoz; 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; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Simpson; Stickland; Tinderholt.

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

Absent — Dukes; Morrison; Rodriguez, E.

HB 2131 ON THIRD READING
(by **S. Davis, Zerwas, and Burkett**)

HB 2131, A bill to be entitled An Act relating to the designation of centers of excellence to achieve healthy fetal outcomes in this state.

HB 2131 was passed by (Record 1023): 140 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; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson;

Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; Springer; Stephenson; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Rinaldi; Simpson; Spitzer; Stickland.

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

Absent — Canales; Capriglione; Dukes; Rodriguez, E.

STATEMENT OF VOTE

When Record No. 1023 was taken, I was temporarily out of the house chamber. I would have voted yes.

Canales

HB 1733 ON THIRD READING

(by Smithee)

HB 1733, A bill to be entitled An Act relating to automobile liability insurance for transportation network company drivers.

HB 1733 was passed by (Record 1024): 136 Yeas, 7 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Burrows; 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; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; 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; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Rinaldi; Schaefer; Shaheen; Stickland; Tinderholt; Turner, E.S.

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

Absent — Bonnen, G.; Dukes; Rodriguez, E.; Vo.

STATEMENTS OF VOTE

When Record No. 1024 was taken, my vote failed to register. I would have voted yes.

G. Bonnen

When Record No. 1024 was taken, I was shown voting yes. I intended to vote no.

Hunter

HB 1268 ON THIRD READING

(by Frank, Burkett, Raymond, Rose, and Price)

HB 1268, A bill to be entitled An Act relating to monetary assistance by the Department of Family and Protective Services provided to foster parents and relative or designated caregivers for day-care services.

HB 1268 was passed by (Record 1025): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; 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.; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent — Dukes; Rodriguez, E.; VanDeaver.

STATEMENT OF VOTE

When Record No. 1025 was taken, I was shown voting yes. I intended to vote no.

Hunter

HB 867 ON THIRD READING**(by Hernandez, S. King, Farias, Blanco, Martinez Fischer, et al.)**

HB 867, A bill to be entitled An Act relating to the establishment and operation of the Texas Women Veterans Program.

HB 867 was passed by (Record 1026): 122 Yeas, 24 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Aycock; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Button; Canales; Capriglione; Clardy; 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, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Peña; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Smith; Smithee; Stephenson; Stickland; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Ashby; Bell; Bonnen, G.; Burrows; Fallon; Goldman; Krause; Laubenberg; Leach; Metcalf; Paul; Phelan; Rinaldi; Sheets; Simmons; Simpson; Spitzer; Springer; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; Workman.

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

Absent — Dukes; VanDeaver.

STATEMENTS OF VOTE

When Record No. 1026 was taken, I was shown voting yes. I intended to vote no.

Phillips

When Record No. 1026 was taken, I was shown voting no. I intended to vote yes.

Villalba

HB 1267 ON THIRD READING**(by S. Thompson, Naishtat, et al.)**

HB 1267, A bill to be entitled An Act relating to the eligibility of certain persons for the supplemental nutrition assistance program.

Amendment No. 1

Representative S. Thompson offered the following amendment to **HB 1267**:

Amend **HB 1267** on third reading by striking Section 33.018(c), Human Resources Code, as added by Amendment No. 1 by Simmons on second reading, and substituting the following:

(c) A person convicted of an offense described by Subsection (b) who is receiving supplemental nutrition assistance program benefits and who is convicted of a subsequent felony offense, regardless of the elements of the offense, is ineligible for the supplemental nutrition assistance program.

Amendment No. 1 was adopted.

HB 1267, as amended, was passed by (Record 1027): 92 Yeas, 49 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bernal; Blanco; Burkett; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cyrier; Dale; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farney; Farrar; Frank; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Isaac; Israel; Johnson; Keffer; King, K.; King, P.; King, T.; Koop; Kuempel; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Peña; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Simmons; Simpson; Smith; Smithee; Stephenson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Craddick; Crownover; Darby; Faircloth; Fallon; Fletcher; Flynn; Frullo; Geren; Goldman; Hughes; Hunter; Kacal; Klick; Krause; Landgraf; Larson; Laubenberg; Leach; Metcalf; Meyer; Murr; Paddie; Parker; Paul; Phelan; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Sheets; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; White, M.; Wray; Zedler.

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

Absent — Button; Dukes; Elkins; Keough; King, S.; Miller, D.; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 1027 was taken, I was shown voting yes. I intended to vote no.

Capriglione

When Record No. 1027 was taken, I was shown voting yes. I intended to vote no.

Frank

When Record No. 1027 was taken, I was in the house but away from my desk. I would have voted no.

Keough

When Record No. 1027 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 1027 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1027 was taken, I was shown voting no. I intended to vote yes.

Parker

**HB 1396 ON THIRD READING
(by Workman)**

HB 1396, A bill to be entitled An Act relating to strict construction of certain statutes that create or define criminal offenses and penalties.

HB 1396 was passed by (Record 1028): 142 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; Canales; Capriglione; Clardy; Coleman; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; 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; Lucio; 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, 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.; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Collier; Dutton.

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

Absent — Dukes; Lozano; Rodriguez, E.; VanDeaver.

**HB 1842 ON THIRD READING
(by Aycock, Dutton, Bohac, E. Rodriguez, and Farney)**

HB 1842, A bill to be entitled An Act relating to the intervention in and sanction of a public school that has received an academically unsuccessful performance rating for at least two consecutive school years.

Amendment No. 1

Representative Aycock offered the following amendment to **HB 1842**:

Amend **HB 1842** on third reading by striking the subsections added to Section 39.107, Education Code, on second reading by Amendment No. 3 by E. Rodriguez.

Amendment No. 1 was adopted.

HB 1842, as amended, was passed by (Record 1029): 143 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; 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; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffèr; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; 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.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Rinaldi.

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

Absent — Dukes; Martinez Fischer; Peña; Turner, S.

HB 2544 ON THIRD READING
(by Lozano and Schubert)

HB 2544, A bill to be entitled An Act relating to adverse possession of real property by a cotenant heir against other cotenant heirs.

(Speaker in the chair)

HB 2544 was passed by (Record 1030): 119 Yeas, 22 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; González; Guillen; Harless; Hernandez; Herrero; Huberty; Hunter; Isaac; Johnson; Kacal;

Keffer; Keough; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Metcalf; Meyer; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Murr; Nevárez; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Rodriguez, J.; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Alonzo; Bernal; Canales; Collier; Davis, Y.; Dutton; Guerra; Gutierrez; Howard; Hughes; Israel; Miles; Minjarez; Oliveira; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Romero; Thompson, S.; Wu.

Present, not voting — Mr. Speaker(C).

Absent — Bell; Dukes; Farrar; Giddings; King, S.; Klick; Naishtat; VanDeaver.

STATEMENTS OF VOTE

When Record No. 1030 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

When Record No. 1030 was taken, I was in the house but away from my desk. I would have voted no.

Naishtat

HB 177 ON THIRD READING

(by Zedler, Flynn, Geren, C. Anderson, Zerwas, et al.)

HB 177, A bill to be entitled An Act relating to the research, collection, and use of adult stem cells.

HB 177 was passed by (Record 1031): 147 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent — Deshotel; Dukes.

STATEMENT OF VOTE

When Record No. 1031 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 1630 ON THIRD READING (by Romero)

HB 1630, A bill to be entitled An Act relating to certain limitations on settlement agreements with a governmental unit.

HB 1630 was passed by (Record 1032): 117 Yeas, 26 Nays, 2 Present, not voting.

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

Nays — Anderson, C.; Anderson, R.; Bell; Burrows; Capriglione; Cyrier; Dale; Frank; Isaac; King, P.; Landgraf; Leach; Minjarez; Morrison; Murr; Paddie; Paul; Phelan; Phillips; Rinaldi; Rodriguez, J.; Sanford; Schubert; Stickland; Turner, E.S.; Villalba.

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

Absent — Dukes; Farney; Guerra; Oliveira; Spitzer.

STATEMENTS OF VOTE

When Record No. 1032 was taken, I was shown voting present, not voting. I intended to vote yes.

Collier

When Record No. 1032 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 1032 was taken, I was in the house but away from my desk. I would have voted no.

Farney

When Record No. 1032 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1032 was taken, I was in the house but away from my desk. I would have voted yes.

Guerra

When Record No. 1032 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 1032 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1032 was taken, I was shown voting no. I intended to vote yes.

Phelan

HB 1829 ON THIRD READING **(by E. Thompson)**

HB 1829, A bill to be entitled An Act relating to increasing the punishment for assault committed against certain sports participants.

Amendment No. 1

Representative Rinaldi offered the following amendment to **HB 1829**:

Amend **HB 1829** on third reading in amended Section 22.01(c)(2), Penal Code, by striking "knows is a sports participant" and substituting "knows is a sports participant other than an athlete".

Amendment No. 1 was adopted.

HB 1829, as amended, was passed by (Record 1033): 133 Yeas, 12 Nays, 1 Present, not voting.

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

Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; 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; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; Smith; Smithee; Spitzer; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Zedler; Zerwas.

Nays — Collier; Dutton; Frank; Klick; Miles; Schaefer; Springer; Stickland; Tinderholt; White, J.; White, M.; Wu.

Present, not voting — Mr. Speaker(C).

Absent — Dukes; Hughes; Sheffield; Stephenson.

STATEMENTS OF VOTE

When Record No. 1033 was taken, I was in the house but away from my desk. I would have voted no.

Hughes

When Record No. 1033 was taken, I was shown voting yes. I intended to vote no.

Keough

HB 2187 ON THIRD READING

(by Smith, Morrison, Cook, S. Turner, Phelan, et al.)

HB 2187, A bill to be entitled An Act relating to the regulation of metal recycling entities; imposing an administrative penalty; amending provisions subject to a criminal penalty.

HB 2187 was passed by (Record 1034): 125 Yeas, 18 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycok; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burrows; Button; Canales; Capriglione; Coleman; Collier; Cook; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Howard; Huberty; Hughes; Hunter; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; Klick; Koop; Krause; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; 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.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Ashby; Burkett; Burns; Clardy; Craddick; Crownover; Frank; Frullo; Harless; Isaac; Kuempel; Muñoz; Murr; Pickett; Rinaldi; Schaefer; Shaheen; Stickland.

Present, not voting — Mr. Speaker(C).

Absent — Dukes; Galindo; Herrero; Keough; King, T.; Sheffield.

STATEMENTS OF VOTE

When Record No. 1034 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 1034 was taken, I was shown voting no. I intended to vote yes.

Isaac

When Record No. 1034 was taken, I was in the house but away from my desk. I would have voted no.

Keough

When Record No. 1034 was taken, I was in the house but away from my desk. I would have voted yes.

T. King

HB 2392 ON THIRD READING
(by Anchia and Keffer)

HB 2392, A bill to be entitled An Act relating to the establishment of a residential energy efficiency loan program.

HB 2392 was passed by (Record 1035): 81 Yeas, 59 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Aycock; Bernal; Blanco; Canales; Coleman; Collier; Cook; Crownover; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Frullo; Galindo; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Israel; Johnson; Keffer; King, K.; King, S.; King, T.; Koop; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Meyer; Miles; Miller, D.; Minjarez; Moody; Muñoz; Murphy; Naishtat; Oliveira; Peña; Pickett; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Simmons; Smith; Spitzer; Stephenson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; Wu; Zerwas.

Nays — Anderson, R.; Ashby; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Capriglione; Clardy; Craddick; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Geren; Goldman; Gonzales; Hughes;

Isaac; Kacal; Keough; King, P.; Klick; Krause; Laubenberg; Leach; Metcalf; Miller, R.; Murr; Nevárez; Otto; Paddie; Paul; Phelan; Phillips; Rinaldi; Schaefer; Schofield; Shaheen; Sheets; Simpson; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, J.; White, M.; Workman; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent — Burkett; Dukes; Farney; Hunter; Morrison; Parker; Price; Sanford; Smithee.

STATEMENTS OF VOTE

When Record No. 1035 was taken, I was shown voting no. I intended to vote yes.

Ashby

When Record No. 1035 was taken, I was in the house but away from my desk. I would have voted no.

Burkett

When Record No. 1035 was taken, I was shown voting no. I intended to vote yes.

Gonzales

When Record No. 1035 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 1035 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1035 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1035 was taken, I was shown voting no. I intended to vote yes.

Nevárez

When Record No. 1035 was taken, I was shown voting yes. I intended to vote no.

Spitzer

When Record No. 1035 was taken, I was shown voting no. I intended to vote yes.

Villalba

HB 2578 ON THIRD READING
(by Price and Faircloth)

HB 2578, A bill to be entitled An Act relating to the efficiency and consolidation of powers and duties within the health and human services system.

HB 2578 was passed by (Record 1036): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; 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; 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.; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Anchia; Dukes; VanDeaver.

HB 1150 ON THIRD READING
(by J. White, Stickland, Hughes, et al.)

HB 1150, A bill to be entitled An Act relating to the sale of fireworks on and before certain holidays; affecting a provision subject to a criminal penalty.

HB 1150 was passed by (Record 1037): 139 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Huberty; Hughes; 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; McClendon; Metcalf; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; 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.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Harless; Martinez Fischer; Minjarez; Murr; Wu.

Present, not voting — Mr. Speaker(C).

Absent — Dukes; Gonzales; Hunter; Meyer; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 1037 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

When Record No. 1037 was taken, I was in the house but away from my desk. I would have voted yes.

Meyer

When Record No. 1037 was taken, I was shown voting yes. I intended to vote no.

J. Rodriguez

HB 1532 ON THIRD READING (by Geren)

HB 1532, A bill to be entitled An Act relating to quarterly reporting of political contributions and expenditures by certain candidates, officeholders, and political committees; adding provisions subject to a criminal penalty.

HB 1532 was passed by (Record 1038): 145 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; 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; 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; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

Present, not voting — Mr. Speaker(C).

Absent — Dukes; Howard; McClendon.

STATEMENT OF VOTE

When Record No. 1038 was taken, I was shown voting no. I intended to vote yes.

Stickland

HB 1132 ON THIRD READING (by Workman)

HB 1132, A bill to be entitled An Act relating to the regulation of certain policy forms used for insuring certain large risks.

HB 1132 was passed by (Record 1039): 138 Yeas, 7 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; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zerwas.

Nays — Craddick; Flynn; Isaac; Keough; Krause; Rinaldi; Zedler.

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

Absent — Dukes; Sanford.

STATEMENT OF VOTE

When Record No. 1039 was taken, I was shown voting yes. I intended to vote no.

Shaheen

HB 1308 ON THIRD READING
(by Schofield, Israel, and Reynolds)

HB 1308, A bill to be entitled An Act relating to the method of returning a ballot to be voted by mail.

HB 1308 was passed by (Record 1040): 141 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; 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; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Bernal; Martinez Fischer; Nevárez; Rodriguez, J.

Present, not voting — Mr. Speaker(C).

Absent — Dukes; González; Herrero; Huberty.

HB 1810 ON THIRD READING
(by Giddings)

HB 1810, A bill to be entitled An Act relating to the sale of prison-made products to certain persons.

HB 1810 was passed by (Record 1041): 144 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; 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; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; 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, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Dale; Gonzales; Hughes; White, J.

Present, not voting — Mr. Speaker(C).

Absent — Dukes.

HB 283 ON THIRD READING

(by Fallon, Márquez, Capriglione, E. Rodriguez, Rinaldi, et al.)

HB 283, A bill to be entitled An Act relating to the requirement that certain governmental bodies make audio and video recordings of open meetings available on the Internet.

Amendment No. 1

Representative Fallon offered the following amendment to **HB 283**:

Amend **HB 283**, on third reading, in added Section 551.128(b-1), Government Code, by striking "population of 100,000" and substituting "population of 125,000".

Amendment No. 1 was adopted.

HB 283, as amended, was passed by (Record 1042): 143 Yeas, 4 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; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; 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; Keffer; Keough; 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; 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 — Burns; Dale; Kacal; King, K.

Present, not voting — Mr. Speaker(C).

Absent — Dukes; Shaheen.

STATEMENT OF VOTE

When Record No. 1042 was taken, I was in the house but away from my desk. I would have voted yes.

Shaheen

HR 2495 - ADOPTED

(by Wu)

Representative Wu moved to suspend all necessary rules to take up and consider at this time **HR 2495**.

The motion prevailed.

The following resolution was laid before the house:

HR 2495, Commending Nishiki Maredia for her service as a legislative aide in the office of State Representative Gene Wu.

HR 2495 was adopted.

HR 2774 - ADOPTED

(by Wu)

Representative Wu moved to suspend all necessary rules to take up and consider at this time **HR 2774**.

The motion prevailed.

The following resolution was laid before the house:

HR 2774, Commending Katrina Wilkinson on her service as a legislative aide in the office of State Representative Gene Wu.

HR 2774 was adopted.

HR 2392 - ADOPTED

(by Kacal)

Representative Kacal moved to suspend all necessary rules to take up and consider at this time **HR 2392**.

The motion prevailed.

The following resolution was laid before the house:

HR 2392, Commemorating the unveiling of an Official Texas Historical Marker at Long Branch Cemetery in Falls County.

HR 2392 was adopted.

(Speaker pro tempore in the chair)

POSTPONED BUSINESS

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

CSHB 3113 ON SECOND READING
(by Gonzales and Schaefer)

CSHB 3113, A bill to be entitled An Act relating to the authority of certain municipalities to pledge revenue from the municipal hotel occupancy tax for the payment of obligations related to hotel projects.

CSHB 3113 was read second time on May 11, postponed until May 12, amendments were offered and disposed of, and **CSHB 3113** was again postponed until 8 p.m. May 12.

Amendment No. 3

Representative Guillen offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a municipality located in a county with a population of 50,000 or more that includes the International Falcon Reservoir within its boundaries, a municipality located in a county that is located on the Gulf of Mexico and borders a county that is located on the Gulf of Mexico and has a population of 400,000 or more, a municipality located in a county with a population of more than 46,900 that is adjacent to a county with a population of more than 1.5 million that contains a municipality in which more than 75 percent of the population of the county reside,".

Amendment No. 3 was adopted.

Amendment No. 4

Representative Canales offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, by striking "counties," and substituting "counties; a municipality located in a county that is on the Texas-Mexico border, has a population of 500,000 or more, and is adjacent to two or more counties, each having a population of 50,000 or more;".

Amendment No. 4 was adopted.

Amendment No. 5

Representative Sanford offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, by striking "counties," and substituting "counties; a municipality with a population of at least 130,000 but not more than 139,000;".

Amendment No. 5 was adopted.

Amendment No. 6

Representative Lozano offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, by striking "counties," and substituting "counties, a municipality with a population of not less than 15,000 or more than 25,000 that is located in a county that borders a county that borders the Gulf of Mexico and has a population of less than 40,000,".

Amendment No. 6 was adopted.

Amendment No. 7

On behalf of Representative Lucio, Representative Canales offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, by striking "counties," and substituting "counties; a municipality located in a county that is on the Texas-Mexico border and that borders the Gulf of Mexico,".

Amendment No. 7 was adopted.

Amendment No. 8

Representative Sheffield offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a municipality with a population of 32,000 or more that is adjacent to a United States military installation and is located in a county with a population of less than 76,000,".

Amendment No. 8 was adopted.

Amendment No. 9

Representative Springer offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 13, between "the" and "tax", by inserting "local portion of the".

Amendment No. 9 was withdrawn.

Amendment No. 10

Representative Springer offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 13, between "the" and "tax", by inserting "local portion of the".

Representative Gonzales moved to table Amendment No. 10.

The motion to table was lost.

Amendment No. 10 failed of adoption.

Amendment No. 11

Representative Sheffield offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a municipality with a population of 17,000 or more that is located in a county with a population of more than 37,000 and less than 38,000,".

CSHB 3113 - POINT OF ORDER

Representative Springer raised a point of order against further consideration of **CSHB 3113** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative Springer raised a point of order against further consideration of **CSHB 3113** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis to **CSHB 3113** is incorrect. The point of order is respectfully overruled.

Rule 4, Section 32(c) of the House Rules requires each committee report on a bill to "include in summary or section-by-section form a detailed analysis of the subject matter of the bill." Rule 4, Section 32(c) of the House Rules. Representative Springer asserts the bill analysis does not adequately explain that the bill's provision referring to municipalities "described by this subsection" applies to municipalities fitting three descriptions: (1) eligible central municipalities, (2) municipalities with a population of 173,000 or more that is located within two or more counties, and (3) municipalities with a population of 96,000 or more located in a county that borders Lake Palestine or contains the headwaters of the San Gabriel River. He argues that the bill analysis authorizes only a municipality with a population of 173,000 or more while omitting the other two types of municipalities. The analysis states: "The bill makes the authorization for a municipality with a population of 173,000 or more that is located within two counties to pledge that revenue for those purposes applicable to a municipality with that same population located within two or more counties." In addition to accurately summarizing this change, the analysis explains "**CSHB 3113** amends the Tax Code to include a municipality with a population of 96,000 or more that is located in a county that borders Lake Palestine or contains the headwaters of the San Gabriel River among the municipalities authorized to pledge revenue derived from the municipal hotel occupancy tax from certain hotel projects for payment of obligations issued or incurred to acquire, lease, construct, and equip the hotels and any facilities ancillary to the hotels." Thus, the bill analysis addresses these two types of municipalities, which are added or amended by **CSHB 3113**. The "Analysis" section of the bill analysis does not mention changes to an "eligible central municipality" because this category was already among the types of municipalities authorized to pledge revenue from the municipal hotel occupancy tax under the existing subsection. The bill analysis, therefore, adequately addressed the municipalities encompassed in those "described by this subsection." Having thoroughly reviewed the bill and the analysis, the chair determines that the point of order should be overruled.

Amendment No. 11 was adopted.

Amendment No. 12

Representative Sheffield offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a municipality with a population of 2,440 or more that is located in a county with a population of more than 8,300 and less than 8,500.".

Amendment No. 12 was adopted.

Amendment No. 13

Representative Stickland offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a municipality with a population of more than 37,000 but less than 37,400, a municipality with a population of more than 50,000 but less than 52,000, and a municipality with a population of more than 46,950 but less than 47,300.".

Amendment No. 13 was adopted.

Amendment No. 14

Representative Sheffield offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a municipality with a population of 15,750 or more that is adjacent to a United States military installation and is located in a county with a population of less than 76,000.".

Amendment No. 14 was adopted.

Amendment No. 15

Representatives Burrows and Frullo offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a municipality located in a county with a population of 280,000 or less in which the county seat is a municipality with a population of 195,000 or more.".

Amendment No. 15 was adopted.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Smithee requested permission for the Committee on Judiciary and Civil Jurisprudence to meet while the house is in session, at 1:25 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Judiciary and Civil Jurisprudence, 1:25 p.m. today, 3W.9, for a formal meeting, to consider pending business.

CSHB 3113 - (consideration continued)**Amendment No. 16**

Representative Metcalf offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a municipality located in a county with a population of not less than 455,000 or more than 580,000."

Amendment No. 16 was adopted.

Amendment No. 17

Representative Murr offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a municipality with a population of 22,200 or more that is located in a county with a population of more than 49,000 and less than 49,700."

Amendment No. 17 was adopted.

Amendment No. 18

Representative Sheffield offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a municipality with a population of 5,000 or more that is located in a county with a population of more than 8,100 and less than 8,400."

Amendment No. 18 was adopted.

Amendment No. 19

Representatives Márquez, Pickett, and Moody offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 351.001(7), Tax Code, is amended to read as follows:

(7) "Eligible central municipality" means:

(A) a municipality with a population of more than 140,000 but less than 1.5 million that is located in a county with a population of one million or more and that has adopted a capital improvement plan for the expansion of an existing convention center facility; ~~or~~

(B) a municipality with a population of 250,000 or more that:

(i) is located wholly or partly on a barrier island that borders the Gulf of Mexico;

(ii) is located in a county with a population of 300,000 or more; and

(iii) has adopted a capital improvement plan to expand an existing convention center facility;

(C) a municipality with a population of 640,000 or more that:
(i) is located on an international border; and
(ii) has adopted a capital improvement plan for the
construction or expansion of a convention center facility.

Amendment No. 19 was adopted.

Amendment No. 20

Representative Faircloth offered the following amendment to **CSHB 3113**:

Amend **CSHB 3113** (house committee printing) on page 1, line 10, between "counties," and "or" by inserting "a county that borders the Gulf of Mexico, a municipality with a population of 5,000 or more."

Amendment No. 20 was adopted.

CSHB 3113, as amended, failed to pass to engrossment by (Record 1043):
 54 Yeas, 88 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Deshotel; Faircloth; Farias; Farney; Gonzales; González; Guerra; Guillen; Hernandez; Herrero; Howard; Hughes; Isaac; Israel; Johnson; King, S.; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martínez; Minjarez; Moody; Muñoz; Naishtat; Oliveira; Peña; Pickett; Raymond; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Sheffield; Stephenson; Thompson, S.; Turner, C.; Villalba; Vo; Walle; Workman; Wu.

Nays — Allen; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Dutton; Elkins; Fallon; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gutierrez; Harless; Huberty; Hunter; Kacal; Keffer; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Nevárez; Otto; Paddie; Parker; Paul; Phelan; Price; Raney; Reynolds; Riddle; Rinaldi; Rose; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; White, J.; White, M.; Wray; Zedler; Zerwas.

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

Absent — Dale; Dukes; Keough; Leach; McClendon; Phillips.

STATEMENTS OF VOTE

When Record No. 1043 was taken, I was shown voting no. I intended to vote yes.

Burrows

When Record No. 1043 was taken, I was shown voting yes. I intended to vote no.

Farney

When Record No. 1043 was taken, I was in the house but away from my desk. I would have voted no.

Keough

When Record No. 1043 was taken, I was in the house but away from my desk. I would have voted no.

Leach

When Record No. 1043 was taken, my vote failed to register. I would have voted no.

Phillips

(Sheets in the chair)

CSHB 2271 ON SECOND READING
(by Sheffield, Y. Davis, Zerwas, and Klick)

CSHB 2271, A bill to be entitled An Act relating to a pilot program for donation and redistribution of certain unused prescription medications; authorizing a fee.

CSHB 2271 was read second time on May 12, postponed until 5 p.m. May 12, and was again postponed until 8 p.m. May 12.

Amendment No. 1

Representative Y. Davis offered the following amendment to **CSHB 2271**:

Amend **CSHB 2271** (house committee report) on page 6, line 5, between "good faith" and "in providing", by inserting "and with reasonable care".

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Y. Davis offered the following amendment to **CSHB 2271**:

Amend **CSHB 2271** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) As soon as practicable after the effective date of this Act, the Department of State Health Services shall conduct a study to determine the feasibility of establishing a program under which:

(1) a hospital, a nursing facility, or another health facility may transfer to the department, or an entity designated by the department, for no payment, unused drugs that the hospital, nursing facility, or health facility received reimbursement for the cost of under Medicaid; and

(2) the department, or the entity designated by the department, distributes to public hospitals the unused drugs transferred to the department or entity under Subdivision (1) of this subsection.

(b) In conducting the study under Subsection (a) of this section, the Department of State Health Services shall consider the rules the executive commissioner of the Health and Human Services Commission may need to adopt to implement the program described in Subsection (a) of this section, including rules that provide for:

- (1) the types of unused drugs that may be transferred to the department or an entity designated by the department;
- (2) the procedures for transferring unused drugs to the department or the entity designated by the department;
- (3) the procedures for allocating and distributing the unused drugs to public hospitals; and
- (4) the qualifications for an entity to be designated by the department to receive and distribute unused drugs under the program, including demonstrated expertise in handling, storing, and assessing prescription and nonprescription drugs and coordinating with the state's public hospital system.

(c) Not later than September 1, 2016, the Department of State Health Services shall submit to the legislature a report containing the findings of the study conducted under Subsection (a) of this section.

Amendment No. 2 was adopted by (Record 1044): 119 Yeas, 25 Nays, 3 Present, not voting.

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

Nays — Bell; Bonnen, G.; Burns; Burrows; Faircloth; Fallon; Goldman; Keough; Krause; Laubenberg; Metcalf; Rinaldi; Schaefer; Shaheen; Simmons; Simpson; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; White, J.; Wray.

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

Absent — Dukes; Gutierrez; Pickett.

STATEMENT OF VOTE

When Record No. 1044 was taken, I was shown voting no. I intended to vote yes.

Burns

CSHB 2271, as amended, was passed to engrossment.

HB 3787 ON SECOND READING
(by G. Bonnen)

HB 3787, A bill to be entitled An Act relating to a claim filing period and contractual limitations period in certain property insurance policies.

HB 3787 was read second time on May 11 and was postponed until 7 p.m. May 11. **HB 3787** was laid out as postponed business on May 12, amendments were offered and disposed of, **HB 3787** was postponed until 2:45 p.m. May 12, postponed until 7:45 p.m. May 12, amendments were offered and disposed of, and **HB 3787** was again postponed until 11 p.m. May 12. Amendment No. 4 was pending at the time of postponement.

Amendment No. 4 was withdrawn.

Amendment No. 5

Representative J. Rodriguez offered the following amendment to **HB 3787**:

Amend **HB 3787** (house committee printing) as follows:

(1) On page 1, line 17, between "claim" and the semicolon, insert the following:

"if the insurer has notified the insured by certified mail, return receipt requested, that the insurer has accepted or rejected the claim and has notified the insured in writing that the insured must file suit on the claim within two years of the date the insurer accepted or rejected the claim"

(2) On page 1, strike lines 18-19 and substitute the following:

(2) three years from the date that the insured discovered or, by the exercise of reasonable diligence, should have discovered that the insurer accepted or rejected the claim."

(3) On page 1, lines 22-23, strike "the date of the loss that is the subject of the claim" and substitute "the date that the insured discovered or, by the exercise of reasonable diligence, should have discovered the loss that is the subject of the claim".

Amendment No. 5 was adopted.

Amendment No. 6

Representative Simpson offered the following amendment to **HB 3787**:

Amend **HB 3787** (house committee printing) as follows:

(1) On page 1, lines 9-10, strike "Notwithstanding Section 16.070, Civil Practice and Remedies Code, a" and substitute "A".

(2) Strike page 1, line 24, through page 2, line 4.

(3) Redesignate subsections accordingly.

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

The motion to table prevailed by (Record 1045): 120 Yeas, 15 Nays, 3 Present, not voting.

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

Nays — Anchia; Canales; Flynn; Keough; King, T.; Lucio; Rodriguez, E.; Schaefer; Simpson; Spitzer; Stephenson; Turner, C.; White, M.; Wu; Zedler.

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

Absent — Bernal; Burkett; Coleman; Dukes; Guillen; Herrero; King, S.; McClendon; Naishtat; Pickett; Raney; Raymond.

STATEMENT OF VOTE

When Record No. 1045 was taken, I was in the house but away from my desk. I would have voted yes.

Naishtat

HB 3787, as amended, was passed to engrossment. (Miles and D. Miller recorded voting present, not voting.)

CSHB 1490 ON SECOND READING (by Huberty, Deshotel, Romero, and Reynolds)

CSHB 1490, A bill to be entitled An Act relating to public school interventions for truancy and eliminating a criminal penalty and authorizing a civil penalty for truancy.

CSHB 1490 was read second time on May 5, postponed until May 11, and was again postponed until 5 a.m. today.

Representative Huberty moved to postpone consideration of **CSHB 1490** until 11 p.m. today.

The motion prevailed.

SB 1280 ON SECOND READING
(Otto - House Sponsor)

SB 1280, A bill to be entitled An Act relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.

SB 1280 was considered in lieu of **CSHB 3330**.

SB 1280 was read second time and was passed to third reading.

CSHB 3330 - LAID ON THE TABLE SUBJECT TO CALL

Representative Otto moved to lay **CSHB 3330** on the table subject to call.

The motion prevailed.

CSHB 1485 ON SECOND READING
(by E. Rodriguez, Harless, Miles, C. Turner, Isaac, et al.)

CSHB 1485, A bill to be entitled An Act relating to the establishment of a grocery access investment fund program.

CSHB 1485 was read second time on May 12 and was postponed until 5 a.m. today.

Representative E. Rodriguez moved to postpone consideration of **CSHB 1485** until 3 p.m. today.

The motion prevailed.

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.

SB 455 ON SECOND READING
(Schofield - House Sponsor)

SB 455, A bill to be entitled An Act relating to special three-judge district courts convened to hear certain cases.

SB 455 was considered in lieu of **CSHB 1091**.

SB 455 was read second time.

SB 455 - REMARKS

REPRESENTATIVE SCHOFIELD: **SB 455** would allow more Texans to have a say in choosing the judges who will decide major state areas of policy, particularly school finance cases and redistricting cases. This bill would allow, also, for more hands on the issue. It would allow three judges' sets of eyes, rather than one, to determine major areas of state policy that affect all 254 counties of Texas. Major litigation about important state programs or state finances affect all Texans no matter where they are from. School finance litigation is no more important to the people in Austin than it is to the people in Katy, or in

Nacogdoches, or Amarillo. Yet under current law, the major lawsuits that affect the state as a whole on these issues are tried before a single district judge who is elected by, and accountable to, the voters of only a single county, leaving the other 253 counties without any say in choosing the judge who will hear the case. This system gives the voters of just that one county 100 percent of the say. There's no good justification for such a system, not when there's a clear and obvious alternative. **SB 455** addresses the problem by providing a mechanism for a panel of three judges, each of whom represents a different part of the state, to hear and decide litigation of statewide importance.

Justice is better served by having more than one judge's perspective in cases involving the most complex and important legal issues, and in having the voters of more than just one county get to choose those judges. There will be arguments made that it doesn't really matter what the district judge decides because the Supreme Court is eventually going to rule on the case anyway. Nothing could be further from the truth. The district judge who hears a case decides which witnesses will be heard, what lines of testimony will be allowed, and therefore creates the record that the Supreme Court will be limited to when they are making their decision. I think it is very important to have a broader ability for more people to participate in making the decision of what is going to be in the record that the Supreme Court hears. Moreover, because the state judges are elected at the county level, the need for the type of panel that we are asking for here is even more pronounced than it is at the federal level where such a panel already exists. The redistricting case that created the districts we're all serving in today was decided by a three-judge panel at the federal level. Additionally, there are several other states that use three-judge panels for all manner of suits, including at least one that currently has an ongoing case involving school finance and another that currently has a state law involving redistricting. There are also states that provide ad hoc for three-judge panels. The State of Ohio, for example, has a permanent three-judge panel for all cases before the Court of Claims.

I just want to state now what the bill that is before us does, and one thing that it does not do that was in the filed version. The bill before us would allow the attorney general to petition the chief justice for a three-judge panel in one of two types of cases: challenges to the finance or operations of the public school system, or apportionment of districts in redistricting. At that point, the chief justice would convene a three-judge panel and appoint two other judges. The judge in whose court the case is originally assigned would be on the case. So the plaintiff, as today, can pick where they want the case tried and they get that judge. Additionally, the chief justice would pick a district judge from another county—so the voters of another county would have a say—and, much like in the federal law, would pick an appellate judge in the case from a district that doesn't oversee either of those two federal judges. The bill does not include a provision that was in the original bill that caused some controversy and that we were more than willing to work with the stakeholders and concerned people to make sure that it came out of the bill. That was a provision that was discretionary and would allow the attorney general, in other major state litigation, to ask for a three-judge

panel and the Supreme Court's chief justice could then decide whether or not to grant one. That is no longer in the bill, so the bill only applies to cases involving redistricting or school finance.

REPRESENTATIVE MOODY: Mr. Schofield, let me start with the last part you said. There's a mandatory proceedings Section 22A.001 under the bill, that's still intact? That's relating to redistricting and school finance, is that correct?

SCHOFIELD: That is correct. If the attorney general petitions for a three-judge panel in those cases, then a panel will be convened.

MOODY: Those are cases in which the attorney general is likely a party, correct?

SCHOFIELD: Or is likely defending a party, yes.

MOODY: That is a party to the litigation.

SCHOFIELD: No, I would presume the state would be a party—

MOODY: A participant in the litigation is what I guess it is.

SCHOFIELD: Yes, he would be representing a defendant.

MOODY: Fair enough. So the discretionary provision, 22A.002, that no longer is part of this bill?

SCHOFIELD: That's not in the bill. All of that next page and a half is out.

MOODY: In the mechanics of this bill, is the attorney general's request to the chief justice of the Texas Supreme Court the appointment of a three-judge panel in these two circumstances?

SCHOFIELD: Correct.

MOODY: Are you aware that no minority candidate of choice has won statewide election in over 20 years?

SCHOFIELD: I don't look at the results by how different ethnic groups vote and so I don't know that.

MOODY: Well, there are metrics that are used and testified to in the federal redistricting case, and so the idea of who a minority candidate of choice is is well settled and is terminology used in those court cases. It's something that's not really contested in there. Just so the body knows, there has been no minority candidate of choice elected to statewide office in the last 20 years. What we're doing is taking a local district judge who may be a minority candidate of choice at their local level and we are usurping, or at least limiting—because they are still going to be a part of the three-judge panel, right?

SCHOFIELD: The judge who is assigned the case would still be on the panel.

MOODY: So we are taking their influence, which would be as the presiding judge of the matter, and diluting it to the point in which they are now part of a three-judge panel?

SCHOFIELD: I'm sorry, I was distracted, could you repeat the question, please?

MOODY: Currently a district judge who is maybe elected, may be the minority candidate of choice at a district level—

SCHOFIELD: Or may not.

MOODY: Or may not be, that may be the case. Their ability to be a part of this three-judge panel is gone—they've gone from being the presiding judge to now being diluted to being one of three judges involved in that process, isn't that correct?

SCHOFIELD: I can't understand the hypothetical until we know what case—where the case is filed and who the judge is. What I can tell you is—

MOODY: If there's one judge and now that one judge has to be part of a panel of three judges, does that not dilute their influence or their ability to decide matters in that case?

SCHOFIELD: No, because there are minority voters who in the other 253 counties today have absolutely no say in the judge who is going to hear the case.

MOODY: Which goes back to my previous point which is for the last 20 years, no minority candidate of choice has been elected to statewide office, and we're dealing with a statewide official that would be making this decision. Is it true, under the bill, that the attorney general has the sole option to make the request of the chief justice?

SCHOFIELD: Yes.

MOODY: So the attorney general, who's a participant in the matter, if they like the district judge, they don't have to take that option? They don't have to make that request?

SCHOFIELD: The plaintiff, as always, picks the venue. So the plaintiff has already had the opportunity to file where they think they're going to get either a better judge or for whatever reason they pick that court. At that point, the attorney general would have the option of applying for the panel. The reason is basically threefold: one, he serves as a gatekeeper to determine whether this case really fits into that category or not. You could have a case involving say a school district's finance system and that would not require the attorney general to apply for the three-judge panel. The second is, as I alluded, the attorney general would be representing the defendants and, as a result of that, the plaintiff would have his shot, the attorney general would have his. But there's a third reason—to have the attorney general to have discretion in whether to ask for one and that is so that there cannot be mandamus. You can't have somebody slowing down the suit, some third party coming and suing, saying, I demand that the attorney general ask for a three-judge panel.

MOODY: Is there a timeline in which the attorney general must ask for the three-judge panel?

SCHOFIELD: There is not in the bill. What the bill does—

MOODY: So the attorney general could actually go through some of these litigations and then, as a delay tactic, wait to ask for this and then bring in a three-judge panel as requested of the Supreme Court justice. So it cuts both ways, there's no time requirement here.

SCHOFIELD: The bill allows the Supreme Court, as they do in many of the bills we send them regarding litigation, to set the rules under which both the three-judge panel would operate and under which any appeal from the three-judge panel would operate up until the point that the timelines for litigation would be included in that rule.

MOODY: But up until that point at which we have a three-judge panel, there's nothing here that requires the attorney general to request this option within a certain amount of time of the petition being filed.

SCHOFIELD: Again, I anticipate without being able to—I won't, I'm sure, be sitting on the Supreme Court's committee that will draft the rules, but I would assume that the timetable for litigation would be included in the rules. That would be left up to the Supreme Court to determine.

MOODY: I think what we're doing here is we're allowing a participant in litigation to essentially choose who the deciders of the case will be; who the judges are. I mean this is forum shopping at its core. I'm an attorney, I know you're an attorney; I would love if I could pick which judge I'm going to be in front of every time. I think that's something that most attorneys would try to do, but we're not allowed to do that so—

SCHOFIELD: Well, again, the attorney general doesn't get to pick what judges he is going to be in front of. The plaintiff does because the plaintiff—

MOODY: But he can say that the judge in the case, that it landed in front of—I don't think I'll get a fair shake here, so I'm going to go to a three-judge panel. And I'm going to dilute that judge's power to decide the issues of this case, and that's really what the crux of this is.

SCHOFIELD: All the attorney general gets to do is ask the Supreme Court for the creation of a three-judge panel—

MOODY: And they shall do it.

SCHOFIELD: In the two types of cases that will affect voters in every single one of the 254 counties. In the case of school finance, they get a bill for tens of billions of dollars and they get no say at all. All the bill does is require that two additional judges from other parts of the state, representing voters from other parts of the state, will also be able to have their thoughts taken into account.

MOODY: Let me ask you this: Recently, Section 5 of the Voting Rights Act was set aside by the Supreme Court. Section 5—what it did when it was in effect—would require redistricting matters and changes in election law be precleared before they could take effect. If Section 5 were still operable today, wouldn't the passage of this senate bill be subject to preclearance?

SCHOFIELD: I don't think so, no. The preclearance required that the matters involving the methods of voting be precleared by the Justice Department. I don't think the rules regarding the procedure of litigation would. If you have a Section 5 scholar who knows better than you or I they could argue that, but I don't think it would.

REPRESENTATIVE C. TURNER: Mr. Schofield, what problem are we trying to solve with this bill?

SCHOFIELD: The problem that we're trying to solve is systemic. We have major litigation affecting Texans—from Orange to El Paso, from the Red River to the Rio Grande—which sets up our school finance system in which we spend tens of billions of dollars a biennium, which affects the redistricting, assuming we had a state-filed case, that affects all of us in every district of the 150 house districts in this state, and yet the voters of only one county pick the judge who tees up the case, who decides what's going to be on the record the Supreme Court can hear. It is, in my view, imperative that we have a wider ability for other people, other than just the voters of one county, to have a say in who that would be.

C. TURNER: But, Mr. Schofield, if I understand your bill correctly—and I know we've got the senate bill in front of us, which I believe you explained what the difference was between that and the house bill, but the—am I correct in that your bill gives the attorney general the ability to petition to the chief justice of the Supreme Court to appoint a three-judge panel, and those are three district judges, is that right?

SCHOFIELD: No, what it would be is the district judge who is assigned the case, that would be one. The second would be a district judge from a district not in that county. And the third would be a court of appeals judge from a court of appeals district that does not oversee either of those two. It basically mirrors the federal law that is used for all three-judge panels. Redistricting is included, but any three-judge panel uses the same provision of federal law. In that case, they don't have the Supreme Court justice do it, they have the chief judge of that court of appeals do it.

C. TURNER: I understand that you're trying to make the Texas judicial system more like the federal judicial system, but I don't think that your statement that we're going to allow more voters to somehow participate in these bid decisions really holds up. You're talking about a district judge from one area, a district judge from another area, and then an appellate court judge from an appeals court district, that's still a fraction of the state's population.

SCHOFIELD: But it's considerably wider than what we have now, which is the voters of one county.

C. TURNER: But under your argument, if you have a Travis County judge and a Bexar County judge and then someone from the appellate court in Corpus Christi, how is that fair to the voters in North Texas, in my area? The judges involved are 200 to 300 miles away. I don't understand the logic of what you're trying to

do here. It seems like what you're—essentially what this is, if I understand it, if the attorney general decides, hey, I don't like this venue I'm in, I get to go venue shopping and look for a better deal.

SCHOFIELD: Well, no, the venue shopping, first of all, is done by the plaintiff who in these types of cases could file them anywhere in Texas.

C. TURNER: Don't they have a constitutional right?

SCHOFIELD: Well, it's at least a statutory right. It's not a constitutional right because we can restrict venue; so it's a statutory right. So they get the right to pick where the venue is going to be. All the attorney general gets to do is say this deserves to have the perspective of more than just one judge selected from the voters of one county, if it's a single county district, as they've been. I would say, that way we get to have at least three times as many, if not more, voters involved in the actual decision making.

C. TURNER: But at the end of the day, these judges are elected by voters, as we know in our system in Texas, but is the goal to get more voters involved or get more judges involved?

SCHOFIELD: Both. And I'm glad you clarified that, because I don't think I laid that out very well. In the federal system, and in other state systems where they don't elect judges but have three-judge panels, they're looking for the perspective of more than just one judge on major issues. To have a three-judge panel—for example, in our redistricting cases in federal court, as you know, they are not elected by anybody, but when we have a three-judge panel, rather than one judge, hear those cases to get the perspective of more than one judge. Additionally, my chief concern, personally, is that we have the voters of more than just one county get to choose the judge. So long as we have elected judges, I think it is imperative that the voters of more than just one county get to have a role in that.

MESSAGE FROM THE SENATE

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

SB 455 - (consideration continued)

C. TURNER: The current system that you believe is flawed and you're trying to change—basically, let's get to the bottom line. You're concerned about these types of cases being filed and heard in Travis County. Is that right?

SCHOFIELD: Any one county. Even if it were in my county, Harris County, it's still, in my view, not right that the voters of one place are having all the say.

C. TURNER: But you singled out redistricting and refinancing.

SCHOFIELD: I didn't originally. My bill originally included discretionary proceedings where going forward the attorney general would have been allowed to petition for a three-judge panel in cases that he thought were emerging statewide—interest cases that would fall into these same types of categories. But what it got narrowed down to is just the two types of cases that are before us that are currently of that magnitude.

C. TURNER: And right now, in Travis County if you have a—that's where school finance has typically gone, correct?

SCHOFIELD: Correct. Since 1984, all the school finance cases have been filed in one county and only that county's voters have had a say in picking the judge.

C. TURNER: And the recourse for any party involved in that litigation, if they are not on the prevailing side, is to appeal it. Appeal the decision if they choose, which would normally be to the Third Court of Appeals, which I believe is a multi-county district and I believe represented—those seats are held by all republicans, is my understanding. And in the case of this current school finance case, the appeal was made directly to the Texas Supreme Court.

SCHOFIELD: Correct.

C. TURNER: And bypassing the Third Court of Appeals, am I right on that?

SCHOFIELD: I believe that's correct.

C. TURNER: So it seems like the current system is working in that it's ending up in the Texas Supreme Court where you have justices who are elected not by one district or one county, but by all the voters of Texas. And they get to make the final decision, in terms of state court, as to what will happen in the outcome of that case. So why is it necessary to short-circuit the process before it gets there?

SCHOFIELD: That's where I disagree. The Supreme Court is bound and limited by the record before them. So when the district judge won't allow testimony on, by say, experts on efficiency, they don't get into the record. The trial judge has a great role in shaping what is going to be in that record and what is not, and the Supreme Court is limited to that record.

C. TURNER: I understand that. I just think that this is a bill that's trying to address the fact that there have been outcomes that some people don't agree with in the judicial system—there are a lot of outcomes that I don't agree with in the judicial system, but it's a system we have, a system I respect, and I don't think we should be tampering with it in this bill.

SCHOFIELD: I don't think it's as much about outcomes as it is about the structure being fair.

REPRESENTATIVE DUTTON: I'm sorry, I don't know this. Are you a lawyer?

SCHOFIELD: I am.

DUTTON: And as a lawyer you realize that most suits are filed where the defendant resides, correct?

SCHOFIELD: I'm sorry, I couldn't hear what you said.

DUTTON: Most suits are filed—can be filed—where the defendant resides. Is that correct?

SCHOFIELD: No, I think most suits tend to be filed where the incident at issue occurred.

DUTTON: Well, yeah, but that's why I said most of the time you can file it in the home of the defendant, can't you?

SCHOFIELD: You can.

DUTTON: And the home of the defendant in the State of Texas is where?

SCHOFIELD: Right. Is in Travis County.

DUTTON: Is in Travis County.

SCHOFIELD: I think most suits are going to be filed where the plaintiff feels he's going to do better of his venue choices, which would include where the incident occurred, and that's where I would think most of them would get filed.

DUTTON: Right. What I'm having a problem with is this—what county do you represent?

SCHOFIELD: Harris.

DUTTON: You represent Harris County. Is the law any different in Harris County than it is in Travis County?

SCHOFIELD: The law isn't, but the perspective of the judge very well will be. That is why—

DUTTON: Wait, you just ran over something I didn't understand it. You said the law is not different, but what is different?

SCHOFIELD: But the perspective of the judge is. We have different types of folks in Travis County than we might have in Orange, or El Paso, or in Tom Green County. Those folks see things from a different way.

DUTTON: That's not going to be any different under your bill though, is it? Rather than one perspective, you're going to have three different perspectives. Is that right?

SCHOFIELD: Exactly.

DUTTON: Okay, so it doesn't change anything about the perspective. What I'm asking about is—

SCHOFIELD: Oh, no, it does change the perspective. The perspective will no longer be the perspective of just one person from one county. We'll have three different people from three different parts of the state who represent their neighbors and their concerns who will look at this. This is not black letter law stuff that we're talking about, as you know.

DUTTON: Well, they're not supposed to be bringing their perspective in here. They're supposed to be applying the law, right?

SCHOFIELD: They are applying the law, but they do bring their perspectives to the case.

DUTTON: Yes. And if they're applying the law, that doesn't come from their perspective.

SCHOFIELD: Oh, I think it does, because these are not simple black letter law cases. These are very complex cases in which the judge's view of what's important in determining whether an efficient education is being delivered can be vastly different from somebody else's.

DUTTON: So you don't subscribe to the theory that a judge simply rules based on the law then?

SCHOFIELD: I think judges do rule on the law, but their view of the law can be different. That's why in appellate panels we don't all have unanimous decisions on everything, even amongst friends.

DUTTON: You're bypassing all that now on the premise that somehow or the other a judge's application of the law is going to be changed by virtue of adding two more people to it. Why don't we do five people, for example?

SCHOFIELD: The reason that we chose three is that that is the common and tried and true area—and I'm glad you brought that up. First, it is what the federal courts use and they have since 1908, which is the first time that they used a three-judge panel.

DUTTON: They used it in terms of which cases? Please tell me.

SCHOFIELD: They started it originally in two different types of cases, and I forget which came first, they were within a couple of years of each other, I think one was 1908 and other was 1912. Antitrust cases and cases where a district judge was ruling on the constitutionality of a state statute. And the original thought was one hometown judge might be less likely to rule against the constitutionality of his own state statute than if you got a three-judge panel. That continued on until 1976 when they stopped having that concern as much and judges weren't willing to do it.

DUTTON: So we don't do that anymore.

SCHOFIELD: However, we do still have three-judge panels in redistricting cases at the federal level, which is what we would include here, and several states have three-judge panels, which is what they use in all kinds of cases. Kansas, as we speak, has a three-judge panel going in their school finance litigation. They have a statute that is more direct and more strict than the one we propose today. Their statute says if you file a school finance suit it will go to a three-judge panel and it always does and they've got one in there right now.

DUTTON: Let me ask you about the operation of this, first of all. Now you've limited this application to two instances you said, public school finance and what's the second one?

SCHOFIELD: Redistricting.

DUTTON: Redistricting. That's the only two things they can consider?

SCHOFIELD: That's the only two in the bill that is before us now. When I filed it they could have appealed for a discretionary three-judge panel in cases that were major policy and involve the finances of the state. That's taken out.

DUTTON: And the basis for the attorney general's referral, did that change?

SCHOFIELD: Would that change?

DUTTON: Yeah, or is it just automatic now, it's going to go to this three-judge panel?

SCHOFIELD: No, in the bill, the attorney general acts as a gatekeeper who can ask for one or not. And as I said earlier, there are three reasons why he could ask for one or not. One is tactical. The plaintiff chose the venue, the defendant can say okay, let's go there. The other two are that, first, the attorney general is looking at this to determine if this really is a school finance case or this is a case filing about a district or a group of districts. And so not every case might necessarily have to go to a three-judge panel.

DUTTON: As you can tell, I don't like the bill. You seem like a nice guy though.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Anchia requested permission for the Committee on International Trade and Intergovernmental Affairs to meet while the house is in session, at 3 p.m. today, in 3W.15, to consider **HR 2500**, **SB 459**, and **SB 1389**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

International Trade and Intergovernmental Affairs, 3 p.m. today, 3W.15, for a formal meeting, to consider **HR 2500**, **SB 459**, and **SB 1389**.

SB 455 - (consideration continued)

Representative Schofield moved to postpone consideration of **SB 455** until 4:59 a.m. Friday, May 15.

The motion prevailed.

CSHB 1091 - LAID ON THE TABLE SUBJECT TO CALL

Representative Schofield moved to lay **CSHB 1091** on the table subject to call.

The motion prevailed.

CSHB 506 ON SECOND READING

(by E. Rodriguez)

CSHB 506, A bill to be entitled An Act relating to the issuance of tax-supported bonds by certain school districts and increasing the tax rate limitation on the issuance of those bonds.

CSHB 506 was read second time on May 6, postponed until May 8, postponed until May 11, postponed until 5 a.m. May 12, postponed until 6 p.m. May 12, and was again postponed until 6 a.m. today.

Amendment No. 1

Representative E. Rodriguez offered the following amendment to **CSHB 506**:

Amend **CSHB 506** (house committee report) as follows:

- (1) On page 1, line 24, strike "\$0.45" and substitute "\$0.50".
- (2) On page 3, line 7, strike "\$0.45" and substitute "\$0.50".
- (3) On page 4, lines 2 and 5, strike "\$0.45" each place it appears and substitute "\$0.50".
- (4) On page 4, line 10, strike "\$0.45" and substitute "\$0.50".

Amendment No. 1 was adopted.

Amendment No. 2

Representative E. Rodriguez offered the following amendment to **CSHB 506**:

Amend **CSHB 506** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 45.001, Education Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (d) to read as follows:

(b) The bonds must mature serially or otherwise not more than 40 years from their date, except that if the expected useful life of the asset acquired with bond proceeds is less than 40 years the bonds must mature serially or otherwise not later than the last year of the expected useful life of the acquired asset. The bonds may be made redeemable before maturity.

(b-1) For purposes of Subsection (b), the expected useful life of an asset is determined based on the depreciable life of the asset under the Internal Revenue Code of 1986.

(d) Interest earned on bond proceeds may be used only to pay the principal of and interest on the bonds.

SECTION _____. (a) Except as provided by Subsection (b) of this section, this Act applies only to bonds authorized by voters on or after the effective date of this Act.

(b) Section 45.001(d), Education Code, as added by this Act, applies to interest that accrues on bond proceeds on or after the effective date of this Act, regardless of the date on which the bonds were authorized or issued.

Amendment No. 2 was adopted.

Representative E. Rodriguez moved to postpone consideration of **CSHB 506** until 6 p.m. today.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Oliveira requested permission for the Committee on Business and Industry to meet while the house is in session, at 2:45 p.m. today, in 3W.9, to consider **HB 1668** and pending legislation.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Business and Industry, 2:45 p.m. today, 3W.9, for a formal meeting, to consider **HB 1668** and pending legislation.

CSHB 1069 ON SECOND READING

(by E. Rodriguez)

CSHB 1069, A bill to be entitled An Act relating to services for persons who are deaf or hard of hearing and certification requirements for interpreters for persons who are deaf or hard of hearing; providing an administrative penalty; requiring a fee and changing the rate of a fee; requiring an occupational certification.

CSHB 1069 was read second time on May 5, postponed until May 8, postponed until May 11, postponed until 5 a.m. May 12, postponed until 6 p.m. May 12, and was again postponed until 6 a.m. today.

Representative E. Rodriguez moved to postpone consideration of **CSHB 1069** until 3:30 p.m. today.

The motion prevailed.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 20).

HB 2769 ON SECOND READING

(by E. Rodriguez and Lucio)

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

HB 2769 was read second time on April 16, postponed until April 20, postponed until April 22, postponed until April 28, postponed until May 4, postponed until May 11, postponed until 5 a.m. May 12, postponed until 6 p.m. May 12, and was again postponed until 6 a.m. today.

Representative E. Rodriguez moved to postpone consideration of **HB 2769** until 3:30 p.m. today.

The motion prevailed.

CSSB 1889 ON SECOND READING

(Burkett and Raymond - House Sponsors)

CSSB 1889, A bill to be entitled An Act relating to the definition of neglect of a child, the exclusion of certain information from the Department of Family and Protective Services central registry of child abuse or neglect cases, and the report of certain information regarding those cases to the legislature.

CSSB 1889 was considered in lieu of **CSHB 2039**.

CSSB 1889 was read second time and was passed to third reading.

CSHB 2039 - LAID ON THE TABLE SUBJECT TO CALL

Representative Burkett moved to lay **CSHB 2039** on the table subject to call.

The motion prevailed.

HB 1543 ON SECOND READING
(by Alvarado, Lucio, and Guillen)

HB 1543, A bill to be entitled An Act relating to the creation of the Advisory Council on Hispanic Affairs in the office of the governor.

HB 1543 was read second time on May 12 and was postponed until 8 a.m. today.

Representative Alvarado moved to postpone consideration of **HB 1543** until 8 a.m. tomorrow.

The motion prevailed.

CSHB 3846 ON SECOND READING
(by Smithee, Fallon, and Rinaldi)

CSHB 3846, A bill to be entitled An Act relating to the confidentiality of certain information regarding procedures and substances used in the execution of a convict.

CSHB 3846 was read second time on May 12 and was postponed until 9 a.m. today.

Representative Smithee moved to postpone consideration of **CSHB 3846** until 8 p.m. today.

The motion prevailed.

HB 2351 ON SECOND READING
(by Harless, Kuempel, Kacal, Geren, et al.)

HB 2351, A bill to be entitled An Act relating to conflicts of interest and discrimination policies for an ethics or medical committee review of an advance directive.

HB 2351 was read second time on May 7, postponed until May 12, and was again postponed until 10 a.m. today.

Representative Harless moved to postpone consideration of **HB 2351** until 5 a.m. tomorrow.

The motion prevailed.

CSSB 20 ON SECOND READING
(Price, Cook, Raymond, and Kuempel - House Sponsors)

CSSB 20, A bill to be entitled An Act relating to state agency contracting; authorizing fees; creating an offense.

CSSB 20 was considered in lieu of **CSHB 3241**.

CSSB 20 was read second time.

Representative Price moved to postpone consideration of **CSSB 20** until 10 a.m. Monday, May 18.

The motion prevailed.

CSHB 3241 - LAID ON THE TABLE SUBJECT TO CALL

Representative Price moved to lay **CSHB 3241** on the table subject to call.

The motion prevailed.

CSHB 1125 ON SECOND READING

(by **González**)

CSHB 1125, A bill to be entitled An Act relating to a study on the availability of natural gas utility service in certain counties.

CSHB 1125 was read second time on May 12 and was postponed until 12 p.m. today.

Representative González moved to postpone consideration of **CSHB 1125** until 10 a.m. Saturday, July 4.

The motion prevailed.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a committee meeting:

Koop on motion of Murr.

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**:

Sheffield on motion of Geren.

CSHB 3325 ON SECOND READING

(by **Gutierrez**)

CSHB 3325, A bill to be entitled An Act relating to the requirements for barber schools and private beauty culture schools.

CSHB 3325 was read second time on May 4, postponed until May 11, and was again postponed until 3 p.m. today.

Amendment No. 1

Representative Rinaldi offered the following amendment to **CSHB 3325**:

Amend **CSHB 3325** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 1601.254(b), Occupations Code, is amended to read as follows:

(b) To be eligible for a barber instructor license, an applicant must:

- (1) be at least 18 years of age;
- (2) have a high school diploma or a high school equivalency certificate;
- (3) hold a current Class A barber certificate;
- (4) have completed:

(A) a course consisting of 750 hours of instruction in barber courses and methods of teaching in a barber school; ~~[or]~~

(B) at least two years of work experience as a licensed Class A barber immediately preceding the date of the application; or

(C) at least one year of work experience as a licensed Class A barber and:

(i) have completed 500 hours of instruction in barber courses and methods of teaching in a commission-approved training program;

(ii) have completed 15 semester hours in education courses from an accredited college or university within the 10 years preceding the date of the application; or

(iii) have obtained a degree in education from an accredited college or university; and

(5) pass the required examination.

SECTION _____. The change in law made by this Act to Section 1601.254(b), Occupations Code, applies only to an application for a barber instructor license submitted on or after the effective date of this Act. An application for a barber instructor license that is submitted before that date is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Schaefer offered the following amendment to **CSHB 3325**:

Amend **CSHB 3325** (house committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 1601.353, Occupations Code, is amended to read as follows:

Sec. 1601.353. **REQUIRED FACILITIES AND EQUIPMENT.** The department may approve an application for a permit for a barber school if the school meets the health and safety standards established by the commission. The commission may not establish building or facility standards that are not related to health and safety, including a requirement that a facility have a specific:

(1) square footage of floor space ~~[is located in:~~

~~[(A) a municipality with a population of more than 50,000 that has a building of permanent construction containing at least 2,000 square feet of floor space, including classroom and practical areas, covered in a hard surface floor covering of tile or other suitable material; or~~

~~[(B) a municipality with a population of 50,000 or less or an unincorporated area of a county that has a building of permanent construction containing at least 1,000 square feet of floor space, including classroom and practical areas, covered in a hard surface floor covering of tile or other suitable material];~~

(2) number of chairs ~~[has the following equipment:~~

~~[(A) at least 10 student workstations that include a chair that reclines, a back bar, and a wall mirror;~~

~~[(B) a sink behind every two workstations;~~

~~[(C) adequate lighting for each room;~~

~~[(D) at least 10 classroom chairs and other materials necessary to teach the required subjects; and~~

~~[(E) access to permanent restrooms and adequate drinking fountain facilities]; or [and]~~

(3) number of sinks ~~[meets any other requirement set by the commission].~~

SECTION 2. Section 1602.303, Occupations Code, is amended by amending Subsections (b) and (c) and adding Subsection (d) to read as follows:

(b) An application for a private beauty culture school license must be accompanied by the required license fee and inspection fee and:

(1) be on a form prescribed by the department;

(2) be verified by the applicant; and

(3) contain a statement that the building meets the health and safety standards established by the commission~~;~~

~~[(A) is of permanent construction and is divided into at least two separate areas:~~

~~[(i) one area for instruction in theory; and~~

~~[(ii) one area for clinic work;~~

~~[(B) contains a minimum of:~~

~~[(i) 2,800 square feet of floor space if the building is located in a county with a population of more than 100,000; or~~

~~[(ii) 1,800 square feet of floor space if the building is located in a county with a population of 100,000 or less;~~

~~[(C) has access to permanent restrooms and adequate drinking fountain facilities; and~~

~~[(D) contains, or will contain before classes begin, the equipment established by commission rule as sufficient to properly instruct a minimum of 10 students].~~

(c) The applicant is entitled to a private beauty culture school license if:

(1) the department determines that the applicant is financially sound and capable of fulfilling the school's commitments for training;

(2) the applicant's facilities meet the health and safety standards established by the commission and pass an inspection conducted by the department under Section 1603.103; and

(3) the applicant has not committed an act that constitutes a ground for denial of a license.

(d) The commission may not establish building or facility standards that are not related to health and safety, including a requirement that a facility have a specific:

- (1) square footage of floor space;
- (2) number of chairs; or
- (3) number of sinks.

SECTION 3. As soon as practicable after the effective date of this Act, the Texas Commission of Licensing and Regulation shall adopt rules to implement Sections 1601.353 and 1602.303, Occupations Code, as amended by this Act.

SECTION 4. This Act takes effect September 1, 2015.

Representative Gutierrez moved to postpone consideration of **CSHB 3325** until 7 p.m. today.

The motion prevailed.

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

(Koop now present)

**CSHB 1798 ON SECOND READING
(by Deshotel, Villalba, Huberty, et al.)**

CSHB 1798, A bill to be entitled An Act relating to local control school districts.

(Sheffield now present)

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

Representative S. Thompson moved to set a local, consent, and resolutions calendar for 9 a.m. Friday, May 15.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative S. Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 4 p.m. today, in 1W.14, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, 4 p.m. today, 1W.14, for a formal meeting, to set a calendar.

CSHB 1798 - (consideration continued)**Amendment No. 1**

Representative Deshotel offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee printing) as follows:

- (1) On page 6, line 13, strike "(a)".
- (2) On page 6, strike lines 24 and 25.

(3) Strike page 6, line 26 through page 7, line 8, and substitute the following:

Sec. 12.0141. VALIDITY OF PETITION. (a) For a petition under Section 12.014(1) to be valid, the petition must:

(1) include the following, or a substantially similar, statement on each page of the petition that precedes the space reserved for signatures: "This petition is to request that a local control commission be appointed for the purpose of proposing a local control plan under which (name of school district) will operate if the plan is approved at an election of voters of the district. The local control commission will be composed of 15 residents of the district."; and

(2) designate one or more persons as lead petitioner.

(b) Each person who is designated as a lead petitioner must be qualified to seek election or appointment to the board of trustees of the school district.

(4) On page 7, line 11, strike "12.014(a)(2)" and substitute "12.014(2)".

(5) On page 7, line 17, strike "12.014(a)(1)" and substitute "12.014(1)".

(6) On page 7, lines 22 and 23, strike ", provided that the petition designates one or more persons as lead petitioner".

(7) On page 8, lines 15 and 16, strike "and the petition designates one or more persons as lead petitioner,".

(8) Strike page 8, line 26 through page 9, line 2.

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**:

Ashby on motion of Geren.

CSHB 1798 - (consideration continued)

Amendment No. 1 was adopted.

Amendment No. 2

Representative Deshotel offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** on page 5, line 6, after "the required curriculum under Section 28.002" by inserting ", including the prohibition in Section 28.002(b-3) on using common core state standards".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Alonzo offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee printing) as follows:

(1) On page 5, strike lines 6 through 9, and substitute the following:

(G) elementary class size limits under Section 25.112, in the case of any campus in the district that fails to satisfy any standard under Section 39.054(e);

(2) On page 6, line 4, strike "and" and substitute "~~and~~".

(3) On page 6, line 5, between "Chapter 44" and the period, insert the following:

; and

(U) the required curriculum under Section 28.002

Representative Deshotel moved to table Amendment No. 3.

The vote of the house was taken on the motion to table Amendment No. 3 and the vote was announced yeas 72, nays 71.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1046): 73 Yeas, 67 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Craddick; Crownover; Dale; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Galindo; Geren; Goldman; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keough; King, S.; Klick; Krause; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Otto; Parker; Paul; Peña; Phelan; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Sheets(C); Simmons; Simpson; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Cook; Cyrier; Darby; Davis, Y.; Farias; Farrar; Frullo; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Howard; Israel; Johnson; Keffer; King, K.; King, P.; King, T.; Koop; Kuempel; Landgraf; Larson; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Minjarez; Moody; Muñoz; Murr; Naishtat; Nevárez; Oliveira; Phillips; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Smith; Smithee; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; Wu.

Present, not voting — Mr. Speaker.

Absent, Excused, Committee Meeting — Ashby; Gonzales.

Absent — Clardy; Dukes; Dutton; Farney; Herrero; Paddie; Raney.

The chair stated that the motion to table Amendment No. 3 prevailed by the above vote.

STATEMENT OF VOTE

When Record No. 1046 was taken, I was shown voting yes. I intended to vote no.

Galindo

LEAVES OF ABSENCE GRANTED

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

Herrero on motion of Walle.

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

Dale on motion of Phillips.

CSHB 1798 - (consideration continued)

Amendment No. 4

Representatives Howard, Allen, Ashby, and VanDeaver offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee printing) as follows:

(1) On page 6, line 6, between "CODE" and ":", insert "AND PENAL CODE".

(2) On page 6, line 6, between "CODE." and "The Election", insert "(a)".

(3) On page 6, line 7, between "Title 15" and ", Election", insert "and Chapter 277".

(4) On page 6, line 9, between "12.014" and ":", insert "or 12.020".

(5) On page 6, line 11, between "12.019" and ":", insert "or a local control plan amendment election held under Section 12.020".

(6) On page 6, between lines 11 and 12, insert the following:

(b) An election held under this subchapter, including the circulation and submission of a petition under Section 12.014 or 12.020, constitutes a "measure" under the Election Code. The petition process and election shall be conducted in accordance with the Election Code.

(c) Chapter 36, Penal Code, applies to an election held under this subchapter, including the circulation and submission of a petition under Section 12.014 or 12.020. Signing a petition constitutes an exercise of discretion by a voter for the purposes of Section 36.02, Penal Code.

Sec. 12.0132. PETITION TRANSPARENCY REQUIREMENTS. (a) Each petition under this subchapter must contain a statement that includes:

(1) the name of the school district;

(2) a statement that the petition is for:

(A) the appointment of a local control commission consisting of 15 residents of the district to frame a local control plan for the school district that will operate if the plan is approved by the voters of the district, for a petition under Section 12.014; or

(B) the amendment of a local control plan that will apply if the amendment is approved by the voters of the district, for a petition under Section 12.020; and

(3) the specific management and operational changes that the petitioners are requesting to be included in the local control plan, including any provisions of this title that petitioners seek to have not apply to the district if the local control plan election or amendment election prevails.

(b) A person circulating a petition shall show or read the statement in Subsection (a) to each person whom the person circulating the petition asks to sign the petition.

(c) Each petition sheet must have printed in capital letters in no less than twelve-point boldfaced font in the upper right-hand corner of the face of the petition sheet the phrases "paid circulator" and "volunteer" with a blank line preceding each phrase. A person circulating a petition shall indicate whether the person is a paid circulator or a volunteer by checking the appropriate line on each petition sheet before circulating the petition for signatures.

(d) Before circulation, a copy of a petition must be filed with the board of trustees and the commissioner.

(e) Signatures obtained on a petition in violation of this section are void and may not be considered in the determination of the legal sufficiency of the petition.

(7) Strike page 6, line 26 through page 7, line 8.

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

SECTION _____. Section 253.094(b), Election Code, is amended to read as follows:

(b) A corporation or labor organization may not make a political contribution in connection with a recall election or an election held under Subchapter B, Chapter 12, Education Code, including the circulation and submission of a petition to call an election, to appoint a local control commission, or to amend a local control plan.

Amendment No. 4 was withdrawn.

LEAVE OF ABSENCE GRANTED

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

Clardy on motion of Phillips.

(Ashby now present)

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. 2).

CSHB 1798 - (consideration continued)

Amendment No. 5

Representatives Alonzo and González offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee printing) as follows:

(1) On page 5, strike lines 6 through 9, and substitute the following:

(G) elementary class size limits under Section 25.112, in the case of any campus in the district that fails to satisfy any standard under Section 39.054(e);

(2) On page 6, line 4, strike "and" and substitute "[~~and~~"]".

(3) On page 6, line 5, between "Chapter 44" and the period, insert the following:

; and

(U) the curriculum under Section 28.002 that is required under that section

(Dale now present)

Amendment No. 5 was adopted.

Amendment No. 6

Representatives Howard, Ashby, Allen, and VanDeaver offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee printing) as follows:

(1) On page 6, line 6, between "CODE" and ":", insert "AND PENAL CODE".

(2) On page 6, line 6, between "CODE." and "The Election", insert "(a)".

(3) On page 6, line 7, between "Title 15" and ", Election", insert "and Chapter 277".

(4) On page 6, line 9, between "12.014" and ":", insert "or 12.020".

(5) On page 6, line 11, between "12.019" and ":", insert "or a local control plan amendment election held under Section 12.020".

(6) On page 6, between lines 11 and 12, insert the following:

(b) An election held under this subchapter, including the circulation and submission of a petition under Section 12.014 or 12.020, constitutes a "measure" under the Election Code. The petition process and election shall be conducted in accordance with the Election Code.

(c) Chapter 36, Penal Code, applies to an election held under this subchapter, including the circulation and submission of a petition under Section 12.014 or 12.020. Signing a petition constitutes an exercise of discretion by a voter for the purposes of Section 36.02, Penal Code.

Sec. 12.0132. PETITION TRANSPARENCY REQUIREMENTS. (a) Each petition under this subchapter must contain a statement that includes:

(1) the name of the school district;

(2) a statement that the petition is for:

(A) the appointment of a local control commission consisting of 15 residents of the district to frame a local control plan for the school district that will operate if the plan is approved by the voters of the district, for a petition under Section 12.014; or

(B) the amendment of a local control plan that will apply if the amendment is approved by the voters of the district, for a petition under Section 12.020; and

(3) the specific management and operational changes that the petitioners are requesting to be included in the local control plan, including any provisions of this title that petitioners seek to have not apply to the district if the local control plan election or amendment election prevails.

(b) A person circulating a petition shall show or read the statement in Subsection (a) to each person whom the person circulating the petition asks to sign the petition.

(c) Each petition sheet must have printed in capital letters in no less than twelve-point boldfaced font in the upper right-hand corner of the face of the petition sheet the phrases "paid circulator" and "volunteer" with a blank line preceding each phrase. A person circulating a petition shall indicate whether the person is a paid circulator or a volunteer by checking the appropriate line on each petition sheet before circulating the petition for signatures.

(d) Before circulation, a copy of a petition must be filed with the board of trustees and the commissioner.

(e) Signatures obtained on a petition in violation of this section are void and may not be considered in the determination of the legal sufficiency of the petition.

(7) Strike page 6, line 26 through page 7, line 8.

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

SECTION _____. Section 253.094(b), Election Code, is amended to read as follows:

(b) A corporation or labor organization may not make a political contribution in connection with a recall election or an election held under Subchapter B, Chapter 12, Education Code, including the circulation and submission of a petition to call an election, to appoint a local control commission, or to amend a local control plan.

Representative Deshotel moved to table Amendment No. 6.

The motion to table was lost by (Record 1047): 65 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Button; Capriglione; Dale; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Huberty; Hunter; Isaac; Keough; Klick; Koop; Krause; Laubenberg; Leach; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Otto; Paul; Peña;

Phelan; Phillips; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, M.; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Ashby; Bernal; Blanco; Burns; Canales; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Darby; Davis, Y.; Farias; Farrar; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Hughes; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Metcalf; Miles; Minjarez; Moody; Muñoz; Murr; Naishtat; Nevárez; Oliveira; Paddie; Parker; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Simpson; Smithee; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; White, J.; Wray; Wu.

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Clardy; Gonzales.

Absent — Dukes; Dutton.

STATEMENTS OF VOTE

When Record No. 1047 was taken, I was shown voting yes. I intended to vote no.

Galindo

When Record No. 1047 was taken, I was shown voting no. I intended to vote yes.

Lozano

Amendment No. 6 was adopted by (Record 1048): 77 Yeas, 59 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Bernal; Blanco; Burns; Canales; Coleman; Collier; Cook; Craddick; Cyrier; Darby; Davis, Y.; Farias; Farney; Farrar; Frullo; Galindo; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Howard; Hughes; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; Metcalf; Miles; Minjarez; Moody; Muñoz; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Paul; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Simpson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Walle; White, J.; Workman; Wu.

Nays — Anderson, C.; Anderson, R.; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burrows; Button; Capriglione; Crownover; Dale; Davis, S.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Goldman; Huberty; Hunter; Isaac; King, S.; Klick; Koop; Krause; Laubenberg; Leach; McClendon; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Parker; Peña; Phelan; Phillips;

Riddle; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; Wray; Zedler; Zerwas.

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Clardy; Gonzales.

Absent — Bonnen, D.; Dukes; Geren; Keough; Raney; Smith; Smithee; White, M.

STATEMENTS OF VOTE

When Record No. 1048 was taken, I was in the house but away from my desk. I would have voted no.

Keough

When Record No. 1048 was taken, I was shown voting yes. I intended to vote no.

Lozano

When Record No. 1048 was taken, I was shown voting yes. I intended to vote no.

Metcalf

Amendment No. 7

Representative Alonzo offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee printing) on page 7 of the bill, by striking lines 24-27 and substituting the following:

(b) The membership of the local control [~~charter~~] commission must reflect the racial, ethnic, socioeconomic, and geographic diversity of the population of the district.

(Speaker in the chair)

Amendment No. 7 was adopted by (Record 1049): 96 Yeas, 39 Nays, 1 Present, not voting. (The vote was reconsidered later today, and Amendment No. 7 was amended and was adopted.)

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bernal; Blanco; Bohac; Burns; Button; Canales; Coleman; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, Y.; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Galindo; Giddings; Goldman; González; Guerra; Guillen; Gutierrez; Hernandez; Howard; Huberty; Israel; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Minjarez; Muñoz; Murr; Naishtat; Nevárez; Oliveira; Paddie; Parker; Peña; Phelan; Pickett; Price; Raymond; Reynolds; Rodriguez, E.;

Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Sheffield; Smith; Smithee; Stephenson; Stickland; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Bell; Bonnen, D.; Bonnen, G.; Burkett; Capriglione; Cyrier; Davis, S.; Fallon; Frank; Harless; Hughes; Hunter; Isaac; King, P.; Krause; Laubenberg; Leach; Lozano; Metcalf; Meyer; Morrison; Murphy; Otto; Riddle; Rinaldi; Schofield; Schubert; Shaheen; Simmons; Simpson; Spitzer; Springer; Thompson, E.; Tinderholt; Turner, E.S.; White, J.; Workman; Wray.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Clardy; Gonzales.

Absent — Burrows; Deshotel; Dukes; Geren; Keough; Moody; Paul; Phillips; Raney; Sheets; White, M.

STATEMENTS OF VOTE

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Ashby

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Bohac

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Dale

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Fletcher

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Goldman

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Kacal

When Record No. 1049 was taken, I was in the house but away from my desk. I would have voted no.

Keough

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Landgraf

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Larson

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

R. Miller

When Record No. 1049 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Murr

When Record No. 1049 was taken, I was in the house but away from my desk. I would have voted no.

Paul

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Phelan

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Price

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Sanford

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Stickland

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Zedler

Amendment No. 8

Representative Alonzo offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee report) as follows:

(1) On page 7, line 10, strike "~~receipt of a petition or~~" and substitute "receipt of a petition or".

(2) On page 7, line 11, strike "12.014(a)(2) [~~12.014~~]" and substitute "12.014".

(3) On page 7, strike lines 15-23.

(4) On page 8, lines 1 and 2, strike "If the local control commission is appointed in accordance with Subsection (a), the" and substitute "The".

(5) On page 8, line 10, strike lines 10-13 and substitute the following:

(3) at least three [~~At least 25 percent of the commission must be~~] classroom teachers selected by the representatives of the professional staff pursuant to Section 11.251(e).

(6) Strike page 8, line 14, through page 9, line 2.

Amendment No. 8 was withdrawn.

Amendment No. 9

Representative Alonzo offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee report) as follows:

(1) On page 7, line 10, strike "~~receipt of a petition or~~" and substitute "receipt of a petition or".

(2) On page 7, line 11, strike "12.014(a)(2) [~~12.014~~]" and substitute "12.014".

(3) On page 7, strike lines 15-23.

(4) On page 8, lines 1 and 2, strike "If the local control commission is appointed in accordance with Subsection (a), the" and substitute "The".

(5) Strike page 8, line 14, through page 9, line 2.

Amendment No. 9 was withdrawn.

CSHB 1798 - POINT OF ORDER

Representative Martinez raised a point of order against further consideration of **CSHB 1798** under Rule 4, Section 32(c)(3) of the House Rules on the grounds that the committee report is incorrect.

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

Representative Martinez raised a point of order against **CSHB 1798** pursuant to Rule 4, Section 32(c)(3) of the House Rules on the grounds that the bill analysis is incorrect. The point of order is respectfully overruled.

Each bill analysis must contain "a statement indicating whether or not any rulemaking is expressly delegated to a state officer, department, agency, or institution, and, if so, identifying the sections of the measure in which that rulemaking authority is delegated." Rule 4, Section 32(c)(3) of the House Rules. Representative Martinez argues that Section 5 of the bill does not contain an express independent grant of rulemaking authority, and that therefore, the statement in the bill analysis that, in the committee's opinion, "the rulemaking authority previously granted to the State Board of Education is transferred to the commissioner is SECTION 5 of this bill" is incorrect. Section 5 of the bill reads: "The commissioner [~~State Board of Education~~] by rule shall adopt. . . ." This is a transfer to the commissioner of rulemaking authority that had previously been granted to the State Board of Education. Having carefully reviewed the bill, analysis, and house precedents, the chair finds that the bill analysis's rulemaking statement regarding Section 5 of the bill does not violate Rule 4, Section 32(c)(3) of the House Rules.

Amendment No. 10

Representative Alonzo offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee report) on page 20, between lines 20 and 21, by inserting the following:

Sec. 12.028. PROHIBITION OF OUTSIDE INFLUENCE. (a) The determination of whether a school district shall adopt a local control plan, and if adopted, the manner in which the local control plan will be implemented, are matters that must be considered exclusively by members of the board of trustees of the district, the local control commission, teachers and other employees of the district, parents of children enrolled in the district, and qualified voters in the district.

(b) The commissioner may adopt rules necessary to ensure that influence, including financial contributions, from individuals and entities not associated with a school district are prevented from influencing a school district's actions under this subchapter.

Amendment No. 10 was adopted.

(Kuempel in the chair)

Amendment No. 11

Representative J. Rodriguez offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee printing) as follows:

(1) On page 7, lines 26 and 27, between "the" and "population", insert "school-age".

(2) On page 7, line 27, strike "of voting age".

Representative Deshotel moved to table Amendment No. 11.

The motion to table prevailed by (Record 1050): 72 Yeas, 66 Nays, 2 Present, not voting.

Yeas — Alonzo; Anderson, C.; Anderson, R.; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burrows; Button; Cook; Crownover; Dale; Davis, S.; Davis, Y.; Deshotel; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frullo; Geren; Goldman; Huberty; Hughes; Hunter; Keffer; King, S.; Klick; Koop; Krause; Landgraf; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Murr; Parker; Paul; Peña; Phelan; Phillips; Reynolds; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Sheets; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Ashby; Bernal; Blanco; Burns; Canales; Capriglione; Coleman; Collier; Craddick; Cyrier; Darby; Dutton; Farias; Farrar; Frank; Galindo; Giddings; González; Guerra; Guillen; Harless; Hernandez; Howard; Isaac; Israel; Johnson; Kacal; King, K.; King, P.; King, T.; Larson; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; Miles; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Pickett; Price; Raymond; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; Wu.

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Clardy; Gonzales.

Absent — Burkett; Dukes; Farney; Gutierrez; Keough; McClendon; Raney.

STATEMENTS OF VOTE

When Record No. 1050 was taken, I was shown voting no. I intended to vote yes.

Ashby

When Record No. 1050 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 1050 was taken, I was shown voting no. I intended to vote yes.

Cyrier

When Record No. 1050 was taken, I was shown voting no. I intended to vote yes.

Frank

When Record No. 1050 was taken, I was shown voting no. I intended to vote yes.

Isaac

When Record No. 1050 was taken, I was in the house but away from my desk. I would have voted yes.

Keough

When Record No. 1050 was taken, I was shown voting no. I intended to vote yes.

P. King

When Record No. 1050 was taken, I was shown voting no. I intended to vote yes.

Larson

When Record No. 1050 was taken, I was shown voting no. I intended to vote yes.

Morrison

When Record No. 1050 was taken, I was shown voting no. I intended to vote yes.

Price

When Record No. 1050 was taken, I was shown voting no. I intended to vote yes.

Schubert

Amendment No. 12

Representative C. Anderson offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee printing) as follows:

(1) On page 6, strike lines 19 and 20, and substitute the following:
signed by:

(A) if the student enrollment of the district is 10,000 or more, at least five percent of the registered voters of the district; or

(B) if the student enrollment of the district is less than 10,000, at least 10 percent of the registered voters of the district; or

(2) On page 13, strike lines 8 through 10, and substitute the following:
is signed by:

(1) if the student enrollment of the district is 10,000 or more, at least five percent of the registered voters of the district; or

(2) if the student enrollment of the district is less than 10,000, at least 10 percent of the registered voters of the district.

(b-1) The petition under Subsection (b) must designate one or more persons as lead petitioner.

Amendment No. 12 was adopted.

Amendment No. 13

Representative González offered the following amendment to **CSHB 1798**:

Amend **CSHB 1798** (house committee printing) as follows:

(1) On page 4, strike lines 22-24, and substitute the following:

(B) ~~provisions relating to educators [educator certification] under Chapter 21 [and educator rights under Sections 21.204, 21.408, and 22.001];~~

(2) On page 10, lines 22-24, strike "not a school law of this state for purposes of Section 7.057 and does not create an entitlement to a hearing under Subchapter F or G, Chapter 21" and substitute "considered a school law of this state for the purposes of administrative review by the commissioner or the State Board of Education".

Representative Huberty moved to table Amendment No. 13.

The motion to table prevailed by (Record 1051): 82 Yeas, 56 Nays, 2 Present, not voting.

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

Nays — Allen; Alonzo; Alvarado; Anchia; Ashby; Bernal; Blanco; Burns; Canales; Coleman; Collier; Cook; Craddick; Darby; Davis, Y.; Dutton; Farias; Farrar; Frullo; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; King, K.; King, T.; Longoria; Lucio; Martinez; Martinez Fischer; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Phillips; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; Wu.

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Clardy; Gonzales.

Absent — Crownover; Dukes; Guillen; Keough; Márquez; McClendon; Smithee.

STATEMENTS OF VOTE

When Record No. 1051 was taken, I was in the house but away from my desk. I would have voted yes.

Keough

When Record No. 1051 was taken, my vote failed to register. I would have voted no.

Márquez

CSHB 1798 - POINT OF ORDER

Representative González raised a point of order against further consideration of **CSHB 1798** under Rule 4, Section 32(c); Rule 4, Section 32(c)(2); and Rule 4, Section 32(c)(5) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative González raised three points of order against further consideration of **CSHB 1798** on the grounds that the analysis inaccurately represents a statute being repealed by the bill (Rule 4, Section 32(c)(2) of the House Rules), the side-by-side comparison is inaccurate (Rule 4, Section 32(c)(5) of the House Rules), and that the bill analysis omits two provisions of the bill (Rule 4, Section 32(c) of the House Rules). The points of order are respectfully overruled.

Each bill analysis must contain a "separate statement that lists each statute or constitutional provision that is expressly repealed by the bill or resolution." Representative González argues that **CSHB 1798** expressly repeals Section 12.017 of the Education Code. The chair has reviewed the bill and determined that any repeal of Section 12.017 is not express; the bill analysis, therefore, does not violate Rule 4, Section 32(c)(2) of the House Rules. See 83 H.J. Reg. 4026 (2013).

Rule 4, Section 32(c)(5) of the House Rules requires a bill analysis to include a statement of substantial differences between a complete committee substitute and the original bill. Representative González argues that the bill analysis fails to contain an accurate side-by-side comparison of the substitute to the original because the comparison highlights changes made in the committee substitute that are not substantially different from the original. The chair has reviewed the bill, the complete bill analysis, and Rule 4, Section 32(c)(5) of the House Rules and finds that the bill analysis is in compliance.

Representative González raised a point of order pursuant to Rule 4, Section 32(c) of the House Rules that there are two significant provisions of the bill that are not included in the bill analysis: "four year old out before amendments may be made to the local control plan" and "duties of lead petitioner, including the ability to appoint eight members of the local control commission." The chair has reviewed the bill analysis and the bill and finds it in compliance with Rule 4, Section 32(c) of the House Rules.

Amendment No. 7 - Vote Reconsidered

Representative Deshotel moved to reconsider the vote by which Amendment No. 7 was adopted by Record No. 1049.

The motion to reconsider prevailed.

Amendment No. 14

Representative Rinaldi offered the following amendment to Amendment No. 7:

Amend Floor Amendment No. 7 by Alonzo to **CSHB 1798** on page 1, line 4, of the amendment, by striking "The" and substituting "To the extent practicable, the [~~The~~"]".

Amendment No. 14 was adopted.

Amendment No. 7, as amended, was adopted.

CSHB 1798 - POINT OF ORDER

Representative Walle raised a point of order against further consideration of **CSHB 1798** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

(Clardy now present)

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

Representative Walle raised a point of order against further consideration of **CSHB 1798** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis fails to satisfy the detailed-analysis requirement. The point of order is respectfully overruled.

Rule 4, Section 32(c) of the House Rules requires each committee report on a bill to "include in summary or section-by-section form a detailed analysis of the subject matter of the bill." Rule 4, Section 32(c) of the House Rules. Representative Walle argues the bill analysis fails to satisfy the rule because the analysis states that the bill sets out provisions relating to the requirements for such petition and the composition and duties of a local control commission without listing the six requirements for the composition of the local control commission. After thorough consideration of the bill analysis, the bill, and the rule, the chair finds the bill analysis complies with the rule. See 83 H.J. Reg. 4045 (2013) (Martinez Fischer point of order on **CSSB 21**).

CSHB 1798, as amended, failed to pass to engrossment by (Record 1052): 59 Yeas, 76 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ayccock; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Capriglione; Dale; Davis, S.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Galindo; Geren; Goldman; Guillen; Huberty; Hughes; Hunter; Isaac; King, P.; Klick; Koop; Krause; Laubenberg; Leach; Lozano; Meyer; Miller, R.; Morrison; Murphy; Parker; Paul; Peña; Phelan; Riddle; Rinaldi; Schaefer; Schofield; Shaheen; Sheets; Simmons; Springer; Stephenson; Stickland; Tinderholt; Turner, E.S.; Villalba; White, J.; White, M.; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Ashby; Bell; Bernal; Burns; Canales; Clardy; Coleman; Collier; Cook; Craddick; Cyrier; Darby; Davis, Y.; Farias; Farney; Farrar; Frullo; Giddings; González; Guerra; Gutierrez; Harless; Hernandez; Howard; Israel; Johnson; Kacal; Keffer; King, K.; King, S.; Landgraf; Larson; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Metcalf; Miles; Minjarez; Moody; Muñoz; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.;

Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheffield; Simpson; Smithee; Spitzer; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Walle; Workman; Wray; Wu.

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Alvarado; Blanco; Button; Crownover; Dukes; Keough; King, T.; Márquez; Miller, D.; Smith; Vo.

STATEMENTS OF VOTE

When Record No. 1052 was taken, I was in the house but away from my desk. I would have voted no.

Alvarado

When Record No. 1052 was taken, I was in the house but away from my desk. I would have voted no.

Blanco

When Record No. 1052 was taken, I was in the house but away from my desk. I would have voted yes.

Button

When Record No. 1052 was taken, I was in the house but away from my desk. I would have voted no.

Crownover

When Record No. 1052 was taken, my vote failed to register. I would have voted yes.

Keough

When Record No. 1052 was taken, my vote failed to register. I would have voted no.

Márquez

When Record No. 1052 was taken, my vote failed to register. I would have voted no.

D. Miller

When Record No. 1052 was taken, I was shown voting no. I intended to vote yes.

Sanford

(Geren in the chair)

MESSAGE FROM THE SENATE

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

POSTPONED BUSINESS

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

CSHB 1485 ON SECOND READING

(by E. Rodriguez, Harless, Miles, C. Turner, Isaac, et al.)

CSHB 1485, A bill to be entitled An Act relating to the establishment of a grocery access investment fund program.

CSHB 1485 was read second time on May 12, postponed until 5 a.m. today, and was again postponed until this time.

Representative E. Rodriguez moved to postpone consideration of **CSHB 1485** until 7:05 p.m. today.

The motion prevailed.

HB 2769 ON SECOND READING

(by E. Rodriguez and Lucio)

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

HB 2769 was read second time on April 16, postponed until April 20, postponed until April 22, postponed until April 28, postponed until May 4, postponed until May 11, postponed until May 12, postponed until 6 a.m. today, postponed until 3:30 p.m. today, and was again postponed until this time.

Amendment No. 1

Representative Canales offered the following amendment to **HB 2769**:

Amend **HB 2769** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION _____. (a) Subchapter D, Chapter 2305, Government Code, is amended by adding Section 2305.0325 to read as follows:

Sec. 2305.0325. TAX REFUND FOR REVOLVING LOAN RECIPIENTS.

(a) A community based organization or a house of worship, as defined by Section 2305.0322, that receives a loan under that section is entitled to a refund of sales and use tax imposed under Chapter 151, Tax Code, for the purchase of any tangible personal property related to solar power, wind energy, natural gas, hydroelectric power, or propane for which the loan is granted.

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

(b) The change in law made by this section does not affect tax liability accruing before the effective date of this Act. That liability continues in effect as if this section had not been enacted, and the former law is continued in effect for the collection of taxes due and for civil and criminal enforcement of the liability for those taxes.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Anchia offered the following amendment to **HB 2769**:

Amend **HB 2769** (house committee report) on page 1, by striking lines 7-8 and substituting the following:

SECTION 1. Section 2305.0322, Government Code, is amended by adding Subsection (c-1) and amending Subsection (e) to read as follows:

(c-1) Before providing a loan under Subsection (c), the energy office shall evaluate the creditworthiness of the borrower.

Amendment No. 2 was adopted.

HB 2769, as amended, failed to pass to engrossment by (Record 1053): 50 Yeas, 91 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Burkett; Dukes; King, S.; McClendon; Raney.

STATEMENT OF VOTE

When Record No. 1053 was taken, I was in the house but away from my desk. I would have voted no.

Burkett

CSHB 1069 ON SECOND READING

(by E. Rodriguez)

CSHB 1069, A bill to be entitled An Act relating to services for persons who are deaf or hard of hearing and certification requirements for interpreters for persons who are deaf or hard of hearing; providing an administrative penalty; requiring a fee and changing the rate of a fee; requiring an occupational certification.

CSHB 1069 was read second time on May 5, postponed until May 8, postponed until May 11, postponed until May 12, postponed until 6 p.m. May 12, postponed until 6 a.m. today, and was again postponed until this time.

Representative E. Rodriguez moved to postpone consideration of **CSHB 1069** until 5 a.m. tomorrow.

The motion prevailed.

CSHB 506 ON SECOND READING

(by E. Rodriguez)

CSHB 506, A bill to be entitled An Act relating to the issuance of tax-supported bonds by certain school districts and increasing the tax rate limitation on the issuance of those bonds.

CSHB 506 was read second time on May 6, postponed until 6 a.m. May 8, postponed until 3 p.m. May 8, postponed until May 11, postponed until 5 a.m. May 12, postponed until 6 p.m. May 12, postponed until 6 a.m. today, amendments were offered and disposed of, and **CSHB 506** was again postponed until this time.

CSHB 506, as amended, failed to pass to engrossment by (Record 1054): 49 Yeas, 92 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Deshotel; Dukes; Hunter; Johnson; McClendon.

STATEMENTS OF VOTE

When Record No. 1054 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1054 was taken, I was presiding in the chair and was shown voting present, not voting. I would have voted no.

Geren

When Record No. 1054 was taken, I was shown voting no. I intended to vote yes.

Harless

When Record No. 1054 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

MAJOR STATE CALENDAR

(consideration continued)

CSHB 3994 ON SECOND READING

(by Morrison, G. Bonnen, P. King, Krause, Simmons, et al.)

CSHB 3994, A bill to be entitled An Act relating to notice of and consent to an abortion for a minor; amending provisions subject to a criminal penalty.

CSHB 3994 - POINT OF ORDER

Representative Moody raised a point of order against further consideration of **CSHB 3994** under Rule 4, Section 32(c)(4) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative Moody raised a point of order against further consideration of **CSHB 3994** pursuant to Rule 4, Section 32(c)(4) of the House Rules on the grounds that the bill analysis is incorrect. The point of order is respectfully overruled.

Rule 4, Section 32(c)(4) of the House Rules requires each bill analysis to contain a statement indicating whether the bill "expressly creates a criminal offense. . . ." Representative Moody notes that the caption to the committee substitute added the language "amending provisions subject to a criminal penalty." He further observes that the bill does, in fact, amend provisions subject to a criminal penalty because it expands the class of people to whom the bill applies and alters some elements of existing offenses. He urges that the criminal justice impact statement contained in the bill analysis is inconsistent with the bill's caption and inaccurate because it states that the bill does not expressly create a criminal offense. However, expanding the class of persons to whom a penalty applies or adding an element to an offense does not constitute creation of a new criminal offense. See 84 H.J. Reg. 3086-3087 (2015) (Tinderholt point of order on **SB 97**); see also 84 H.J. Reg. 1999-2000 (2015) (Stickland point of order on **HB 409**).

For these reasons, and having reviewed the bill, the bill analysis, and house precedents, the chair determines that the bill does not create a criminal offense, expressly or otherwise. Consequently, there is no violation of Rule 4, Section 32(c)(4) of the House Rules.

Amendment No. 1

Representative Krause offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) as follows:

(1) On page 1, strike lines 8 through 9 and substitute the following:

SECTION 2. Sections 33.002(a), (e), (f), (h), and (i), Family Code, are amended to read as follows:

(a) A physician may not perform an abortion on a pregnant unemancipated minor unless:

(1) the physician performing the abortion gives at least 48 hours actual notice, in person or by telephone, of the physician's intent to perform the abortion to:

(A) a parent of the minor, if the minor has no managing conservator or guardian; or

(B) a court-appointed managing conservator or guardian;

(2) the physician performing the abortion receives a certificate or order issued by a court under Section 33.003 or 33.004 ~~judge of a court having probate jurisdiction, the judge of a county court at law, the judge of a district court, including a family district court, or a court of appellate jurisdiction issues an order~~ authorizing the minor to consent to the abortion as provided by Section 33.003 or 33.004; or

(3) ~~a probate court, county court at law, district court, including a family district court, or court of appeals, by its inaction, constructively authorizes the minor to consent to the abortion as provided by Section 33.003 or 33.004; or~~

~~(4)~~ the physician performing the abortion:

(A) concludes that on the basis of the physician's good faith clinical judgment, a condition exists that complicates the medical condition of the pregnant minor and necessitates the immediate abortion of her pregnancy to avert her death or to avoid a serious risk of substantial and irreversible impairment of a major bodily function; and

(B) certifies in writing to the ~~[Texas]~~ Department of State Health Services and in the patient's medical record the medical indications supporting the physician's judgment that the circumstances described by Paragraph (A) exist.

(e) The ~~[Texas]~~ Department of State Health Services shall prepare a form to be used for making the certification required by Subsection (a)(3) ~~[(a)(4)]~~.

(f) A certification required by Subsection (a)(3) ~~[(a)(4)]~~ is confidential and privileged and is not subject to disclosure under Chapter 552, Government Code, or to discovery, subpoena, or other legal process. Personal or identifying information about the minor, including her name, address, or social security number, may not be included in a certification under Subsection (a)(3) ~~[(a)(4)]~~. The physician must keep the medical records on the minor in compliance with the rules adopted by the Texas ~~[State Board of]~~ Medical Board ~~[Examiners]~~ under Section 153.003, Occupations Code.

(2) On page 1, between lines 22 and 23, insert the following:

(i) In relation to the trial of an offense under this section in which the conduct charged involves a conclusion made by the physician under Subsection (a)(3) ~~[(a)(4)]~~, the defendant may seek a hearing before the Texas ~~[State Board of]~~ Medical Board ~~[Examiners]~~ on whether the physician's conduct was necessary to avert the death of the minor or to avoid a serious risk of substantial and irreversible impairment of a major bodily function. The findings of the Texas ~~[State Board of]~~ Medical Board ~~[Examiners]~~ under this subsection are admissible on that issue in the trial of the defendant. Notwithstanding any other reason for a continuance provided under the Code of Criminal Procedure or other law, on motion of the defendant, the court shall delay the beginning of the trial for not more than 30 days to permit a hearing under this subsection to take place.

(3) On page 2, line 5, between "(e)," and "(g)", insert "(f),".

(4) On page 2, line 5, strike "and (k)" and substitute "(k), and (l)"

(5) On page 2, line 6, strike "and (l-2)" and substitute "(l-2), (o), (p), (q), and (r)".

(6) On page 2, strike lines 8 through 13, and substitute the following:

(a) A pregnant minor [~~who wishes to have an abortion without notification to one of her parents, her managing conservator, or her guardian~~] may file an application for a court order authorizing the minor to consent to the performance of an abortion without notification to and consent [either] of [her parents or] a parent, managing conservator, or guardian.

(7) On page 2, strike lines 14 through 20, and substitute the following:

(b) The application must [may] be filed in:

(1) a [any] county court at law, court having probate jurisdiction, or district court, including a family district court, in the minor's county of residence;

(2) if the minor's county of residence has a population of less than 10,000:

(A) a court described by Subdivision (1);

(B) a county court at law, court having probate jurisdiction, or district court, including a family district court, in a neighboring county; or

(C) a county court at law, court having probate jurisdiction, or district court, including a family district court, in the county in which the facility at which the minor intends to obtain the abortion is located; or

(3) a county court at law, court having probate jurisdiction, or district court, including a family district court, in the county in which the facility at which the minor intends to obtain the abortion is located, if the minor is not a resident of this state.

(8) Strike page 2, line 21, through page 3, line 11, and substitute the following:

(c) The application must be made under oath and include:

(1) a statement that the minor is pregnant;

(2) a statement that the minor is unmarried, is under 18 years of age, and has not had her disabilities removed under Chapter 31;

(3) a statement that the minor wishes to have an abortion without the notification to and consent of [either of her parents or] a parent, managing conservator, or guardian; [and]

(4) a statement as to whether the minor has retained an attorney and, if she has retained an attorney, the name, address, and telephone number of her attorney; and

(5) a statement about the minor's current residence, including the minor's physical address, mailing address, and telephone number.

(e) The court shall appoint a guardian ad litem for the minor who shall represent the best interest of the minor. If the minor has not retained an attorney, the court shall appoint an attorney to represent the minor. The [If the] guardian ad litem may not also [is an attorney admitted to the practice of law in this state, the court may appoint the guardian ad litem to] serve as the minor's attorney ad litem.

(f) The court may appoint to serve as guardian ad litem:

(1) a person who may consent to treatment for the minor under Sections 32.001(a)(1)-(3);

(2) [a psychiatrist or an individual licensed or certified as a psychologist under Chapter 501, Occupations Code;

~~(3)~~ an appropriate employee of the Department of Family and Protective Services; or

(3) an attorney who is licensed to practice law in this state and is in good standing with the State Bar of Texas

~~[(4) a member of the clergy; or~~

~~[(5) another appropriate person selected by the court].~~

(9) On page 4, strike lines 5 through 11 and substitute the following: the application is deemed to be denied ~~[granted and the physician may perform the abortion as if the court had issued an order authorizing the minor to consent to the performance of the abortion without notification under Section 33.002].~~ If the court authorizes the minor to consent to the abortion under this subsection, the court clerk shall issue to the physician who is to perform the abortion a certificate showing that the court granted the application. Proceedings under this section shall be

(10) On page 6, between lines 20 and 21, insert the following:

(l) An order of the court issued under this section is confidential and privileged and is not subject to disclosure under Chapter 552, Government Code, or discovery, subpoena, or other legal process. The order may not be released to any person but the pregnant minor, the pregnant minor's guardian ad litem, the pregnant minor's attorney, the physician who is to perform the abortion, another person designated to receive the order by the minor, or a governmental agency or attorney in a criminal or administrative action seeking to assert or protect the interest of the minor. The supreme court may adopt rules to permit confidential docketing of an application under this section.

(11) On page 7, between lines 8 and 9, insert the following:

(o) A minor who has filed an application under this section may not withdraw or otherwise non-suit her application without the permission of the court.

(p) Except as otherwise provided by Subsection (q), a minor who has filed an application and has obtained a determination by the court as described by Subsection (i) may not initiate a new application proceeding and the prior proceeding is res judicata of the issue relating to the determination of whether the minor may or may not be authorized to consent to the performance of an abortion without the consent of and notification to a parent, managing conservator, or guardian.

(q) A minor whose application is denied may subsequently submit an application to the court that denied the application if the minor shows that there has been a material change in circumstances since the time the court denied the application.

(r) An attorney retained by the minor to assist her in filing an application under this section shall fully inform himself or herself of the minor's prior application history, including the representations made by the minor in the application regarding her address, proper venue in the county in which the application is filed, and whether a prior application has been filed and initiated. If an attorney assists the minor in the application process in any way, with or

without payment, the attorney representing the minor must attest to the truth of the minor's claims regarding the venue and prior applications in a sworn statement.

(12) On page 7, strike lines 21 through 27 and substitute the following: this subsection, the appeal is deemed to be denied [~~granted and the physician may perform the abortion as if the court had issued an order authorizing the minor to consent to the performance of the abortion without notification under Section 33.002~~]. If the court authorizes the minor to consent to the abortion under this subsection, the court clerk shall issue to the physician who is to perform the abortion a certificate showing that the court granted the application. Proceedings under this

(13) Strike page 8, line 17, through page 9, line 4, and substitute the following:

Sec. 33.008. PHYSICIAN'S DUTY TO REPORT ABUSE OF A MINOR; INVESTIGATION AND ASSISTANCE. (a) If a minor claims to have been physically or sexually abused or a [A] physician or physician's agent [who] has reason to believe that a minor has been [or may be] physically or sexually abused [by a person responsible for the minor's care, custody, or welfare, as that term is defined by Section 261.001], the physician or physician's agent shall immediately report the suspected abuse and the name of the abuser to the Department of Family and Protective Services and to a local law enforcement agency and shall refer the minor to the department for services or intervention that may be in the best interest of the minor. The local law enforcement agency shall respond and shall write a report within 24 hours of being notified of the alleged abuse. A report shall be made regardless of whether the local law enforcement agency knows or suspects that a report about the abuse may have previously been made.

(b) The appropriate local law enforcement agency and the Department of Family and Protective Services shall investigate suspected abuse reported under this section and, if warranted [appropriate], shall refer the case to the appropriate prosecuting authority [assist the minor in making an application with a court under Section 33.003].

(c) When the local law enforcement agency responds to the report of physical or sexual abuse as required by Subsection (a), a law enforcement officer or appropriate agent from the Department of Family and Protective Services may take emergency possession of the minor without a court order to protect the health and safety of the minor as described by Chapter 262.

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

SECTION _____. Chapter 33, Family Code, is amended by adding Section 33.0085 to read as follows:

Sec. 33.0085. DUTY OF JUDGE OR JUSTICE TO REPORT ABUSE OF MINOR. (a) Notwithstanding any other law, a judge or justice who, as a result of court proceedings conducted under Section 33.003 or 33.004, has reason to believe that a minor has been or may be physically or sexually abused shall:

(1) immediately report the suspected abuse and the name of the abuser to the Department of Family and Protective Services and to a local law enforcement agency; and

(2) refer the minor to the department for services or intervention that may be in the best interest of the minor.

(b) The appropriate local law enforcement agency and the Department of Family and Protective Services shall investigate suspected abuse reported under this section and, if warranted, shall refer the case to the appropriate prosecuting authority.

SECTION _____. Section 33.010, Family Code, is amended to read as follows:

Sec. 33.010. CONFIDENTIALITY. Notwithstanding any other law, information obtained by the Department of Family and Protective Services or another entity under Section 33.008, 33.0085, or 33.009 is confidential except to the extent necessary to prove a violation of Section 21.02, 22.011, 22.021, or 25.02, Penal Code.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Gutierrez offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) on page 4, lines 15-16, by striking "clear and convincing [a preponderance of the] evidence, as described by Section 101.007," and substituting "a preponderance of the evidence".

CSHB 3994 - POINT OF ORDER

Representative Collier raised a point of order against further consideration of **CSHB 3994** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative Collier raised a point of order against further consideration of **CSHB 3994** on the grounds that the bill analysis is incorrect. Rule 4, Section 32(c)(2) of the House Rules. The point of order is respectfully overruled.

Rule 4, Section 32(c)(2) of the House Rules requires each committee report on a bill to "include in summary or section-by-section form a detailed analysis of the subject matter of the bill," including "an analysis of the content of the bill." Rule 4, Section 32(c)(2) of the House Rules. Representative Collier argues that the bill analysis fails to adequately address the grounds for granting a judicial bypass such that the bill analysis is incorrect and misleading. She specifically asserts that the bill analysis fails to adequately clarify the evidentiary standard required for a minor to make an abortion decision. Having reviewed the bill and the complete bill analysis, the chair determines that the bill analysis's treatment of the evidentiary standard does not violate Rule 4, Section 32(c)(2) of the House Rules.

Representative P. King moved to table Amendment No. 2.

(Keffer in the chair)

The motion to table prevailed by (Record 1055): 96 Yeas, 46 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Isaac; McClendon; Pickett.

STATEMENT OF VOTE

When Record No. 1055 was taken, my vote failed to register. I would have voted yes.

Isaac

Amendment No. 3

Representative E. Rodriguez offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) as follows:

- (1) Strike SECTION 2 of the bill (page 1, lines 8 through 22).
- (2) In SECTION 8 of the bill, strike Subsection (a) (page 9, lines 5-12), and reletter subsections of that SECTION, and any cross-references to those subsections, accordingly.
- (3) Renumber SECTIONS of the bill appropriately.

Representative Morrison moved to table Amendment No. 3.

The motion to table prevailed by (Record 1056): 94 Yeas, 46 Nays, 2 Present, not voting.

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

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, S.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; Miles; Minjarez; Moody; Muñoz; 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; Keffer(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Alonzo; Davis, Y.; Dukes; King, S.; McClendon; Pickett.

STATEMENT OF VOTE

When Record No. 1056 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

Amendment No. 4

Representative E. Rodriguez offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) as follows:

(1) On page 1, line 12, between "identification" and "showing", insert "or a student identification card".

(2) On page 1, line 16, between "identification" and "such", insert "or student identification card".

Amendment No. 4 was withdrawn.

Amendment No. 5

Representative González offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) as follows:

(1) On page 1, lines 11-12, strike "a valid governmental record of identification" and substitute "an identifying document, including a valid governmental record of identification, a birth certificate, or an identifying document issued by a foreign country.".

(2) On page 1, line 16, strike "governmental record of identification" and substitute "identifying document [~~governmental record of identification~~]".

Amendment No. 5 failed of adoption by (Record 1057): 54 Yeas, 91 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Cyrier; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Paul; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Workman; Wu.

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

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes.

STATEMENTS OF VOTE

When Record No. 1057 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 1057 was taken, I was shown voting yes. I intended to vote no.

Paul

When Record No. 1057 was taken, I was shown voting yes. I intended to vote no.

Riddle

When Record No. 1057 was taken, I was shown voting yes. I intended to vote no.

Schubert

When Record No. 1057 was taken, I was shown voting yes. I intended to vote no.

Workman

Amendment No. 6

Representative Israel offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) as follows:

(1) On page 2, line 1, between "REQUIRED," and "A", insert "(a)".

(2) On page 2, between lines 3 and 4, add the following appropriately lettered subsection:

() For purposes of this chapter and Section 164.052, Occupations Code, consent by the following persons is considered to be consent by a parent, managing conservator, or guardian:

(1) a grandparent of the minor;

(2) a sibling of the minor who is 25 years of age or older;

(3) an aunt or uncle of the minor; or

(4) any other relative who is 18 years of age or older and within the second degree of consanguinity of the minor.

Amendment No. 6 failed of adoption by (Record 1058): 44 Yeas, 98 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Coleman; Collier; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Minjarez; Moody; Muñoz; Nevárez; Oliveira; Raymond; Reynolds; Rodriguez, J.; Romero; Rose; Turner, C.; Turner, S.; Vo; Wu.

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

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Canales; Dukes; Naishtat; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 1058 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 1058 was taken, I was in the house but away from my desk. I would have voted yes.

Naishtat

When Record No. 1058 was taken, I was in the house but away from my desk. I would have voted yes.

E. Rodriguez

When Record No. 1058 was taken, I was shown voting no. I intended to vote yes.

S. Thompson

Amendment No. 7

Representative Collier offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee printing) as follows:

- (1) On page 2, line 5, strike "(g),".
- (2) On page 3, strike lines 12-16.

Amendment No. 7 failed of adoption by (Record 1059): 49 Yeas, 94 Nays, 2 Present, not voting.

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

Nays — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keough; King, P.; King, S.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith;

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

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Clardy; Dukes; King, K.

Amendment No. 8

Representative Moody offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee printing) as follows:

(1) On page 2, line 6, between "Subsections" and "(g-1)", insert "(c-1), (c-2),".

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

(c-1) If applicable, the minor may submit with the minor's application a statement under oath that the minor:

(1) has no living parent;

(2) has not lived with a parent for the six months preceding the filing of the application; or

(3) is already the parent of another child.

(c-2) If a minor submits a statement under Subsection (c-1), the court, immediately following the hearing under Subsection (g), shall enter an order authorizing the minor to consent to the minor's abortion. Subsections (f), (g-1), (i), (i-1), (i-2), (i-3), and (j) do not apply to an application filed with a statement described by Subsection (c-1).

Amendment No. 8 failed of adoption by (Record 1060): 48 Yeas, 96 Nays, 2 Present, not voting.

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

Nays — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; King, S.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons;

Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Dutton.

CSHB 3994 - POINT OF ORDER

Representative C. Turner raised a point of order against further consideration of **CSHB 3994** under Rule 4, Section 32(c)(3) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative C. Turner raised a point of order against further consideration of **CSHB 3994** pursuant to Rule 4, Section 32(c)(3) of the House Rules on the grounds that the bill analysis fails to properly identify rulemaking authority delegated by the bill. The point of order is respectfully overruled.

Rule 4, Section 32(c)(3) of the House Rules requires each bill analysis to include a statement indicating whether any rulemaking authority is expressly delegated to a state agency. This authority must be a new, independent, express grant of rulemaking authority to invoke Rule 4, Section 32(c)(3) of the House Rules. See 83 H.J. Reg. 2651 (2013) (Miles point of order on **CSHB 500**); 83 H.J. Reg. 874-875 (2013) (Y. Davis point of order on **HB 1600**). Representative C. Turner asserts that the committee substitute to **HB 3994** fails to identify a section of the measure that delegates rulemaking authority to the Office of Court Administration. Section 4 of the bill directs that "the clerk of the court, at intervals prescribed by the Office of Court Administration of the Texas Judicial System, shall submit a report to the office. . . ." Representative C. Turner contends that the word "prescribed" indicates that the Office of Court Administration will be adopting rules to direct the court clerk. He further argues that the Administrative Procedures Act requires rulemaking proceedings for generally applicable requirements that are the responsibility of a state agency. Looking within the four corners of the bill, however, the chair does not find any express, new, independent grant of rulemaking authority. Because the bill does not direct the state agency to adopt rules, the bill analysis correctly states that "this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution."

Amendment No. 9

Representative Howard offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee printing) as follows:

(1) On page 2, line 6, between "Subsections" and "(g-1)", insert "(c-9), (c-10),".

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

(c-9) If applicable, the minor may submit with the minor's application a statement under oath that the minor's pregnancy is the result of incest or a sexual assault.

(c-10) If a minor submits a statement under Subsection (c-9), the court, immediately following the hearing under Subsection (g), shall enter an order authorizing the minor to consent to the minor's abortion. Subsections (f), (g-1), (i), (i-1), (i-2), (i-3), and (j) do not apply to an application filed with a statement described by Subsection (c-9).

Amendment No. 9 failed of adoption by (Record 1061): 48 Yeas, 95 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; Guillen; McClendon.

Amendment No. 10

Representative Minjarez offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee printing) as follows:

(1) On page 1, line 15, strike "18" and substitute "17 [~~18~~]".

(2) On page 2, line 24, strike "18" and substitute "17 [~~18~~]".

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

SECTION _____. Section 33.001, Family Code, is amended by adding Subdivision (3-a) to read as follows:

(3-a) "Minor" means a person who is under 17 years of age.

Amendment No. 10 failed of adoption by (Record 1062): 48 Yeas, 94 Nays, 3 Present, not voting.

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

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

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Dukes; McClendon; Raney.

STATEMENT OF VOTE

When Record No. 1062 was taken, I was shown voting present, not voting. I intended to vote yes.

Rose

Amendment No. 11

Representative Bernal offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee printing) as follows:

(1) On page 2, line 6, between "Subsections" and "(g-1)", insert "(c-3), (c-4),".

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

(c-3) If applicable, the minor may submit with the minor's application a statement under oath that the minor has obtained a high school diploma or its equivalent.

(c-4) If a minor submits a statement under Subsection (c-3), the court, immediately following the hearing under Subsection (g), shall enter an order authorizing the minor to consent to the minor's abortion. Subsections (f), (g-1), (i), (i-1), (i-2), (i-3), and (j) do not apply to an application filed with a statement described by Subsection (c-3).

Amendment No. 11 failed of adoption by (Record 1063): 49 Yeas, 93 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Gonzales.

Absent — Bohac; Dukes; Miller, D.; Morrison.

STATEMENTS OF VOTE

When Record No. 1063 was taken, my vote failed to register. I would have voted no.

D. Miller

When Record No. 1063 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

Amendment No. 12

Representative González offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) as follows:

(1) On page 2, line 6, strike "(i-3), (l-1), and (l-2)" and substitute "and (i-3)".

(2) Strike page 6, line 21, through page 7, line 8.

(3) On page 9, strike lines 19-22.

(Gonzales now present)

Amendment No. 12 failed of adoption by (Record 1064): 48 Yeas, 97 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Herrero.

Absent — Dukes; Kuempel.

Amendment No. 13

Representative González offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) on page 2, line 18, by striking "10,000" and substituting "50,000".

Amendment No. 13 failed of adoption by (Record 1065): 48 Yeas, 96 Nays, 2 Present, not voting.

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

Nays — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; King, S.; Klick; 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; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Springer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused — Herrero.

Absent — Dukes; Koop; McClendon.

STATEMENT OF VOTE

When Record No. 1065 was taken, my vote failed to register. I would have voted no.

Koop

Amendment No. 14

Representative C. Turner offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee printing) as follows:

- (1) On page 3, line 22, strike "fifth [~~second~~]" and substitute "second".
- (2) On page 4, line 1, strike "fifth [~~second~~]" and substitute "second".
- (3) On page 7, line 13, strike "fifth [~~second~~]" and substitute "second".
- (4) On page 7, line 18, strike "fifth [~~second~~]" and substitute "second".

Amendment No. 14 was withdrawn.

Amendment No. 15

Representative Collier offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) as follows:

- (1) On page 4, line 6, between "issue" and "to", insert "to the minor or the minor's attorney and".
- (2) On page 7, line 22, between "issue" and "to", insert "to the minor or the minor's attorney and".

REMARKS ORDERED PRINTED

Representative Canales moved to print all remarks on **CSHB 3994**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSHB 3994**.]

Amendment No. 15 failed of adoption by (Record 1066): 47 Yeas, 96 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Collier; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

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

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

Absent, Excused — Herrero.

Absent — Coleman; Dukes; McClendon; Sheets.

Amendment No. 16

Representative Walle offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) on page 5, line 2, by striking "as described by Section 261.001".

CSHB 3994 - POINT OF ORDER

Representative Walle raised a point of order against further consideration of **CSHB 3994** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative Walle raised a point of order pursuant to Rule 4, Section 32(c)(2) of the House Rules against further consideration of **CSHB 3994** on the grounds that the bill analysis is incorrect and misleading. The point of order is respectfully overruled.

Rule 4, Section 32(c)(2) of the House Rules requires each committee report on a bill to "include in summary or section-by-section form a detailed analysis of the subject matter of the bill," including "an analysis of the content of the bill." Rule 4, Section 32(c)(2) of the House Rules. Representative Walle argues that the bill analysis fails to adequately address Section 4 of the bill, and in particular, the grounds for granting a judicial bypass such that the bill analysis is incorrect and

misleading. Having reviewed the bill, the complete bill analysis, and an identical point of order, the chair determines that the analysis of Section 4 does not violate Rule 4, Section 32(c)(2) of the House Rules.

Amendment No. 16 failed of adoption by (Record 1067): 48 Yeas, 97 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Herrero.

Absent — Dukes; McClendon.

Amendment No. 17

Representative Klick offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** as follows:

- (1) On page 6, line 27, between "court" and "in", insert "of appeals district".
- (2) On page 7, line 8, between "minors" and "that", insert "and judges".

Amendment No. 17 was adopted.

Amendment No. 18

Representative Leach offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Chapter 33, Family Code, is amended by adding Sections 33.012 and 33.013 to read as follows:

Sec. 33.012. CIVIL PENALTY. (a) A person who intentionally, knowingly, recklessly, or negligently violates this chapter is liable for a civil penalty in an amount:

(1) of \$10,000 for the first violation;
(2) of \$50,000 for the second violation;
(3) of \$100,000 for the third violation; or
(4) greater than \$100,000 that is sufficient to deter future violations for each subsequent violation.

(b) Each performance or attempted performance of an abortion in violation of this chapter is a separate violation.

(c) A civil penalty may not be assessed against a minor on whom an abortion is performed or attempted.

(d) It is not a defense to an action brought under this section that the minor gave informed and voluntary consent.

Sec. 33.013. CAPACITY TO CONSENT. An unemancipated minor does not have the capacity to consent to any action that violates this chapter.

Amendment No. 18 was withdrawn.

Amendment No. 19

Representative Krause offered the following amendment to **CSHB 3994**:

Amend **CSHB 3994** (house committee report) as follows:

(1) On page 1, strike lines 8 through 9 and substitute the following:

SECTION 2. Sections 33.002(a), (e), (f), (h), and (i), Family Code, are amended to read as follows:

(a) A physician may not perform an abortion on a pregnant unemancipated minor unless:

(1) the physician performing the abortion gives at least 48 hours actual notice, in person or by telephone, of the physician's intent to perform the abortion to:

(A) a parent of the minor, if the minor has no managing conservator or guardian; or

(B) a court-appointed managing conservator or guardian;

(2) the physician performing the abortion receives a certificate or order issued by a court under Section 33.003 or 33.004 ~~judge of a court having probate jurisdiction, the judge of a county court at law, the judge of a district court, including a family district court, or a court of appellate jurisdiction issues an order~~ authorizing the minor to consent to the abortion as provided by Section 33.003 or 33.004; or

(3) ~~[a probate court, county court at law, district court, including a family district court, or court of appeals, by its inaction, constructively authorizes the minor to consent to the abortion as provided by Section 33.003 or 33.004; or~~

~~[(4)]~~ the physician performing the abortion:

(A) concludes that on the basis of the physician's good faith clinical judgment, a condition exists that complicates the medical condition of the pregnant minor and necessitates the immediate abortion of her pregnancy to avert her death or to avoid a serious risk of substantial and irreversible impairment of a major bodily function; and

(B) certifies in writing to the ~~[Texas]~~ Department of State Health Services and in the patient's medical record the medical indications supporting the physician's judgment that the circumstances described by Paragraph (A) exist.

(e) The ~~[Texas]~~ Department of State Health Services shall prepare a form to be used for making the certification required by Subsection (a)(3) ~~[(a)(4)]~~.

(f) A certification required by Subsection (a)(3) ~~[(a)(4)]~~ is confidential and privileged and is not subject to disclosure under Chapter 552, Government Code, or to discovery, subpoena, or other legal process. Personal or identifying information about the minor, including her name, address, or social security number, may not be included in a certification under Subsection (a)(3) ~~[(a)(4)]~~. The physician must keep the medical records on the minor in compliance with the rules adopted by the Texas ~~[State Board of]~~ Medical Board ~~[Examiners]~~ under Section 153.003, Occupations Code.

(2) On page 1, between lines 22 and 23, insert the following:

(i) In relation to the trial of an offense under this section in which the conduct charged involves a conclusion made by the physician under Subsection (a)(3) ~~[(a)(4)]~~, the defendant may seek a hearing before the Texas ~~[State Board of]~~ Medical Board ~~[Examiners]~~ on whether the physician's conduct was necessary to avert the death of the minor or to avoid a serious risk of substantial and irreversible impairment of a major bodily function. The findings of the Texas ~~[State Board of]~~ Medical Board ~~[Examiners]~~ under this subsection are admissible on that issue in the trial of the defendant. Notwithstanding any other reason for a continuance provided under the Code of Criminal Procedure or other law, on motion of the defendant, the court shall delay the beginning of the trial for not more than 30 days to permit a hearing under this subsection to take place.

(3) On page 2, line 5, strike "and (k)" and substitute "(k), and (l)"

(4) On page 2, line 6, strike "and (l-2)" and substitute "(l-2), (o), (p), (q), and (r)".

(5) On page 2, strike lines 8 through 13, and substitute the following:

(a) A pregnant minor ~~[who wishes to have an abortion without notification to one of her parents, her managing conservator, or her guardian]~~ may file an application for a court order authorizing the minor to consent to the performance of an abortion without notification to and consent ~~[either]~~ of ~~[her parents or]~~ a parent, managing conservator, or guardian.

(6) On page 2, strike lines 14 through 20, and substitute the following:

(b) The application must ~~[may]~~ be filed in:

(1) a ~~[any]~~ county court at law, court having probate jurisdiction, or district court, including a family district court, in the minor's county of residence;

(2) if the minor's county of residence has a population of less than 10,000:

(A) a court described by Subdivision (1);

(B) a county court at law, court having probate jurisdiction, or district court, including a family district court, in a neighboring county; or

(C) a county court at law, court having probate jurisdiction, or district court, including a family district court, in the county in which the facility at which the minor intends to obtain the abortion is located; or

(3) a county court at law, court having probate jurisdiction, or district court, including a family district court, in the county in which the facility at which the minor intends to obtain the abortion is located, if the minor is not a resident of this state.

(7) Strike page 2, line 21, through page 3, line 11, and substitute the following:

(c) The application must be made under oath and include:

(1) a statement that the minor is pregnant;

(2) a statement that the minor is unmarried, is under 18 years of age, and has not had her disabilities removed under Chapter 31;

(3) a statement that the minor wishes to have an abortion without the notification to and consent of ~~[either of her parents or]~~ a parent, managing conservator, or guardian; ~~and~~

(4) a statement as to whether the minor has retained an attorney and, if she has retained an attorney, the name, address, and telephone number of her attorney; and

(5) a statement about the minor's current residence, including the minor's physical address, mailing address, and telephone number.

(e) The court shall appoint a guardian ad litem for the minor who shall represent the best interest of the minor. If the minor has not retained an attorney, the court shall appoint an attorney to represent the minor. The [If the] guardian ad litem may not also [is an attorney admitted to the practice of law in this state, the court may appoint the guardian ad litem to] serve as the minor's attorney ad litem.

(8) On page 4, strike lines 5 through 11 and substitute the following: the application is deemed to be denied [granted and the physician may perform the abortion as if the court had issued an order authorizing the minor to consent to the performance of the abortion without notification under Section 33.002]. If the court authorizes the minor to consent to the abortion under this subsection, the court clerk shall issue to the physician who is to perform the abortion a certificate showing that the court granted the application. Proceedings under this section shall be

(9) On page 6, between lines 20 and 21, insert the following:

(l) An order of the court issued under this section is confidential and privileged and is not subject to disclosure under Chapter 552, Government Code, or discovery, subpoena, or other legal process. The order may not be released to any person but the pregnant minor, the pregnant minor's guardian ad litem, the pregnant minor's attorney, the physician who is to perform the abortion, another person designated to receive the order by the minor, or a governmental agency or attorney in a criminal or administrative action seeking to assert or protect the interest of the minor. The supreme court may adopt rules to permit confidential docketing of an application under this section.

(10) On page 7, between lines 8 and 9, insert the following:

(o) A minor who has filed an application under this section may not withdraw or otherwise non-suit her application without the permission of the court.

(p) Except as otherwise provided by Subsection (q), a minor who has filed an application and has obtained a determination by the court as described by Subsection (i) may not initiate a new application proceeding and the prior proceeding is res judicata of the issue relating to the determination of whether the minor may or may not be authorized to consent to the performance of an abortion without the consent of and notification to a parent, managing conservator, or guardian.

(q) A minor whose application is denied may subsequently submit an application to the court that denied the application if the minor shows that there has been a material change in circumstances since the time the court denied the application.

(r) An attorney retained by the minor to assist her in filing an application under this section shall fully inform himself or herself of the minor's prior application history, including the representations made by the minor in the application regarding her address, proper venue in the county in which the application is filed, and whether a prior application has been filed and initiated. If an attorney assists the minor in the application process in any way, with or without payment, the attorney representing the minor must attest to the truth of the minor's claims regarding the venue and prior applications in a sworn statement.

(11) On page 7, strike lines 21 through 27 and substitute the following:
 this subsection, the appeal is deemed to be denied ~~[granted and the physician may perform the abortion as if the court had issued an order authorizing the minor to consent to the performance of the abortion without notification under Section 33.002].~~ If the court authorizes the minor to consent to the abortion under this subsection, the court clerk shall issue to the physician who is to perform the abortion a certificate showing that the court granted the application. Proceedings under this

(12) Strike page 8, line 17, through page 9, line 4, and substitute the following:

Sec. 33.008. PHYSICIAN'S DUTY TO REPORT ABUSE OF A MINOR; INVESTIGATION AND ASSISTANCE. (a) If a minor claims to have been physically or sexually abused or a [A] physician or physician's agent [who] has reason to believe that a minor has been [or may be] physically or sexually abused [by a person responsible for the minor's care, custody, or welfare, as that term is defined by Section 261.001], the physician or physician's agent shall immediately report the suspected abuse and the name of the abuser to the Department of Family and Protective Services and to a local law enforcement agency and shall refer the minor to the department for services or intervention that may be in the best interest of the minor. The local law enforcement agency shall respond and

shall write a report within 24 hours of being notified of the alleged abuse. A report shall be made regardless of whether the local law enforcement agency knows or suspects that a report about the abuse may have previously been made.

(b) The appropriate local law enforcement agency and the Department of Family and Protective Services shall investigate suspected abuse reported under this section and, if warranted [appropriate], shall refer the case to the appropriate prosecuting authority [assist the minor in making an application with a court under Section 33.003].

(c) When the local law enforcement agency responds to the report of physical or sexual abuse as required by Subsection (a), a law enforcement officer or appropriate agent from the Department of Family and Protective Services may take emergency possession of the minor without a court order to protect the health and safety of the minor as described by Chapter 262.

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

SECTION _____. Chapter 33, Family Code, is amended by adding Section 33.0085 to read as follows:

Sec. 33.0085. DUTY OF JUDGE OR JUSTICE TO REPORT ABUSE OF MINOR. (a) Notwithstanding any other law, a judge or justice who, as a result of court proceedings conducted under Section 33.003 or 33.004, has reason to believe that a minor has been or may be physically or sexually abused shall:

(1) immediately report the suspected abuse and the name of the abuser to the Department of Family and Protective Services and to a local law enforcement agency; and

(2) refer the minor to the department for services or intervention that may be in the best interest of the minor.

(b) The appropriate local law enforcement agency and the Department of Family and Protective Services shall investigate suspected abuse reported under this section and, if warranted, shall refer the case to the appropriate prosecuting authority.

SECTION _____. Section 33.010, Family Code, is amended to read as follows:

Sec. 33.010. CONFIDENTIALITY. Notwithstanding any other law, information obtained by the Department of Family and Protective Services or another entity under Section 33.008, 33.0085, or 33.009 is confidential except to the extent necessary to prove a violation of Section 21.02, 22.011, 22.021, or 25.02, Penal Code.

Amendment No. 19 - Point of Order

Representative Martinez Fischer raised a point of order against further consideration of Amendment No. 19 under Rule 11, Section 6 of the House Rules on the grounds that the amendment was improperly filed.

The point of order was withdrawn.

(Speaker in the chair)

Amendment No. 19 was adopted.

CSHB 3994, as amended, was passed to engrossment by (Record 1068): 98 Yeas, 47 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Dukes; McClendon; Rose.

STATEMENT OF VOTE

When Record No. 1068 was taken, I was in the house but away from my desk. I would have voted no.

Rose

REMARKS ORDERED PRINTED

Representative Moody moved to print all remarks on **SB 455**.

The motion prevailed.

HR 2502 - ADOPTED (by Allen)

Representative Allen moved to suspend all necessary rules to take up and consider at this time **HR 2502**.

The motion prevailed.

The following resolution was laid before the house:

HR 2502, Congratulating San Juana Elizondo of Houston on the occasion of her retirement and her birthday.

HR 2502 was adopted.

On motion of Representative Y. Davis, the names of all the members of the house were added to **HR 2502** as signers thereof.

HR 2693 - ADOPTED
(by Allen)

Representative Allen moved to suspend all necessary rules to take up and consider at this time **HR 2693**.

The motion prevailed.

The following resolution was laid before the house:

HR 2693, Congratulating Dr. Patricia K. Allen on her retirement from the Houston Independent School District.

HR 2693 was adopted.

On motion of Representative Y. Davis, the names of all the members of the house were added to **HR 2693** as signers thereof.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

ADJOURNMENT

Representative Geren moved that the house adjourn until 9 a.m. tomorrow in memory of Senior Chief Petty Officer Terry Bruce Burkett (ret.) of Austin.

The motion prevailed.

The house accordingly, at 10:54 p.m., adjourned until 9 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

SB 1697 to Government Transparency and Operation.

SIGNED BY THE SPEAKER

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

Senate List No. 20**SB 487, SB 888, SB 899, SB 1108****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

Wednesday, May 13, 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:

HB 225 Guillen SPONSOR: Watson
 Relating to the prescription, administration, and possession of certain opioid antagonists for the treatment of a suspected overdose and a defense to prosecution for certain offenses involving controlled substances and other prohibited drugs, substances, or paraphernalia for defendants seeking assistance for a suspected overdose.

(Committee Substitute/Amended)

HB 1430 King, Susan SPONSOR: Zaffirini
 Relating to the inclusion of mental health in the public services endorsement on a public school diploma and in information about health science career pathways.

HB 1993 Sheffield SPONSOR: Taylor, Van
 Relating to the authorization of independent school districts to use electronic means to notify parents of a student's academic performance.

(Committee Substitute)

HB 2154 Dutton SPONSOR: Birdwell
 Relating to the functions and operation of the State Office of Administrative Hearings.

(Committee Substitute)

HB 2410 Nevárez SPONSOR: Uresti
 Relating to the annual audit of the books and records of the Maverick County Hospital District.

SB 1624 Rodríguez
 Relating to a requirement that certain entering students at a general academic teaching institution receive information regarding mental health and suicide prevention services.

SB 2039

Creighton

Relating to the creation of the Harris County Municipal Utility District No. 546; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, May 13, 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:

HB 440

Gonzales, Larry

SPONSOR: Watson

Relating to adapting the public school physical education curriculum to accommodate the needs of students with mental disabilities.

HB 908

Phillips

SPONSOR: Estes

Relating to the continuation and duties of the Red River Boundary Commission.

HB 1224

Lucio III

SPONSOR: Perry

Relating to the purposes for which the assets of certain revolving funds administered by the Texas Water Development Board may be used.

HB 2083

Darby

SPONSOR: Hancock

Relating to the determination of the appraised value of property for purposes of an ad valorem tax protest or appeal.

HB 2476

Guerra

SPONSOR: Hinojosa

Relating to the operations of health care funding districts in certain counties located on the Texas-Mexico border.

(Committee Substitute)

HB 2559

Zerwas

SPONSOR: Watson

Relating to leases and other agreements relating to real property entered into by certain hospital districts.

HB 2813

King, Ken

SPONSOR: Eltife

Relating to health benefit plan coverage for ovarian cancer screening.

(Amended)

SB 674

Campbell

Relating to instruction regarding mental health, substance abuse, and youth suicide in educator training programs.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 112 (31 Yeas, 0 Nays)

SB 578 (31 Yeas, 0 Nays)

SB 641 (29 Yeas, 2 Nays)

SB 709 (22 Yeas, 9 Nays)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 13, 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 838 Lucio

Relating to the functions of the Office of Immigration and Refugee Affairs, the Governor's Advisory Committee on Immigration and Refugees, and the use of the state's disaster contingency fund for purposes related to immigration and refugees.

SB 1316 Watson

Relating to the system by which an application for a low income housing tax credit is scored.

SB 1408 Lucio

Relating to the establishment of a matching grant program for community development in certain municipalities and counties.

SB 1580 Garcia

Relating to a study on homeless veterans.

SB 1835 Menéndez

Relating to an exemption from the motor vehicle use tax for motor vehicles brought into this state by certain current or former military personnel.

Respectfully,
Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 12

Agriculture and Livestock - **HB 1202, HB 3983**

Appropriations - **SB 1280**

Criminal Jurisprudence - **HB 404**

Higher Education - **SB 18**

Human Services - **SB 212, SB 1540, SB 1880, SB 1889**

Insurance - **SB 876, SB 1427**

Judiciary and Civil Jurisprudence - **HB 3139, SB 455, SB 737, SB 1792**

Juvenile Justice and Family Issues - **HB 2363, HB 4093**

Natural Resources - **SB 854, SB 912, SB 1337**

Public Education - **SB 133, SB 810, SB 836, SB 935, SB 972**

Public Health - **SB 1387**

State and Federal Power and Responsibility, Select - **HCR 61, HCR 112, HCR 113, HR 1508**

State Affairs - **SB 20**

Urban Affairs - **HB 2276, SB 267**

ENGROSSED

May 12 - HB 18, HB 22, HB 118, HB 207, HB 309, HB 451, HB 460, HB 480, HB 549, HB 580, HB 644, HB 849, HB 852, HB 855, HB 882, HB 884, HB 1000, HB 1005, HB 1128, HB 1238, HB 1278, HB 1300, HB 1306, HB 1318, HB 1346, HB 1364, HB 1371, HB 1424, HB 1446, HB 1457, HB 1514, HB 1549, HB 1628, HB 1783, HB 1807, HB 1923, HB 1995, HB 2067, HB 2076, HB 2096, HB 2185, HB 2265, HB 2282, HB 2345, HB 2379, HB 2498, HB 2540, HB 2598, HB 2710, HB 2712, HB 2745, HB 2763, HB 2772, HB 2819, HB 2894, HB 2974, HB 2985, HB 3024, HB 3077, HB 3122, HB 3167, HB 3184, HB 3193, HB 3277, HB 3319, HB 3364, HB 3390, HB 3402, HB 3404, HB 3438, HB 3467, HB 3519, HB 3615, HB 3772, HB 3796, HB 3888, HB 3938, HB 3944, HB 4046, HB 4059, HB 4103, HB 4104, HB 4130, HB 4139, HB 4141, HB 4147, HB 4153, HB 4154, HB 4175

SENT TO THE GOVERNOR

May 12 - HB 181, HB 975, HB 1016, HB 1042, HB 1051, HB 1219, HB 1443, HB 1740, HB 2092, HB 3031, HB 3858, HB 4126, HB 4129, HB 4132, HCR 116

SENT TO THE SECRETARY OF THE STATE

May 12 - HJR 73