

HOUSE JOURNAL

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

EIGHTIETH DAY — TUESDAY, MAY 26, 2015

The house met at 10:06 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1459).

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

The speaker recognized Representative Canales who introduced James Ost, pastor, Iglesia Biblica, McAllen, who offered the invocation as follows:

Dear Lord Jesus, we come before you today with thankfulness in our hearts for the blessings we enjoy as citizens of the great State of Texas. We have been blessed with prosperity and peace, from El Paso to Galveston and from Dallas to the Rio Grande Valley. We thank you for our wide open spaces, for our beautiful landscapes, and for our first class highway system that gives us access to all of Texas' beauty.

We thank you for blessing our oil workers, our small business owners, our ranchers, our teachers, policemen, truck drivers, firefighters, doctors, nurses, and our single moms who wake up every day and work two jobs so that their children can have a better life. We thank you for blessing our construction workers and our minimum wage workers who grind out a week's work to take home to their children. We thank you for blessing our students and our children who carry our

dreams and our legacy into the future. And we thank you for blessing our immigrants, especially those who struggle every day with learning a new culture and language and who paid such a great price to be a part of our Texas family.

And this morning, we especially thank you for our state representatives. We thank you for their tireless work on behalf of Texas, particularly now toward the end of the session when they are worn out and stressed and missing their families back home. We thank you that every day they seek to make Texas an even better place. We pray for each representative today, that, as the Prophet Micah said, they would do justice, love mercy, and walk humbly before God. I ask you to fill them with wisdom and compassion so that they will write legislation that is just, merciful, and God-fearing.

Lord Jesus, please continue to bless Texas, our Texas. Forgive her sins and cause your face to shine upon her and be gracious to her. Jesus, our prayer is that you will keep Texas forever and always free and prosperous and at peace. Hear our prayer today in the heart of the state we love. I pray all of this in the name above every name, Jesus. For yours is the kingdom and the power and the glory forever. Amen.

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

LEAVES OF ABSENCE GRANTED

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

Peña on motion of Minjarez.

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

Cyrier on motion of Schubert.

REGULAR ORDER OF BUSINESS SUSPENDED

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

CAPITOL PHYSICIAN

The speaker recognized Representative Howard who presented Dr. James R. Brown of West Lake Hills as the "Doctor for the Day."

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

(Price in the chair)

CORRECTIONS IN REFERRAL

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

INTRODUCTION OF GUESTS

The chair recognized Representative Gutierrez who introduced Mexican Consul General Carlos González Gutiérrez.

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).

HR 2996 - ADOPTED **(by Muñoz)**

Representative Muñoz moved to suspend all necessary rules to take up and consider at this time **HR 2996**.

The motion prevailed.

The following resolution was laid before the house:

HR 2996, Congratulating the varsity and junior varsity mariachi ensembles from Mission Veterans Memorial High School on their outstanding performance in recent competitions.

HR 2996 was adopted.

HR 3213 - ADOPTED **(by Miles)**

Representative Miles moved to suspend all necessary rules to take up and consider at this time **HR 3213**.

The motion prevailed.

The following resolution was laid before the house:

HR 3213, In memory of Dr. Egbert "Bert" Rulloda Borja.

HR 3213 was read and was unanimously adopted by a rising vote.

On motion of Representative Allen, the names of all the members of the house were added to **HR 3213** as signers thereof.

HCR 130 - ADOPTED **(by Parker)**

Representative Parker moved to suspend all necessary rules to take up and consider at this time **HCR 130**.

The motion prevailed.

The following resolution was laid before the house:

HCR 130, Designating May 26 as John Wayne Day for a 10-year period beginning in 2015.

HCR 130 was adopted by (Record 1460): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Faircloth; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; 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; 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; Phelan; Phillips; Pickett; Price(C); Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Cyrier; Peña.

Absent — Elkins; Farias; Guillen; Lozano; Romero.

On motion of Representatives Krause, Leach, Villalba, Kacal, Flynn, Alonzo, and Raymond, the names of all the members of the house were added to **HCR 130** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Parker who introduced family members of John Wayne.

(Cyrier now present)

(Frullo in the chair)

HB 1212 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Price called up with senate amendments for consideration at this time,

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

Representative Price moved to concur in the senate amendments to **HB 1212**.

The motion to concur in the senate amendments to **HB 1212** prevailed by (Record 1461): 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; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Fairecloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler.

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

Absent, Excused — Peña.

Absent — Crownover; Dale; Dukes; Zerwas.

STATEMENTS OF VOTE

When Record No. 1461 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

When Record No. 1461 was taken, I was in the house but away from my desk. I would have voted yes.

Dale

When Record No. 1461 was taken, I was in the house but away from my desk. I would have voted yes.

Zerwas

Senate Committee Substitute

CSHB 1212, A bill to be entitled An Act relating to the prosecution and punishment of certain offenses under the Texas Controlled Substances Act and the regulation and scheduling of certain substances; creating criminal offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 431, Health and Safety Code, is amended by adding Subchapter G-1 to read as follows:

SUBCHAPTER G-1. ABUSABLE SYNTHETIC SUBSTANCES

Sec. 431.171. DESIGNATION OF CONSUMER COMMODITY AS ABUSABLE SYNTHETIC SUBSTANCE. (a) The commissioner may designate a consumer commodity as an abusable synthetic substance if the commissioner

determines that the consumer commodity is likely an abusable synthetic substance and the importation, manufacture, distribution, or retail sale of the commodity poses a threat to public health.

(b) In determining whether a consumer commodity is an abusable synthetic substance, the commissioner may consider:

(1) whether the commodity is sold at a price higher than similar commodities are ordinarily sold;

(2) any evidence of clandestine importation, manufacture, distribution, or diversion from legitimate channels;

(3) any evidence suggesting the product is intended for human consumption, regardless of any consumption prohibitions or warnings on the packaging of the commodity; or

(4) whether any of the following factors suggest the commodity is an abusable synthetic substance intended for illicit drug use:

(A) the appearance of the packaging of the commodity;

(B) oral or written statements or representations of a person who sells, manufactures, distributes, or imports the commodity;

(C) the methods by which the commodity is distributed; and

(D) the manner in which the commodity is sold to the public.

Sec. 431.172. APPLICABILITY OF CHAPTER TO ABUSABLE SYNTHETIC SUBSTANCE. A commodity classified as an abusable synthetic substance by the commissioner under Section 431.171 is subject to:

(1) the provisions of this chapter that apply to food and cosmetics, including provisions relating to adulteration, packaging, misbranding, and inspection; and

(2) all enforcement actions under Subchapter C.

SECTION 2. Sections 481.002(5) and (6), Health and Safety Code, are amended to read as follows:

(5) "Controlled substance" means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group ~~[Groups]~~ 1, 1-A, ~~[or]~~ 2, 2-A, 3, or ~~[through]~~ 4. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance.

(6) "Controlled substance analogue" means:

(A) a substance with a chemical structure substantially similar to the chemical structure of a controlled substance in Schedule I or II or Penalty Group 1, 1-A, ~~[or]~~ 2, or 2-A; or

(B) a substance specifically designed to produce an effect substantially similar to, or greater than, the effect of a controlled substance in Schedule I or II or Penalty Group 1, 1-A, ~~[or]~~ 2, or 2-A.

SECTION 3. Section 481.036(c), Health and Safety Code, is amended to read as follows:

(c) An action by the commissioner that establishes or modifies a schedule under this subchapter may take effect not earlier than the 21st day after the date on which the schedule or modification is published in the Texas Register unless an emergency exists that necessitates earlier action to avoid an imminent hazard

to the public safety. The commissioner may determine that an imminent hazard to the public safety exists if the commissioner makes findings with respect to each of the factors listed in Sections 481.034(d)(4), (5), and (6) that indicate that the substance poses a danger to health and safety if not immediately controlled.

SECTION 4. Section 481.106, Health and Safety Code, is amended to read as follows:

Sec. 481.106. CLASSIFICATION OF CONTROLLED SUBSTANCE ANALOGUE. For the purposes of the prosecution of an offense under this subchapter involving the manufacture, delivery, or possession of a controlled substance, Penalty Groups 1, 1-A, ~~and~~ 2, and 2-A include a controlled substance analogue that:

- (1) has a chemical structure substantially similar to the chemical structure of a controlled substance listed in the applicable penalty group; or
- (2) is specifically designed to produce an effect substantially similar to, or greater than, a controlled substance listed in the applicable penalty group.

SECTION 5. Section 481.123(a), Health and Safety Code, is amended to read as follows:

(a) It is an affirmative defense to the prosecution of an offense under this subchapter involving the manufacture, delivery, or possession of a controlled substance analogue that the analogue:

- (1) ~~was not in any part intended for human consumption;~~
[(2)] was a substance for which there is an approved new drug application under Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section 355); or

(2) [(2)] was a substance for which an exemption for investigational use has been granted under Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section 355), if the actor's conduct with respect to the substance is in accord with the exemption.

SECTION 6. Subtitle C, Title 6, Health and Safety Code, is amended by adding Chapter 488 to read as follows:

CHAPTER 488. HAZARDOUS CONTROLLED SUBSTANCE EMERGENCY SCHEDULING

Sec. 488.001. DEFINITIONS. In this chapter, "commissioner" and "controlled substance" have the meanings assigned by Chapter 481.

Sec. 488.002. DESIGNATION OF HAZARDOUS CONTROLLED SUBSTANCE; CRITERIA. When the commissioner under Section 481.032 modifies Schedule I to add a controlled substance, the commissioner at that time may designate the substance as a hazardous controlled substance if the commissioner:

- (1) finds that the substance:
 - (A) is chemically similar in structure or effect to a controlled substance listed in a penalty group under Subchapter D, Chapter 481; or
 - (B) poses an imminent danger to life or health; and
- (2) receives approval for the hazardous controlled substance designation from the governor, lieutenant governor, and attorney general.

Sec. 488.003. EMERGENCY SCHEDULING. (a) The commissioner shall publish a list of the controlled substances that are designated as hazardous controlled substances by filing a certified copy of the list with the secretary of state for publication in the Texas Register at the time the commissioner files a copy of the schedules under Section 481.036.

(b) The designation of a substance as a hazardous controlled substance takes effect on the date the modification that added the substance to Schedule I takes effect according to Section 481.036(c).

Sec. 488.004. OFFENSE: MANUFACTURE OR DELIVERY OF HAZARDOUS CONTROLLED SUBSTANCE. (a) A person commits an offense if the person knowingly manufactures, delivers, or possesses with intent to deliver a controlled substance designated as a hazardous controlled substance under this chapter.

(b) An offense under Subsection (a) is a Class A misdemeanor if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, less than 28 grams.

(c) An offense under Subsection (a) is a state jail felony if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, 28 grams or more but less than 200 grams.

(d) An offense under Subsection (a) is a felony of the third degree if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, 200 grams or more but less than 400 grams.

(e) An offense under Subsection (a) is a felony of the second degree if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, 400 grams or more.

Sec. 488.005. OFFENSE: POSSESSION OF HAZARDOUS CONTROLLED SUBSTANCE. (a) A person commits an offense if the person knowingly possesses a controlled substance designated as a hazardous controlled substance under this chapter.

(b) An offense under Subsection (a) is a Class B misdemeanor if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, less than 28 grams.

(c) An offense under Subsection (a) is a Class A misdemeanor if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, 28 grams or more but less than 200 grams.

(d) An offense under Subsection (a) is a state jail felony if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, 200 grams or more but less than 400 grams.

(e) An offense under Subsection (a) is a felony of the third degree if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, 400 grams or more.

Sec. 488.006. EFFECT ON OTHER PROVISIONS OF SUBTITLE. If conduct that is an offense under this chapter is also an offense under another provision of this subtitle, the actor may be prosecuted under either this chapter or the other provision or both.

Sec. 488.007. APPLICABILITY. This chapter does not apply to a controlled substance that is listed in a penalty group under Subchapter D, Chapter 481.

Sec. 488.008. EXPIRATION. The designation of a controlled substance as a hazardous controlled substance expires on September 1 of each odd-numbered year for any designation in effect before January 1 of that year.

SECTION 7. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 8. This Act takes effect September 1, 2015.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 1212** (senate committee report) as follows:

(1) Strike SECTION 3 of the bill (page 2, lines 21 through 33).

(2) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. This Act shall be known as the Montana Brown and Jesse High Act.

SECTION _____. Subchapter B, Chapter 481, Health and Safety Code, is amended by adding Section 481.0355 to read as follows:

Sec. 481.0355. EMERGENCY SCHEDULING. (a) Except as otherwise provided by Subsection (b) and subject to Subsection (c), the commissioner may emergency schedule a substance as a controlled substance if the commissioner determines the action is necessary to avoid an imminent hazard to the public safety.

(b) The commissioner may not emergency schedule a substance as a controlled substance under this section if:

(1) the substance is already scheduled;

(2) an exemption or approval is in effect for the substance under Section 505, Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section 355); or

(3) the substance is an over-the-counter drug that qualifies for recognition as safe and effective under conditions established by federal regulations of the United States Food and Drug Administration governing over-the-counter drugs.

(c) Before emergency scheduling a substance as a controlled substance under this section, the commissioner shall consult with the Department of Public Safety regarding the chemical structure of compounds contained in that substance, and may emergency schedule the substance only in accordance with any recommendations provided by the department.

(d) In determining whether a substance poses an imminent hazard to the public safety, the commissioner shall consider, in addition to the factors provided by Section 481.034(d):

(1) the scope, duration, and symptoms of abuse;

(2) the degree of detriment that abuse of the substance may cause;

(3) whether the substance has been temporarily scheduled under federal law; and

(4) whether the substance has been temporarily or permanently scheduled under the law of another state.

(e) If the commissioner emergency schedules a substance as a controlled substance under this section, an emergency exists for purposes of Section 481.036(c) and the action takes effect on the date the schedule is published in the Texas Register.

(f) An emergency scheduling under this section expires on September 1 of each odd-numbered year for any scheduling that occurs before January 1 of that year.

(g) The commissioner shall post notice about each emergency scheduling under this section on the Internet website of the Department of State Health Services.

(3) Strike SECTION 6 of the bill (page 2, line 62, through page 4, line 6).

(4) Renumber SECTIONS of the bill appropriately.

HB 2463 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Raymond called up with senate amendments for consideration at this time,

HB 2463, A bill to be entitled An Act relating to the continuation and functions of the Department of Assistive and Rehabilitative Services.

Representative Raymond moved to concur in the senate amendments to **HB 2463**.

The motion to concur in the senate amendments to **HB 2463** prevailed by (Record 1462): 146 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Peña.

Absent — Dukes.

Senate Committee Substitute

CSHB 2463, A bill to be entitled An Act relating to the continuation of the functions of the Department of Assistive and Rehabilitative Services and certain other functions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 117.001, Human Resources Code, is amended by amending Subdivision (1) and adding Subdivisions (1-a), (1-b), (4-a), and (4-b) to read as follows:

(1) "Caseworker" means a department employee who manages a client's case under a direct services program and provides direct services to the client under the program.

(1-a) "Center for independent living" has the meaning assigned by Section 702 of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 796a).

(1-b) "Commission" means the Health and Human Services Commission.

(4-a) "Direct services" means services provided to a client by a department employee, including counseling, facilitating the purchase of services from a source other than the department, and purchasing equipment and other items and providing other services necessary for the client to successfully complete a department program.

(4-b) "Direct services program" means a program operated by the department through which direct services are provided.

SECTION 2. Subchapter D, Chapter 117, Human Resources Code, is amended by adding Sections 117.079, 117.080, 117.081, and 117.082 to read as follows:

Sec. 117.079. INTEGRATION OF INDEPENDENT LIVING SERVICES PROGRAMS. (a) Not later than September 1, 2016, the department shall integrate into a single independent living services program the following programs that the department operates under Title VII of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 796 et seq.):

(1) the Independent Living Program for individuals who are blind or have visual impairments; and

(2) the Independent Living Services Program for individuals with significant disabilities.

(b) The executive commissioner shall adopt any rules necessary to facilitate the integration of the programs identified in Subsection (a), including rules that direct the department, as the single designated state entity responsible for administering the state's independent living services program, to comply with the requirements of 29 U.S.C. Section 796c for the integrated program.

(c) This section expires September 1, 2017.

Sec. 117.080. PROVISION OF INDEPENDENT LIVING SERVICES. (a) The department shall ensure that all services provided under the independent living services program that the department operates under Title VII of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 796 et seq.) are directly provided by centers for independent living, except as provided by Subsection (b), and are not directly provided by the department.

(b) If an area of the state does not have a center for independent living, or no center for independent living in that area is able to provide certain necessary services under the independent living services program, the department shall seek to identify a center for independent living that is willing and able to contract with a nonprofit organization or other person to provide the independent living services in the area under the program. If no center for independent living is willing and able to contract with another organization or other person, the department may directly contract with an organization or other person who is not a center for independent living to provide the independent living services in the area under the program.

(c) The department shall evaluate the independent living services provided by a center for independent living and shall provide necessary training or technical assistance to help the center for independent living expand its capacity to provide a full range of independent living services.

(d) The department shall monitor the performance of each center for independent living in providing independent living services, including how the center for independent living monitors the performance of the organizations and other persons with whom it contracts to provide independent living services.

(e) The executive commissioner shall adopt rules to implement this section that include:

(1) an equitable and transparent methodology for allocating funds to centers for independent living under the independent living services program;

(2) requirements applicable to the department in contracting with centers for independent living to provide independent living services under the program;

(3) requirements applicable to centers for independent living in contracting with organizations and other persons to provide independent living services under the program;

(4) requirements applicable to the department in contracting with organizations or other persons who are not centers for independent living to provide independent living services under the program;

(5) a process for the department to monitor independent living services contracts;

(6) guidelines on the department's role in providing technical assistance and training to centers for independent living as necessary; and

(7) expectations for department employees to refer persons who contact the department seeking independent living services to centers for independent living.

(f) Notwithstanding the requirements of this section, the department shall ensure that services provided under the independent living services program are provided as required by this section not later than August 31, 2016. This subsection expires September 1, 2017.

Sec. 117.081. COMPREHENSIVE REHABILITATION SERVICES PROGRAM. The department shall operate a comprehensive rehabilitation services program to provide comprehensive rehabilitation services to persons with traumatic brain or spinal cord injuries. The executive commissioner shall adopt rules for the program that include:

(1) a system of organization for the delivery of the comprehensive rehabilitation services;

(2) eligibility requirements for the comprehensive rehabilitation services;

(3) the types of services that may be provided to a client under the program; and

(4) requirements for client participation in the costs of the comprehensive rehabilitation services.

Sec. 117.082. CHILDREN'S AUTISM PROGRAM. The department shall operate a children's autism program to provide services to children with autism spectrum disorders. The executive commissioner shall adopt rules for the program that include:

(1) a system of organization for the delivery of the autism services;

(2) eligibility requirements for the autism services;

(3) the types of services that may be provided to a client under the program; and

(4) requirements for participation by the client's family in the costs of the autism services.

SECTION 3. Chapter 117, Human Resources Code, is amended by adding Subchapter D-1 to read as follows:

SUBCHAPTER D-1. ADMINISTRATION OF DIRECT SERVICES PROGRAMS IN GENERAL

Sec. 117.091. DIRECT SERVICES PROGRAM CASEWORKER GUIDELINES. (a) The department shall use program data and best practices to establish and maintain guidelines that provide direction for caseworkers' decisions in all of the department's direct services programs. The guidelines:

(1) must categorize direct services program cases based on the types of services provided and, for each category, include provisions addressing:

(A) the recommended length of time a case in that category should last; and

(B) the recommended total expenditures for a case in that category;

(2) must include provisions for creating intermediate goals for a client receiving services through a direct services program that will allow:

(A) the caseworker to monitor the client's progress; and

(B) the caseworker's supervisor to evaluate how the client's case is advancing;

(3) must include criteria for caseworkers to use in evaluating progress on the intermediate goals described in Subdivision (2); and

(4) may include other provisions designed to assist caseworkers and their supervisors to achieve successful outcomes for clients.

(b) A caseworker may exceed the recommended guidelines described in Subsection (a)(1) in a direct services program case but must obtain the approval of the caseworker's supervisor after documenting the need to exceed the guidelines.

(c) The guidelines established under this section are not intended to limit the provision of appropriate or necessary services to a client.

(d) The department shall provide the guidelines established under this section to caseworkers in a format that allows caseworkers to easily access the information.

Sec. 117.092. DIRECT SERVICES PROGRAM CASE REVIEW SYSTEM. (a) The department shall establish and maintain a single, uniform case review system for all direct services programs.

(b) The case review system must:

(1) include risk assessment tools that account for the different risks involved in each direct services program;

(2) require that case reviews:

(A) be used to consistently evaluate each direct services program across all regions, with the goal of evaluating at least 10 percent of all cases in each program and region annually;

(B) focus on areas of highest risk and prioritize the review of the following cases:

(i) except as provided by Subparagraph (ii), cases in which direct services have been provided for more than two years;

(ii) cases in the Blind Children's Vocational Discovery and Development Program in which direct services have been provided for more than five years; and

(iii) cases that are significantly outside the expenditure guidelines for that type of case;

(C) be used to evaluate a caseworker's eligibility determinations and decisions to close a case before a service plan is developed or without the client reaching the client's goal; and

(D) focus on the quality of a caseworker's decision-making and compliance with program requirements; and

(3) require a caseworker's supervisor to use the reviews of a caseworker's cases in conducting the caseworker's performance evaluation and in providing informal guidance to the caseworker to improve the caseworker's performance.

Sec. 117.093. DIRECT SERVICES PROGRAM MONITORING. (a) Department personnel not employed to perform functions directly under a direct services program must be designated to monitor those programs from a statewide perspective. The designated personnel shall collect, monitor, and analyze data

relating to direct services programs and report outcomes and trends to program managers and, as necessary, the commissioner or other appropriate executive management.

(b) The monitoring function under Subsection (a) must include monitoring of:

(1) performance data from all regions and all direct services programs to identify trends; and

(2) case review data to ensure compliance with the case review system under Section 117.092.

(c) Personnel designated to perform the monitoring function required by this section shall work with direct services program staff to develop objective and detailed outcome measures for the programs.

(d) The department may conduct internal peer reviews of the department's field offices at regular intervals to assess the field offices' compliance with federal regulations and department policies and to compare each field office's compliance with the compliance of the other field offices. The department may use personnel designated to perform the monitoring function required by this section to facilitate the internal peer reviews.

SECTION 4. (a) Subchapter A, Chapter 117, Human Resources Code, is amended by adding Sections 117.004 and 117.005 to read as follows:

Sec. 117.004. INAPPLICABILITY OF CERTAIN LAW. Notwithstanding Section 117.003, Section 325.017, Government Code, does not apply to the department.

Sec. 117.005. MEANING OF CERTAIN REFERENCES IN LAW. (a) A reference in this chapter or in any other law to the department in relation to a function transferred to the commission under Section 117.012 means the commission or the division of the commission performing the function after its transfer.

(b) In this chapter or in any other law and notwithstanding any other law, a reference to any of the following state agencies or entities or to the chief executive officer or governing body of any of the following state agencies or entities in relation to a function transferred to the commission under Section 117.012 from the department that the department assumed in accordance with Chapter 198 (HB 2292), Acts of the 78th Legislature, Regular Session, 2003, means the executive commissioner, the commission, or the division of the commission performing the function after its transfer to the commission:

(1) the Texas Rehabilitation Commission;

(2) the Interagency Council on Early Childhood Intervention;

(3) the Texas Commission for the Blind; and

(4) the Texas Commission for the Deaf and Hard of Hearing.

(c) A reference in this chapter or in any other law to the commissioner in relation to a function transferred to the commission under Section 117.012 means the executive commissioner, the executive commissioner's designee, or the director of the division of the commission performing the function after its transfer.

(d) A reference in this chapter or in any other law to the council in relation to a function after its transfer to the commission under Section 117.012 means the executive commissioner or the executive commissioner's designee, as appropriate, and a function previously performed by the council is a function of that appropriate person.

(b) Chapter 117, Human Resources Code, is amended by adding Subchapter A-1 to read as follows:

SUBCHAPTER A-1. TRANSFER OF ASSISTIVE AND REHABILITATIVE SERVICES TO COMMISSION

Sec. 117.011. DEFINITIONS. In this subchapter:

(1) "Administrative support services" has the meaning assigned by Section 531.0055(d), Government Code.

(2) "Function" includes a power, duty, program, or activity of a state agency or entity.

Sec. 117.012. TRANSFER OF ASSISTIVE AND REHABILITATIVE SERVICES TO COMMISSION. (a) Not later than September 1, 2016, and subject to Subsection (b), all functions of the department and council, including administrative support services functions, are transferred to the commission as provided by this subchapter.

(b) If **SB 208, HB 3294**, or similar legislation of the 84th Legislature, Regular Session, 2015, is enacted and becomes law and provides for the transfer of certain department functions to an entity other than the commission, the functions transfer as provided by that legislation and are not subject to transfer under Subsection (a).

Sec. 117.013. EFFECT OF TRANSFERS. (a) All of the following that relate to a function that is transferred to the commission under Section 117.012 are transferred to the commission on the date the related function is transferred to the commission:

(1) all obligations and contracts, including obligations and contracts related to a grant program;

(2) all property and records in the custody of the department or council from which the function is transferred;

(3) all funds appropriated by the legislature and other money;

(4) all complaints, investigations, or contested cases that are pending before the department or the commissioner, without change in status; and

(5) all necessary personnel, as determined by the executive commissioner.

(b) A rule, policy, or form adopted by or on behalf of the department or council that relates to a function that is transferred to the commission under Section 117.012 becomes a rule, policy, or form of the commission on transfer of the related function and remains in effect:

(1) until altered by the executive commissioner or commission, as appropriate; or

(2) unless it conflicts with a rule, policy, or form of the commission.

(c) A license, permit, or certification in effect that was issued by the department that relates to a function that is transferred to the commission under Section 117.012 is continued in effect as a license, permit, or certification of the commission on transfer of the related function until the license, permit, or certification expires, is suspended or revoked, or otherwise becomes invalid.

Sec. 117.014. APPLICABILITY OF FORMER LAW. An action brought or proceeding commenced before the date of a transfer prescribed by this subchapter, including a contested case or a remand of an action or proceeding by a reviewing court, is governed by the laws and rules applicable to the action or proceeding before the transfer.

Sec. 117.015. AUTHORITY OF DEPARTMENT. The powers and authority of the department with respect to a function are not reduced or otherwise limited until the date the function is transferred in accordance with this subchapter or other law, notwithstanding Section 117.003 or any other law.

Sec. 117.016. EXPIRATION OF SUBCHAPTER. This subchapter expires September 1, 2019.

(c) Section 117.003, Human Resources Code, is amended to read as follows:

Sec. 117.003. SUNSET PROVISION. The Department of Assistive and Rehabilitative Services is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished ~~and this chapter expires~~ September 1, 2015.

(d) As soon as appropriate under Subchapter A-1, Chapter 117, Human Resources Code, as added by this section, and in a manner that minimizes disruption of services, the Health and Human Services Commission shall take appropriate action to be designated as the state agency responsible under federal law for any state or federal program that is transferred to the commission in accordance with that subchapter and for which federal law requires the designation of a responsible state agency.

(e) Effective September 1, 2016, the following provisions of the Human Resources Code, including provisions amended by **SB 219**, Acts of the 84th Legislature, Regular Session, 2015, are repealed:

- (1) Section 117.002;
- (2) Section 117.021;
- (3) Section 117.022;
- (4) Section 117.023;
- (5) Section 117.024;
- (6) Section 117.025;
- (7) Section 117.026;
- (8) Section 117.027;
- (9) Section 117.028;
- (10) Section 117.029;
- (11) Section 117.030;
- (12) Section 117.032;
- (13) Section 117.051;
- (14) Section 117.052;

- (15) Section 117.053;
- (16) Section 117.054;
- (17) Section 117.055;
- (18) Section 117.056;
- (19) Section 117.0711;
- (20) Section 117.0712; and
- (21) Section 117.072.

(f) Notwithstanding Subsection (e) of this section, the implementation of a provision repealed by that subsection ceases on the date all functions of the Department of Assistive and Rehabilitative Services or the Assistive and Rehabilitative Services Council are transferred to the Health and Human Services Commission as provided by Subchapter A-1, Chapter 117, Human Resources Code, as added by this section, or to another entity, to the extent the department or council is responsible for the provision's implementation.

(g) This section takes effect only if the Department of Assistive and Rehabilitative Services is not continued in existence by any legislation of the 84th Legislature, Regular Session, 2015.

SECTION 5. (a) In this section:

- (1) "Commission" means the Health and Human Services Commission.
- (2) "Committee" means the Health and Human Services Transition Legislative Oversight Committee established under this section.
- (3) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.
- (4) "Function" includes a power, duty, program, or activity of a state agency or entity.

(b) The Health and Human Services Transition Legislative Oversight Committee is created to facilitate the transfer of functions to or from the commission as provided by this Act and other enacted legislation of the 84th Legislature, Regular Session, 2015, that becomes law, requiring such a transfer, with minimal negative effect on the delivery of services to which those functions relate.

(c) The committee is composed of 11 voting members, as follows:

- (1) four members of the senate, appointed by the lieutenant governor;
- (2) four members of the house of representatives, appointed by the speaker of the house of representatives; and
- (3) three members of the public, appointed by the governor.

(d) The executive commissioner serves as an ex officio, nonvoting member of the committee.

(e) A member of the committee serves at the pleasure of the appointing official.

(f) The lieutenant governor and the speaker of the house of representatives shall each designate a presiding co-chair from among their respective appointments.

(g) A member of the committee may not receive compensation for serving on the committee but is entitled to reimbursement for travel expenses incurred by the member while conducting the business of the committee as provided by the General Appropriations Act.

(h) The committee shall:

(1) facilitate the transfer of functions to the commission prescribed by Subchapter A-1, Chapter 117, Human Resources Code, as added by this Act, and any other transfers described by Subsection (b) of this section, with minimal negative effect on the delivery of services to which those functions relate;

(2) with assistance from the commission and the state agencies and entities from which functions are transferred under the laws described under Subdivision (1) of this subsection, advise the executive commissioner concerning:

(A) the functions to be transferred and the funds and obligations that are related to the functions;

(B) the transfer of the functions and related records, property, funds, and obligations by the state agencies and entities; and

(C) any required reorganization of the commission's administrative structure resulting from the transfers; and

(3) meet at the call of either chair at times determined appropriate by either chair.

(i) Chapter 551, Government Code, applies to the committee.

(j) The committee shall submit a report to the governor, lieutenant governor, speaker of the house of representatives, and legislature not later than December 1 of each even-numbered year. The report must include an update on the progress of and issues related to the purposes and duties of the committee.

(k) The committee is abolished September 1, 2019.

(l) The transfers of functions described by Subsection (b) of this section must be accomplished in accordance with a transition plan developed by the executive commissioner that ensures that the transfers and provision of health and human services in this state are accomplished in a careful and deliberative manner. The transition plan must:

(1) include an outline of the proposed organization of the transferred functions in the commission's organizational structure; and

(2) include details regarding movement of functions and a timeline that specifies the dates on which transfers are to be made.

(m) In developing the transition plan, the executive commissioner shall, before submitting the plan to the committee, the governor, and the Legislative Budget Board as required by Subsection (n) of this section:

(1) hold public hearings in various geographic areas in this state regarding the plan; and

(2) solicit and consider input from appropriate stakeholders.

(n) The executive commissioner shall submit the transition plan to the committee, the governor, and the Legislative Budget Board not later than March 1, 2016. The committee shall comment on and make recommendations to the executive commissioner regarding any concerns or adjustments to the

transition plan the committee determines appropriate. The executive commissioner may not finalize the transition plan until the executive commissioner has reviewed and considered the comments and recommendations of the committee regarding the transition plan.

(o) The executive commissioner shall publish in the Texas Register:

- (1) the transition plan developed under this section;
- (2) any adjustments to the transition plan recommended by the committee;
- (3) a statement regarding whether the executive commissioner adopted or otherwise incorporated the recommended adjustments; and
- (4) if the executive commissioner did not adopt a recommended adjustment, the justification for not adopting the adjustment.

(p) Not later than October 1, 2015:

- (1) the lieutenant governor, the speaker of the house of representatives, and the governor shall make the appointments to the committee as required by Subsection (c) of this section; and
- (2) the lieutenant governor and the speaker of the house of representatives shall each designate a presiding co-chair of the committee in accordance with Subsection (f) of this section.

(q) This section takes effect only if the Department of Assistive and Rehabilitative Services is not continued in existence by any legislation of the 84th Legislature, Regular Session, 2015.

SECTION 6. The following provisions of the Human Resources Code are repealed:

(1) Section 91.022, as amended by **SB 219**, Acts of the 84th Legislature, Regular Session, 2015; and

(2) Section 117.153, as redesignated and amended by **SB 219**, Acts of the 84th Legislature, Regular Session, 2015.

SECTION 7. The executive commissioner of the Health and Human Services Commission shall adopt the rules required by Section 117.080(e), Human Resources Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 8. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 9. Except as otherwise provided by this Act, this Act takes effect September 1, 2015.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 2463** (senate committee report) as follows:

(1) In SECTION 4(b) of the bill, adding Subchapter A-1, Chapter 117, Human Resources Code, strike added Section 117.015, Human Resources Code (page 6, lines 1 through 5), and renumber subsequent sections in added Subchapter A-1, Chapter 117, Human Resources Code, and cross-references to those sections accordingly.

(2) In SECTION 4(c) of the bill, amending Section 117.003, Human Resources Code (page 6, line 14), strike "2015" and substitute "2016 [~~2015~~]".

(3) In SECTION 4 of the bill, strike Subsection (g) (page 6, lines 57 through 59) and substitute the following appropriately lettered subsection:

() This section takes effect only if **SB 200** or **HB 2578**, 84th Legislature, Regular Session, 2015, does not become law.

(4) In SECTION 5 of the bill, strike Subsection (q) (page 8, lines 33 through 35) and substitute the following appropriately lettered subsection:

() This section takes effect only if **SB 200** or **HB 2578**, 84th Legislature, Regular Session, 2015, does not become law.

HB 1510 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative S. Thompson called up with senate amendments for consideration at this time,

HB 1510, A bill to be entitled An Act relating to liability of persons who lease dwellings to persons with criminal records.

Representative S. Thompson moved to concur in the senate amendments to **HB 1510**.

The motion to concur in the senate amendments to **HB 1510** prevailed by (Record 1463): 143 Yeas, 0 Nays, 3 Present, not voting.

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

Present, not voting — Mr. Speaker; Frullo(C); White, J.

Absent, Excused — Peña.

Absent — Clardy; Dukes; Laubenberg.

Senate Committee Substitute

CSHB 1510, A bill to be entitled An Act relating to liability of persons who lease dwellings to persons with criminal records.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 92, Property Code, is amended by adding Section 92.025 to read as follows:

Sec. 92.025. LIABILITY FOR LEASING TO PERSON WITH CRIMINAL RECORD. (a) A cause of action does not accrue against a landlord or a landlord's manager or agent solely for leasing a dwelling to a tenant convicted of, or arrested or placed on deferred adjudication for, an offense.

(b) This section does not preclude a cause of action for negligence in leasing of a dwelling by a landlord or a landlord's manager or agent to a tenant, if:

(1) the tenant:

(A) was convicted of an offense listed in Section 3g, Article 42.12, Code of Criminal Procedure; or

(B) has a reportable conviction or adjudication, as defined by Article 62.001, Code of Criminal Procedure; and

(2) the person against whom the action is filed knew or should have known of the conviction or adjudication.

(c) This section does not create a cause of action or expand an existing cause of action.

SECTION 2. Section 92.025, Property Code, as added by this Act, does not affect a cause of action that accrued before the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law as it existed immediately before that date, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect January 1, 2016.

(Sheets in the chair)

HB 372 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Riddle called up with senate amendments for consideration at this time,

HB 372, A bill to be entitled An Act relating to the monitoring of the Internet access of certain sex offenders placed on community supervision or released on parole or to mandatory supervision.

Representative Riddle moved to concur in the senate amendments to **HB 372**.

The motion to concur in the senate amendments to **HB 372** prevailed by (Record 1464): 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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; Sheets(C).

Absent, Excused — Peña.

Absent — Dukes; Laubenberg.

Senate Committee Substitute

CSHB 372, A bill to be entitled An Act relating to the monitoring of the Internet access of certain sex offenders placed on community supervision or released on parole or to mandatory supervision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 13G, Article 42.12, Code of Criminal Procedure, is amended to read as follows:

Sec. 13G. PROHIBITIONS ON INTERNET ACCESS FOR CERTAIN SEX OFFENDERS. (a) This section applies only to a person who is required to register as a sex offender under Chapter 62, by court order or otherwise, and:

(1) is convicted of or receives a grant of deferred adjudication community supervision for a violation of Section 21.11, 22.011(a)(2), 22.021(a)(1)(B), 33.021, or 43.25, Penal Code;

(2) used the Internet or any other type of electronic device used for Internet access to commit the offense or engage in the conduct for which the person is required to register under Chapter 62; or

(3) is assigned a numeric risk level of two or three based on an assessment conducted under Article 62.007.

(b) If the court grants community supervision to a defendant described by Subsection (a), the court as a condition of community supervision shall:

(1) prohibit the defendant from using the Internet to:

(A) [~~(+)~~] access material that is obscene as defined by Section 43.21, Penal Code;

(B) [~~(+)~~] access a commercial social networking site, as defined by Article 62.0061(f);

(C) [(3)] communicate with any individual concerning sexual relations with an individual who is younger than 17 years of age; or

(D) [(4)] communicate with another individual the defendant knows is younger than 17 years of age; and

(2) to ensure the defendant's compliance with Subdivision (1), require the defendant to submit to regular inspection or monitoring of each electronic device used by the defendant to access the Internet.

(c) The court may modify at any time the condition described by Subsection (b)(1)(D) [(4)] if:

(1) the condition interferes with the defendant's ability to attend school or become or remain employed and consequently constitutes an undue hardship for the defendant; or

(2) the defendant is the parent or guardian of an individual who is younger than 17 years of age and the defendant is not otherwise prohibited from communicating with that individual.

SECTION 2. Section 508.1861, Government Code, is amended to read as follows:

Sec. 508.1861. PROHIBITIONS ON INTERNET ACCESS FOR CERTAIN SEX OFFENDERS. (a) This section applies only to a person who, on release, will be required to register as a sex offender under Chapter 62, Code of Criminal Procedure, by court order or otherwise, and:

(1) is serving a sentence for an offense under Section 21.11, 22.011(a)(2), 22.021(a)(1)(B), 33.021, or 43.25, Penal Code;

(2) used the Internet or any other type of electronic device used for Internet access to commit the offense or engage in the conduct for which the person is required to register under Chapter 62, Code of Criminal Procedure; or

(3) is assigned a numeric risk level of two or three based on an assessment conducted under Article 62.007, Code of Criminal Procedure.

(b) If the parole panel releases on parole or to mandatory supervision a person described by Subsection (a), the parole panel as a condition of parole or mandatory supervision shall:

(1) prohibit the releasee from using the Internet to:

(A) [(1)] access material that is obscene as defined by Section 43.21, Penal Code;

(B) [(2)] access a commercial social networking site, as defined by Article 62.0061(f), Code of Criminal Procedure;

(C) [(3)] communicate with any individual concerning sexual relations with an individual who is younger than 17 years of age; or

(D) [(4)] communicate with another individual the releasee knows is younger than 17 years of age; and

(2) to ensure the releasee's compliance with Subdivision (1), require the releasee to submit to regular inspection or monitoring of each electronic device used by the releasee to access the Internet.

(c) The parole panel may modify at any time the condition described by Subsection (b)(1)(D) [(4)] if:

(1) the condition interferes with the releasee's ability to attend school or become or remain employed and consequently constitutes an undue hardship for the releasee; or

(2) the releasee is the parent or guardian of an individual who is younger than 17 years of age and the releasee is not otherwise prohibited from communicating with that individual.

SECTION 3. This Act takes effect September 1, 2015.

HB 1273 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Farias called up with senate amendments for consideration at this time,

HB 1273, A bill to be entitled An Act relating to certain military specialty license plates.

Representative Farias moved to concur in the senate amendments to **HB 1273**.

The motion to concur in the senate amendments to **HB 1273** prevailed by (Record 1465): 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; 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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; Sheets(C).

Absent, Excused — Peña.

Absent — Button; Dukes; Laubenberg; McClendon.

STATEMENTS OF VOTE

When Record No. 1465 was taken, I was in the house but away from my desk. I would have voted yes.

Button

When Record No. 1465 was taken, I was in the house but away from my desk. I would have voted yes.

Laubenberg

Senate Committee Substitute

CSHB 1273, A bill to be entitled An Act relating to certain military specialty license plates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 504.202(e-1), Transportation Code, is amended to read as follows:

(e-1) Other than license plates issued under Subsection (h), license plates issued under this section may include, on request:

- (1) the emblem of the veteran's branch of service; or
- (2) one emblem from another license plate to which the person is entitled under Section 504.308, 504.311, 504.312, 504.313, 504.3135, 504.314, 504.315, 504.316, 504.318, or 504.319.

SECTION 2. Section 504.3015(b), Transportation Code, is amended to read as follows:

(b) The fee for the issuance of one set of specialty license plates issued under Section 504.315(d) [~~504.315(e), (d),~~] or (g) is \$3. There is no additional fee for a specialty license plate issued under another provision of this subchapter.

SECTION 3. Section 504.311, Transportation Code, is amended to read as follows:

Sec. 504.311. SERVICE IN KOREA [~~KOREAN WAR VETERANS~~]. (a) The department shall issue specialty license plates for persons who served in the United States armed forces:

- (1) during the period beginning on June 27 [after June 26], 1950, and ending on July 27, 1954, and who received the National Defense Service Medal;
- (2) in a combat zone in Korea during the period beginning on June 27, 1950, and ending on July 27, 1954, and who received the Korean Service Medal; or
- (3) in the Korean Demilitarized Zone beginning on July 28, 1954, and who received the Korean Defense Service Medal [before February 1, 1955].

(b) License plates issued under this section must include the words "Korea Veteran[-]" and bear a depiction of the appropriate medal.

SECTION 4. Section 504.312, Transportation Code, is amended to read as follows:

Sec. 504.312. VIETNAM VETERANS. (a) The department shall issue specialty license plates for persons who served in the United States armed forces [~~during~~]:

- (1) during the period beginning on January 1, 1961, and ending on August 14, 1974, and who received the National Defense Service Medal; or
- (2) in a combat zone in the Republic of Vietnam during the period beginning on July 1, 1958 [February 28, 1961], and ending on March 28, 1973, and who received the Vietnam Service Medal [May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period; or

~~[(2) the period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases].~~

(b) License plates issued under this section must include the words "Vietnam Veteran[-]" and bear a depiction of the appropriate medal.

SECTION 5. Section 504.313, Transportation Code, is amended to read as follows:

Sec. 504.313. DESERT SHIELD OR DESERT STORM VETERANS. (a) The department shall issue specialty license plates for persons who served in the United States armed forces:

(1) during the period beginning on [after] August 2, [±] 1990, and ending on November 30, 1995, and who received the National Defense Service Medal; or

(2) in a combat zone in support of Operation Desert Shield or Desert Storm during the period beginning on August 2, 1990, and ending on November 30, 1995, and who received the Southwest Asia Service Medal [before April 12, 1994].

(b) License plates issued under this section must include the words "Desert Shield/Storm/Provide Comfort[-]" and bear a depiction of the appropriate medal.

SECTION 6. Section 504.315, Transportation Code, is amended by adding Subsection (j) to read as follows:

(j) The department shall issue specialty license plates for recipients of the Prisoner of War Medal. License plates issued under this subsection must include the Prisoner of War Medal emblem and must include the words "Prisoner of War Medal" at the bottom of each plate.

SECTION 7. Section 504.315(c), Transportation Code, is repealed.

SECTION 8. The Texas Department of Motor Vehicles is not required to issue specialty license plates under Sections 504.311, 504.312, 504.313, and 504.315, Transportation Code, as amended by this Act, until January 1, 2016.

SECTION 9. This Act takes effect September 1, 2015.

HB 1305 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

Representative G. Bonnen called up with senate amendments for consideration at this time,

HB 1305, A bill to be entitled An Act relating to a program to provide a free or reduced-price breakfast to eligible students attending a public school, the method of determining the number of educationally disadvantaged students for the compensatory education allotment, and the use of compensatory education allotment funds.

Representative G. Bonnen moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 1305**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 1305**: G. Bonnen, chair; Aycock, VanDeaver, Paul, and Howard.

**HB 1338 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Naishtat called up with senate amendments for consideration at this time,

HB 1338, A bill to be entitled An Act relating to training for peace officers and first responders on certain persons affected by trauma.

Representative Naishtat moved to concur in the senate amendments to **HB 1338**.

The motion to concur in the senate amendments to **HB 1338** prevailed by (Record 1466): 140 Yeas, 3 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; 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; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; 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 — Murr; Phillips; Simmons.

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

Absent, Excused — Peña.

Absent — Dukes; Paul; Schaefer.

STATEMENTS OF VOTE

When Record No. 1466 was taken, I was in the house but away from my desk. I would have voted yes.

Paul

When Record No. 1466 was taken, I was in the house but away from my desk. I would have voted yes.

Schaefer

Senate Committee Substitute

CSHB 1338, A bill to be entitled An Act relating to training for peace officers and first responders on certain persons affected by trauma.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter F, Chapter 1701, Occupations Code, is amended by adding Sections 1701.261 and 1701.262 to read as follows:

Sec. 1701.261. ACQUIRED AND TRAUMATIC BRAIN INJURIES TRAINING. (a) In this section, "first responder" has the meaning assigned by Section 421.095, Government Code.

(b) The commission, in collaboration with the office of acquired brain injury of the Health and Human Services Commission and the Texas Traumatic Brain Injury Advisory Council, shall establish and maintain a training program for peace officers and first responders that provides information on:

(1) the effects of an acquired brain injury and of a traumatic brain injury; and

(2) techniques to interact with persons who have an acquired brain injury or a traumatic brain injury.

Sec 1701.262. TRAUMA AFFECTED VETERANS TRAINING. (a) In this section, "veteran" means a person who has served in:

(1) the army, navy, air force, coast guard, or marine corps of the United States; or

(2) the Texas National Guard as defined by Section 431.001, Government Code.

(b) The commission, in collaboration with the Texas Veterans Commission, shall establish and maintain a training program for peace officers that provides information on veterans with combat-related trauma, post-traumatic stress, post-traumatic stress disorder, or a traumatic brain injury. An officer may not complete the training under this subsection by taking an online course.

SECTION 2. Not later than December 31, 2015, the Texas Commission on Law Enforcement shall approve the curriculum for the training programs described by Sections 1701.261 and 1701.262, Occupations Code, as added by this Act.

SECTION 3. This Act takes effect September 1, 2015.

**HB 2182 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Clardy called up with senate amendments for consideration at this time,

HB 2182, A bill to be entitled An Act relating to the collection and refunding of certain fees and deposits by a county clerk or district clerk; increasing certain fees.

Representative Clardy moved to concur in the senate amendments to **HB 2182**.

The motion to concur in the senate amendments to **HB 2182** prevailed by (Record 1467): 145 Yeas, 0 Nays, 3 Present, not voting.

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

Absent, Excused — Peña.

Absent — Dukes.

Senate Committee Substitute

CSHB 2182, A bill to be entitled An Act relating to the collection and refunding of certain fees and deposits by a county clerk or district clerk; increasing certain fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 17.02, Code of Criminal Procedure, is amended to read as follows:

Art. 17.02. DEFINITION OF "BAIL BOND". A "bail bond" is a written undertaking entered into by the defendant and the defendant's sureties for the appearance of the principal therein before a court or magistrate to answer a criminal accusation; provided, however, that the defendant on execution of the bail bond may deposit with the custodian of funds of the court in which the prosecution is pending current money of the United States in the amount of the bond in lieu of having sureties signing the same. Any cash funds deposited under this article shall be receipted for by the officer receiving the funds and, on order of the court, be refunded in the amount shown on the face of the receipt less the administrative fee authorized by Section 117.055, Local Government Code, after the defendant complies with the conditions of the defendant's bond, to:

(1) any person in the name of whom a receipt was issued, [~~in the amount reflected on the face of the receipt,~~] including the defendant if a receipt was issued to the defendant; or

(2) the defendant, if no other person is able to produce a receipt for the funds.

SECTION 2. Article 102.004(a), Code of Criminal Procedure, is amended to read as follows:

(a) A defendant convicted by a jury in a trial before a justice or municipal court shall pay a jury fee of \$3. A defendant in a justice or municipal court who requests a trial by jury and who withdraws the request not earlier than 24 hours before the time of trial shall pay a jury fee of \$3, if the defendant is convicted of the offense or final disposition of the defendant's case is deferred. A defendant convicted by a jury in a county court, a county court at law, or a district court shall pay a jury fee of \$40 [~~\$20~~].

SECTION 3. (a) Section 51.305(b), Government Code, is amended to read as follows:

(b) The commissioners court of a county may adopt a district court records archive fee of not more than \$10 for the filing of a suit, including an appeal from an inferior court, or a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition, in any [a district] court in the county for which the district clerk accepts filings as part of the county's annual budget. The fee must be set and itemized in the county's budget as part of the budget preparation process and must be approved in a public meeting. The fee is for preservation and restoration services performed in connection with maintaining a district court records archive.

(b) Section 51.305(b), Government Code, as effective September 1, 2019, is amended to read as follows:

(b) The commissioners court of a county may adopt a district court records archive fee of not more than \$5 for the filing of a suit, including an appeal from an inferior court, or a cross-action, counterclaim, intervention, contempt action, motion for new trial, or third-party petition, in any [a district] court in the county for which the district clerk accepts filings as part of the county's annual budget. The fee must be set and itemized in the county's budget as part of the budget preparation process and must be approved in a public meeting. The fee is for preservation and restoration services performed in connection with maintaining a district court records archive.

SECTION 4. Section 51.319, Government Code, is amended to read as follows:

Sec. 51.319. OTHER FEES. The district clerk shall collect the following fees for services performed by the clerk:

(1) for performing services related to the matter of the estate of a deceased person or a minor transacted in the district court, the same fees allowed the county clerk for those services;

(2) for serving process by certified or registered mail, the same fee that sheriffs and constables are authorized to charge for the service under Section 118.131, Local Government Code; [~~and~~]

(3) for performing any other service prescribed or authorized by law for which no fee is set by law, a reasonable fee; and

(4) for performing services related to a matter filed in a statutory county court, the same fees allowed the district clerk for those services in the district court.

SECTION 5. Section 51.604(a), Government Code, is amended to read as follows:

(a) The district clerk shall collect a \$40 [~~\$30~~] jury fee for each civil case in which a person applies for a jury trial. The clerk of a county court or statutory county court shall collect a \$40 [~~\$22~~] jury fee for each civil case in which a person applies for a jury trial. The clerk shall note the payment of the fee on the court's docket.

SECTION 6. Section 118.052, Local Government Code, is amended to read as follows:

Sec. 118.052. FEE SCHEDULE. Each clerk of a county court shall collect the following fees for services rendered to any person:

(1) CIVIL COURT ACTIONS

(A) Filing of Original Action (Sec. 118.053):

- (i) Garnishment after judgment \$15.00
- (ii) All others \$40.00

(B) Filing of Action Other than Original (Sec. 118.054) . . . \$30.00

(C) Services Rendered After Judgment in Original Action (Sec. 118.0545):

- (i) Abstract of judgment. \$ 5.00
- (ii) Execution, order of sale, writ, or other process \$ 5.00

(2) PROBATE COURT ACTIONS

(A) Probate Original Action (Sec. 118.055):

(i) Probate of a will with independent executor, administration with will attached, administration of an estate, guardianship or receivership of an estate, or muniment of title \$40.00

- (ii) Community survivors \$40.00
- (iii) Small estates \$40.00
- (iv) Declarations of heirship \$40.00
- (v) Mental health or chemical dependency services \$40.00
- (vi) Additional, special fee (Sec. 118.064) \$ 5.00

(B) Services in Pending Probate Action (Sec. 118.056):

(i) Filing an inventory and appraisal as provided by Section 118.056(d) \$25.00

- (ii) Approving and recording bond \$ 3.00
- (iii) Administering oath \$ 2.00

(iv) Filing annual or final account of estate. \$25.00

(v) Filing application for sale of real or personal property. \$25.00

(vi) Filing annual or final report of guardian of a person \$10.00

(vii) Filing a document not listed under this paragraph after the filing of an order approving the inventory and appraisal or after the 120th day after the date of the initial filing of the action, whichever occurs first, if more than 25 pages \$25.00

(C) Adverse Probate Action (Sec. 118.057) \$40.00

(D) Claim Against Estate (Sec. 118.058) \$10.00 [~~\$ 2.00~~]

(E) Supplemental Court-Initiated Guardianship Fee in Probate Original Actions and Adverse Probate Actions (Sec. 118.067) \$20.00

(F) Supplemental Public Probate Administrator Fee For Counties That Have Appointed a Public Probate Administrator (Sec. 118.068). . . . \$10.00

(3) OTHER FEES

(A) Issuing Document (Sec. 118.059): original document and one copy \$ 4.00
each additional set of an original and one copy \$ 4.00

(B) Certified Papers (Sec. 118.060): for the clerk's certificate \$ 5.00 plus a fee per page or part of a page of \$ 1.00

(C) Noncertified Papers (Sec. 118.0605): for each page or part of a page \$ 1.00

(D) Letters Testamentary, Letter of Guardianship, Letter of Administration, or Abstract of Judgment (Sec. 118.061) \$ 2.00

(E) Safekeeping of Wills (Sec. 118.062) \$ 5.00

(F) Mail Service of Process (Sec. 118.063) same as sheriff

(G) Records Management and Preservation Fee \$ 5.00

SECTION 7. The changes in law made by this Act apply only to a fee that becomes payable on or after the effective date of this Act. A fee that becomes payable before that date is governed by the law in effect when the fee became payable, and the former law is continued in effect for that purpose.

SECTION 8. This Act takes effect September 1, 2015.

**HB 2789 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Raymond called up with senate amendments for consideration at this time,

HB 2789, A bill to be entitled An Act relating to trauma-informed care training for certain employees of state supported living centers and intermediate care facilities.

Representative Raymond moved to concur in the senate amendments to **HB 2789**.

The motion to concur in the senate amendments to **HB 2789** prevailed by (Record 1468): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycok; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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; Sheets(C).

Absent, Excused — Peña.

Absent — Dukes; Laubenberg.

Senate Committee Substitute

CSHB 2789, A bill to be entitled An Act relating to trauma-informed care training for certain employees of state supported living centers and intermediate care facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 161, Human Resources Code, is amended by adding Section 161.088 to read as follows:

Sec. 161.088. TRAUMA-INFORMED CARE TRAINING. (a) The department shall develop or adopt trauma-informed care training for employees who work directly with individuals with intellectual and developmental disabilities in state supported living centers and intermediate care facilities. The executive commissioner by rule shall require new employees to complete the training before working with individuals with intellectual and developmental disabilities.

(b) The training required under this section may be provided through an Internet website.

SECTION 2. This Act takes effect September 1, 2015.

HB 3610 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative González called up with senate amendments for consideration at this time,

HB 3610, A bill to be entitled An Act relating to the issuance of Texas Juneteenth specialty license plates.

Representative González moved to concur in the senate amendments to **HB 3610**.

The motion to concur in the senate amendments to **HB 3610** prevailed by (Record 1469): 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;

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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Peña.

Absent — Dukes; Frullo; Leach; Simpson.

STATEMENT OF VOTE

When Record No. 1469 was taken, I was in the house but away from my desk. I would have voted yes.

Frullo

Senate Committee Substitute

CSHB 3610, A bill to be entitled An Act relating to the issuance of Texas Juneteenth specialty license plates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter G, Chapter 504, Transportation Code, is amended by adding Section 504.649 to read as follows:

Sec. 504.649. TEXAS JUNETEENTH LICENSE PLATES. (a) The department shall issue Texas Juneteenth specialty license plates. The department shall design the license plates in consultation with Unity Unlimited Inc.

(b) After deduction of the department's administrative costs, the remainder of the fee for issuance of the license plates shall be deposited to the credit of the general revenue fund to be used only by the Texas Historical Commission in making grants to Unity Unlimited Inc. for the purpose of promoting the celebration of Juneteenth in this state, provided that verification is submitted to the Texas Historical Commission demonstrating that Unity Unlimited Inc. continues to maintain its nonprofit status. If Unity Unlimited Inc. does not have nonprofit status at the time of the distribution of a grant, the grant shall be distributed to another nonprofit organization for the purpose of promoting the celebration of Juneteenth in this state.

SECTION 2. This Act takes effect January 1, 2016.

**HB 4097 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Hunter called up with senate amendments for consideration at this time,

HB 4097, A bill to be entitled An Act relating to seawater desalination projects.

Representative Hunter moved to concur in the senate amendments to **HB 4097**.

The motion to concur in the senate amendments to **HB 4097** prevailed by (Record 1470): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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; Sheets(C).

Absent, Excused — Peña.

Absent — Anderson, C.; Dukes.

Senate Committee Substitute

CSHB 4097, A bill to be entitled An Act relating to seawater desalination projects.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 39.203, Utilities Code, is amended by adding Subsection (i) to read as follows:

(i) The commission, in cooperation with transmission and distribution utilities and the ERCOT independent system operator, shall study whether existing transmission and distribution planning processes are sufficient to provide adequate infrastructure for seawater desalination projects. If the commission

determines that statutory changes are needed to ensure that adequate infrastructure is developed for projects of that kind, the commission shall include recommendations in the report required by Section 31.003.

SECTION 2. Subchapter Z, Chapter 39, Utilities Code, is amended by adding Section 39.9055 to read as follows:

Sec. 39.9055. EXAMINATION OF DEMAND RESPONSE POTENTIAL OF SEAWATER DESALINATION PROJECTS. The commission and the ERCOT independent system operator shall study the potential for seawater desalination projects to participate in existing demand response opportunities in the ERCOT market. To the extent feasible, the study shall determine whether the operational characteristics of seawater desalination projects enable projects of that kind to participate in ERCOT-operated ancillary services markets or other competitively supplied demand response opportunities. The study shall also determine the potential economic benefit to a seawater desalination project if the project is able to reduce its demand during peak pricing periods. The commission shall include the results of the study in the report required by Section 31.003.

SECTION 3. Section 11.121, Water Code, is amended to read as follows:

Sec. 11.121. PERMIT REQUIRED. Except as provided in Sections 11.1405, 11.142, 11.1421, and 11.1422 [of this code], no person may appropriate any state water or begin construction of any work designed for the storage, taking, or diversion of water without first obtaining a permit from the commission to make the appropriation.

SECTION 4. Subchapter D, Chapter 11, Water Code, is amended by adding Section 11.1405 to read as follows:

Sec. 11.1405. DESALINATION OF SEAWATER FOR USE FOR INDUSTRIAL PURPOSES. (a) The commission may issue a permit under this section to authorize a diversion of state water from the Gulf of Mexico or a bay or arm of the Gulf of Mexico for desalination and use for industrial purposes if:

(1) the point of diversion is located less than three miles seaward of any point located on the coast of this state; or

(2) the seawater contains a total dissolved solids concentration based on a yearly average of samples taken monthly at the water source of less than 20,000 milligrams per liter.

(b) A person may divert state water from the Gulf of Mexico or a bay or arm of the Gulf of Mexico for desalination and use for industrial purposes without obtaining a permit if Subsection (a) does not apply.

(c) A person who diverts and uses state water that consists of marine seawater under a permit issued under Subsection (a) or as authorized by Subsection (b) must determine the total dissolved solids concentration of the seawater at the water source by monthly sampling and analysis and provide the data collected to the commission. A person may not begin construction of a facility for the diversion of marine seawater for the purposes provided by this section without obtaining a permit until the person has provided data to the commission based on the analysis of samples taken at the water source over a period of at least one year demonstrating that Subsection (a)(2) does not apply. A person who has begun construction of a facility for the diversion of marine

seawater for the purposes provided by this section without obtaining a permit because the person has demonstrated that Subsection (a)(2) does not apply is not required to obtain a permit for the facility if the total dissolved solids concentration of the seawater at the water source subsequently changes so that Subsection (a)(2) applies.

(d) A permit application under this section must be submitted as required by commission rule.

(e) The commission is not required to make a finding of water availability for an application under this section.

(f) The commission shall evaluate whether any proposed diversion under this section is consistent with any applicable environmental flow standards established under Section 11.1471.

(g) The commission may include any provision in a permit issued under this section that the commission considers necessary to comply with the environmental flow standards established under Section 11.1471.

(h) The commission shall adopt rules providing an expedited procedure for acting on an application for a permit under Subsection (a). The rules must provide for notice, an opportunity for the submission of written comment, and an opportunity for a contested case hearing regarding commission actions relating to an application for a permit.

SECTION 5. Subchapter B, Chapter 26, Water Code, is amended by adding Section 26.0272 to read as follows:

Sec. 26.0272. PERMITS AUTHORIZING DISCHARGES FROM CERTAIN SEAWATER DESALINATION FACILITIES. (a) This section applies only to a facility that generates water treatment residuals from the desalination of seawater solely for use as part of an industrial process.

(b) The commission may issue a permit for the discharge of water treatment residuals from the desalination of seawater into the portion of the Gulf of Mexico inside the territorial limits of the state.

(c) Before issuing a permit under this section, the commission must evaluate the discharge of water treatment residuals from the desalination of seawater into the Gulf of Mexico for compliance with the state water quality standards adopted by the commission, the requirements of the Texas Pollutant Discharge Elimination System program, and applicable federal law.

(d) The commission may issue individual permits or a general permit under this section. If the commission elects to issue individual permits under this section, the commission must establish procedures for the review of an application that, at a minimum, comply with the requirements of Subchapter M, Chapter 5. If the commission elects to issue a general permit under this section, the commission must comply with the requirements of Section 26.040.

SECTION 6. Section 27.021, Water Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A permit issued under this section may authorize the disposal of water treatment residuals produced by the desalination of seawater.

SECTION 7. Section 27.025, Water Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A general permit issued under this section may authorize an injection well for the disposal of concentrate produced by the desalination of seawater. The general permit must include any requirements necessary to maintain delegation of the federal underground injection control program administered by the commission.

SECTION 8. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

**HB 2049 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Darby called up with senate amendments for consideration at this time,

HB 2049, A bill to be entitled An Act relating to indemnification and duties of engineers and architects under certain governmental contracts.

Representative Darby moved to concur in the senate amendments to **HB 2049**.

The motion to concur in the senate amendments to **HB 2049** prevailed by (Record 1471): 143 Yeas, 1 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; 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Simpson.

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

Absent, Excused — Peña.

Absent — Dukes; Flynn.

STATEMENT OF VOTE

When Record No. 1471 was taken, my vote failed to register. I would have voted yes.

Flynn

Senate Committee Substitute

CSHB 2049, A bill to be entitled An Act relating to indemnification and duties of engineers and architects under certain governmental contracts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 271.904, Local Government Code, is amended to read as follows:

Sec. 271.904. ENGINEERING OR ARCHITECTURAL SERVICES CONTRACTS; INDEMNIFICATION LIMITATIONS; DUTIES OF ENGINEER OR ARCHITECT. (a) A covenant or promise in, in connection with, or collateral to a contract for engineering or architectural services to which a governmental agency is a party is void and unenforceable if the covenant or promise provides that a licensed engineer or registered architect whose work product is the subject of the contract must indemnify or~~;~~ hold harmless~~[- or defend]~~ the governmental agency against liability for damage, other than liability for damage to the extent that the damage is caused by or results from an act of negligence, intentional tort, intellectual property infringement, or failure to pay a subcontractor or supplier committed by the indemnitor or the indemnitor's agent, consultant under contract, or another entity over which the indemnitor exercises control.

(b) Except as provided by Subsection (c), a covenant or promise in, in connection with, or collateral to a contract for engineering or architectural services to which a governmental agency is a party is void and unenforceable if the covenant or promise provides that a licensed engineer or registered architect whose work product is the subject of the contract must defend a party, including a third party, against a claim based wholly or partly on the negligence of, fault of, or breach of contract by the governmental agency, the agency's agent, the agency's employee, or other entity, excluding the engineer or architect or that person's agent, employee, or subconsultant, over which the governmental agency exercises control. A covenant or promise may provide for the reimbursement of a governmental agency's reasonable attorney's fees in proportion to the engineer's or architect's liability.

(c) Notwithstanding Subsection (b), a governmental agency may require in a contract for engineering or architectural services to which the governmental agency is a party that the engineer or architect name the governmental agency as an additional insured under the engineer's or architect's general liability insurance policy and provide any defense provided by the policy.

(d) A contract for engineering or architectural services to which a governmental agency is a party must require a licensed engineer or registered architect to perform services:

(1) with the professional skill and care ordinarily provided by competent engineers or architects practicing in the same or similar locality and under the same or similar circumstances and professional license; and

(2) as expeditiously as is prudent considering the ordinary professional skill and care of a competent engineer or architect.

(e) In a contract for engineering or architectural services to which a governmental agency is a party, a provision establishing a different standard of care than a standard described by Subsection (d) is void and unenforceable. If a contract contains a void and unenforceable provision, the standard of care described by Subsection (d) applies.

(f) In this section, "governmental agency" has the meaning assigned by Section 271.003.

SECTION 2. Section 271.904, Local Government Code, as amended by this Act, applies only to a contract for which a request for proposals or a request for qualifications is first published or distributed on or after the effective date of this Act. A contract for which a request for proposals or a request for qualifications is first published or distributed before the effective date of this Act is governed by the law in effect on the date the request was published or distributed, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.

HB 2481 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Smith called up with senate amendments for consideration at this time,

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

Representative Smith moved to concur in the senate amendments to **HB 2481**.

The motion to concur in the senate amendments to **HB 2481** prevailed by (Record 1472): 133 Yeas, 11 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; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Fairecloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Smith;

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

Nays — Burns; Keough; Krause; Murr; Phillips; Rinaldi; Simpson; Spitzer; Stickland; Tinderholt; Zedler.

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

Absent, Excused — Peña.

Absent — Darby; Dukes; McClendon.

STATEMENTS OF VOTE

When Record No. 1472 was taken, I was shown voting yes. I intended to vote no.

Burrows

When Record No. 1472 was taken, I was in the house but away from my desk. I would have voted yes.

Darby

When Record No. 1472 was taken, I was shown voting yes. I intended to vote no.

Springer

Senate Committee Substitute

CSHB 2481, A bill to be entitled An Act relating to the licensing and regulation of auctioneers, associate auctioneers, and auctions; requiring an occupational license; requiring a fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1802.001, Occupations Code, is amended by amending Subdivisions (1), (5), and (10) and adding Subdivision (2) to read as follows:

(1) "Advisory board" means the Auctioneer [~~Education~~] Advisory Board.

(2) "Associate auctioneer" means an individual who, for compensation, is employed by and under the direct supervision of a licensed auctioneer to sell or offer to sell property at an auction.

(5) "Auctioneer" means any individual [~~person~~] who[~~+~~]
~~[(A)] sells or offers to sell property of another person by live bid at auction, with or without receiving consideration[; or~~
~~[(B) solicits, negotiates, or executes an auction listing contract].~~

(10) "Personal property" means any property other than real property[; including all tangible and intangible types of property].

SECTION 2. Section 1802.002(a), Occupations Code, is amended to read as follows:

(a) This chapter does not apply to:

(1) a sale conducted by order of a United States court under Title 11, United States Code;

(2) a sale conducted by an employee of the United States, this state, or a political subdivision of this state in the course and scope of employment;

(3) a sale conducted by a charitable, religious, or civic organization, including an organization having a tax exempt status under Section 501(c), Internal Revenue Code of 1986, or organized as a nonprofit entity, if the person organizing, arranging, or conducting the auction receives no compensation;

~~(4) a sale conducted by any person of the person's property if the person is not engaged in the business of selling property at auction on a recurring basis;~~

~~(5)~~ a foreclosure sale of real property personally conducted by a trustee under a deed of trust;

(5) ~~(6)~~ a foreclosure sale of personal property personally conducted by:

(A) a person who holds a security interest in the property, including a mortgage; or

(B) an employee or agent of a person described by Paragraph (A) acting in the course and scope of employment, if:

(i) the employee or agent is not otherwise engaged in the auction business; and

(ii) all property for sale in the auction is subject to a security agreement;

(6) ~~(7)~~ a sale conducted by sealed bid without the option of increasing or decreasing the amount of a bid;

(7) ~~(8)~~ an auction conducted only for student training purposes as part of a course of study approved by the department;

(8) ~~(9)~~ an auction conducted by a posted stockyard or market agency as defined by the federal Packers and Stockyards Act (7 U.S.C. Section 181 et seq.), as amended;

(9) ~~(10)~~ an auction of livestock conducted by a nonprofit livestock trade association chartered in this state, if the auction involves only the sale of livestock owned by members of the trade association;

(10) ~~(11)~~ an auction conducted by a charitable or nonprofit organization chartered in this state, if the auction:

(A) is part of a fair that is organized under state, county, or municipal authority; and

(B) involves only the sale of property owned by the organization's members; ~~(11)~~

(11) ~~(12)~~ a sale or auction conducted by an auctioneer while the auctioneer is physically located outside of this state;

(12) a sale of motor vehicles at auction by a person licensed under Chapter 2301 or 2302;

(13) a sale of motor vehicles at auction by a person who holds a wholesale motor vehicle auction general distinguishing number or an independent motor vehicle general distinguishing number issued by the Texas Department of Motor Vehicles; or

(14) an auction of property through the Internet.

SECTION 3. Subchapter A, Chapter 1802, Occupations Code, is amended by adding Section 1802.004 to read as follows:

Sec. 1802.004. ADVERTISEMENT OF AUCTION. The commission, by rule, may adopt standards for the advertisement of an auction by an auctioneer or associate auctioneer licensed under this chapter.

SECTION 4. Section 1802.051, Occupations Code, is amended by amending Subsections (a) and (c) and adding Subsection (d) to read as follows:

(a) A person may not act as an auctioneer or associate auctioneer ~~[of real or personal property]~~ in this state unless the person holds a license issued by the executive director under this chapter.

(c) Except as provided by Subsection (d), an [An] individual who is licensed under this chapter may not act as an auctioneer for an entity unless the entity:

(1) is an auction company owned or operated by an individual who is licensed under this chapter; or

(2) ~~[holds a dealer general distinguishing number issued under Subchapter B, Chapter 503, Transportation Code, and the auction is for the purpose of auctioning vehicles as defined by Section 503.001, Transportation Code; or~~

~~[(3)]~~ is a real estate brokerage firm that is operated by a broker licensed by the Texas Real Estate Commission.

(d) An individual who is licensed under this chapter may conduct an auction to sell motor vehicles, as defined by Section 501.002 or 502.001, Transportation Code, for a person who holds:

(1) a dealer general distinguishing number or a wholesale motor vehicle auction general distinguishing number issued under Subchapter B, Chapter 503, Transportation Code; or

(2) a license issued under Subchapter C, Chapter 2302.

SECTION 5. Section 1802.052(a), Occupations Code, is amended to read as follows:

(a) An individual is eligible for an auctioneer's license if the individual:

(1) is at least 18 years of age;

(2) is a citizen of the United States or a legal alien;

(3) either:

(A) passes a written or oral examination demonstrating knowledge of the auction business and of the laws of this state relating to the auction business; or

(B) shows proof of employment by a licensed auctioneer for at least two years and participation in at least 10 auctions during that employment;

(4) holds a high school diploma or a high school equivalency certificate;

(5) has not been convicted of a felony during the five years preceding the date of application; and

(6) has completed at least 80 hours of classroom instruction at an auction school with a curriculum approved by the department in accordance with the standards and procedures established by rule adopted under this chapter.

SECTION 6. Subchapter B, Chapter 1802, Occupations Code, is amended by adding Section 1802.053 to read as follows:

Sec. 1802.053. ELIGIBILITY FOR ASSOCIATE AUCTIONEER LICENSE. An individual is eligible for an associate auctioneer license if the individual is:

- (1) a citizen of the United States or a legal alien; and
- (2) employed under the direct supervision of an auctioneer licensed under this chapter.

SECTION 7. Section 1802.054, Occupations Code, is amended to read as follows:

Sec. 1802.054. APPLICATION FOR LICENSE. An applicant for a license must apply to the executive director on a form provided by the executive director that establishes the applicant's eligibility for the license. The application must be accompanied by:

- (1) any fee required for the auctioneer education and recovery fund authorized under Section 1802.153;
- (2) the required application [~~license~~] fee; and
- (3) either:
 - (A) the permit number of a sales tax permit issued to the applicant by the comptroller under Subchapter F, Chapter 151, Tax Code; or
 - (B) proof of exemption from the tax permit requirement under Chapter 151, Tax Code.

SECTION 8. Section 1802.055, Occupations Code, is amended to read as follows:

Sec. 1802.055. APPLICATION FOR EXAMINATION. ~~[(a)]~~ An individual who establishes that the individual is eligible for an auctioneer's license may apply to the executive director to take the license examination. The application must be accompanied by the application [~~examination~~] fee.

~~[(b) On receipt of an examination application and fee, the executive director shall furnish the applicant with:~~

- ~~[(1) study materials and references on which the examination will be based; and~~
- ~~[(2) a schedule specifying the dates and places the examination will be offered.~~

~~[(c) The applicant may take the examination at any scheduled offering not later than the 90th day after the date the applicant receives the study materials.]~~

SECTION 9. Section 1802.059(b), Occupations Code, is amended to read as follows:

(b) The executive director shall accept the applicant's auctioneer's license submitted under Subsection (a)(2) as proof of the applicant's professional competence and waive the examination or employment and training requirements of Section 1802.052 if the state or political subdivision that issued the nonresident a license extends similar recognition and courtesies to this state.

SECTION 10. The heading to Subchapter C, Chapter 1802, Occupations Code, is amended to read as follows:

SUBCHAPTER C. AUCTIONEER ~~[EDUCATION]~~ ADVISORY BOARD

SECTION 11. The heading to Section 1802.101, Occupations Code, is amended to read as follows:

Sec. 1802.101. AUCTIONEER ~~[EDUCATION]~~ ADVISORY BOARD.

SECTION 12. Section 1802.106, Occupations Code, is amended to read as follows:

Sec. 1802.106. COMPENSATION. A member appointed under Section 1802.102(a)(1) may not receive[+]

~~[(1)]~~ compensation for serving on the advisory board[~~-, or~~

~~[(2) reimbursement for expenses].~~

SECTION 13. Section 1802.107, Occupations Code, is amended to read as follows:

Sec. 1802.107. MEETINGS. ~~[(a) The advisory board shall meet at least quarterly each calendar year.~~

~~[(b)]~~ The advisory board shall ~~[may]~~ meet ~~[at other times]~~ at the call of the presiding officer of the commission or the executive director.

SECTION 14. Section 2301.362, Occupations Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) Except as provided by Subsections ~~[Subsection]~~ (b) and (c) and Sections 2301.358(c) and (d), a dealer may only sell or offer to sell a motor vehicle from an established and permanent place of business:

(1) that is approved by the division; and

(2) for which a general distinguishing number has been issued.

(c) A dealer may sell, offer to sell, including by consignment, or exchange at a public auction an antique motor vehicle that is at least 25 years of age or a special interest vehicle that is at least 12 years of age or that has been the subject of a retail sale.

(d) For purposes of this section, "special interest vehicle" has the meaning assigned by Section 683.077, Transportation Code.

SECTION 15. Sections 1802.001(12) and 1802.051(b), Occupations Code, are repealed.

SECTION 16. Not later than March 1, 2016, the Texas Commission of Licensing and Regulation shall adopt rules necessary to implement the changes in law made by this Act.

SECTION 17. (a) Notwithstanding Chapter 1802, Occupations Code, as amended by this Act, a person is not required to hold a license issued under that chapter to act as an associate auctioneer until March 1, 2016.

(b) An individual who was licensed by the Texas Department of Licensing and Regulation as an associate auctioneer on or before June 14, 2013, may apply the individual's work experience participating in auctions as an associate auctioneer on or before June 14, 2013, toward the individual's eligibility for an auctioneer's license under Chapter 1802, Occupations Code.

SECTION 18. This Act takes effect September 1, 2015.

**HB 830 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Larson called up with senate amendments for consideration at this time,

HB 830, A bill to be entitled An Act relating to the issuance of Alamo specialty license plates.

Representative Larson moved to concur in the senate amendments to **HB 830**.

The motion to concur in the senate amendments to **HB 830** prevailed by (Record 1473): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycok; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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; Sheets(C).

Absent, Excused — Peña.

Absent — Dukes.

Senate Committee Substitute

CSHB 830, A bill to be entitled An Act relating to the issuance of Alamo specialty license plates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter G, Chapter 504, Transportation Code, is amended by adding Section 504.665 to read as follows:

Sec. 504.665. ALAMO LICENSE PLATES. (a) The department shall issue specialty license plates that include the image of the Alamo and the word "Remember" at the bottom of each plate.

(b) After deduction of the department's administrative costs, the remainder of the fee for issuance of the license plates shall be deposited to the credit of an account created by the comptroller in the manner provided by Section 504.6012(b). Money deposited to that account may be used only by the General Land Office as follows:

(1) 75 percent of the money shall be used for the preservation of the Alamo; and

(2) 25 percent of the money shall be used to enhance the Alamo visitor experience or to fund education programs about the Alamo.

SECTION 2. This Act takes effect January 1, 2016.

**HB 2578 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Price called up with senate amendments for consideration at this time,

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.

Representative Price moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 2578**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 2578**: Price, chair; Raymond, Gonzales, Keough, and Klick.

**HB 685 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Keffer called up with senate amendments for consideration at this time,

HB 685, A bill to be entitled An Act relating to the production of public information available on the website of a political subdivision of this state.

Representative Keffer moved to concur in the senate amendments to **HB 685**.

The motion to concur in the senate amendments to **HB 685** prevailed by (Record 1474): 143 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; 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; Martínez; Martínez 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; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets(C); 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, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

Present, not voting — Mr. Speaker.

Absent, Excused — Peña.

Absent — Dukes; Hughes; Price; White, J.

STATEMENTS OF VOTE

When Record No. 1474 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

When Record No. 1474 was taken, I was in the house but away from my desk. I would have voted yes.

Price

When Record No. 1474 was taken, I was in the house but away from my desk. I would have voted yes.

J. White

Senate Committee Substitute

CSHB 685, A bill to be entitled An Act relating to the production of public information under the public information law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 552.221, Government Code, is amended by adding Subsections (b-1) and (b-2) to read as follows:

(b-1) In addition to the methods of production described by Subsection (b), an officer for public information for a political subdivision of this state complies with Subsection (a) by referring a requestor to an exact Internet location or uniform resource locator (URL) address on a website maintained by the political subdivision and accessible to the public if the requested information is identifiable and readily available on that website. If the person requesting the information prefers a manner other than access through the URL, the political subdivision, notwithstanding any other provision of this chapter, must supply the information by:

(1) providing the public information for inspection or duplication in the offices of the governmental body; or

(2) sending printed copies of the public information by first class United States mail if the person requesting the information requests that copies be provided and pays the postage and any other applicable charges that the requestor has accrued under Subchapter F.

(b-2) If an officer for public information for a political subdivision provides by e-mail an Internet location or uniform resource locator (URL) address as permitted by Subsection (b-1), the e-mail must contain a statement in a conspicuous font clearly indicating that the requestor may nonetheless access the requested information by inspection or duplication or by receipt through United States mail, as provided by Subsection (b-1).

SECTION 2. Section 182.052, Utilities Code, is amended by adding Subsection (e) to read as follows:

(e) A governmental body as defined by Section 552.003, Government Code, may withhold information prohibited from being disclosed under this section without the necessity of requesting a decision from the attorney general under Subchapter G, Chapter 552, Government Code.

SECTION 3. The changes in law made by this Act apply only to a request for information that is received by a governmental body or an officer for public information on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2015.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 685** (senate committee report) in SECTION 1 of the bill as follows:

(1) In added Section 552.221 (b-1), Government Code, on page 1, strike lines 33 through 43 and substitute the following:

If the person requesting the information prefers a manner other than access through the URL, the political subdivision must supply the information in the manner required by Subsection (b).

(2) In added Section 552.221 (b-2), Government Code (page 1, line 50), strike "Subsection (b-1)" and substitute "Subsection (b)".

HB 311 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

Representative Canales called up with senate amendments for consideration at this time,

HB 311, A bill to be entitled An Act relating to an executory contract for the conveyance of real property; providing a penalty.

Representative Canales moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 311**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 311**: Canales, chair; González, Bernal, Schubert, and Lozano.

HB 1309 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS

Representative S. Turner called up with senate amendments for consideration at this time,

HB 1309, A bill to be entitled An Act relating to the notification of certain legislators of the death of a child in foster care.

Representative S. Turner moved to concur in the senate amendments to **HB 1309**.

The motion to concur in the senate amendments to **HB 1309** prevailed by (Record 1475): 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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 — Isaac.

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

Absent, Excused — Peña.

Absent — Dukes.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 1309** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 264, Family Code, is amended by adding Section 264.018 to read as follows:

Sec. 264.018. REQUIRED NOTIFICATIONS. (a) In this section:

(1) "Child-placing agency" has the meaning assigned by Section 42.002, Human Resources Code.

(2) "Psychotropic medication" has the meaning assigned by Section 266.001.

(3) "Residential child-care facility" has the meaning assigned by Section 42.002, Human Resources Code.

(4) "Significant change in medical condition" means the occurrence of an injury or the onset of an illness that is life-threatening or may have serious long-term health consequences. The term includes the occurrence or onset of an injury or illness that requires hospitalization for surgery or another procedure that is not minor emergency care.

(5) "Significant event" means:

(A) a placement change, including failure by the department to locate an appropriate placement for at least one night;

(B) a significant change in medical condition;

(C) an initial prescription of a psychotropic medication or a change in dosage of a psychotropic medication;

(D) a major change in school performance or a serious disciplinary event at school; or

(E) any event determined to be significant under department rule.

(b) The notification requirements of this section are in addition to other notice requirements provided by law, including Sections 264.107(g) and 264.123.

(c) The department must provide notice under this section in a manner that would provide actual notice to a person entitled to the notice, including the use of electronic notice whenever possible.

(d) Not later than 24 hours after an event described by this subsection, the department shall make a reasonable effort to notify a parent of a child in the managing conservatorship of the department of:

(1) a significant change in medical condition of the child;

(2) the enrollment or participation of the child in a drug research program under Section 266.0041; and

(3) an initial prescription of a psychotropic medication.

(e) Not later than 48 hours before the department changes the residential child-care facility of a child in the managing conservatorship of the department, the department shall provide notice of the change to:

(1) the child's parent;

(2) an attorney ad litem appointed for the child under Chapter 107;

(3) a guardian ad litem appointed for the child under Chapter 107;

(4) a volunteer advocate appointed for the child under Chapter 107; and

(5) the licensed administrator of the child-placing agency responsible for placing the child or the licensed administrator's designee.

(f) As soon as possible but not later than the 10th day after the date the department becomes aware of a significant event affecting a child in the conservatorship of the department, the department shall provide notice of the significant event to:

(1) the child's parent;

(2) an attorney ad litem appointed for the child under Chapter 107;
(3) a guardian ad litem appointed for the child under Chapter 107;
(4) a volunteer advocate appointed for the child under Chapter 107;
(5) the licensed administrator of the child-placing agency responsible for placing the child or the licensed administrator's designee;

(6) a foster parent, prospective adoptive parent, relative of the child providing care to the child, or director of the group home or general residential operation where the child is residing; and

(7) any other person determined by a court to have an interest in the child's welfare.

(g) For purposes of Subsection (f), if a hearing for the child is conducted during the 10-day notice period described by that subsection, the department shall provide notice of the significant event at the hearing.

(h) The department is not required to provide notice under this section to a parent of a child in the managing conservatorship of the department if:

(1) the department cannot locate the parent;

(2) a court has restricted the parent's access to the information;

(3) the child is in the permanent managing conservatorship of the department and the parent has not participated in the child's case for at least six months despite the department's efforts to involve the parent;

(4) the parent's rights have been terminated; or

(5) the department has documented in the child's case file that it is not in the best interest of the child to involve the parent in case planning.

(i) The department is not required to provide notice of a significant event under this section to the child-placing agency responsible for the placement of a child in the managing conservatorship of the department, a foster parent, a prospective adoptive parent, a relative of the child providing care to the child, or the director of the group home or general residential operation where the child resides if that agency or individual is required under a contract or other agreement to provide notice of the significant event to the department.

(j) A person entitled to notice from the department under this section shall provide the department with current contact information, including the person's e-mail address and the telephone number at which the person may most easily be reached. The person shall update the person's contact information as soon as possible after a change to the information. The department is not required to provide notice under this section to a person who fails to provide contact information to the department. The department may rely on the most recently provided contact information in providing notice under this section.

(k) To facilitate timely notification under this section, a residential child-care facility contracting with the department for 24-hour care shall notify the department, in the time provided by the facility's contract, of a significant event for a child who is in the conservatorship of the department and residing in the facility.

(l) The executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement this section using a negotiated rulemaking process under Chapter 2008, Government Code.

SECTION _____. Section 266.0041(d), Family Code, is amended to read as follows:

(d) An independent medical advocate shall, within a reasonable time after the appointment, interview:

(1) the foster child in a developmentally appropriate manner, if the child is four years of age or older;

(2) the foster child's parent, if the parent is entitled to notification under Section 264.018 [~~266.005~~];

(3) an advocate appointed by an institutional review board in accordance with the Code of Federal Regulations, 45 C.F.R. Section 46.409(b), if an advocate has been appointed;

(4) the medical team treating the foster child as well as the medical team conducting the drug research program; and

(5) each individual who has significant knowledge of the foster child's medical history and condition, including any foster parent of the child.

SECTION _____. Section 244.0106(c), Human Resources Code, is amended to read as follows:

(c) The rules adopted under this section must require:

(1) the Department of Family and Protective Services to:

(A) provide the department with access to relevant health and education information regarding a child; and

(B) require a child's caseworker to visit the child in person at least once each month while the child is committed to the department;

(2) the department to:

(A) provide the Department of Family and Protective Services with relevant health and education information regarding a child;

(B) permit communication, including in person, by telephone, and by mail, between a child committed to the department and:

(i) the Department of Family and Protective Services; and

(ii) the attorney ad litem, the guardian ad litem, and the volunteer advocate for the child; and

(C) provide the Department of Family and Protective Services and any attorney ad litem or guardian ad litem for the child with timely notice of the following events relating to the child:

(i) a meeting designed to develop or revise the individual case plan for the child;

(ii) in accordance with any participation protocols to which the Department of Family and Protective Services and the department agree, a medical appointment at which a person authorized to consent to medical care must participate as required by Section 266.004(i), Family Code;

(iii) an education meeting, including admission, review, or dismissal meetings for a child receiving special education;

(iv) a grievance or disciplinary hearing for the child;

(v) a report of abuse or neglect of the child; and

(vi) a significant change in medical condition of the child, as defined by Section 264.018 [~~266.005~~], Family Code; and

(3) the Department of Family and Protective Services and the department to participate in transition planning for the child through release from detention, release under supervision, and discharge.

SECTION _____. Sections 264.117, 264.119, and 266.005, Family Code, are repealed.

HB 1217 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative S. Thompson called up with senate amendments for consideration at this time,

HB 1217, A bill to be entitled An Act relating to reporting information for certain foster children who are missing or are victims of sex trafficking.

Representative S. Thompson moved to concur in the senate amendments to **HB 1217**.

The motion to concur in the senate amendments to **HB 1217** prevailed by (Record 1476): 146 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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; Sheets(C).

Absent, Excused — Peña.

Absent — Dukes.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 1217** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 264, Family Code, is amended by adding Section 264.017 to read as follows:

Sec. 264.017. REQUIRED REPORTING. (a) The department shall prepare and disseminate a report of statistics by county relating to key performance measures and data elements for child protection.

(b) The department shall provide the report required by Subsection (a) to the legislature and shall publish the report and make the report available electronically to the public not later than February 1 of each year. The report must include, with respect to the preceding year:

(1) information on the number and disposition of reports of child abuse and neglect received by the department;

(2) information on the number of clients for whom the department took protective action, including investigations, alternative responses, and court-ordered removals;

(3) information on the number of clients for whom the department provided services in each program administered by the child protective services division, including investigations, alternative responses, family-based safety services, conservatorship, post-adoption services, and transitional living services;

(4) the number of children in this state who died as a result of child abuse or neglect;

(5) the number of children described by Subdivision (4) for whom the department was the children's managing conservator at the time of death;

(6) information on the timeliness of the department's initial contact in an investigation or alternative response;

(7) information on the response time by the department in commencing services to families and children for whom an allegation of child abuse or neglect has been made;

(8) information regarding child protection staffing and caseloads by program area;

(9) information on the permanency goals in place and achieved for children in the managing conservatorship of the department, including information on the timeliness of achieving the goals, the stability of the children's placement in foster care, and the proximity of placements to the children's home counties; and

(10) the number of children who suffer from a severe emotional disturbance and for whom the department is appointed managing conservator, including statistics on appointments as joint managing conservator, due to an individual voluntarily relinquishing custody of a child solely to obtain mental health services for the child.

(c) Not later than September 1 of each year, the department shall seek public input regarding the usefulness of, and any proposed modifications to, existing reporting requirements and proposed additional reporting requirements. The department shall evaluate the public input provided under this subsection and seek to facilitate reporting to the maximum extent feasible within existing resources and in a manner that is most likely to assist public understanding of department functions.

(d) In addition to the information required under Subsections (a) and (b), the department shall annually publish information on the number of children who died during the preceding year whom the department determined had been abused or neglected but whose death was not the result of the abuse or neglect. The department may publish the information described by this subsection in the same report required by Subsection (a) or in another annual report published by the department.

SECTION _____. Sections 261.004 and 264.111, Family Code, are repealed.

HB 4001 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Raymond called up with senate amendments for consideration at this time,

HB 4001, A bill to be entitled An Act relating to the provision of habilitation and certain health care services by a home and community support services agency; authorizing a fee, providing penalties, and requiring an occupational license.

Representative Raymond moved to concur in the senate amendments to **HB 4001**.

The motion to concur in the senate amendments to **HB 4001** prevailed by (Record 1477): 136 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; Keough; King, K.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Simmons; Smith; Smithee; Spitzer; Springer; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

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

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

Absent, Excused — Peña.

Absent — Dukes; Keffer; King, P.; McClendon; Stephenson.

STATEMENTS OF VOTE

When Record No. 1477 was taken, I was in the house but away from my desk. I would have voted yes.

Keffer

When Record No. 1477 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 4001** (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter D, Chapter 161, Human Resources Code, is amended by adding Section 161.088 to read as follows:

Sec. 161.088. ADMINISTRATIVE PENALTIES. (a) This section applies to the following waiver programs established under Section 1915(c), Social Security Act (42 U.S.C. Section 1396n(c)), and administered by the department to serve persons with an intellectual or developmental disability:

(1) the home and community-based services (HCS) waiver program;
and
(2) the Texas home living (TxHmL) waiver program.

(b) The department may assess and collect an administrative penalty against a provider who participates in a program to which this section applies for a violation of a law or rule relating to the program. If the department assesses an administrative penalty against a provider for a violation of a law or rule, the department may not impose a payment hold against or otherwise withhold contract payments from the provider for the same violation of a law or rule.

(c) After consulting with appropriate stakeholders, the executive commissioner shall develop and adopt rules regarding the imposition of administrative penalties under this section. The rules must:

(1) specify the types of violations that warrant imposition of an administrative penalty;

(2) establish a schedule of progressive administrative penalties in accordance with the relative type, frequency, and seriousness of a violation;

(3) prescribe reasonable amounts to be imposed for each violation giving rise to an administrative penalty, subject to Subdivision (4);

(4) authorize the imposition of an administrative penalty in an amount not to exceed \$5,000 for each violation;

(5) provide that a provider commits a separate violation each day the provider continues to violate the law or rule;

(6) ensure standard and consistent application of administrative penalties throughout the state; and

(7) provide for an administrative appeals process to adjudicate claims and appeals relating to the imposition of an administrative penalty under this section that is in accordance with Chapter 2001, Government Code.

(d) In specifying the types of violations that warrant imposition of an administrative penalty under Subsection (c), the executive commissioner shall specify the types of minor violations that allow a provider an opportunity to take corrective action before a penalty is imposed.

(e) In establishing the schedule of progressive administrative penalties and penalty amounts under Subsection (c), the executive commissioner must consider:

(1) the seriousness of a violation, including:

(A) the nature, circumstances, extent, and gravity of the violation;

and

(B) the hazard to the health or safety of recipients resulting from

the violation;

(2) the provider's history of previous violations;

(3) whether the provider:

(A) had prior knowledge of the violation, including whether the provider identified the violation through the provider's internal quality assurance process; and

(B) made any efforts to mitigate or correct the identified violation;

(4) the penalty amount necessary to deter future violations; and

(5) any other matter justice may require.

(f) In lieu of imposing an administrative penalty under this section, the department shall allow a provider found to have committed a minor violation specified by rule in accordance with Subsection (d) to have a reasonable period of time that is not less than 45 days after the date the department sends notice to the provider of the violation to take corrective action regarding the violation. The department may not allow time for corrective action for any violation that is not a minor violation.

SECTION _____. The Department of Aging and Disability Services may impose an administrative penalty in accordance with Section 161.088, Human Resources Code, as added by this Act, only for conduct that occurs on or after the effective date of this Act.

SECTION _____. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

HB 10 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative S. Thompson called up with senate amendments for consideration at this time,

HB 10, A bill to be entitled An Act relating to certain criminal and civil consequences of trafficking of persons, compelling prostitution, and certain other related criminal offenses; to the prevention, prosecution, and punishment of those offenses, and to compensation paid to victims of those offenses.

Representative S. Thompson moved to concur in the senate amendments to **HB 10**.

The motion to concur in the senate amendments to **HB 10** prevailed by (Record 1478): 146 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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; Sheets(C).

Absent, Excused — Peña.

Absent — Dukes.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 10** (senate committee printing) as follows:

(1) In SECTION 10 of the bill, in amended Section 402.035(d)(10), Government Code (page 8, line 2), between "victims," and "and", insert "curb markets and other economic avenues that facilitate human trafficking".

(2) In SECTION 10 of the bill, in amended Section 402.035(d)(10), Government Code (page 8, line 3), strike "and".

(3) In SECTION 10 of the bill, in Section 402.035(d)(11), Government Code (page 8, line 9), between "business" and the period, insert the following:
; and

(12) Identify and report to the governor and legislature on laws, licensure requirements, or other regulations that can be passed at the state and local level to curb trafficking using the Internet and in sexually oriented businesses

HB 3014 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Parker called up with senate amendments for consideration at this time,

HB 3014, A bill to be entitled An Act relating to the administration of "pay for success" contracts for state agencies.

Representative Parker moved to concur in the senate amendments to **HB 3014**.

The motion to concur in the senate amendments to **HB 3014** prevailed by (Record 1479): 141 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.; 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Simmons; Simpson; 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 — Rinaldi; Schaefer; Stickland; Tinderholt.

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

Absent, Excused — Peña.

Absent — Dukes; Kacal.

STATEMENT OF VOTE

When Record No. 1479 was taken, I was in the house but away from my desk. I would have voted yes.

Kacal

Senate Committee Substitute

CSHB 3014, A bill to be entitled An Act relating to the administration of "pay for success" contracts for state agencies.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter G, Chapter 403, Government Code, is amended by adding Section 403.110 to read as follows:

Sec. 403.110. SUCCESS CONTRACT PAYMENTS TRUST FUND. (a)
The success contract payments trust fund is established as a trust fund outside the state treasury with the comptroller as trustee.

(b) The trust fund is established to provide a fund from which the comptroller as trustee may make success contract payments due in accordance with the contract terms without the necessity of an appropriation for the contract payment.

(c) The trust fund consists of money appropriated for deposit to the credit of the trust fund and any interest or other earnings attributable to the trust fund. The comptroller shall hold money credited to the trust fund for use only for payments due in accordance with success contract terms and expenses incurred in administering the trust fund or in administering the success contracts for which the trust fund is established. The balance of the trust fund may not exceed \$50 million at any time. The comptroller may establish in the trust fund one or more accounts to administer money for a particular success contract for which money has been credited to the trust fund.

(d) Notwithstanding any other law, a state agency and the comptroller jointly may enter into a success contract with any person the terms of which must include:

(1) that a majority of the contract payment is conditioned on the contractor meeting or exceeding certain specified performance measures toward the outcome of the contract's objectives;

(2) a defined objective procedure by which an independent evaluator is to determine whether the specified performance measures have been met or exceeded; and

(3) a schedule of the amounts and timing of payments to be earned by the contractor during each year or other specified period of the contract that indicates the payment amounts conditioned on meeting or exceeding the specified performance measures.

(e) The comptroller and a state agency may not finally execute a proposed success contract under this section unless:

(1) the state agency and the Legislative Budget Board certify that the proposed contract is expected to result in significant performance improvements and significant budgetary savings for the state agency or agencies party to the contract if the performance targets are achieved; and

(2) the legislature has appropriated for deposit to the credit of the trust fund, contingent on the execution of the contract, an amount of money necessary to administer the contract and make all payments that may become due under the contract over the effective period of the contract.

(f) The comptroller shall make the contract payments for the success contracts only from the trust fund and only in accordance with the terms of the success contracts. The comptroller shall deposit to the credit of the trust fund any money the comptroller recovers from a contractor for overpayment or for a penalty or other amount recoverable under the terms of a success contract and shall hold the money in the trust fund in the same manner as the money held for payments for the success contract. To the extent that any money credited to the trust fund for a particular success contract remains unpaid at the time the

particular contract expires or is terminated, as soon after the contract expiration as is practicable, the comptroller shall return the unpaid amount to the state treasury fund or account from which the money was appropriated.

(g) Each state agency shall provide to each legislature not later than the first day of the regular legislative session a report that:

(1) provides details about the success in achieving the specified performance measures of each success contract the state agency has entered into under this section that has not expired or been terminated or that expired or was terminated since the date of the preceding report under this subsection; and

(2) provides details about proposed success contracts that the state agency has not executed at the time of the report.

(h) The comptroller may adopt rules as necessary to administer this section or success contracts entered into under this section, including joint rules adopted with other agencies that may be party to success contracts under this section.

SECTION 2. This Act takes effect September 1, 2015.

HB 994 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Anchia called up with senate amendments for consideration at this time,

HB 994, A bill to be entitled An Act relating to the exemption from ad valorem taxation of property used to collect, process, and deliver landfill-generated gas.

Representative Anchia moved to concur in the senate amendments to **HB 994**.

The motion to concur in the senate amendments to **HB 994** prevailed by (Record 1480): 114 Yeas, 32 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; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Farrar; Fletcher; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; 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; Paul; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Simpson; Smith; Smithee; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Burrows; Capriglione; Craddick; Cyrier; Elkins; Fallon; Flynn; Frank; Goldman; Hughes; Isaac; Keough; Klick; Krause; Laubenberg; Metcalf; Parker; Phillips; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Spitzer; Stickland; Tinderholt; Turner, E.S.; White, J.; White, M.; Zedler.

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

Absent, Excused — Peña.

Absent — Dukes.

STATEMENTS OF VOTE

When Record No. 1480 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 1480 was taken, I was shown voting no. I intended to vote yes.

Craddick

When Record No. 1480 was taken, I was shown voting yes. I intended to vote no.

Springer

Senate Committee Substitute

CSHB 994, A bill to be entitled An Act relating to the exemption from ad valorem taxation of property used to collect, process, and deliver landfill-generated gas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 11.311(a) and (d), Tax Code, are repealed.

SECTION 2. The heading to Section 11.311, Tax Code, is amended to read as follows:

Sec. 11.311. [~~TEMPORARY EXEMPTION:~~] LANDFILL-GENERATED GAS CONVERSION FACILITIES.

SECTION 3. Section 11.311, Tax Code, is amended by adding Subsection (e) to read as follows:

(e) The commission shall develop rules to determine the value of the exemption granted under Subsection (b). The rules must limit the value of the exemption to only the value of the equipment used as business personal property on which gas is collected.

SECTION 4. The change in law made by this Act applies only to ad valorem taxes imposed for a tax year beginning on or after the effective date of this Act.

SECTION 5. This Act takes effect January 1, 2016.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 994** (senate committee printing) by striking SECTION 3 of the bill, amending Section 11.311, Tax Code (page 1, lines 36-41), and substituting the following appropriately numbered SECTION:

SECTION _____. Section 11.311, Tax Code, is amended by amending Subsection (b) and adding Subsections (e) and (f) to read as follows:

(b) A person is entitled to an exemption from taxation of tangible ~~[the real and]~~ personal property the person owns that is located on or in close proximity to a landfill and is used to:

- (1) collect gas generated by the landfill;
- (2) compress and transport the gas;
- (3) process the gas so that it may be:
 - (A) delivered into a natural gas pipeline; or
 - (B) used as a transportation fuel in methane-powered on-road or off-road vehicles or equipment; and
- (4) deliver the gas:
 - (A) into a natural gas pipeline; or
 - (B) to a methane fueling station.

(e) Property described by Subsection (b) shall be appraised as tangible personal property for ad valorem tax purposes, regardless of whether the property is affixed to or incorporated into real property.

(f) This section may not be construed to exempt from taxation tangible personal property located on or in close proximity to a landfill that is not used in the manner prescribed by Subsection (b).

**HB 2084 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Muñoz called up with senate amendments for consideration at this time,

HB 2084, A bill to be entitled An Act relating to transparency in the rate-setting processes for the Medicaid managed care and child health plan programs.

Representative Muñoz moved to concur in the senate amendments to **HB 2084**.

The motion to concur in the senate amendments to **HB 2084** prevailed by (Record 1481): 139 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; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farnley; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Smith; Smithee; Spitzer; Springer; Thompson, E.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zerwas.

Nays — Rinaldi; Simpson; Stickland; Zedler.

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

Absent, Excused — Peña.

Absent — Burrows; Dukes; Stephenson; Thompson, S.

STATEMENT OF VOTE

When Record No. 1481 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 2084** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 533.01314, Government Code (page 1, line 26), between the underlined period and "The", insert "(a)".

(2) In SECTION 1 of the bill, immediately following added Section 533.01314, Government Code (page 1, between lines 43 and 44), insert the following:

(b) Notwithstanding Subsection (a), the commission is not required to publish particular information in an actuarial report if the commission determines the information is proprietary.

(3) In SECTION 2 of the bill, in added Section 62.061, Health and Safety Code (page 1, line 47), between the underlined period and "The", insert "(a)".

(4) In SECTION 2 of the bill, immediately following added Section 62.061, Health and Safety Code (page 2, between lines 2 and 3), insert the following:

(b) Notwithstanding Subsection (a), the commission is not required to publish particular information in an actuarial report if the commission determines the information is proprietary.

HB 2812 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Springer called up with senate amendments for consideration at this time,

HB 2812, A bill to be entitled An Act relating to the limit on junior college courses that a high school student may enroll in for dual credit.

Representative Springer moved to concur in the senate amendments to **HB 2812**.

The motion to concur in the senate amendments to **HB 2812** prevailed by (Record 1482): 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; Capriglione; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Canales.

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

Absent, Excused — Peña.

Absent — Clardy; Dukes; Stephenson.

STATEMENTS OF VOTE

When Record No. 1482 was taken, I was in the house but away from my desk. I would have voted yes.

Clardy

When Record No. 1482 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 2812** (senate committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Section 42.005, Education Code, is amended by adding Subsection (h) to read as follows:

(h) Subject to rules adopted by the commissioner under Section 42.0052(b), time that a student participates in an off-campus instructional program approved under Section 42.0052(a) shall be counted as part of the minimum number of instructional hours required for a student to be considered a full-time student in average daily attendance for purposes of this section.

SECTION _____. Subchapter A, Chapter 42, Education Code, is amended by adding Section 42.0052 to read as follows:

Sec. 42.0052. OFF-CAMPUS PROGRAMS APPROVED FOR PURPOSES OF AVERAGE DAILY ATTENDANCE. (a) The commissioner may, based on criteria developed by the commissioner, approve instructional programs provided off campus by an entity other than a school district or open-enrollment charter school as a program in which participation by a student of a district or charter school may be counted for purposes of determining average daily attendance in accordance with Section 42.005(h).

(b) The commissioner shall adopt by rule verification and reporting procedures concerning time spent by students participating in instructional programs approved under Subsection (a).

HB 9 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Flynn called up with senate amendments for consideration at this time,

HB 9, A bill to be entitled An Act relating to member contributions to the Employees Retirement System of Texas.

Representative Flynn moved to concur in the senate amendments to **HB 9**.

The motion to concur in the senate amendments to **HB 9** prevailed by (Record 1483): 146 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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; Sheets(C).

Absent, Excused — Peña.

Absent — Dukes.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 9** (senate committee report) as follows:

(1) Add the following appropriately numbered SECTIONS:

SECTION _____. Sections 812.003(a), (d), and (e), Government Code, are amended to read as follows:

(a) Except as provided by Subsection [~~Subsections~~] (b) [~~and (d)~~], membership in the employee class of the retirement system includes all employees and appointed officers of every department, commission, board, agency, or institution of the state except:

(1) independent contractors and their employees performing work for the state; and

(2) persons disqualified from membership under Section 812.201.

(d) Membership in the employee class begins on the [~~91st day after the~~] first day a member is employed or holds office.

(e) A person who is reemployed or who again holds office after withdrawing contributions under Subchapter B for previous service credited in the employee class begins membership in the employee class on the [~~91st day after the~~] first day the person is reemployed or again holds office.

SECTION _____. Section 813.514, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) This section applies only to a member who became a member before September 1, 2015.

(a-1) A member may establish service credit under this section in the employee class only for service performed during a 90-day waiting period to become a member after beginning employment or holding office.

SECTION _____. Section 812.003(f), Government Code, is repealed.

(2) Renumber the SECTIONS of the bill accordingly.

**HB 189 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative S. Thompson called up with senate amendments for consideration at this time,

HB 189, A bill to be entitled An Act relating to the elimination of the statute of limitations for the offenses of sexual assault and aggravated sexual assault.

Representative S. Thompson moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 189**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 189**: S. Thompson, chair; Sheets, Raymond, Clardy, and Bohac.

(Speaker in the chair)

(Peña now present)

NOTICE GIVEN

At 12:42 p.m., pursuant to the provisions of Rule 14, Section 4 of the House Rules, the speaker announced that Representative Phillips would, in one hour, move to suspend the regular order of business.

**MAJOR STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 208 ON THIRD READING
(Burkett - House Sponsor)**

SB 208, A bill to be entitled An Act relating to the continuation and functions of the Texas Workforce Commission.

(Sheets in the chair)

SB 208 was passed by (Record 1484): 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; 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; Sheffield; Simmons; Simpson; 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; Sheets(C).

Absent — Dukes; Smith; Smithee.

STATEMENTS OF VOTE

When Record No. 1484 was taken, I was temporarily out of the house chamber. I would have voted yes.

Smith

When Record No. 1484 was taken, I was in the house but away from my desk. I would have voted yes.

Smithee

**CONSTITUTIONAL AMENDMENTS CALENDAR
SENATE JOINT RESOLUTIONS
THIRD READING**

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

**SJR 52 ON THIRD READING
(Otto - House Sponsor)**

SJR 52, A joint resolution proposing a constitutional amendment repealing the requirement that state officers elected by voters statewide reside in the state capital.

Amendment No. 1

Representative Howard offered the following amendment to **SJR 52**:

Amend **SJR 52** on third reading, on page 1, lines 14 and 15, by striking "~~reside at the Capital of the State during his continuance in office,~~" and substituting "reside in the metropolitan statistical area of [at] the Capital of the State during the State officer's [his] continuance in office,".

Amendment No. 1 failed of adoption by (Record 1485): 48 Yeas, 98 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Craddick; Davis, S.; Dukes; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Herrero; Israel; Johnson; King, T.; Longoria; Márquez; Martinez; Martinez Fischer; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Price; 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; Crownover; Cyrier; Dale; Darby; Davis, Y.; Deshotel; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Lucio; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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; Sheets(C).

Absent — Farney; McClendon.

STATEMENTS OF VOTE

When Record No. 1485 was taken, I was shown voting yes. I intended to vote no.

S. Davis

When Record No. 1485 was taken, I was in the house but away from my desk. I would have voted no.

Farney

Representative Otto moved to postpone consideration of **SJR 52** until 12:01 a.m. tomorrow.

The motion prevailed by (Record 1486): 97 Yeas, 52 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; 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; Price; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets(C); 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, Y.; Deshotel; Dukes; Dutton; Farias; Farrar; Galindo; Giddings; González; Guerra; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; 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.

Present, not voting — Mr. Speaker.

(Speaker in the chair)

MOTION TO SUSPEND RULES

Pursuant to Rule 14, Section 3 of the House Rules, Representative Phillips moved to suspend the regular order of business.

The motion was lost by (Record 1487): 96 Yeas, 53 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Harless;

Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; 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; Collier; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farias; Farrar; Galindo; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; 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.

Present, not voting — Mr. Speaker(C).

STATEMENT OF VOTE

When Record No. 1487 was taken, I was shown voting no. I intended to vote yes.

Galindo

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

SB 1496 ON THIRD READING **(Naishtat and Peña - House Sponsors)**

SB 1496, A bill to be entitled An Act relating to background checks conducted by the Department of Family and Protective Services for certain child-care providers.

(Keffer in the chair)

Amendment No. 1

Representative E. Rodriguez offered the following amendment to **SB 1496**:

Amend **SB 1496** on third reading, in amended Section 42.056(a-2), Human Resources Code, between "after-school program," and "or school-age program" (page 1, lines 22 and 23), by inserting "academic tutoring center,".

Amendment No. 1 was withdrawn.

SB 1496 failed to pass by (Record 1488): 60 Yeas, 80 Nays, 2 Present, not voting. (The vote was reconsidered on May 27, and **SB 1496** was passed by Record No. 1551.)

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

Nays — Anderson, C.; Anderson, R.; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frullo; Galindo; Geren; Goldman; Gonzales; Hughes; Isaac; Kacal; Keough; King, P.; Klick; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murr; Otto; Paddie; Parker; Paul; 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; Keffer(C).

Absent — Ashby; Clardy; Dukes; Frank; Harless; Huberty; Hunter; Raney.

STATEMENTS OF VOTE

When Record No. 1488 was taken, I was shown voting no. I intended to vote yes.

Bohac

When Record No. 1488 was taken, my vote failed to register. I would have voted yes.

Dukes

When Record No. 1488 was taken, I was shown voting no. I intended to vote yes.

Farney

When Record No. 1488 was taken, I was in the house but away from my desk. I would have voted no.

Frank

When Record No. 1488 was taken, my vote failed to register. I would have voted no.

Harless

When Record No. 1488 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

When Record No. 1488 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1488 was taken, I was shown voting no. I intended to vote yes.

Keough

When Record No. 1488 was taken, I was shown voting no. I intended to vote yes.

Metcalf

When Record No. 1488 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 1488 was taken, I was shown voting no. I intended to vote yes.

Paddie

When Record No. 1488 was taken, I was shown voting no. I intended to vote yes.

Price

When Record No. 1488 was taken, I was in the house but away from my desk. I would have voted no.

Raney

SB 1336 ON THIRD READING (Keffer - House Sponsor)

SB 1336, A bill to be entitled An Act relating to the powers and duties, the construction of laws, and the election dates of certain groundwater conservation districts.

Representative Sheets moved to postpone consideration of **SB 1336** until 12:02 a.m. tomorrow.

Representative Canales offered a substitute motion to postpone consideration of **SB 1336** until 10 p.m. today.

The substitute motion to postpone was lost by (Record 1489): 48 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Dukes; Farias; Farrar; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thompson, S.; Turner, C.; 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; Davis, S.; Dutton; Elkins; Fallon; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phillips; Price; Raney; Riddle; Rinaldi; 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 — Bernal; Faircloth; Farney; King, S.; Phelan; Sanford; Turner, S.

STATEMENTS OF VOTE

When Record No. 1489 was taken, my vote failed to register. I would have voted yes.

Bernal

When Record No. 1489 was taken, my vote failed to register. I would have voted yes.

Faircloth

When Record No. 1489 was taken, I was in the house but away from my desk. I would have voted no.

Farney

When Record No. 1489 was taken, I was in the house but away from my desk. I would have voted no.

S. King

When Record No. 1489 was taken, I was in the house but away from my desk. I would have voted no.

Phelan

The motion to postpone consideration of **SB 1336** until 12:02 a.m. tomorrow prevailed by (Record 1490): 97 Yeas, 48 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Gutierrez; Harless; Huberty; Hughes; Hunter; Isaac; Johnson; 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; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

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

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

Absent — King, S.; Martinez Fischer; Stephenson.

STATEMENTS OF VOTE

When Record No. 1490 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

When Record No. 1490 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

SB 1337 ON THIRD READING (Lucio - House Sponsor)

SB 1337, A bill to be entitled An Act relating to the authority of the Texas Water Development Board to provide financial assistance to political subdivisions for water supply projects.

Amendment No. 1

Representative Martinez offered the following amendment to **SB 1337**:

Amend **SB 1337** (house committee printing) on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 15, Water Code, is amended by adding Section 15.009 to read as follows:

Sec. 15.009. GRANTS FOR CERTAIN WATER PROJECTS IN THE RIO GRANDE VALLEY. (a) This section applies only to a grant provided under this chapter by the board to the Hidalgo County Drainage District No. 1 in the state fiscal biennium ending August 31, 2017, for a project to be implemented in the Rio Grande Valley.

(b) The board shall condition a grant on the Hidalgo County Drainage District No. 1's agreement to give priority to implementing the Delta Region Water Management Project.

(c) This section expires August 31, 2017.

SECTION _____. Subchapter A, Chapter 17, Water Code, is amended by adding Section 17.004 to read as follows:

Sec. 17.004. GRANTS FOR CERTAIN WATER PROJECTS IN THE RIO GRANDE VALLEY. (a) This section applies only to a grant provided under this chapter by the board to the Hidalgo County Drainage District No. 1 in the state fiscal biennium ending August 31, 2017, for a project to be implemented in the Rio Grande Valley.

(b) The board shall condition a grant on the Hidalgo County Drainage District No. 1's agreement to give priority to implementing the Delta Region Water Management Project.

(c) This section expires August 31, 2017.

Amendment No. 1 was withdrawn.

SB 1337 was passed by (Record 1491): 121 Yeas, 22 Nays, 2 Present, not voting.

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

Nays — Bonnen, D.; Bonnen, G.; Dale; Elkins; Faircloth; Goldman; Huberty; Keough; Klick; Krause; Laubenberg; Leach; Murphy; Rinaldi; Sanford; Sheets; Simpson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Zedler.

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

Absent — Allen; Clardy; Dukes; Gutierrez; Raney.

STATEMENTS OF VOTE

When Record No. 1491 was taken, I was shown voting no. I intended to vote yes.

Goldman

When Record No. 1491 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

SB 1213 ON THIRD READING
(Oliveira - House Sponsor)

SB 1213, A bill to be entitled An Act relating to prohibiting the reidentification of certain deidentified information and the release of reidentified information; creating a criminal offense; providing a civil penalty.

SB 1213 was passed by (Record 1492): 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent — Kacal; King, S.; Metcalf; Morrison; Peña; Raney.

STATEMENTS OF VOTE

When Record No. 1492 was taken, I was in the house but away from my desk. I would have voted yes.

Kacal

When Record No. 1492 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

When Record No. 1492 was taken, I was in the house but away from my desk. I would have voted yes.

Metcalf

When Record No. 1492 was taken, my vote failed to register. I would have voted yes.

Peña

When Record No. 1492 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

HR 3271 - ADOPTED
(by Peña)

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 3271**.

The motion prevailed.

The following resolution was laid before the house:

HR 3271, Congratulating Adriana Mondragon of Houston on her receipt of the 30th annual Eco-Services Scholarship.

HR 3271 was adopted.

SB 776 ON THIRD READING
(Kacal, Cook, Clardy, and Paddie - House Sponsors)

SB 776, A bill to be entitled An Act relating to the operations of a municipally owned utility or municipal power agency; providing authority to issue bonds.

SB 776 was passed by (Record 1493): 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; Keough; King, K.; King, P.; 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; 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; Keffer(C).

Absent — Dukes; King, S.; Martinez Fischer.

SB 699 ON THIRD READING
(Kuempel - House Sponsor)

SB 699, A bill to be entitled An Act relating to the Texas Real Estate Commission and the regulation of certain real estate professionals.

Amendment No. 1

Representative Pickett offered the following amendment to **SB 699**:

Amend **SB 699**, on third reading, by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter G, Chapter 1101, Occupations Code, is amended by adding Section 1101.3015 to read as follows:

Sec. 1101.3015. FEE FOR EDUCATIONAL PROGRAM. The commission may not charge more than one fee for the approval of an application to offer an educational program or course of study under this subchapter in multiple formats, including in-person, online, or as a correspondence course.

Amendment No. 2

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

Amend Floor Amendment No. 1 to **SB 699** as follows:

(1) On line 6, strike "The" and substitute "(a) Except as provided by Subsection (b), the".

(2) Following line 10, add the following:

(b) The commission may adopt a fee schedule to charge a separate fee for each format in which a provider offers an educational program or course of study only if the commission by rule has adopted a policy regarding educational programs or courses of study that are offered in multiple formats.

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

SB 699, as amended, was passed by (Record 1494): 124 Yeas, 17 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycok; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farnley; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Larson; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle;

Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheets; Sheffield; Simmons; Smith; Smithee; Stephenson; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zerwas.

Nays — Bell; Keough; Krause; Landgraf; Leach; Rinaldi; Schaefer; Schofield; Shaheen; Simpson; Spitzer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; White, M.; Zedler.

Present, not voting — Mr. Speaker; Israel; Keffer(C); Murr.

Absent — Bernal; Canales; Dukes; Phelan; Springer.

STATEMENTS OF VOTE

When Record No. 1494 was taken, I was shown voting no. I intended to vote yes.

Bell

When Record No. 1494 was taken, I was shown voting no. I intended to vote yes.

Landgraf

When Record No. 1494 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 1494 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1494 was taken, I was in the house but away from my desk. I would have voted present, not voting.

Phelan

When Record No. 1494 was taken, I was in the house but away from my desk. I would have voted yes.

Springer

SB 724 ON THIRD READING

(Craddick, Frullo, Israel, Parker, et al. - House Sponsors)

SB 724, A bill to be entitled An Act relating to the motor vehicle sales tax applicable to motor vehicles used by transportation companies for certain purposes.

SB 724 was passed by (Record 1495): 143 Yeas, 1 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; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel;

Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, 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; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Simpson.

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

Absent — Dukes; McClendon; Workman.

STATEMENT OF VOTE

When Record No. 1495 was taken, I was in the house but away from my desk. I would have voted yes.

Workman

SB 1934 ON THIRD READING (R. Miller - House Sponsor)

SB 1934, A bill to be entitled An Act relating to requirements for the issuance of a driver's license or personal identification certificate.

Representative R. Miller moved to postpone consideration of **SB 1934** until 12:05 a.m. tomorrow.

The motion prevailed.

SB 1743 ON THIRD READING (Herrero - House Sponsor)

SB 1743, A bill to be entitled An Act relating to expanding the powers and duties of the office of capital writs and renaming the office of capital writs the office of capital and forensic writs.

SB 1743 was passed by (Record 1496): 141 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; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez;

Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, 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; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; 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 — Phillips; Schofield; Shaheen.

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

Absent — Coleman; Dukes; Morrison; Raney.

STATEMENT OF VOTE

When Record No. 1496 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

SB 133 ON THIRD READING (Coleman - House Sponsor)

SB 133, A bill to be entitled An Act relating to mental health first aid training for school district employees and school resource officers.

SB 133 was passed by (Record 1497): 129 Yeas, 16 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; 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; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; Spitzer; Springer; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Bell; Burns; Faircloth; Keough; Krause; Leach; Metcalf; Phillips; Rinaldi; Schaefer; Simpson; Stephenson; Stickland; Tinderholt; Turner, E.S.; White, M.

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

Absent — Dukes; King, S.; Raney.

STATEMENTS OF VOTE

When Record No. 1497 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

When Record No. 1497 was taken, I was shown voting no. I intended to vote yes.

M. White

SB 1025 ON THIRD READING (Smithee - House Sponsor)

SB 1025, A bill to be entitled An Act relating to supplemental compensation paid to certain county judges.

SB 1025 was passed by (Record 1498): 122 Yeas, 24 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cook; Craddick; Crownover; 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; Hunter; Israel; Johnson; Kacal; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Kuempel; Landgraf; Laubenberg; 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; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Sheets; Sheffield; Smith; Smithee; Spitzer; Springer; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wu; Zerwas.

Nays — Bonnen, G.; Capriglione; Cyrier; Fallon; Goldman; Hughes; Isaac; Keough; Krause; Larson; Leach; Parker; Rinaldi; Sanford; Shaheen; Simmons; Simpson; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Wray; Zedler.

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

Absent — Dukes; Reynolds.

STATEMENTS OF VOTE

When Record No. 1498 was taken, I was shown voting no. I intended to vote yes.

Hughes

When Record No. 1498 was taken, I was shown voting yes. I intended to vote no.

Schaefer

SB 593 ON THIRD READING
(Darby - House Sponsor)

SB 593, A bill to be entitled An Act relating to pretrial settlement discussions during ad valorem tax appeals.

SB 593 was passed by (Record 1499): 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; Elkins; Faircloth; Fallon; Farias; 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; 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; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent — Dukes; Farney; Keough; Stephenson; Turner, S.; White, M.

STATEMENT OF VOTE

When Record No. 1499 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

SB 1408 ON THIRD READING
(T. King - House Sponsor)

SB 1408, A bill to be entitled An Act relating to the establishment of a matching grant program for community development in certain municipalities and counties.

SB 1408 was passed by (Record 1500): 99 Yeas, 43 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cook; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Farias; Farney; Farrar; Frank; Frullo; Galindo; Geren; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Israel; Johnson; Kacal; King, K.; King, S.; King, T.; Koop; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; Miles; Miller, D.; Minjarez; Moody; Morrison; Muñoz; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Peña; Phillips; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheets; Sheffield; Smith; Smithee; Springer; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson, R.; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Capriglione; Craddick; Dale; Fallon; Fletcher; Flynn; Goldman; Gonzales; Isaac; Keough; Klick; Krause; Leach; Metcalf; Meyer; Miller, R.; Murphy; Parker; Paul; Phelan; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Simpson; Spitzer; Stephenson; Stickland; Tinderholt; Turner, E.S.; Villalba; White, J.; White, M.; Wray; Zedler.

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

Absent — Dukes; Hughes; King, P.; McClendon; Raney; Thompson, E.

STATEMENTS OF VOTE

When Record No. 1500 was taken, I was shown voting yes. I intended to vote no.

Button

When Record No. 1500 was taken, I was in the house but away from my desk. I would have voted no.

Hughes

When Record No. 1500 was taken, I was in the house but away from my desk. I would have voted no.

P. King

When Record No. 1500 was taken, I was shown voting yes. I intended to vote no.

Laubenberg

When Record No. 1500 was taken, I was shown voting no. I intended to vote yes.

Phelan

When Record No. 1500 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

When Record No. 1500 was taken, my vote failed to register. I would have voted no.

E. Thompson

SB 1243 ON THIRD READING
(Sheffield and Klick - House Sponsors)

SB 1243, A bill to be entitled An Act relating to a pilot program for donation and redistribution of certain unused prescription medications; authorizing a fee.

Amendment No. 1

Representative Sheffield offered the following amendment to **SB 1243**:

Amend **SB 1243** as follows:

(1) On page 4, line 5, following the underlined semicolon, strike "or".

(2) On page 4, line 7, between "donation" and the underlined period, insert the following:

; or

(7) be a drug that is prohibited from being dispensed to a patient other than a patient who is registered with the drug's manufacturer in accordance with federal Food and Drug Administration requirements

Amendment No. 1 was adopted.

SB 1243, as amended, was passed by (Record 1501): 144 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; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, 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; 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.

Nays — Craddick.

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

Absent — Dukes; McClendon; Morrison.

STATEMENT OF VOTE

When Record No. 1501 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

SB 1406 ON THIRD READING

(Dutton - House Sponsor)

SB 1406, A bill to be entitled An Act relating to the protection of certain children through the operation of the child safety check alert list.

SB 1406 was passed by (Record 1502): 144 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.; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, 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; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

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

Absent — Deshotel; Dukes; White, J.

STATEMENT OF VOTE

When Record No. 1502 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

SB 881 ON THIRD READING

(Springer, Murphy, and Phillips - House Sponsors)

SB 881, A bill to be entitled An Act relating to the dedication of certain wine-related revenue.

SB 881 was passed by (Record 1503): 133 Yeas, 12 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.; 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; 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; 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; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wray; Wu; Zerwas.

Nays — Keough; Krause; Rinaldi; Sanford; Schaefer; Simpson; Spitzer; Stickland; Tinderholt; Turner, E.S.; White, M.; Zedler.

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

Absent — Deshotel; Dukes; Morrison.

STATEMENTS OF VOTE

When Record No. 1503 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1503 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

SB 1296 ON THIRD READING
(Giddings - House Sponsor)

SB 1296, A bill to be entitled An Act relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 83rd Legislature to other Acts of that legislature.

Amendment No. 1

Representative Craddick offered the following amendment to **SB 1296**:

Amend **SB 1296** on third reading by adding the following appropriately numbered SECTION to ARTICLE 16 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 16. _____. Section 352.002(a-1), Tax Code, is amended to read as follows:

(a-1) In addition to the counties described by Subsection (a), the commissioners court of a county in which an airport essential to the economy of the county is located may by the adoption of an order or resolution impose a tax on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a hotel, costs \$2 or more each day, and is ordinarily used for sleeping. For the purposes of this subsection, an airport is considered to be essential to the economy of a county only if the airport is a commercial-service international airport within Class C airspace and is located in a county and owned by a municipality each having a population of less than 150,000 [~~+25,000~~]. This subsection does not apply to a county described by Subsection (a)(13).

Amendment No. 1 was adopted.

SB 1296, as amended, was passed by (Record 1504): 147 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; 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.

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

Absent — Dukas.

SB 1287 ON THIRD READING
(Geren and Herrero - House Sponsors)

SB 1287, A bill to be entitled An Act relating to the Texas Forensic Science Commission, the accreditation of crime laboratories, and the licensing and regulation of forensic analysts; authorizing fees; requiring an occupational license.

Amendment No. 1

Representative Canales offered the following amendment to **SB 1287**:

Amend **SB 1287** on third reading by adding the following appropriately numbered SECTION and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Article 38.01, Code of Criminal Procedure, is amended by adding Section 12 to read as follows:

Sec. 12. COLLECTION OF CERTAIN FORENSIC EVIDENCE. The commission shall establish a method for collecting DNA and other forensic evidence related to unidentified bodies located less than 120 miles from the Rio Grande River.

Amendment No. 1 was adopted.

SB 1287, as amended, was passed by (Record 1505): 74 Yeas, 72 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Bernal; Blanco; Bohac; Canales; Clardy; Coleman; Collier; Cook; Crownover; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Flynn; Galindo; Geren; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hunter; Israel; Johnson; Kacal; King, K.; King, S.; King, T.; Larson; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Minjarez; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Peña; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Smith; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu; Zedler; Zerwas.

Nays — Anderson, C.; Anderson, R.; Aycock; Bell; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Craddick; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Farney; Fletcher; Frank; Frullo; Goldman; Gonzales; Huberty; Hughes; Isaac; Keough; King, P.; Klick; Koop; Krause; Kuempel; Landgraf; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, R.; Murphy; Murr; Paddie; Parker; Paul; Phelan; Phillips; Price; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Simpson; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray.

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

Absent — Dukes; Sheets.

STATEMENTS OF VOTE

When Record No. 1505 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1505 was taken, I was shown voting yes. I intended to vote no.

Larson

When Record No. 1505 was taken, I was in the house but away from my desk. I would have voted no.

Sheets

When Record No. 1505 was taken, I was shown voting yes. I intended to vote no.

Zedler

SB 265 ON THIRD READING

(S. Davis - House Sponsor)

SB 265, A bill to be entitled An Act relating to student use of sunscreen products in public schools.

Amendment No. 1

Representative Canales offered the following amendment to **SB 265**:

Amend **SB 265** on third reading in SECTION 1 of the bill, in added Section 38.021(a), Education Code (page 1, line 11), following the underlined period, by inserting the following:

A school shall make available a sunscreen product described by this subsection for use by a student while at a school-related event or activity.

Amendment No. 1 was withdrawn.

SB 265 was passed by (Record 1506): 144 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; 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; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, 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; Keffer(C); Keough.

Absent — Dukes; Pickett; Smithee.

SB 1630 ON THIRD READING
(S. Turner - House Sponsor)

SB 1630, A bill to be entitled An Act relating to the commitment of juveniles in post-adjudication secure correctional facilities operated by the Texas Juvenile Justice Department and by local probation departments.

Amendment No. 1

Representative Burkett offered the following amendment to **SB 1630**:

Amend **SB 1630** on third reading, in amended Section 261.101(e), Human Resources Code, as follows:

- (1) In Subsection (e), strike "are limited to" and substitute "include"
- (2) In added Subdivision (2), strike "and" and substitute the following:

(3) any other residential facility that, pursuant to the order of a juvenile court, accepts children adjudicated for conduct indicating a need for supervision or delinquent conduct; and

- (3) Strike added Subdivision (3) and substitute the following:

(4) the investigation of complaints alleging a violation of the rights of the children committed to a facility described by Subdivision (2) or (3).

Amendment No. 1 was adopted.

Amendment No. 2

Representative Wu offered the following amendment to **SB 1630**:

Amend **SB 1630** on third reading as follows:

- (1) In the recital to the SECTION of the Wu 2nd Reading Amendment that amends Section 8.02, Penal Code, by striking "Section 8.02" and substituting "Section 8.07".

- (2) In the SECTION of the bill that has the effective date of the bill, strike "This Act takes effect September 1, 2015" and substitute the following:

- (a) Except as provided by subsection (b) of this section, this Act takes effect September 1, 2015.

- (b) The SECTIONS of this bill added by the Wu 2nd Reading Amendment that amend Section 51.02(2), Family Code, and Section 8.07, Penal Code, take effect September 1, 2017, only if the 85th Legislature, Regular Session, 2017, appropriates funds to the Texas Juvenile Justice Department in the General

Appropriations Act to implement the change in law. If the 85th Legislature, Regular Session, 2017, fails to make the appropriation, those sections do not take effect.

Amendment No. 2 was adopted.

SB 1630, as amended, was passed by (Record 1507): 134 Yeas, 11 Nays, 2 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; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, S.; King, T.; Koop; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; 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 — Dale; Klick; Krause; Murr; Phelan; Phillips; Rinaldi; Schofield; Spitzer; Springer; Stephenson.

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

Absent — Anchia; Dukes; Miller, R.

STATEMENT OF VOTE

When Record No. 1507 was taken, I was shown voting no. I intended to vote yes.

Phelan

SB 1630 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Dutton, Representative Rose was authorized as a house sponsor to **SB 1630**.

SB 932 ON THIRD READING (Cook - House Sponsor)

SB 932, A bill to be entitled An Act relating to the authority of the Public Utility Commission of Texas to retain assistance for federal proceedings affecting certain electric utilities and consumers.

SB 932 was passed by (Record 1508): 142 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, 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; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; 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; Zerwas.

Nays — Schofield; Stickland; Tinderholt.

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

Absent — Canales; Dukes; Zedler.

STATEMENTS OF VOTE

When Record No. 1508 was taken, I was shown voting yes. I intended to vote no.

Blanco

When Record No. 1508 was taken, my vote failed to register. I would have voted yes.

Zedler

SB 277 ON THIRD READING (Sheffield - House Sponsor)

SB 277, A bill to be entitled An Act relating to certain health-related and other task forces and advisory committees.

Amendment No. 1

Representative Zerwas offered the following amendment to **SB 277**:

Amend **SB 277** on third reading by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering SECTIONS of ARTICLE 1 accordingly:

SECTION 1. _____. (a) The stakeholder workgroup established in connection with the jail-based restoration of competency pilot program is abolished.

(b) Article 46B.073(e), Code of Criminal Procedure, is amended to read as follows:

(e) Notwithstanding Subsections (b), (c), and (d) and notwithstanding the contents of the applicable order of commitment, in a county in which the department operates a jail-based restoration of competency pilot program under Article 46B.090, a defendant for whom an order is issued under this article committing the defendant to a mental health facility or residential care facility shall be provided competency restoration services at the jail under the pilot program if the service provider at the jail determines the defendant will immediately begin to receive services. If the service provider at the jail determines the defendant will not immediately begin to receive competency restoration services, the defendant shall be transferred to the appropriate mental health facility or residential care facility as provided by the court order. This subsection expires September 1, 2019 [2017].

(c) Subsections (c) and (o), Article 46B.090, Code of Criminal Procedure, are amended to read as follows:

(c) Not later than November 1, 2013, the commissioner of the department[~~in consultation with a stakeholder workgroup established by the department as provided by Subsection (d),~~] shall adopt rules as necessary to implement the pilot program. In adopting rules under this article, the commissioner shall specify the types of information the department must collect during the operation of the pilot program for use in evaluating the outcome of the pilot program.

(o) This article expires September 1, 2019 [2017].

(d) Subsections (d) and (e), Article 46B.090, Code of Criminal Procedure, are repealed.

Amendment No. 1 was adopted.

SB 277, as amended, was passed by (Record 1509): 146 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; 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; 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; Keffer(C).

Absent — Dukes; Shaheen.

STATEMENT OF VOTE

When Record No. 1509 was taken, my vote failed to register. I would have voted yes.

Shaheen

SB 1880 ON THIRD READING

(Raymond - House Sponsor)

SB 1880, A bill to be entitled An Act relating to the authority of the Department of Family and Protective Services to investigate abuse, neglect, or exploitation of individuals receiving services from certain providers.

SB 1880 was passed by (Record 1510): 144 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; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keough; King, K.; King, P.; King, 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; 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 — Phillips; Stickland.

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

Absent — Dukes; Phelan.

STATEMENT OF VOTE

When Record No. 1510 was taken, I was in the house but away from my desk. I would have voted yes.

Phelan

SB 313 ON THIRD READING
(Aycock - House Sponsor)

SB 313, A bill to be entitled An Act relating to the essential knowledge and skills of the required public school curriculum, the administration of and reports relating to assessment instruments administered to public school students, the instructional materials allotment, and proclamations for the production of instructional materials.

Amendment No. 1

Representative Simmons offered the following amendment to **SB 313**:

Amend **SB 313** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 39.023, Education Code, is amended by adding Subsection (b-2) to read as follows:

(b-2) Notwithstanding any other provision of this section, and to the extent consistent with federal law, a student in a special education program under Subchapter A, Chapter 29, may be exempted from the administration of an assessment instrument otherwise required under this section if the student's admission, review, and dismissal committee, in consultation with the student's parent or a person standing in parental relation to the student, determines that the exemption is in the student's best interests. The student's admission, review, and dismissal committee, in consultation with the student's parent or a person standing in parental relation to the student, shall develop an individual progress plan for a student exempt from administration of an assessment instrument as provided by this subsection. The commissioner shall adopt rules as necessary to administer this subsection.

(Speaker pro tempore in the chair)

Amendment No. 1 was adopted.

SB 313, as amended, was passed by (Record 1511): 125 Yeas, 19 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Koop; Kuempel; Larson; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; 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; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield;

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

Nays — Anderson, R.; Bohac; Burrows; Geren; Hughes; Keough; Krause; Landgraf; Leach; Miller, R.; Paul; Riddle; Rinaldi; Sanford; Simpson; Springer; Stickland; Turner, E.S.; White, M.

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

Absent — Dukes; Klick; McClendon; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1511 was taken, I was shown voting yes. I intended to vote no.

Shaheen

When Record No. 1511 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

When Record No. 1511 was taken, I was shown voting yes. I intended to vote no.

Zedler

SB 1580 ON THIRD READING

(S. Turner and Peña - House Sponsors)

SB 1580, A bill to be entitled An Act relating to a study on homeless veterans.

SB 1580 was passed by (Record 1512): 111 Yeas, 31 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Bohac; Burkett; Burns; Burrows; Coleman; Collier; Cook; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Fletcher; Flynn; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Koop; Kuempel; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheets; Sheffield; Simmons; Smith; Smithee; Spitzer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Wray; Wu; Zedler; Zerwas.

Nays — Bell; Bonnen, G.; Button; Capriglione; Clardy; Craddick; Elkins; Fallon; Frank; Geren; Goldman; Harless; Klick; Krause; Landgraf; Laubenberg; Leach; Murphy; Murr; Paddie; Paul; Riddle; Rinaldi; Sanford; Schaefer; Shaheen; Simpson; Springer; Stickland; Tinderholt; Turner, E.S.

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

Absent — Canales; Dukes; Farrar; Parker; Rodriguez, E.; Workman.

STATEMENTS OF VOTE

When Record No. 1512 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1512 was taken, I was in the house but away from my desk. I would have voted no.

Parker

When Record No. 1512 was taken, I was shown voting yes. I intended to vote no.

Phillips

When Record No. 1512 was taken, I was in the house but away from my desk. I would have voted yes.

Workman

When Record No. 1512 was taken, I was shown voting yes. I intended to vote no.

Wray

SB 1474 ON THIRD READING (Farias - House Sponsor)

SB 1474, A bill to be entitled An Act relating to the redesignation of veterans court programs as veterans treatment court programs and the eligibility for participation in and administration of those programs.

SB 1474 was passed by (Record 1513): 140 Yeas, 5 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; 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; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr;

Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Riddle; 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, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wu; Zedler; Zerwas.

Nays — Laubenberg; Phillips; Rinaldi; Shaheen; Turner, E.S.

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

Absent — Dukes; Muñoz.

STATEMENTS OF VOTE

When Record No. 1513 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

When Record No. 1513 was taken, I was shown voting present, not voting. I intended to vote yes.

Wray

SB 494 ON THIRD READING (Muñoz - House Sponsor)

SB 494, A bill to be entitled An Act relating to the availability of certain property and casualty insurance forms on the Internet.

SB 494 was passed by (Record 1514): 90 Yeas, 51 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Bernal; Blanco; Bohac; Burkett; Coleman; Collier; Crownover; Dale; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Fairecloth; 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, P.; King, S.; King, T.; Kuempel; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Meyer; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Peña; Pickett; Price; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheets; Sheffield; Simmons; Smith; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson, R.; Aycock; Bonnen, G.; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Cyrier; Darby; Fallon; Flynn; Frank; Geren; Goldman; Hughes; Isaac; Keough; Klick; Koop; Krause; Landgraf; Leach; Metcalf; Murr; Paddie; Parker; Paul; Phelan; Phillips; Raney; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simpson; Spitzer; Springer; Stephenson; Stickland; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Wray; Zedler.

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

Absent — Bell; Canales; Dukes; Laubenberg; Schubert; Smithee.

STATEMENTS OF VOTE

When Record No. 1514 was taken, my vote failed to register. I would have voted no.

Bell

When Record No. 1514 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 1514 was taken, I was shown voting yes. I intended to vote no.

Dale

When Record No. 1514 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1514 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1514 was taken, I was in the house but away from my desk. I would have voted no.

Laubenberg

When Record No. 1514 was taken, I was shown voting yes. I intended to vote no.

Murphy

When Record No. 1514 was taken, I was shown voting yes. I intended to vote no.

Price

When Record No. 1514 was taken, my vote failed to register. I would have voted no.

Schubert

When Record No. 1514 was taken, I was in the house but away from my desk. I would have voted no.

Smithee

SB 1876 ON THIRD READING (Smithee - House Sponsor)

SB 1876, A bill to be entitled An Act relating to the appointment of attorneys ad litem, guardians ad litem, mediators, and guardians.

Amendment No. 1

Representative Smithee offered the following amendment to **SB 1876**:

Amend **SB 1876** on third reading in SECTION 1 of the bill, in proposed Section 37.001(a), Government Code, by striking "that is located in a county with a population of 100,000 or more".

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Murr offered the following amendment to **SB 1876**:

Amend **SB 1876** on third reading, in SECTION 1 of the bill, in proposed Section 37.001(a), Government Code (in the language added by Amendment No. 2 by Murr on second reading), by striking "100,000" and substituting "25,000".

Amendment No. 2 was adopted.

SB 1876, as amended, was passed by (Record 1515): 142 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; 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; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Canales; Phillips; Riddle.

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

Absent — Bell; Bohac; Dukes.

STATEMENTS OF VOTE

When Record No. 1515 was taken, I was in the house but away from my desk. I intended to vote yes.

Bell

When Record No. 1515 was taken, I was temporarily out of the house chamber. I would have voted yes.

Bohac

SB 1101 ON THIRD READING
(Paddie - House Sponsor)

SB 1101, A bill to be entitled An Act relating to the authority to determine the supply of groundwater in certain regional water plans.

Amendment No. 1

Representative Paddie offered the following amendment to **SB 1101**:

Amend **SB 1101** on third reading, in SECTION 1 of the bill, in amended Section 16.053(e)(5)(A), Water Code, between "region" and the semicolon, by inserting "and potential impacts on public health, safety, or welfare in this state".

Amendment No. 1 was adopted.

SB 1101, as amended, was passed by (Record 1516): 143 Yeas, 2 Nays, 2 Present, not voting.

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

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

Absent — Anchia; Dukes; Stephenson.

STATEMENT OF VOTE

When Record No. 1516 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

SB 1462 ON THIRD READING
(Johnson and Alvarado - House Sponsors)

SB 1462, A bill to be entitled An Act relating to the prescription, administration, and possession of certain opioid antagonists for the treatment of suspected opioid overdoses.

SB 1462 was passed by (Record 1517): 146 Yeas, 0 Nays, 2 Present, not voting.

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

Absent — Dukes; Simmons.

STATEMENT OF VOTE

When Record No. 1517 was taken, my vote failed to register. I would have voted yes.

Simmons

SB 1517 ON THIRD READING
(Coleman - House Sponsor)

SB 1517, A bill to be entitled An Act relating to the appointment of counsel to represent indigent defendants in criminal cases.

SB 1517 was passed by (Record 1518): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; 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; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; 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; Bonnen, D.(C).

Absent — Dukes; Miles; Phillips.

SB 1049 ON THIRD READING
(Sheets, Bohac, and D. Bonnen - House Sponsors)

SB 1049, A bill to be entitled An Act relating to an exemption from the franchise tax and certain filing fees for certain businesses owned by veterans during an initial period of operation in the state.

SB 1049 was passed by (Record 1519): 123 Yeas, 17 Nays, 2 Present, not voting.

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

Nays — Bonnen, G.; Frank; Goldman; Krause; Laubenberg; Murr; Phelan; Rinaldi; Schaefer; Shaheen; Simpson; Spitzer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; White, M.

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

Absent — Button; Dukes; Hughes; Keffer; McClendon; Miller, R.; Villalba; White, J.

STATEMENTS OF VOTE

When Record No. 1519 was taken, I was in the house but away from my desk. I would have voted no.

Hughes

When Record No. 1519 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1519 was taken, I was in the house but away from my desk. I would have voted yes.

R. Miller

When Record No. 1519 was taken, I was shown voting yes. I intended to vote no.

Springer

When Record No. 1519 was taken, I was in the house but away from my desk. I would have voted yes.

Villalba

SB 236 ON THIRD READING

(Farney - House Sponsor)

SB 236, A bill to be entitled An Act relating to the punishment of certain controlled substance offenses committed in a drug-free zone.

SB 236 was passed by (Record 1520): 139 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Crier; 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; Johnson; Kacal; 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; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Israel; Rinaldi; Stickland; Tinderholt.

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

Absent — Burkett; Dukes; Hughes; Keffer; White, J.

STATEMENT OF VOTE

When Record No. 1520 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

SB 632 ON THIRD READING (Button - House Sponsor)

SB 632, A bill to be entitled An Act relating to the abolishment of the Texas emerging technology fund.

SB 632 was passed by (Record 1521): 137 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; 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; 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; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Phillips; Simpson; Tinderholt; White, M.

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

Absent — Dukes; Hughes; Keffer; McClendon; Schofield; Smith; White, J.

STATEMENTS OF VOTE

When Record No. 1521 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

When Record No. 1521 was taken, I was shown voting no. I intended to vote yes.

M. White

SB 1630 - HOUSE SPONSORS AUTHORIZED

On motion of Representative S. Turner, Representatives Larson, Wu, and Dutton were authorized as house sponsors to **SB 1630**.

**SB 374 ON THIRD READING
(Dale - House Sponsor)**

SB 374, A bill to be entitled An Act relating to requiring state agencies to participate in the federal electronic verification of employment authorization program, or E-verify.

SB 374 was passed by (Record 1522): 122 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Allen; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bernal; Bonnen, D.(C); Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra; Guillen; Gutierrez; Harless; Herrero; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; 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.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Blanco; Collier; Davis, Y.; Giddings; González; Hernandez; Howard; Israel; Johnson; Márquez; Miles; Minjarez; Muñoz; Nevárez; Reynolds; Rodriguez, E.; Rodriguez, J.; Turner, S.; Wu.

Present, not voting — Mr. Speaker.

Absent — Anchia; Bohac; Deshotel; Dukes; King, K.; McClendon.

STATEMENTS OF VOTE

When Record No. 1522 was taken, I was shown voting yes. I intended to vote no.

Allen

When Record No. 1522 was taken, I was in the house but away from my desk. I would have voted no.

Anchia

When Record No. 1522 was taken, I was in the house but away from my desk. I would have voted no.

Deshotel

When Record No. 1522 was taken, I was shown voting yes. I intended to vote no.

Galindo

When Record No. 1522 was taken, I was shown voting yes. I intended to vote no.

Naishtat

When Record No. 1522 was taken, I was shown voting yes. I intended to vote no.

Rose

**SB 1135 ON THIRD READING
(González - House Sponsor)**

SB 1135, A bill to be entitled An Act relating to civil and criminal liability for the unlawful disclosure or promotion of certain intimate visual material; creating an offense.

SB 1135 - POINT OF ORDER

Representative Isaac raised a point of order against further consideration of **SB 1135** 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 Isaac raised a point of order against further consideration of **SB 1135** on third reading pursuant to Rule 4, Section 32(c) of the House Rules asserting that the bill analysis, which is prepared to help members study bills that have passed out of committee and will be brought before the full body, is flawed. As is typical in the course of considering bills, second reading of the bill occurred the day before third reading. On second reading, the bill was laid out, then discussed by the sponsor without any questions or objections, then passed unanimously by voice vote to third reading. Now, on third reading, Representative Isaac contends the bill analysis is inadequate because the analysis portion of the bill analysis fails to state that the bill defines "intimate parts" and "intimate visual material." In contrast to second reading, which presents the work of a committee to the body, bills on third reading have moved beyond the work of the committee and are instead the work of the entire house. In effect, bills passed to third reading have taken a cleansing bath, releasing all committee data, such that these bills are the responsibility of the entire body. Because the bill becomes the work of the body after the body passes it to third reading, most points of order, except those of a constitutional nature, are scrubbed. The bill analysis, having been sufficient to inform the members of the committee's work such that the bill passed to third reading, is no longer material. The point of order as to this flaw in the committee report is untimely raised and is waived.

Furthermore, had the chair relied upon an examination of the bill analysis for this ruling, the chair would have found the bill analysis to be in compliance with Rule 4, Section 32(c) of the House Rules.

SB 1135 was passed by (Record 1523): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent — Darby; Dukes; Rodriguez, E.; VanDeaver; Zerwas.

STATEMENT OF VOTE

When Record No. 1523 was taken, I was in the house but away from my desk. I would have voted yes.

E. Rodriguez

SB 923 ON THIRD READING (Zedler - House Sponsor)

SB 923, A bill to be entitled An Act relating to the prosecution of the offense of obstruction or retaliation; creating a criminal offense.

SB 923 was passed by (Record 1524): 142 Yeas, 3 Nays, 2 Present, not voting.

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

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

Absent — Burkett; Dukes; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 1524 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 1524 was taken, I was in the house but away from my desk. I would have voted yes.

E. Rodriguez

When Record No. 1524 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

SB 1877 ON THIRD READING (Galindo - House Sponsor)

SB 1877, A bill to be entitled An Act relating to the development and maintenance by each state agency of a data use agreement for the state agency's employees and to training related to that agreement.

SB 1877 was passed by (Record 1525): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bernal; Blanco; Bohac; Bonnen, G.; 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; 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; Bonnen, D.(C).

Absent — Bell; Burkett; Dukes; Elkins.

STATEMENTS OF VOTE

When Record No. 1525 was taken, I was in the house but away from my desk. I would have voted yes.

Bell

When Record No. 1525 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

SB 933 ON THIRD READING (Cook and Kacal - House Sponsors)

SB 933, A bill to be entitled An Act relating to the authority of the Public Utility Commission of Texas to review transmission interconnections that enable imports or exports from the ERCOT power grid.

SB 933 was passed by (Record 1526): 146 Yeas, 0 Nays, 2 Present, not voting.

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

Absent — Dukes; Sheffield.

STATEMENT OF VOTE

When Record No. 1526 was taken, my vote failed to register. I would have voted yes.

Sheffield

SB 633 ON THIRD READING

(Isaac, Villalba, Bell, E. Rodriguez, Alvarado, et al. - House Sponsors)

SB 633, A bill to be entitled An Act relating to certain event trust funds and the abolishment of the special event trust fund.

SB 633 was passed by (Record 1527): 116 Yeas, 31 Nays, 1 Present, not voting.

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

Nays — Anderson, R.; Bonnen, D.(C); Bonnen, G.; Burrows; Craddick; Elkins; Fallon; Frank; Geren; Goldman; Hughes; King, S.; Landgraf; Metcalf; Murr; Phillips; Riddle; Rinaldi; Schaefer; Shaheen; Sheffield; Simpson; Spitzer; Springer; Stickland; Tinderholt; Turner, E.S.; White, J.; White, M.; Wray; Zedler.

Present, not voting — Mr. Speaker.

Absent — Dukes; McClendon.

STATEMENTS OF VOTE

When Record No. 1527 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 1527 was taken, I was shown voting yes. I intended to vote no.

Price

POSTPONED BUSINESS

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

**CSSB 424 ON SECOND READING
(Zerwas - House Sponsor)**

CSSB 424, A bill to be entitled An Act relating to the licensing and regulation of hospitals in this state; increasing the amount of administrative penalties assessed or imposed against certain hospitals; authorizing the imposition of a fee.

CSSB 424 was read second time on May 25, postponed until 1:30 p.m. May 25, and was again postponed until 6 p.m. May 25.

CSSB 424 - POINT OF ORDER

Representative K. King raised a point of order against further consideration of **CSSB 424** under Rule 4, Section 18 and Rule 4, Section 32 of the House Rules on the grounds that the committee minutes are incomplete and the bill analysis is incorrect.

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

Representative K. King raised points of order against further consideration of **CSSB 424** pursuant to Rule 4, Section 18 and Rule 4, Section 32 of the House Rules. Because the meeting minutes are flawed in that they do not accurately and completely reflect that the committee had suspended the 5-day posting rule and all necessary rules to add bills to a previously posted agenda, the point of order is sustained.

**CSSB 197 ON SECOND READING
(Keffer - House Sponsor)**

CSSB 197, A bill to be entitled An Act relating to the financial self-sufficiency of the Cancer Prevention and Research Institute of Texas.

CSSB 197 was read second time on May 25, postponed until 1:30 p.m. May 25, and was again postponed until 6 p.m. May 25.

CSSB 197 - POINT OF ORDER

Representative Martinez Fischer raised a point of order against further consideration of **CSSB 197** under Rule 4, Section 18 and Rule 4, Section 32(c) of the House Rules on the grounds that the committee minutes are incomplete and the bill analysis is incorrect.

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

Representative Martinez Fischer raised several points of order against further consideration of **CSSB 197**. He asserts that the bill is in violation of Rule 4, Section 18 and Rule 4, Section 32(c) of the House Rules. Because the bill analysis contains errors (describing the issuance of \$3 billion in general

obligation bonds versus the text of the bill, and in light of the number of types of general obligation bonds authorized under the Texas Constitution other than Article III, Section 67), the chair sustains the point of order.

SB 496 ON SECOND READING
(Howard - House Sponsor)

SB 496, A bill to be entitled An Act relating to Foundation School Program funding for students enrolled in an optional flexible school day program.

SB 496 was read second time on May 25 and was postponed until 6 a.m. today.

Amendment No. 1

Representative Howard offered the following amendment to **SB 496**:

Amend **SB 496** (house committee report) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS appropriately:

SECTION _____. Section 42.152, Education Code, is amended by adding Subsection (c-3) to read as follows:

(c-3) Notwithstanding Subsection (c), funds allocated under this section may be used to:

(1) provide child-care services or assistance with child-care expenses for students at risk of dropping out of school, as defined by Section 29.081(d)(5);
or

(2) pay the costs associated with services provided through a life skills program in accordance with Sections 29.085(b)(1) and (3)-(7).

Amendment No. 2

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

Amend Amendment No. 1 by Howard for **SB 496** as follows:

(1) On page 1 of the amendment, line 5, strike "Subsection (c-3)" and substitute "Subsections (c-3) and (c-4)".

(2) On page 1 of the amendment following line 13, insert the following:

(c-4) Not later than January 1, 2016, the commissioner shall amend rules regarding the Public Education Information Management System (PEIMS) to include pregnancy as a reason a student withdraws from or otherwise no longer attends public school.

Amendment No. 2 was adopted.

Amendment No. 1, as amended, failed of adoption by (Record 1528): 63 Yeas, 77 Nays, 2 Present, not voting. (The vote was reconsidered later today, and Amendment No. 1, as amended, was adopted by Record No. 1531.)

Yeas — Allen; Alvarado; Anchia; Aycock; Bernal; Blanco; Canales; Capriglione; Coleman; Collier; Cook; Davis, S.; Deshotel; Dutton; Farias; Farney; Farrar; Frank; Giddings; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Isaac; Israel; Johnson; Keffer; King, P.; King, T.;

Koop; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Miles; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Smith; Turner, C.; Turner, S.; Vo; Walle; Wu.

Nays — Anderson, R.; Bell; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Clardy; Craddick; Crownover; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frullo; Galindo; Geren; Goldman; Gonzales; Huberty; Hughes; Hunter; Kacal; Keough; King, K.; King, S.; Klick; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Murr; Paddie; Parker; Paul; Peña; Phelan; Phillips; Price; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; 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; Bonnen, D.(C).

Absent — Alonzo; Anderson, C.; Ashby; Davis, Y.; Dukes; Romero; Sheffield; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1528 was taken, I was in the house but away from my desk. I would have voted no.

C. Anderson

When Record No. 1528 was taken, I was shown voting yes. I intended to vote no.

Capriglione

When Record No. 1528 was taken, I was shown voting yes. I intended to vote no.

Farney

When Record No. 1528 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 1528 was taken, I was shown voting yes. I intended to vote no.

Smith

Amendment No. 3

Representative Guillen offered the following amendment to **SB 496**:

Amend **SB 496** (house committee printing) as follows:

- (1) On page 1, line 6, strike "Subsection (d)" and substitute "Subsections (a), (b), and (d)".
- (2) On page 1, between lines 7 and 8, insert the following:

(a) Notwithstanding Section 25.081 or 25.082, a school district may ~~[apply to the commissioner to]~~ provide a flexible school day program for ~~[students who]~~:

(1) students who have dropped out of school or are at risk of dropping out of school as defined by Section 29.081;

(2) students who attend a campus that is implementing an innovative redesign of the campus or an early college high school under a plan approved by the commissioner; ~~[or]~~

(3) students who, as a result of attendance requirements under Section 25.092, will be denied credit for one or more classes in which the students have been enrolled; or

(4) a campus or campuses that would benefit from the program.

(b) To enable a school district to provide a program under this section that meets the needs of students described by Subsection (a), a school district ~~[that meets application requirements]~~ may:

(1) provide flexibility in the number of hours each day a student attends;

(2) provide flexibility in the number of days each week a student attends; or

(3) allow a student to enroll in less than or more than a full course load.

(3) On page 1, lines 9 and 10, strike ", including rules establishing application requirements" and substitute "~~[including rules establishing application requirements]~~".

Amendment No. 3 was adopted by (Record 1529): 90 Yeas, 39 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Bernal; Blanco; Bohac; Burkett; Burns; Canales; Capriglione; Coleman; Collier; Cook; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farrar; Fletcher; Frank; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Guillen; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Isaac; Israel; Johnson; Keffer; King, K.; King, T.; Klick; Koop; Landgraf; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; Meyer; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Parker; Peña; Phelan; Pickett; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheets; Sheffield; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bonnen, G.; Burrows; Button; Cyrier; Dale; Fallon; Flynn; Goldman; Hunter; Krause; Laubenberg; Leach; Metcalf; Miller, D.; Miller, R.; Murphy; Murr; Paul; Phillips; Price; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; White, M.; Workman; Zedler.

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

Absent — Aycock; Bell; Clardy; Crownover; Dukes; Elkins; Farney; Gutierrez; Kacal; Keough; King, P.; King, S.; Kuempel; McClendon; Morrison; Paddie; Raney; Schofield; Turner, E.S.

STATEMENTS OF VOTE

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted yes.

Aycock

When Record No. 1529 was taken, my vote failed to register. I would have voted no.

Bell

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted no.

Clardy

When Record No. 1529 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

When Record No. 1529 was taken, I was shown voting yes. I intended to vote no.

Darby

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted no.

Elkins

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted yes.

Farney

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted yes.

Kacal

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted no.

Keough

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

When Record No. 1529 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted no.

Kuempel

When Record No. 1529 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

When Record No. 1529 was taken, I was in the house but away from my desk. I would have voted no.

E. S. Turner

Amendment No. 1 - Vote Reconsidered

Representative J. White moved to reconsider the vote by which Amendment No. 1, as amended, failed of adoption by Record No. 1528.

The motion to reconsider prevailed by (Record 1530): 93 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bernal; Blanco; Bonnen, G.; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Cook; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Farias; Farney; Farrar; Frank; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hughes; Isaac; Israel; Johnson; Kacal; Keffer; King, P.; King, T.; Koop; Larson; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; Miles; Miller, D.; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Peña; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Romero; Rose; Shaheen; Sheets; Simpson; Smith; Smithee; Springer; Thompson, E.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bohac; Burns; Burrows; Cyrier; Elkins; Faircloth; Fallon; Fletcher; Flynn; Geren; Goldman; Keough; King, S.; Klick; Krause; Kuempel; Landgraf; Leach; Metcalf; Meyer; Miller, R.; Murr; Paul; Phillips; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Sheffield; Simmons; Spitzer; Stephenson; Stickland; Tinderholt; Turner, E.S.; Workman; Wray; Zedler.

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

Absent — Anderson, C.; Collier; Craddick; Dukes; Dutton; Huberty; Hunter; King, K.; McClendon; Parker; Rodriguez, J.; Schubert; Thompson, S.; White, M.

STATEMENTS OF VOTE

When Record No. 1530 was taken, my vote failed to register. I would have voted yes.

Collier

When Record No. 1530 was taken, I was in the house but away from my desk. I would have voted no.

Craddick

When Record No. 1530 was taken, I was in the house but away from my desk. I would have voted no.

Huberty

When Record No. 1530 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1530 was taken, my vote failed to register. I would have voted no.

Parker

When Record No. 1530 was taken, I was in the house but away from my desk. I would have voted no.

M. White

Amendment No. 1, as amended, was adopted by (Record 1531): 84 Yeas, 56 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Blanco; Burkett; Canales; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farias; Farney; Farrar; Frank; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Harless; Hernandez; Herrero; Howard; Isaac; Israel; Johnson; Kacal; Keffer; King, P.; King, T.; Koop; Kuempel; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Peña; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheets; Sheffield; Turner, C.; Turner, S.; VanDeaver; Vo; Walle; White, J.; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bohac; Bonnen, G.; Burns; Burrows; Button; Capriglione; Cyrier; Elkins; Fallon; Fletcher; Flynn; Geren; Goldman; Hughes; Hunter; Keough; King, S.; Klick; Krause; Landgraf; Larson; Leach; Metcalf; Meyer; Miller, D.; Miller, R.; Murr; Paul; Phelan; Phillips; Price; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; Villalba; White, M.; Workman; Wray; Zedler.

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

Absent — Anderson, C.; Bernal; Dukes; Huberty; King, K.; Parker; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1531 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 1531 was taken, I was in the house but away from my desk. I would have voted no.

Huberty

When Record No. 1531 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1531 was taken, my vote failed to register. I would have voted no.

Parker

SB 496, as amended, was passed to third reading by (Record 1532): 84 Yeas, 60 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bernal; Blanco; Burkett; Canales; Clardy; Coleman; Collier; Cook; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farney; Farrar; Frank; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Isaac; Israel; Johnson; Kacal; King, P.; King, S.; King, T.; Koop; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Meyer; Miles; Minjarez; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Paddie; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheets; Sheffield; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; Workman; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bell; Bohac; Bonnen, G.; Burns; Burrows; Button; Capriglione; Crownover; Cyrier; Elkins; Faircloth; Fallon; Fletcher; Flynn; Frullo; Geren; Goldman; Hughes; Keffer; Keough; Klick; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Metcalf; Miller, D.; Miller, R.; Murphy; Murr; Parker; Paul; Peña; Phelan; Phillips; Price; Riddle; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; White, M.; Wray; Zedler.

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

Absent — Dukes; Huberty; Hunter; King, K.

STATEMENTS OF VOTE

When Record No. 1532 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 1532 was taken, I was in the house but away from my desk. I would have voted no.

Huberty

When Record No. 1532 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

SB 1070 ON THIRD READING (Moody - House Sponsor)

SB 1070, A bill to be entitled An Act relating to allowing certain defendants to successfully complete education at a substance abuse treatment facility in lieu of attending an education program; changing required conditions of community supervision for certain defendants.

SB 1070 was read third time on May 25 and was postponed until 7 a.m. today.

SB 1070 was passed by (Record 1533): 135 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Blanco; Bohac; Bonnen, G.; 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; Gutierrez; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Murphy; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Phelan; Phillips; Price; 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; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Peña.

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

Absent — Bernal; Burkett; Dukes; Guillen; Harless; King, T.; Lozano; Muñoz; Pickett; Raney; Raymond; Walle.

STATEMENTS OF VOTE

When Record No. 1533 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 1533 was taken, my vote failed to register. I would have voted yes.

Guillen

When Record No. 1533 was taken, my vote failed to register. I would have voted yes.

Muñoz

When Record No. 1533 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

**CSSB 10 ON SECOND READING
(P. King - House Sponsor)**

CSSB 10, A bill to be entitled An Act relating to the prosecution of offenses against public administration, including ethics offenses.

CSSB 10 was read second time on May 25 and was postponed until 9 a.m. today.

Representative P. King moved to postpone consideration of **CSSB 10** until 10 p.m. today.

The motion prevailed.

**SB 268 ON SECOND READING
(Anchia - House Sponsor)**

SB 268, A bill to be entitled An Act relating to the duties of a magistrate to inform an arrested person of consequences of a plea of guilty or nolo contendere.

SB 268 was read second time on May 12, postponed until May 18, postponed until May 19, postponed until May 20, postponed until May 23, postponed until May 24, and was again postponed until 1 p.m. today.

Amendment No. 1

Representative Anchia offered the following amendment to **SB 268**:

Amend **SB 268** (house committee report) on page 2, line 5, following the underlined period, by inserting "The magistrate shall inform the person arrested that a plea of guilty or nolo contendere for the offense charged may affect the person's eligibility for enlistment or reenlistment in the United States armed forces or may result in the person's discharge from the United States armed forces if the person is a member of the armed forces.".

Amendment No. 1 was adopted.

SB 268, as amended, failed to pass to third reading by (Record 1534): 52 Yeas, 94 Nays, 1 Present, not voting.

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

Nays — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.(C); Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Harless; 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; Price; Raney; Riddle; Rinaldi; Sanford; Schaefer; Schofield; 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.

Absent — Dukes; Farrar; Schubert.

STATEMENT OF VOTE

When Record No. 1534 was taken, my vote failed to register. I would have voted no.

Schubert

SB 1511 ON SECOND READING (Collier - House Sponsor)

SB 1511, A bill to be entitled An Act relating to the establishment and governance of certain regional transportation authorities.

SB 1511 was read second time on May 20, postponed until May 22, and was again postponed until 3:06 p.m. today.

Representative Collier moved to postpone consideration of **SB 1511** until 9:55 p.m. today.

The motion prevailed.

SB 844 ON SECOND READING (Meyer - House Sponsor)

SB 844, A bill to be entitled An Act relating to the expiration of licenses for insurance agents and adjusters.

SB 844 was read second time on May 22, postponed until 3 p.m. May 25, postponed until 3:30 p.m. May 25, and was again postponed until 3:30 p.m. today.

Representative Meyer moved to postpone consideration of **SB 844** until 10 a.m. Saturday, August 1.

The motion prevailed.

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).

EMERGENCY CALENDAR SENATE BILLS SECOND READING

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

CSSB 19 ON SECOND READING (Cook, Harless, Oliveira, S. Thompson, and Alonzo - House Sponsors)

CSSB 19, A bill to be entitled An Act relating to the ethics of public officers and employees, the disclosure of certain political contributions, and related requirements and procedures; creating criminal offenses.

Amendment No. 1

Representative Cook offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION _____. Section 254.031, Election Code, is amended by adding Subsection (c) to read as follows:

(c) An expenditure is reportable only for the date on which it is made as provided by Section 254.035.

(Speaker in the chair)

CSSB 19 - POINT OF ORDER

Representative Stickland raised a point of order against further consideration of **CSSB 19** under Rule 8, Section 3 of the House Rules on the grounds that the bill violates the one-subject rule.

The point of order was withdrawn.

Representative Cook moved to postpone consideration of **CSSB 19** until 5:37 p.m. today.

The motion prevailed.

**MAJOR STATE CALENDAR
SENATE BILLS
SECOND READING**

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

**CSSB 206 ON SECOND READING
(Burkett, Price, Raymond, Dutton, and Gonzales - House Sponsors)**

CSSB 206, A bill to be entitled An Act relating to the continuation and functions of the Department of Family and Protective Services and procedures applicable to suits affecting the parent-child relationship, investigations of child abuse and neglect, and conservatorship of a child; affecting fee amounts and authorizing an administrative penalty.

Representative Burkett moved to postpone consideration of **CSSB 206** until 6:30 p.m. today.

The motion prevailed.

**CSSB 9 ON SECOND READING
(Otto, G. Bonnen, Ashby, Burkett, and Gonzales - House Sponsors)**

CSSB 9, A bill to be entitled An Act relating to limitations on the rate of growth of appropriations for certain categories of spending.

Amendment No. 1

Representative González offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee printing) in SECTION 1 of the bill, proposed Section 316.0101, Government Code (page 1, line 15), by striking Subdivision (2) of the proposed section and renumbering subsequent subdivisions of that section accordingly.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Coleman offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) by striking page 3, line 26, through page 4, line 3, and renumbering the sections of proposed Subchapter A-1, Chapter 316, Government Code, accordingly.

Representative Otto moved to postpone consideration of **CSSB 9** until 8 p.m. today.

The motion prevailed.

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

Representative S. Thompson moved to suspend all necessary rules to set a local, consent, and resolutions calendar for 9 a.m. tomorrow.

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 6:15 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, 6:15 p.m. today, 3W.15, for a formal meeting, to set a calendar.

POSTPONED BUSINESS

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

CSSB 19 ON SECOND READING

(Cook, Harless, Oliveira, S. Thompson, and Alonzo - House Sponsors)

CSSB 19, A bill to be entitled An Act relating to the ethics of public officers and employees, the disclosure of certain political contributions, and related requirements and procedures; creating criminal offenses.

CSSB 19 was read second time earlier today, an amendment was offered, and **CSSB 19** was postponed until this time. Amendment No. 1 was pending at the time of postponement.

CSSB 19 - POINT OF ORDER

Representative Stickland raised a point of order against further consideration of **CSSB 19** under Rule 8, Section 3 of the House Rules and Article III, Section 35 of the Texas Constitution on the grounds that the bill violates the one-subject rule.

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

Representative Stickland raised a point of order against further consideration of **CSSB 19** pursuant to Rule 8, Section 3 of the House Rules on the grounds that bill violates the one-subject rule under Rule 8, Section 3 of the House Rules and Article III, Section 35 of the Texas Constitution. Representative Stickland argues the bill, as it came from the senate, was directed only at the ethics of public officials. This assertion is incorrect.

The bill deals with financial statements by elected officials and candidates, the contents of ethics reporting, personal financial statements filed with the commission, the operation of the Texas Ethics Commission, conflicts of interests and restrictions on the behavior of legislators and those that seek to influence them, drug testing for persons elected to public office, exclusions from lobby registration, limits on expenditures by those who seek to influence or communicate with government officials, restrictions on employment on current or former legislators, and the effect of penal code violations or the vacating of a

member's office. In short, **CSSB 19** is an omnibus ethics bill. These provisions, Representative Stickland says, cannot conceivably be described in a single subject.

The provisions can, in fact, be conceivably described in a single subject—the ethics of public officers and employees, the disclosure of political contributions, and related requirements and procedure—the caption and substance **CSSB 19** as it is before the house. Accordingly, there is no violation of Rule 8, Section 3 of the House Rules. The point of order is respectfully overruled.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Cook offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) as follows:

(1) Strike page 11, line 23, through page 12, line 6, and substitute the following:

Sec. 572.0231. AFFIRMATION OF SUBMISSION OF FEDERAL INCOME TAX RETURN AND TAX PAYMENTS. (a) An individual filing a statement under this subchapter shall include with the statement an affirmation that:

(1) the individual has filed the federal personal income tax return due during the 12 months preceding the filing date for the statement and has made all payments as required for federal income taxes owed by the individual for that year; or

(2) the individual has a valid extension of the filing deadline for the federal personal income tax return due during the 12 months preceding the filing date for the statement and is within the extension period.

(2) On page 13, lines 16-17, strike "Section 572.026(d), Government Code, is amended" and substitute "Section 572.026, Government Code, is amended by amending Subsection (d) and adding Subsection (e)".

(3) On page 13, between lines 26 and 27, insert the following:

(e) For purposes of Subsection (d), "good cause" includes attending a regular or special session of the legislature by a member of the legislature.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Cook offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) on page 8, line 4, between "referral fee" and "paid", by inserting "in connection with services provided by the individual that is".

Amendment No. 3 was adopted.

Amendment No. 4

Representative Capriglione offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) as follows:

(1) On page 7, line 18, strike "Subsection (e)" and substitute "Subsections (e), (f), and (g)".

(2) On page 11, strike lines 5-8 and substitute the following:

(15) if the aggregate cost of goods or services sold under one or more written contracts described by this subdivision exceeds \$10,000 in the year covered by the report, affirmative acknowledgement of the existence of one or more contracts:

(A) for the sale of goods or services in the amount of \$2,500 or more;

(B) to which the individual, the individual's spouse, the individual's dependent child, or any business entity of which the individual, the individual's spouse, or the individual's dependent child has at least a 50 percent ownership interest is a party; and

(C) with:

(i) a governmental entity; or

(ii) a person who contracts with a governmental entity, in accordance with the contract between the person contracting with the governmental entity and the individual or entity described by Paragraph (B); and

(3) On page 11, strike lines 15-20 and substitute the following:

(e) Subsection (b)(15) does not require the disclosure of an employment contract between a school district or open-enrollment charter school and an employee of the district or school.

(f) An individual who has acknowledged the existence of contracts described by Subsection (b)(15) shall, on the request of the commission, furnish to the commission a detailed description of such contracts. The commission may request the description from an individual only after the commission receives a request for the information from another person.

(g) In this section:

(1) "Governmental entity" means the state, a political subdivision of the state, or an agency or department of the state or a political subdivision of the state.

(2) "Public benefit" includes the value of an exemption from taxation of the total appraised value of a residence homestead.

Amendment No. 4 was adopted.

Amendment No. 5

Representative P. King offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) as follows:

(1) On page 12, line 18, following the underscored period, add "The term does not include services provided in the normal course of providing legal services.".

(2) On page 12, line 20, strike "performed by the officer" and substitute "personally performed by the officer in this state".

(3) Strike page 19, line 27, through page 20, line 7, and substitute the following:

(b) The ethics counselor shall be available to members of the legislature before and during legislative sessions and shall provide oral and written opinions on potential conflicts of interest on request of a member. An opinion under this subsection is confidential unless the member requesting the opinion releases the opinion.

(4) Strike page 20, lines 22-23.

(5) Strike page 21, line 16, through page 22, line 1, and substitute the following:

Sec. 572.063. REQUIREMENTS FOR CERTAIN REFERRALS. A member of the legislature or an executive officer elected in a statewide election who is a member of the State Bar of Texas or who is licensed to practice law in another state, a federal court, or a United States territory may make or receive a referral for legal services for monetary compensation or any other benefit only if the referral complies with the rules of professional and ethical conduct of the State Bar of Texas. A member of the public may file a complaint with the State Bar of Texas against an officer who violates these rules.

CSSB 19 - REMARKS

REPRESENTATIVE SCHAEFER: You know that **SB 11**, dealing with campus carry, and **SB 575**, a pro-life bill dealing with abortion coverage in insurance, are on the calendar today. Would you be willing to postpone this bill so that we can reach those important matters?

REPRESENTATIVE COOK: You know, I'm hoping what we can do is finish this bill.

SCHAEFER: Well, I think there's a lot of amendments, and I think this may be the last bill we hear today. Would you be willing to postpone this bill so we can take up the pro-life bill and the—

COOK: I hope we can get through this bill.

(Kuempel in the chair)

REMARKS ORDERED PRINTED

Representative Tinderholt moved to print remarks between Representative Cook and Representative Schaefer.

The motion prevailed.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Canales offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) as follows:

(1) Strike page 11, line 23, through page 12, line 6.

(2) On page 12, line 7, strike "(b)" and substitute "Sec. 572.0231. AFFIRMATION OF PROPERTY TAX PAYMENTS."

(3) Add the following appropriately numbered SECTIONS to ARTICLE 1 of the bill and renumber the SECTIONS of that ARTICLE accordingly:

SECTION 1.____. The heading to Subchapter B, Chapter 572, Government Code, is amended to read as follows:

SUBCHAPTER B. PERSONAL FINANCIAL DISCLOSURE [~~STATEMENT~~]

SECTION 1.____. Subchapter B, Chapter 572, Government Code, is amended by adding Section 572.035 to read as follows:

Sec. 572.035. SUBMISSION OF FEDERAL TAX RETURN. (a) Notwithstanding any other law, each member of the legislature shall submit the member's most recent federal income tax return to the commission not later than August 31 of each year.

(b) The information contained in the tax return, other than information that is confidential under Section 552.117, is public information.

LEAVES OF ABSENCE GRANTED

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

Dale on motion of Sheets.

Gonzales on motion of Sheets.

CSSB 19 - (consideration continued)

Amendment No. 6 was withdrawn.

LEAVES OF ABSENCE GRANTED

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

Burkett on motion of R. Anderson.

Capriglione on motion of R. Anderson.

Clardy on motion of R. Anderson.

Isaac on motion of R. Anderson.

Muñoz on motion of R. Anderson.

Sheets on motion of R. Anderson.

SB 1496 - NOTICE GIVEN

Pursuant to the provisions of Rule 7, Section 37(c) of the House Rules, Representative Simmons gave notice that he would, in one hour, move to reconsider the vote by which **SB 1496** failed to pass by Record No. 1488.

CSSB 19 - (consideration continued)

Amendment No. 7

Representative Alonzo offered the following amendment to **CSSB 19**:

Amend **CSSB 19** by striking SECTION 1.05 of the bill (page 6, line 3, through page 7, line 4), and renumbering the subsequent SECTIONS of ARTICLE 1 and fixing cross-references accordingly.

Amendment No. 7 was adopted.

Amendment No. 8

Representative E. Rodriguez offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) on page 14, line 23, of the bill, strike "searchable format to the public" and substitute "format, such as a searchable electronic spreadsheet, that is easily accessible to and searchable by a member of the public".

Amendment No. 8 was adopted.

Amendment No. 9

Representative E. Rodriguez offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) as follows:

(1) Strike page 16, lines 1-3, and substitute the following:

SECTION 2.02. Effective September 1, 2015, Section 305.0061, Government Code, is amended by amending Subsections (a), (b), and (c), and adding Subsection (h) to read as follows:

(2) On page 16, lines 6-7, strike "an amount set by the commission that is not less than \$50 or greater than 60 percent of the amount of the legislative per diem" and substitute "\$50 [60 percent of the amount of the legislative per diem]".

(3) On page 16, lines 20-21, strike "an amount set by the commission that is not less than \$50 or greater than 60 percent of the amount of the legislative per diem" and substitute "\$50 [60 percent of the amount of the legislative per diem]".

(4) On page 16, lines 25-26, strike "an amount set by the commission that is not less than \$50 or greater than 60 percent of the amount of the legislative per diem" and substitute "\$50 [60 percent of the amount of the legislative per diem]".

(5) On page 17, between lines 21 and 22, insert the following:

(h) If more than one registrant or persons acting on behalf of more than one registrant and with each registrant's consent or ratification collaborate to make an expenditure described by Section 305.006(b) together, each registrant shall report the total value of the shared expenditure as required by Subsection (a), (b), or (c), if the total value of the shared expenditure exceeds the amount provided under Subsection (a), (b), or (c).

(6) Add the following appropriately numbered SECTIONS to ARTICLE 2 of the bill, and renumber subsequent SECTIONS of that ARTICLE accordingly:

SECTION 2.____. Effective September 1, 2015, Section 305.024(a), Government Code, as amended by Chapters 92 (**SB 1011**) and 206 (**HB 1508**), Acts of the 79th Legislature, Regular Session, 2005, is reenacted and amended to read as follows:

(a) Except as provided by Section 305.025, a person registered under Section 305.005 or a person on the registrant's behalf and with the registrant's consent or ratification may not offer, confer, or agree to confer:

(1) to an individual described by Section 305.0062(a)(1), (2), (3), (4), or (5):

(A) a loan, including the guarantee or endorsement of a loan; or

(B) a gift of cash or a negotiable instrument as described by Section 3.104, Business & Commerce Code; or

(2) to an individual described by Section 305.0062(a)(1), (2), (3), (4), (5), (6), or (7):

(A) an expenditure for transportation and lodging;

(B) an expenditure or series of expenditures for entertainment that in the aggregate exceed \$500 in a calendar year;

(C) an expenditure or series of expenditures for gifts that in the aggregate exceed \$500 in a calendar year;

(D) an expenditure for an award or memento that exceeds \$500; or

(E) an expenditure described by Section 305.006(b)(1), (2), (3), or

(6) unless:

(i) [~~(A)~~] the registrant is present at the event; or

(ii) [~~(B)~~] the expenditure is for a gift of food or beverages required to be reported under Section 305.006(b)(4) in accordance with Section 305.0061(e-1).

SECTION 2. _____. Effective September 1, 2015, Section 305.024, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The registrant shall notify a member of the legislative or executive branch when the registrant has reported, as to that member of the legislative or executive branch, expenditures that, in the aggregate, equal the monetary limits for expenditures under Subsection (a)(2).

SECTION 2. _____. Effective September 1, 2015, Section 305.031(a), Government Code, is amended to read as follows:

(a) A person commits an offense if the person intentionally or knowingly violates a provision of this chapter other than Section 305.022, 305.024(d), or 305.028. An offense under this subsection is a Class A misdemeanor.

(7) On page 29, lines 25-26, strike "Section 572.032(b), Government Code, is repealed" and substitute "Sections 305.0061(g), 305.024(c), and 572.032(b), Government Code, are repealed".

(8) On page 30, line 20, strike "Section" and substitute "Sections".

(9) On page 30, line 21, following "305.0061,", insert "305.024, and 305.031,".

(Burkett, Muñoz, and Sheets now present)

Amendment No. 9 failed of adoption by (Record 1535): 57 Yeas, 82 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Collier; Davis, Y.; Deshotel; Dukes; Dutton; Farias; Farrar; Geren; Giddings; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Keough; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Phillips; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Sheets; Simpson; Stickland; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; White, M.; Wu.

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

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

Absent, Excused, Committee Meeting — Capriglione; Clardy; Dale; Gonzales; Isaac.

Absent — González; Huberty; King, S.; King, T.

STATEMENTS OF VOTE

When Record No. 1535 was taken, I was shown voting no. I intended to vote yes.

S. Davis

When Record No. 1535 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

(Capriglione and Isaac now present)

Amendment No. 10

Representative Geren offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) as follows:

(1) On page 27, line 7, strike "OF CERTAIN ORAL" and substitute "AND".

(2) Add the following appropriately numbered SECTIONS to ARTICLE 5 of the bill and renumber subsequent SECTIONS of that ARTICLE accordingly:

SECTION _____. Chapter 306, Government Code, is amended by adding Section 306.008 to read as follows:

Sec. 306.008. PRIVILEGES.(a) A communication is confidential and subject to legislative privilege if the communication:

(1) is between a legislative assistant or employee and a member of the legislature, an officer of the legislature, legislative staff, or the lieutenant governor;

(2) is given privately; and

(3) constitutes legislative business.

(b) A communication is confidential and subject to attorney-client privilege if the communication:

(1) is between a legislative attorney or a legislative employee working at the direction of a legislative attorney and a member of the legislature, an officer of the legislature, legislative staff, or the lieutenant governor;

(2) is given privately; and

(3) constitutes legal advice or legal services.

(c) A member of the legislature, an officer of the legislature, or the lieutenant governor may choose to disclose all or a part of a communication to which Subsection (a) or (b) applies.

SECTION _____. Chapter 323, Government Code, is amended by adding Section 323.021 to read as follows:

Sec. 323.021. LEGISLATIVE OFFICE RECORDS. A member of the legislature, the lieutenant governor, the office of a member or the lieutenant governor, an officer of the legislature, or a legislative agency that uses a mechanism made available by the council to transmit, store, or maintain records:

(1) possesses, maintains, or controls the records for purposes of litigation; and

(2) is the custodian of the records for purposes of Chapter 552.

Amendment No. 10 was adopted by (Record 1536): 115 Yeas, 23 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Coleman; Collier; Cook; Craddick; Crownover; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Faircloth; Farias; Farney; Farrar; Frank; Frullo; Galindo; Geren; Giddings; Goldman; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; King, K.; King, P.; Koop; Landgraf; Larson; 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; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Smith; Smithee; Springer; Stephenson; Thompson, E.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bohac; Burrows; Elkins; Fallon; Fletcher; Flynn; Hughes; Keough; Krause; Laubenberg; Leach; Rinaldi; Sanford; Schaefer; Simpson; Stickland; Tinderholt; Turner, E.S.; White, J.; White, M.; Zedler.

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

Absent, Excused, Committee Meeting — Clardy; Dale; Gonzales.

Absent — Huberty; King, S.; King, T.; Klick; Metcalf; Spitzer; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1536 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

When Record No. 1536 was taken, I was in the house but away from my desk. I would have voted no.

Klick

When Record No. 1536 was taken, I was in the house but away from my desk. I would have voted no.

Metcalf

Amendment No. 11

Representative E. Rodriguez offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) as follows:

(1) In SECTION 2.02 of the bill, in amended Section 305.0061(a), Government Code (page 16, lines 6-8), strike "an amount set by the commission that is not less than \$50 or greater than 60 percent of the amount of the legislative per diem in" and substitute "\$50 [~~60 percent of the amount of the legislative per diem in~~]".

(2) In SECTION 2.02 of the bill, in amended Section 305.0061(b), Government Code (page 16, lines 20-22), strike "an amount set by the commission that is not less than \$50 or greater than 60 percent of the amount of the legislative per diem in" and substitute "\$50 [~~60 percent of the amount of the legislative per diem in~~]".

(3) In SECTION 2.02 of the bill, in amended Section 305.0061(b), Government Code (page 16, lines 25-27), strike "an amount set by the commission that is not less than \$50 or greater than 60 percent of the amount of the legislative per diem in" and substitute "\$50 [~~60 percent of the amount of the legislative per diem in~~]".

(4) Add the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumber the SECTIONS of that ARTICLE accordingly:

SECTION 6.____. Effective September 1, 2015, Section 305.0061(g), Government Code, is repealed.

Amendment No. 11 failed of adoption by (Record 1537): 57 Yeas, 81 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bernal; Blanco; Burrows; Canales; Coleman; Collier; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Faircloth; Fallon; Farias; Farrar; Geren; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Longoria; Márquez; Martinez; Martinez Fischer; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Phillips; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Sheets; Simpson; Stickland; Thompson, S.; Tinderholt; Turner, C.; Villalba; Vo; Walle; White, M.

Nays — Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Darby; Elkins; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Goldman; Harless; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; Klick; Koop; Krause; Landgraf; Larson; Laubenberg; Leach; Lozano; Lucio; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Price; Raney; Riddle; Rinaldi; Sanford; Schofield; Schubert; Shaheen; Sheffield; Simmons; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Turner, E.S.; Turner, S.; VanDeaver; White, J.; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Clardy; Dale; Gonzales.

Absent — Giddings; González; Huberty; King, S.; King, T.; McClendon; Wu.

STATEMENT OF VOTE

When Record No. 1537 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

Amendment No. 12

Representatives Sheets, Koop, Leach, Isaac, Krause, J. Rodriguez, Murr, Villalba, VanDeaver, Farney, G. Bonnen, González, Simmons, Darby, Galindo, E. Thompson, Burkett, D. Bonnen, Fallon, Frullo, Collier, Rinaldi, Button, Meyer, Stickland, Metcalf, Springer, E. S. Turner, Larson, Sheffield, R. Anderson, Bohac, Goldman, Stephenson, Spitzer, Johnson, and Kuempel offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) as follows:

(1) Add the following appropriately numbered ARTICLE to the bill:

ARTICLE ____ . ELIGIBILITY FOR SERVICE RETIREMENT ANNUITIES
OF CERTAIN ELECTED OFFICIALS

SECTION ____ .01. Subchapter B, Chapter 814, Government Code, is amended by adding Section 814.1021 to read as follows:

Sec. 814.1021. CERTAIN ELECTED MEMBERS INELIGIBLE FOR RETIREMENT ANNUITY. (a) In this section, "qualifying felony" means any felony involving:

- (1) bribery;
- (2) the embezzlement, extortion, or other theft of public money;
- (3) perjury;
- (4) coercion of public servant or voter;
- (5) tampering with governmental record;
- (6) misuse of official information;
- (7) conspiracy or the attempt to commit any of the above crimes; or
- (8) abuse of official capacity.

(b) This section applies only to a member of the elected class of the retirement system as described by Section 812.002(a)(1) or (2).

(c) Except as provided by Subsection (d), a member is not eligible to receive a service retirement annuity for service credit in the elected class under the retirement system if the member is convicted of a qualifying felony committed while in office and arising directly from the official duties of that elected office.

(d) The retirement system shall suspend payments of an annuity to a person ineligible to receive the annuity under Subsection (c). A person whose conviction is overturned on appeal or who meets the requirements for innocence under Section 103.001(a)(2), Civil Practice and Remedies Code:

(1) is entitled to receive an amount equal to the accrued total of payments and interest earned on the payments withheld during the suspension period; and

(2) may resume receipt of annuity payments on payment to the retirement system of an amount equal to the contributions refunded to the person under Subsection (e).

(e) A member who is not eligible to receive a service retirement annuity under Subsection (c) is entitled to a refund of the member's retirement annuity contributions, including interest earned on those contributions.

(f) Benefits payable to an alternate payee under Chapter 804 who is recognized by a domestic relations order established before September 1, 2015, are not affected by a member's ineligibility to receive a retirement annuity under Subsection (c).

(g) On conviction of a member for a qualifying felony, a court may, in the interest of justice and in the same manner as in a divorce proceeding, award half of the service retirement annuity forfeited by the member as the separate property of an innocent spouse if the annuity is partitioned or exchanged by written agreement of the spouses as provided by Subchapter B, Chapter 4, Family Code. The amount awarded to the innocent spouse may not be converted to community property.

(h) Ineligibility for a retirement annuity under this section does not impair a person's right to any other retirement benefit for which the person is eligible.

(i) The board of trustees of the retirement system shall adopt rules and procedures to implement this section.

(2) Add the following appropriately numbered SECTION to Article 6 of the bill:

SECTION _____. _____. Article 6220, Revised Statutes, is repealed.

(3) Add the following appropriately numbered SECTION to Article 7 of the bill:

SECTION _____. _____. (a) Section 814.1021, Government Code, as added by this Act, applies only to a member of the Employees Retirement System of Texas who is or was a member of the state legislature or holds or has held a statewide elected office and, on or after the effective date of this Act, commits an offense that is a qualifying felony as defined by that section. A person who

commits a qualifying felony before the effective date of this Act is subject to the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose.

(b) For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

(4) Renumber the ARTICLES and SECTIONS of the bill as appropriate.

Amendment No. 12 was adopted.

Amendment No. 13

Representative Canales offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 572.005, Government Code, is amended to read as follows:

Sec. 572.005. DETERMINATION OF SUBSTANTIAL INTEREST. (a) An individual has a substantial interest in a business entity if the individual or the individual's spouse:

(1) owns or controls, directly or indirectly, an interest of at least five percent in the business entity, including the right to share in profits, proceeds, or capital gains, or an ownership interest that a reasonably prudent individual could foresee could result in any financial benefit to the individual or the individual's spouse ~~has a controlling interest in the business entity;~~

~~[(2) owns more than 10 percent of the voting interest in the business entity;]~~

(2) [(3)] owns more than \$25,000 of the fair market value of the business entity;

~~[(4) has a direct or indirect participating interest by shares, stock, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains of the business entity;]~~

(3) [(5)] is a member of the board of directors or other governing board of the business entity;

(4) [(6)] serves as an elected officer of the business entity; or

(5) [(7)] is an employee of the business entity.

(b) An individual has a substantial interest in real property if the individual or the individual's spouse has an equitable or legal ownership interest with a fair market value of \$25,000 or more.

Amendment No. 13 was adopted.

Amendment No. 14

Representative E. Rodriguez offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) by inserting the following appropriately numbered SECTION in the appropriate ARTICLE of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION _____. Section 305.005(g), Government Code, is amended to read as follows:

(g) Compensation or reimbursement required to be reported under Subsection (f)(6) shall be reported in the following categories unless reported as an exact amount:

- (1) \$0 if no compensation or reimbursement is received;
- (2) less than \$5,000 [~~\$10,000~~]; and
- (3) in increasing increments of \$5,000, any amount of at least \$5,000 [~~at least \$10,000 but less than \$25,000;~~
~~(4) at least \$25,000 but less than \$50,000;~~
~~(5) at least \$50,000 but less than \$100,000;~~
~~(6) at least \$100,000 but less than \$150,000;~~
~~(7) at least \$150,000 but less than \$200,000;~~
~~(8) at least \$200,000 but less than \$250,000;~~
~~(9) at least \$250,000 but less than \$300,000;~~
~~(10) at least \$300,000 but less than \$350,000;~~
~~(11) at least \$350,000 but less than \$400,000;~~
~~(12) at least \$400,000 but less than \$450,000;~~
~~(13) at least \$450,000 but less than \$500,000; and~~
~~(14) \$500,000 or more].~~

Amendment No. 14 failed of adoption by (Record 1538): 56 Yeas, 81 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bernal; Burrows; Canales; Coleman; Collier; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Fallon; Farias; Farrar; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Keough; King, T.; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; Metcalf; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Phillips; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Stickland; Tinderholt; Turner, C.; Vo; Walle; White, M.

Nays — Anderson, C.; Anderson, R.; Ashby; Aycock; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Capriglione; Cook; Craddick; Crownover; Cyrier; Darby; Elkins; Faircloth; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Harless; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; Klick; Koop; Krause; Landgraf; Larson; Laubenberg; Leach; Lozano; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Price; Raney; Riddle; Rinaldi; Sanford; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Thompson, E.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; White, J.; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Clardy; Dale; Gonzales.

Absent — Bell; Blanco; Giddings; Huberty; King, S.; McClendon; Thompson, S.; Wu.

STATEMENTS OF VOTE

When Record No. 1538 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

When Record No. 1538 was taken, I was shown voting yes. I intended to vote no.

Keough

Amendment No. 15

Representative Meyer offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee report) as follows:

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

SECTION _____. Section 39.06, Penal Code, is amended by amending Subsection (e) and adding Subsection (g) to read as follows:

(e) Except as provided by Subsection (f) or (g), an offense under this section is a felony of the third degree.

(g) If the commission of an offense under this section results in a net pecuniary gain to the person committing the offense, the offense is:

(1) a felony of the third degree if the net pecuniary gain is less than \$100,000;

(2) a felony of the second degree if the net pecuniary gain is \$100,000 or more but less than \$200,000; or

(3) a felony of the first degree if the net pecuniary gain is \$200,000 or more.

SECTION _____. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before the effective date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

Amendment No. 15 was adopted.

(Sheets in the chair)

Amendment No. 16

Representative Dutton offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Section 36.02(a), Penal Code, is amended to read as follows:

(a) A person commits an offense if he intentionally or knowingly offers, confers, or agrees to confer on another, or solicits, accepts, or agrees to accept from another:

(1) any benefit as consideration for the recipient's decision, opinion, recommendation, vote, or other exercise of discretion as a public servant, party official, or voter;

(2) any benefit as consideration for the recipient's decision, vote, recommendation, or other exercise of official discretion in a judicial or administrative proceeding;

(3) any benefit as consideration for a violation of a duty imposed by law on a public servant or party official; ~~or~~

(4) any benefit that is a political contribution as defined by Title 15, Election Code, or that is an expenditure made and reported in accordance with Chapter 305, Government Code, if the benefit was offered, conferred, solicited, accepted, or agreed to pursuant to an express agreement to take or withhold a specific exercise of official discretion if such exercise of official discretion would not have been taken or withheld but for the benefit; notwithstanding any rule of evidence or jury instruction allowing factual inferences in the absence of certain evidence, direct evidence of the express agreement shall be required in any prosecution under this subdivision; or

(5) an appointment by the governor to a public office if the person contributed, directly or indirectly, to the election of the governor making the appointment more than \$50,000 during the two-year period preceding the date the appointment is offered, conferred, solicited, or accepted or the date of the agreement to confer or accept the appointment.

(Gonzales now present)

Amendment No. 16 was withdrawn.

Amendment No. 17

Representative Canales offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee report) as follows:

(1) On page 27, line 4, between "LEGISLATURE" and the underlined period, insert ", GOVERNOR, OR STATE ELECTED OFFICIAL".

(2) On page 27, line 4, between "legislature" and "convicted", insert ", the governor, or a state elected official".

(3) On page 27, line 5, between "member's" and "office", insert ", the governor's, or the official's".

Amendment No. 17 was adopted.

Amendment No. 18

Representative Anchia offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) on page 9, line 20, by striking "50 percent or more" and substituting "more than 10 percent ~~[50 percent or more]~~".

Amendment No. 18 was withdrawn.

Amendment No. 19

Representative Schaefer offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee report) as follows:

(1) In ARTICLE 2 of the bill, strike SECTIONS 2.07 and 2.08 (page 20, line 24, through page 21, line 12) and renumbering subsequent SECTIONS of the ARTICLE accordingly.

(2) On page 32, line 4, strike ", 572.054,".

Amendment No. 19 was withdrawn.

Amendment No. 20

Representative Schaefer offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) by striking ARTICLE 5 and SECTION 7.05 of the bill, and renumbering remaining ARTICLES and SECTIONS accordingly.

(Clardy and Dale now present)

Amendment No. 20 failed of adoption by (Record 1539): 66 Yeas, 74 Nays, 3 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bell; Bohac; Bonnen, G.; Burns; Burrows; Canales; Craddick; Crownover; Cyrier; Dale; Davis, S.; Fallon; Fletcher; Flynn; Frank; Goldman; Gonzales; Guillen; Gutierrez; Huberty; Hughes; Keough; King, P.; King, S.; Klick; Koop; Krause; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miles; Murphy; Murr; Paddie; Parker; Paul; Phelan; Price; Rinaldi; Rodriguez, E.; Sanford; Schaefer; Schofield; Shaheen; Simmons; Simpson; Smithee; Spitzer; Springer; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; White, J.; White, M.; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Aycock; Bernal; Blanco; Bonnen, D.; Button; Clardy; Coleman; Collier; Cook; Darby; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farias; Farrar; Frullo; Galindo; Geren; Giddings; González; Guerra; Harless; Hernandez; Herrero; Howard; Hunter; Isaac; Israel; Johnson; Kacal; King, K.; King, T.; Kuempel; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Miller, D.; Miller, R.; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Phillips; Pickett; Raney; Raymond; Reynolds; Riddle; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Smith; Thompson, S.; Turner, C.; Villalba; Vo; Walle; Workman; Wu.

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

Absent — Burkett; Capriglione; Farney; Keffer; Morrison; Peña; Stephenson.

STATEMENTS OF VOTE

When Record No. 1539 was taken, I was in the house but away from my desk. I would have voted yes.

Capriglione

When Record No. 1539 was taken, I was shown voting no. I intended to vote yes.

Galindo

When Record No. 1539 was taken, I was shown voting no. I intended to vote yes.

Geren

When Record No. 1539 was taken, I was shown voting yes. I intended to vote no.

Larson

When Record No. 1539 was taken, I was shown voting no. I intended to vote yes.

R. Miller

When Record No. 1539 was taken, I was shown voting no. I intended to vote yes.

Schubert

When Record No. 1539 was taken, I was shown voting no. I intended to vote yes.

Workman

Amendment No. 21

Representative C. Turner offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) as follows:

(1) On page 7, line 18, strike "Subsection (e)" and substitute "Subsections (e) and (f)".

(2) On page 11, between lines 20 and 21, insert the following:

(f) For a revolving charge account with a balance carried for 90 or more days, the individual must report the category of the amount of the highest balance owed during any period for which a balance was owed for longer than 90 days. An individual is not required by Subsection (b)(5) to report a liability incurred under a revolving charge account if the individual pays in full the entire amount owed at least as frequently as every 90 days.

Amendment No. 21 was adopted.

Amendment No. 22

Representative Anchia offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) on page 9, line 20, by striking "50 percent or more" and substituting "more than five percent [~~50 percent or more~~]".

Amendment No. 22 was adopted.

Amendment No. 23

Representative Y. Davis offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee report) as follows:

(1) On page 12, line 1, between "made" and "all" insert "to the best of the individual's knowledge"

(2) On page 12, line 9, between "paid" and "all" insert "to the best of the individual's knowledge"

Amendment No. 23 was withdrawn.

Amendment No. 24

Representative Martinez offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee report) as follows:

(1) On page 27, line 21, between "CAPITOL" and the underlined period, insert "AND CERTAIN DISTRICT OFFICES".

(2) On page 28, line 19, between "capitol" and "is", insert "or the district office of a member of the legislature".

(3) On page 28, line 27, between "capitol" and "has", insert "or the district office of a member of the legislature".

Amendment No. 24 was adopted by (Record 1540): 98 Yeas, 43 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Crownover; Darby; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Galindo; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Hunter; Israel; Johnson; King, K.; King, P.; King, T.; Kuempel; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Paddie; Paul; Peña; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Smith; Stephenson; Thompson, E.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson, R.; Bell; Burns; Burrows; Craddick; Cyrier; Dale; Davis, S.; Faircloth; Fallon; Flynn; Goldman; Huberty; Hughes; Kacal; Keough; Klick; Koop; Krause; Landgraf; Leach; Metcalf; Meyer; Murphy; Murr; Parker; Phelan; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Simpson; Smithee; Spitzer; Stickland; Tinderholt; Turner, E.S.; White, J.; White, M.; Wray; Zedler.

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

Absent — Geren; Isaac; Keffer; King, S.; Laubenberg; Springer; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1540 was taken, I was shown voting yes. I intended to vote no.

Bohac

When Record No. 1540 was taken, I was shown voting yes. I intended to vote no.

Crownover

When Record No. 1540 was taken, I was shown voting yes. I intended to vote no.

Elkins

When Record No. 1540 was taken, I was shown voting yes. I intended to vote no.

Fletcher

When Record No. 1540 was taken, I was shown voting yes. I intended to vote no.

Gonzales

When Record No. 1540 was taken, I was shown voting yes. I intended to vote no.

R. Miller

When Record No. 1540 was taken, I was shown voting yes. I intended to vote no.

Paddie

When Record No. 1540 was taken, I was shown voting yes. I intended to vote no.

Paul

When Record No. 1540 was taken, I was in the house but away from my desk. I would have voted no.

Springer

When Record No. 1540 was taken, I was shown voting yes. I intended to vote no.

Workman

When Record No. 1540 was taken, I was shown voting yes. I intended to vote no.

Zerwas

Amendment No. 25

Representative Hernandez offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee report), on page 7, between lines 16 and 17, by inserting the following:

(c) A financial statement filed electronically under Subsection (b) may not be considered untimely filed if the commission does not receive the statement before the applicable deadline as a result of a malfunction of the electronic filing system.

Amendment No. 25 was adopted.

Amendment No. 26

Representative Giddings offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION _____. Section 572.051(a), Government Code, is amended to read as follows:

(a) A state officer or employee may [~~should~~] not:

(1) accept or solicit any gift, favor, or service that might reasonably tend to influence the officer or employee in the discharge of official duties or that the officer or employee knows or should know is being offered with the intent to influence the officer's or employee's official conduct;

(2) accept other employment or engage in a business or professional activity that the officer or employee might reasonably expect would require or induce the officer or employee to disclose confidential information acquired by reason of the official position;

(3) accept other employment or compensation that could reasonably be expected to impair the officer's or employee's independence of judgment in the performance of the officer's or employee's official duties;

(4) make personal investments that could reasonably be expected to create a substantial conflict between the officer's or employee's private interest and the public interest; or

(5) intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the officer's or employee's official powers or performed the officer's or employee's official duties in favor of another.

Amendment No. 26 was adopted.

Amendment No. 27

Representative Rinaldi offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) by striking all below the enacting clause and substituting the following:

ARTICLE 1. DISCLOSURE PROVISIONS

SECTION 1.01. Section 572.021, Government Code, is amended to read as follows:

Sec. 572.021. FINANCIAL STATEMENT REQUIRED. (a) Except as provided by Section 572.0211, a state officer, a partisan or independent candidate for an office as an elected officer, and a state party chair shall file with the commission a verified financial statement complying with Sections 572.022 through 572.0252.

(b) Each financial statement filed under this subchapter must be submitted electronically through a secure website maintained by the commission.

SECTION 1.02. Section 572.023, Government Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) The account of financial activity consists of:

(1) a list of all sources of occupational income, identified by employer, or if self-employed, by the nature of the occupation, including identification of a person or other organization from which the individual or a business in which the individual has a substantial interest received a fee as a retainer for a claim on future services in case of need, as distinguished from a fee for services on a matter specified at the time of contracting for or receiving the fee, if professional or occupational services are not actually performed during the reporting period equal to or in excess of the amount of the retainer, and the category of the amount of the fee;

(2) identification by name and the category of the number of shares of stock of any business entity held or acquired, and if sold, the category of the amount of net gain or loss realized from the sale;

(3) a list of all bonds, notes, and other commercial paper held or acquired, and if sold, the category of the amount of net gain or loss realized from the sale;

(4) identification of each source and the category of the amount of income in excess of \$500 derived from each source from interest, dividends, royalties, and rents;

(5) identification of each guarantor of a loan and identification of each person or financial institution to whom a personal note or notes or lease agreement for a total financial liability in excess of \$1,000 existed at any time during the year and the category of the amount of the liability;

(6) identification by description of all beneficial interests in real property and business entities held or acquired, and if sold, the category of the amount of the net gain or loss realized from the sale;

(7) identification of a person or other organization from which the individual or the individual's spouse or dependent children received a gift of anything of value in excess of \$250 and a description of each gift, except:

(A) a gift received from an individual related to the individual at any time within the second degree by consanguinity or affinity, as determined under Subchapter B, Chapter 573;

(B) a political contribution that was reported as required by Chapter 254, Election Code; and

(C) an expenditure required to be reported by a person required to be registered under Chapter 305;

(8) identification of the source and the category of the amount of all income received as beneficiary of a trust, other than a blind trust that complies with Subsection (c), and identification of each trust asset, if known to the beneficiary, from which income was received by the beneficiary in excess of \$500;

(9) identification by description and the category of the amount of all assets and liabilities of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which 50 percent or more of the outstanding ownership was held, acquired, or sold;

(10) a list of all boards of directors of which the individual is a member and executive positions that the individual holds in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, or other business associations or proprietorships, stating the name of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association or proprietorship and the position held;

(11) identification of any person providing transportation, meals, or lodging expenses permitted under Section 36.07(b), Penal Code, and the amount of those expenses, other than expenditures required to be reported under Chapter 305;

(12) any corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, excluding a publicly held corporation, in which both the individual and a person registered under Chapter 305 have an interest;

(13) identification by name and the category of the number of shares of any mutual fund held or acquired, and if sold, the category of the amount of net gain or loss realized from the sale; ~~and~~

(14) identification of each blind trust that complies with Subsection (c), including:

(A) the category of the fair market value of the trust;

(B) the date the trust was created;

(C) the name and address of the trustee; and

(D) a statement signed by the trustee, under penalty of perjury,

stating that:

(i) the trustee has not revealed any information to the individual, except information that may be disclosed under Subdivision (8); and

(ii) to the best of the trustee's knowledge, the trust complies with this section;

(15) if the aggregate cost of goods or services sold under one or more written contracts described by this subdivision exceeds \$10,000 in the year covered by the report, identification of each written contract, including the name of each party to the contract:

(A) for the sale of:

(i) goods in the amount of \$2,500 or more; or
(ii) services, including professional services as defined by Section 2254.002, consulting services as defined by Section 2254.021, or legal counsel, in the amount of \$5,000 or more;

(B) to which the individual or any business entity of which the individual has at least a 50 percent ownership interest is a party; and

(C) with:

(i) a governmental entity; or

(ii) a person who contracts with a governmental entity, to fulfill one or more of the person's obligations to the governmental entity under that contract;

(16) if the individual is a member of the legislature and provides bond counsel services to an issuer, as defined by Section 1201.002(1), identification of the following for each issuance for which the individual served as bond counsel:

(A) the amount of the issuance;

(B) the name of the issuer;

(C) the date of the issuance;

(D) the amount of fees paid to the individual, and whether the

amount is:

(i) less than \$5,000;

(ii) at least \$5,000 but less than \$10,000;

(iii) at least \$10,000 but less than \$25,000; or

(iv) \$25,000 or more; and

(E) the amount of fees paid to the individual's firm, if applicable, and whether the amount is:

(i) less than \$5,000;

(ii) at least \$5,000 but less than \$10,000;

(iii) at least \$10,000 but less than \$25,000; or

(iv) \$25,000 or more; and

(17) identification of any other source of earned or unearned income not reported under another provision of this subsection, including public benefits or a pension, individual retirement account, or other retirement plan, and the category of the amount of income derived from each source.

(e) In this section, "governmental entity" means the state, a political subdivision of the state, or an agency or department of the state or a political subdivision of the state.

SECTION 1.03. Section 572.0252, Government Code, is amended to read as follows:

Sec. 572.0252. INFORMATION ABOUT LEGAL REFERRALS. A state officer who is an attorney shall report on the financial statement:

(1) making or receiving any referral for compensation for legal services; ~~and~~

(2) the date the referral is made or received;

(3) the style of the case referred, if applicable; and

(4) the percentage of the legal fee paid or received that was agreed to between the parties to the referral, or, if the fee is not a percentage, the agreed amount of the fee paid or received [the category of the amount of any fee accepted for making a referral for legal services].

SECTION 1.04. Subchapter B, Chapter 572, Government Code, is amended by adding Section 572.0295 to read as follows:

Sec. 572.0295. PERSONAL FINANCIAL STATEMENT. (a) A person who files a report under this chapter may amend the report.

(b) A report that is amended before the eighth day after the date the original report was filed is considered to have been filed on the date on which the original report was filed.

(c) A report that is amended on or after the eighth day after the original report was filed is considered to have been filed on the date on which the original report was filed if:

(1) the amendment is made before any complaint is filed with regard to the subject of the amendment; and

(2) the original report was made in good faith and without an intent to mislead or to misrepresent the information contained in the report.

SECTION 1.05. Section 572.032, Government Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Financial statements filed under this subchapter are public records. The commission shall maintain the statements in separate alphabetical files and in a manner that is accessible to the public during regular office hours and make the statements available in a searchable format to the public on the commission's website not later than the 15th day after the date the statement is required to be filed or is actually filed, whichever is later.

(d) The commission is not required to continue to make available on its website a financial statement that may be destroyed under Subsection (c). The commission may not make available on its website a financial statement that the commission is required to destroy under Subsection (c).

ARTICLE 2. CONFLICTS OF INTEREST

SECTION 2.01. Section 141.001, Election Code, is amended by amending Subsection (a) and adding Subsections (d) and (e) to read as follows:

(a) To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:

(1) be a United States citizen;

(2) be 18 years of age or older on the first day of the term to be filled at the election or on the date of appointment, as applicable;

(3) have not been determined by a final judgment of a court exercising probate jurisdiction to be:

(A) totally mentally incapacitated; or

(B) partially mentally incapacitated without the right to vote;

(4) have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;

(5) have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:

(A) for a candidate whose name is to appear on a general primary election ballot, the date of the regular filing deadline for a candidate's application for a place on the ballot;

(B) for an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot;

(C) for a write-in candidate, the date of the election at which the candidate's name is written in;

(D) for a party nominee who is nominated by any method other than by primary election, the date the nomination is made; and

(E) for an appointee to an office, the date the appointment is made;

[and]

(6) not be required to be registered as a lobbyist under Chapter 305, Government Code; and

(7) satisfy any other eligibility requirements prescribed by law for the office.

(d) Except as provided by Section 7.103(c), Education Code, Subsection (a)(6) does not apply to:

(1) an office of a political subdivision with a population of 150,000 or less, other than the office of presiding officer of the governing body of the political subdivision, provided that the officeholder does not receive a salary or wage for that office; or

(2) the office of the presiding officer of the governing body of a political subdivision with a population of 50,000 or less, provided that the presiding officer does not receive a salary or wage for that office.

(e) In Subsection (d), a presiding officer or other officeholder is not considered to have received a salary or wage if the officeholder refuses to accept a salary or wage offered or budgeted for that office.

SECTION 2.02. Subchapter A, Chapter 141, Election Code, is amended by adding Section 141.005 to read as follows:

Sec. 141.005. DRUG TESTING REQUIREMENT FOR PERSONS ELECTED TO PUBLIC OFFICE. (a) At the time a person files for a public elective office, the person must submit to a drug test to determine if the person has used a controlled substance, as that term is defined by Section 481.002, Health and Safety Code.

(b) The authority responsible for determining eligibility for the office to which the person seeks election shall administer a drug test required under this section at the person's expense.

(c) After completion of a drug test required under this section, the authority that administered the drug test shall:

(1) obtain a waiver of confidentiality from the person with respect to the results of the drug test; and

(2) submit the results of the drug test to the Texas Ethics Commission.

(d) The Texas Ethics Commission shall publish the results of a drug test conducted under this section on the commission's Internet website not later than 30 days after receiving the results.

(e) The secretary of state shall adopt rules to administer this section.

SECTION 2.03. Subchapter A, Chapter 305, Government Code, is amended by adding Section 305.0031 to read as follows:

Sec. 305.0031. CERTAIN ELECTED OFFICERS MAY NOT REGISTER.

(a) A member of Congress, a member of the legislature, or a holder of a statewide office may not register under this chapter.

(b) A registration under this chapter expires on the date a person takes office as a member of Congress, a member of the legislature, or a holder of a statewide office.

SECTION 2.04. Sections 305.0061(a), (b), and (c), Government Code, are amended to read as follows:

(a) If a registrant or a person on the registrant's behalf and with the registrant's consent or ratification makes expenditures that exceed \$50 ~~[60 percent of the amount of the legislative per diem in]~~ a day for transportation or lodging for a member of the legislative or executive branch or for the immediate family of a member of the legislative or executive branch, the registrant shall also state the following on the report filed under Section 305.006:

(1) the name of the member of the legislative or executive branch in whose behalf the expenditure is made;

(2) the place and date of the transportation or lodging; and

(3) the purpose of the transportation or lodging.

(b) If a registrant or a person on the registrant's behalf and with the registrant's consent or ratification makes expenditures that exceed \$50 ~~[60 percent of the amount of the legislative per diem in]~~ a day for food and beverages for a member of the legislative or executive branch or for the immediate family of a member of the legislative or executive branch or makes expenditures that exceed \$50 ~~[60 percent of the amount of the legislative per diem in]~~ a day for entertainment for a member of the legislative or executive branch or for the immediate family of a member of the legislative or executive branch, the registrant shall also state the following on the report filed under Section 305.006:

(1) the name of the member of the legislative or executive branch in whose behalf the expenditure is made;

(2) the place and date of the expenditure; and

(3) the amount of the expenditure by the appropriate category of the amount, as determined by the commission.

(c) If a registrant or a person on the registrant's behalf and with the registrant's consent or ratification gives to a member of the legislative or executive branch, or to the immediate family of a member of the legislative or executive branch, a gift or an award or memento, the value of which exceeds \$50 per gift, award, or memento, the registrant shall also state the following on the report filed under Section 305.006:

(1) the name of the member of the legislative or executive branch in whose behalf the expenditure is made;

(2) a general description of the gift, award, or memento; and

(3) the amount of the expenditure by the appropriate category of the amount, as determined by the commission.

SECTION 2.05. Section 305.0061, Government Code, is amended by adding Subsection (h) to read as follows:

(h) If more than one registrant or persons acting on behalf of more than one registrant and with each registrant's consent or ratification collaborate to make an expenditure described by Section 305.006(b) together, each registrant shall report the total value of the shared expenditure as required by Subsection (a), (b), or (c), if the total value of the shared expenditure exceeds the amount provided under Subsection (a), (b), or (c).

SECTION 2.06. Subchapter C, Chapter 572, Government Code, is amended by adding Sections 572.062 and 572.064 to read as follows:

Sec. 572.062. FORMER LEGISLATOR: LOBBYING RESTRICTED; CRIMINAL OFFENSE. (a) In this section:

(1) "Administrative action," "communicates directly with," "legislation," "member of the executive branch," and "member of the legislative branch" have the meanings assigned by Section 305.002.

(2) "Legislative cycle" means the two-year period beginning on the first day of a regular legislative session and ending on the day before the first day of the succeeding regular legislative session.

(b) Except as provided by Subsection (c), a former member of the legislature may not engage in activities that require registration under Chapter 305 before the end of the legislative cycle following the legislative cycle in which the former member last served as a member of the legislature.

(c) Subsection (b) does not apply to a former member of the legislature who does not receive compensation other than reimbursement for actual expenses for communicating directly with a member of the legislative or executive branch to influence legislation or administrative action.

(d) A former member of the legislature who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

Sec. 572.064. COMPENSATION FROM FINANCIAL INSTITUTIONS PROHIBITED; CRIMINAL OFFENSE. (a) In this section, "financial institution" means a bank, credit union, or savings and loan association.

(b) A member of the legislature or an executive officer elected in a statewide election may not receive any monetary compensation or other benefit from a position associated with a financial institution.

(c) A person commits an offense if the person violates this section. An offense under this section is a Class B misdemeanor.

SECTION 2.07. Chapter 601, Government Code, is amended by adding Section 601.009 to read as follows:

Sec. 601.009. ELECTED OFFICER MAY NOT BE REGISTERED LOBBYIST. (a) A person may not qualify for a public elective office if the person is required to be registered as a lobbyist under Chapter 305.

(b) Except as provided by Section 7.103(c), Education Code, Subsection (a) does not apply to:

(1) an office for which the federal or state constitution prescribes exclusive qualification requirements;

(2) an office of a political subdivision with a population of 150,000 or less, other than the office of presiding officer of the governing body of the political subdivision, provided that the officeholder does not receive a salary or wage for that office; or

(3) the office of the presiding officer of the governing body of a political subdivision with a population of 50,000 or less, provided that the presiding officer does not receive a salary or wage for that office.

(c) In Subsection (b), a presiding officer or other officeholder is not considered to have received a salary or wage if the officeholder refuses to accept a salary or wage offered or budgeted for that office.

ARTICLE 3. ETHICS COMMISSION REPORTS

SECTION 3.01. Section 571.0771(a), Government Code, is amended to read as follows:

(a) A statement, registration, or report required that is filed with the commission is not considered to be late for purposes of any applicable civil or criminal penalty for late filing of the statement, registration, or report if:

(1) any error or omission in the statement, registration, or report as originally filed was made in good faith; and

(2) not later than the 14th business day after the date the person filing the statement, registration, or report learns that the statement, registration, or report as originally filed is inaccurate or incomplete, the person files:

(A) a corrected or amended statement, registration, or report; and

(B) an affidavit stating that the error or omission in the original statement, registration, or report was made in good faith.

ARTICLE 4. VACANCY ON CERTAIN CONVICTIONS

SECTION 4.01. Chapter 301, Government Code, is amended by adding Subchapter Z to read as follows:

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 301.901. VACANCY ON FINAL FELONY CONVICTION OF MEMBER OF LEGISLATURE. A member of the legislature convicted of a felony vacates the member's office on the date the conviction becomes final.

ARTICLE 5. REPEALER

SECTION 5.01. Section 305.0061(g), Government Code, is repealed.

SECTION 5.02. Section 572.032(b), Government Code, is repealed.

ARTICLE 6. TRANSITION; EFFECTIVE DATE

SECTION 6.01. The changes in law made by this Act in amending Section 141.001(a), Election Code, and in adding Section 601.009, Government Code, apply only to the eligibility and qualification requirements for a candidate, officer, or employee whose term of office or employment will begin on or after the effective date of this Act. The eligibility and qualification requirements for a candidate, officer, or employee whose term of office or employment will begin

before the effective date of this Act are governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 6.02. The changes in law made by this Act to Section 305.0061, Government Code, apply only to a gift, award, or memento given to or expenditures for transportation, lodging, food, beverages, or entertainment made for a member of the legislative or executive branch or the immediate family of a member of the legislative or executive branch on or after September 1, 2015. A gift, award, or memento given to or an expenditure for transportation, lodging, food, beverages, or entertainment made for a member of the legislative or executive branch or the immediate family of a member of the legislative or executive branch before September 1, 2015, is governed by the law in effect on the date the gift, award, or memento was given, or the date the expenditure for transportation, lodging, food, beverages, or entertainment was made, and the former law is continued in effect for that purpose.

SECTION 6.03. (a) Except as otherwise provided by this section, this Act takes effect January 10, 2017.

(b) Sections 2.04, 2.05, 5.01, and 6.02 of this Act take effect September 1, 2015.

Amendment No. 28

Representative Gutierrez offered the following amendment to Amendment No. 27:

Amend Amendment No. 27 by Rinaldi to **CSSB 19** by striking SECTION 2.02 of the amendment (page 9, lines 8-29) and renumbering subsequent SECTIONS of the ARTICLE accordingly.

Amendment No. 28 was adopted.

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. 29).

CSSB 19 - (consideration continued)

Amendment No. 27, as amended, failed of adoption by (Record 1541): 33 Yeas, 113 Nays, 2 Present, not voting.

Yeas — Anderson, R.; Bohac; Burrows; Canales; Craddick; Cyrier; Faircloth; Fallon; Fletcher; Flynn; Hughes; Keough; Klick; Krause; Landgraf; Leach; Murr; Paul; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simpson; Smithee; Spitzer; Stickland; Tinderholt; Turner, E.S.; White, J.; White, M.; Zedler.

Nays — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Ashby; Aycock; Bell; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Capriglione; Clardy; Coleman; Collier; Cook; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Farias; Farney; Farrar; 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.; Koop; Kuempel; Larson; Laubenberg; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Minjarez; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Simmons; Smith; Springer; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Wray; Wu; Zerwas.

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

Absent — Dukes; Workman.

STATEMENTS OF VOTE

When Record No. 1541 was taken, I was shown voting no. I intended to vote yes.

Metcalf

When Record No. 1514 was taken, I was in the house but away from my desk. I would have voted no.

Workman

Amendment No. 29

Representative Simpson offered the following amendment to **CSSB 19**:

Amend **CSSB 19** by striking SECTION 1.05 of the bill (senate committee printing, page 6, line 6 through page 7, line 4) and relettering the remaining sections of the bill accordingly.

Amendment No. 29 was withdrawn.

Amendment No. 30

Representative Bernal offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee printing) as follows:

- (1) On page 14, line 12, strike "and".
- (2) On page 14, line 15, strike ":" and substitute "; and".
- (3) On page 14, between lines 15 and 16, insert the following:

(3) the person filing the amended report also submits electronically a signed affidavit stating that the original report was made in good faith and without an intent to mislead or to misrepresent the information contained in the report.

Amendment No. 30 was adopted.

Amendment No. 31

Representative C. Turner offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee report) by adding the following appropriately numbered SECTIONS to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 1.____. Subchapter C, Chapter 254, Election Code, is amended by adding Section 254.067 to read as follows:

Sec. 254.067. ASSETS RETENTION SCHEDULE. In addition to the contents required by Sections 254.031 and 254.061, each report by a candidate must include a retention schedule for property \$250 in value or greater purchased with political contributions. The schedule must indicate property that is disposed of during the reporting period.

SECTION 1.____. Subchapter D, Chapter 254, Election Code, is amended by adding Section 254.098 to read as follows:

Sec. 254.098. ASSETS RETENTION SCHEDULE. In addition to the contents required by Sections 254.031 and 254.091, each report by an officeholder must include a retention schedule for property \$250 in value or greater purchased with political contributions. The schedule must indicate property that is disposed of during the reporting period.

Amendment No. 31 failed of adoption by (Record 1542): 40 Yeas, 105 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson, R.; Bernal; Blanco; Burrows; Canales; Coleman; Collier; Davis, Y.; Dukes; Farias; Farrar; Guillen; Gutierrez; Herrero; Howard; Israel; Lucio; Martinez; Martinez Fischer; McClendon; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Parker; Phelan; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Schofield; Shaheen; Smithee; Turner, C.; Vo; Walle.

Nays — Alvarado; Anderson, C.; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; González; Guerra; Harless; Hernandez; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Márquez; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Oliveira; Otto; Paddie; Paul; Peña; Phillips; Pickett; Price; Raney; Raymond; Riddle; Rinaldi; Rose; Sanford; Schaefer; Schubert; Sheffield; Simmons; Simpson; Smith; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; Turner, S.; VanDeaver; Villalba; White, J.; White, M.; Wray; Zedler; Zerwas.

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

Absent — Giddings; Workman.

STATEMENTS OF VOTE

When Record No. 1542 was taken, I was shown voting no. I intended to vote yes.

S. Davis

When Record No. 1542 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1542 was taken, I was in the house but away from my desk. I would have voted no.

Workman

Amendment No. 32

Representative Vo offered the following amendment to **CSSB 19**:

Amend **CSSB 19** (house committee report) on page 12, lines 26-27, by striking "has the meaning assigned by Section 251.001, Election Code" and substituting "means a campaign contribution or an officeholder contribution, as those terms are defined in Section 251.001, Election Code, that is not made with the intent of incurring a monetary gain".

Amendment No. 32 was adopted.

CSSB 19, as amended, was passed to third reading by (Record 1543): 96 Yeas, 48 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bernal; Blanco; Bonnen, G.; Burkett; Button; Canales; Capriglione; Coleman; Collier; Cook; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farney; Farrar; Fletcher; Frullo; Galindo; Geren; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hunter; Israel; Johnson; Kacal; Keffer; King, K.; Koop; Kuempel; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Meyer; Miller, D.; Miller, R.; Minjarez; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Peña; Phillips; Pickett; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Simmons; Smith; Springer; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bell; Bohac; Bonnen, D.; Burns; Burrows; Craddick; Cyrier; Elkins; Faircloth; Fallon; Flynn; Frank; Goldman; Hughes; Isaac; Keough; King, P.; King, S.; Klick; Krause; Landgraf; Laubenberg; Leach; Metcalf; Miles; Morrison; Murr; Paul; Phelan; Price; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simpson; Smithee; Spitzer; Stephenson; Stickland; Tinderholt; Turner, E.S.; White, J.; White, M.; Zedler.

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

Absent — Ashby; Clardy; Dukes; King, T.

STATEMENTS OF VOTE

When Record No. 1543 was taken, I was in the house but away from my desk. I would have voted yes.

Ashby

When Record No. 1543 was taken, I was shown voting yes. I intended to vote no.

G. Bonnen

When Record No. 1543 was taken, I was in the house but away from my desk. I would have voted yes.

Clardy

When Record No. 1543 was taken, I was shown voting yes. I intended to vote no.

Crownover

When Record No. 1543 was taken, I was in the house but away from my desk. I would have voted yes.

T. King

When Record No. 1543 was taken, I was shown voting no. I intended to vote yes.

Miles

When Record No. 1543 was taken, I was shown voting yes. I intended to vote no.

Paddie

When Record No. 1543 was taken, I was shown voting yes. I intended to vote no.

Zerwas

REASON FOR VOTE

While I wholeheartedly agree with the original intent of the ethics reform legislation, I voted no because I believe **CSSB 19**, as amended, is unconstitutional, puts lawmakers above the law, and opened up certain advocacy groups to undue and undeserved scrutiny. Comprehensive ethics reform should be prudent and provide bright lines. However, we should in no way weaken a person's first amendment rights or limit their involvement in the political process.

Bohac

POSTPONED BUSINESS

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

CSSB 206 ON SECOND READING

(Burkett, Price, Raymond, Dutton, and Gonzales - House Sponsors)

CSSB 206, A bill to be entitled An Act relating to the continuation and functions of the Department of Family and Protective Services and procedures applicable to suits affecting the parent-child relationship, investigations of child abuse and neglect, and conservatorship of a child; affecting fee amounts and authorizing an administrative penalty.

CSSB 206 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Burkett offered the following amendment to **CSSB 206**:

Amend **CSSB 206** on third reading in SECTION 76 of the bill, in redesignated Section 40.075(a), Human Resources Code, by striking "Department of Family and Protective Services" and substituting "department [~~Department of Family and Protective Services~~]".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Burkett offered the following amendment to **CSSB 206**:

Amend **CSSB 206** as follows:

(1) On page 49, line 27, and page 50, line 1, strike "or the parent's attorney, if applicable".

(2) On page 50, lines 15 and 16, strike "or the parent's attorney, if applicable".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Burkett offered the following amendment to **CSSB 206**:

Amend **CSSB 206** (house committee printing) by striking page 29, line 24, through page 30, line 6, and renumbering SECTIONS of the bill accordingly.

(Speaker in the chair)

Amendment No. 3 was adopted.

Amendment No. 4

Representative Canales offered the following amendment to **CSSB 206**:

Amend **CSSB 206** (house committee printing) as follows:

(1) On page 47, line 12, strike "and".

(2) On page 47, line 18, strike the underlined period and substitute an underlined semicolon.

(3) On page 47, between lines 18 and 19, insert the following appropriately numbered subdivisions and renumber subsequent subdivisions of proposed Section 264.017(b), Family Code, and any cross-references to those subdivisions accordingly:

() the number of children who are pregnant or a parent while in the managing conservatorship of the department and the number of the children born to a parent in the managing conservatorship of the department who are placed in the managing conservatorship of the department;

() the number of children who are missing from the children's substitute care provider while in the managing conservatorship of the department;
and

() the number of children who were victims of trafficking under Chapter 20A, Penal Code, while in the managing conservatorship of the department.

Amendment No. 5

Representative Frullo offered the following amendment to Amendment No. 4:

Amend Amendment No. 4 by Canales to **CSSB 206**, by adding the following appropriately numbered item to the amendment:

() On page 47, between lines 18 and 19, add the following appropriately lettered subsection and reletter subsequent subsections of Section 264.017, Family Code, and cross-references to those subsections accordingly:

() To the extent feasible, the report must also include, for each county, the amount of funding for child abuse and neglect prevention services and the rate of child abuse and neglect per 1,000 children in the county for the preceding year and for each of the preceding five years.

Amendment No. 5 was adopted.

Amendment No. 4, as amended, was adopted.

Amendment No. 6

Representative Walle offered the following amendment to **CSSB 206**:

Amend **CSSB 206** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Study on Professional Caseload Standards and Outcomes. It is the intent of the legislature that the Department of Family and Protective Services, using available funds appropriated by the General Appropriations Act and in conjunction with the Legislative Budget Board:

(1) conduct a study to develop professional and other caseload standards and recommendations for minimum and maximum caseloads for each type of caseworker employed by the department while improving case outcomes; and

(2) make recommendations based on the study to the executive commissioner of the Health and Human Services Commission not later than April 1, 2016.

Amendment No. 6 failed of adoption by (Record 1544): 51 Yeas, 92 Nays, 1 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; Herrero; Howard; Israel; Johnson; King, T.; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; Meyer; 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; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; King, S.; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Miller, D.; Miller, R.; 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(C).

Absent — Dukes; Keffer; Klick; McClendon; Morrison; Raney.

STATEMENTS OF VOTE

When Record No. 1544 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 1544 was taken, I was in the house but away from my desk. I would have voted no.

Raney

Amendment No. 7

Representative S. King offered the following amendment to **CSSB 206**:

Amend **CSSB 206** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. (a) Using existing resources, the Department of Family and Protective Services shall conduct a study to determine whether authorization agreements under Chapter 34, Family Code, should be expanded to include authorization agreements between a parent of a child and a person who is unrelated to the child.

(b) Not later than December 31, 2016, the Department of Family and Protective Services shall make recommendations related to the study to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature.

(c) This section expires September 1, 2017.

Amendment No. 8

Representative Keough offered the following amendment to Amendment No. 7:

Amend Amendment No. 7 by S. King to **CSSB 206** by adding the following appropriately numbered SECTION to the amendment and renumbering subsequent SECTIONS of the amendment and correcting the recital to the amendment accordingly:

SECTION _____. Subchapter A, Chapter 263, Family Code, is amended by adding Section 263.0045 to read as follows:

Sec. 263.0045. EDUCATION IN HOME SETTING FOR FOSTER CHILDREN. On request of a person providing substitute care for a child who is in the managing conservatorship of the department, the department shall allow the person to provide the child with an education in a home setting unless:

(1) the right of the department to allow the education of the child in a home setting has been specifically limited by court order;

(2) a court at a hearing conducted under this chapter finds, on good cause shown through evidence presented by the department in accordance with the applicable provisions in the department's child protective services handbook (CPS August 2013), that education in the home setting is not in the best interest of the child; or

(3) the department determines that federal law requires another school setting.

Amendment No. 8 was adopted.

Amendment No. 7, as amended, was adopted.

CSSB 206 - POINT OF ORDER

Representative Martinez Fischer raised a point of order against further consideration of **CSSB 206** under Rule 4, Section 18 of the House Rules on the grounds that the committee minutes are incomplete.

(Kuempel in the chair)

PARLIAMENTARY INQUIRY

REPRESENTATIVE MARTINEZ FISCHER: It was my understanding that on **CSSB 206** there were a number of amendments that were filed and pre-filed for third reading. Is that your understanding?

CHAIR (Kuempel in the chair): Yes, sir.

MARTINEZ FISCHER: It's my understanding that parties have met those who are offering those third reading amendments that are eligible. There have been some decisions by some of those members to withdraw those amendments for the purposes of eligibility on third reading. Is that your understanding?

CHAIR: Yes, sir.

MARTINEZ FISCHER: If a member has withdrawn the consideration on third reading of that amendment, that amendment is permanently withdrawn and cannot be reasserted tomorrow at third reading?

CHAIR: We assume that that's what the members have met and agreed to.

MARTINEZ FISCHER: And it would probably require an additional layout considering the nature of this unique bill before us?

CHAIR: Again, Mr. Martinez Fischer, that's what we assume the members have agreed to.

REMARKS ORDERED PRINTED

Representative Martinez Fischer moved to print remarks between the chair and Representative Martinez Fischer.

The motion prevailed.

CSSB 206 - POINT OF ORDER DISPOSITION

The point of order was withdrawn.

CSSB 206, as amended, was passed to third reading.

CSSB 9 ON SECOND READING

(Otto, G. Bonnen, Ashby, Burkett, and Gonzales - House Sponsors)

CSSB 9, A bill to be entitled An Act relating to limitations on the rate of growth of appropriations for certain categories of spending.

CSSB 9 was read second time earlier today, amendments were offered and disposed of, and **CSSB 9** was postponed until this time. Amendment No. 2 was pending at the time of postponement.

Representative Otto moved to postpone consideration of **CSSB 9** until 9:54 p.m. today.

The motion prevailed.

PARLIAMENTARY INQUIRY

REPRESENTATIVE C. TURNER: Today is the last day the house can consider senate bills on second reading. Is that correct?

CHAIR (Kuempel in the chair): That's correct.

C. TURNER: That's a constitutional rule. Is that correct?

CHAIR: It's a rule of the house.

C. TURNER: It's a rule of the house. I stand corrected. Mr. Speaker, about 10 days ago we had a similar deadline for house bills, and I made an inquiry at the time. The chair stated at that time that midnight was a hard deadline for consideration of house bills on deadline day, and even if we were on a bill and the bill had not passed to third reading by midnight, then the bill was no longer eligible for consideration. Does that same practice apply with senate bills on this day?

CHAIR: Midnight is midnight. Yes, sir.

C. TURNER: So if a bill is not passed to third reading by midnight it is no longer eligible for consideration. Is that correct?

CHAIR: If it does not pass to engrossment, it is no longer eligible at midnight tonight. Midnight is midnight.

REMARKS ORDERED PRINTED

Representative C. Turner moved to print remarks between the chair and Representative C. Turner.

The motion prevailed.

**MAJOR STATE CALENDAR
(consideration continued)****SB 11 ON SECOND READING
(Fletcher - House Sponsor)**

SB 11, A bill to be entitled An Act relating to the carrying of handguns on the campuses of and certain other locations associated with institutions of higher education; providing a criminal penalty.

SB 11 - POINT OF ORDER

Representative Nevárez raised a point of order against further consideration of **SB 11** under Rule 12, Section 1(b) of the House Rules on the grounds that the copies of the bill analysis, committee action, or witness list are incomplete.

(Speaker in the chair)

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

Representative Nevárez raised a point of order against further consideration of **SB 11** under Rule 12, Section 1(b) of the House Rules asserting an error in the printing of the bill. The point of order is respectfully overruled.

Rule 12, Section 1(b) of the House Rules states: "In any section of the first printing of a bill or joint resolution that proposes to amend an existing statute or constitutional provision, language sought to be deleted must be bracketed and stricken through, and language sought to be added must be underlined. . . ." Representative Nevárez points to two sections of **SB 11** amending Section 46.035 of the Penal Code as provision (a-1) in Section 4 of the bill, and a provision amending the same section of the Penal Code in Section 6 of the bill, adding new Subsection (a-2). Representative Nevárez indicates that these are incorrect statements. Rather than being a publication error, they instead are an action by the senate to deal with two separate amendments within the same section of the Penal Code that deals with two different concepts capable of harmonization. Legislative drafting, under tight deadlines and difficult conditions, can lack the Prussian efficiency dictated by Bryan Garner's *The Elements of Legal Style*. However, in this case, because the changes deal with two unique concepts, they do not present an error under Rule 12, Section 1(b) of the House Rules nor any rule regarding the printing of bills.

Amendment No. 1

Representatives Zerwas and Fletcher offered the following amendment to **SB 11**:

Amend **SB 11** (house committee report) as follows:

(1) On page 1, line 22, strike "Except as provided by Subsection (d) or (e)," and substitute "Except as provided by Subsection (d), (d-1), or (e),".

(2) On page 2, between lines 8 and 9, insert the following:

(d-1) Subject to the approval of not less than two-thirds of the board of regents or other governing board of the institution and after consulting with students, staff, and faculty of the institution, an institution of higher education in this state may establish reasonable rules, regulations, or other provisions prohibiting license holders from carrying concealed handguns on specifically identified portions of premises located on the campus of the institution. The institution may not establish rules, regulations, or other provisions that generally prohibit or have the effect of generally prohibiting license holders from carrying concealed handguns on the campus of the institution. The institution must give effective notice under Section 30.06, Penal Code, with respect to the portion of the premises on which license holders may not carry.

(d-2) Not later than September 1 of each even-numbered year, an institution of higher education that has established rules, regulations, or other provisions under Subsection (d-1) must submit a report to the legislature and to the standing committees of the legislature designated under Subsection (d-3) that:

(1) describes the specifically identified portions of premises of the institution on which the carrying of concealed handguns is prohibited under the rules, regulations, or other provisions; and

(2) explains the reasons the institution prohibits the carrying of concealed handguns on those portions.

(d-3) The speaker of the house of representatives and the lieutenant governor shall designate a standing committee of the house of representatives and the senate, respectively, to monitor the implementation and continuation of this section.

(3) On page 8, line 16, strike "Subsection (a-2)" and substitute "Subsections (a-2) and (a-3)".

(4) On page 9, between lines 1 and 2, insert the following:

(a-3) Notwithstanding Subsection (a) or Section 46.03(a), a license holder commits an offense if the license holder intentionally carries a concealed handgun on a portion of a premises located on the campus of an institution of higher education in this state on which the carrying of a concealed handgun is prohibited by rules, regulations, or other provisions established under Section 411.2031(d-1), Government Code, provided the institution gives effective notice under Section 30.06 with respect to that portion.

(5) On page 9, line 2, between "(a-2)" and the underlined comma, insert ", (a-3)".

(6) On page 9, lines 6 and 7, strike "or (a-2)" and substitute ", (a-2), or (a-3)".

(7) On page 9, line 11, between "(a-2)" and the underlined comma, insert ", (a-3)".

(8) Strike page 10, line 1, and substitute the following appropriately numbered SECTION:

SECTION _____. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2016.

(b) Before September 1, 2016, an institution of higher education or private or independent institution of higher education may take any action necessary to adopt rules, regulations, or other provisions as authorized under Section 411.2031, Government Code, as added by this Act.

Amendment No. 2

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

Amend Amendment No. 1 by Zerwas to **SB 11** on page 1, line 7 of the amendment, by striking "not less than two-thirds" and substituting "a majority".

Amendment No. 2 failed of adoption by (Record 1545): 48 Yeas, 98 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Blanco; Canales; Coleman; Collier; Davis, S.; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; 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.; 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.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Price; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Bernal; Dukes; Pickett.

STATEMENT OF VOTE

When Record No. 1545 was taken, my vote failed to register. I would have voted yes.

Bernal

Amendment No. 1 was adopted by (Record 1546): 119 Yeas, 29 Nays, 1 Present, not voting.

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

Nays — Anderson, R.; Bell; Capriglione; Cyrier; Dutton; Fallon; Giddings; Hunter; Landgraf; Laubenberg; McClendon; Metcalf; Meyer; Murr; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simpson; Spitzer; Stickland; Thompson, S.; Tinderholt; Turner, S.; Walle; Wray.

Present, not voting — Mr. Speaker(C).

Absent — Dukes.

STATEMENTS OF VOTE

When Record No. 1546 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1546 was taken, I was shown voting yes. I intended to vote no.

Krause

When Record No. 1546 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1546 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 1546 was taken, I was shown voting yes. I intended to vote no.

Paul

When Record No. 1546 was taken, I was shown voting yes. I intended to vote no.

J. White

When Record No. 1546 was taken, I was shown voting yes. I intended to vote no.

M. White

Amendment No. 3

Representative Canales offered the following amendment to **SB 11**:

Amend **SB 11** (house committee report) as follows:

(1) In SECTION 1 of the bill, strike added Sections 411.2031(a)(2) and (3), Government Code (page 1, lines 13-17), and substitute the following:

(2) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code. Notwithstanding that section, the term does not include the South Texas Community College District.

(3) "Premises" has the meaning assigned by Section 46.035, Penal Code.

(4) "Private or independent institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(2) In SECTION 2 of the bill, in added Section 411.208(f), Government Code (page 4, line 25), strike "61.003, Education Code" and substitute "411.2031".

(3) In SECTION 3 of the bill, in amended Section 46.03(c)(1), Penal Code (page 6, line 13), strike "61.003, Education Code" and substitute "411.2031, Government Code".

(4) In SECTION 5 of the bill, in added Section 46.035(f)(1-a), Penal Code (page 8, line 14), strike "61.003, Education Code" and substitute "411.2031, Government Code".

REMARKS ORDERED PRINTED

Representative Stickland moved to print all remarks on **CSSB 19**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSSB 19**.]

SB 11 - (consideration continued)

Amendment No. 3 was withdrawn.

Amendment No. 4

Representative Canales offered the following amendment to **SB 11**:

Amend **SB 11** (house committee report) as follows:

(1) In SECTION 1 of the bill, strike added Sections 411.2031(a)(2) and (3), Government Code (page 1, lines 13-17), and substitute the following:

(2) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code. Notwithstanding that section, the term does not include The University of Texas Rio Grande Valley.

(3) "Premises" has the meaning assigned by Section 46.035, Penal Code.

(4) "Private or independent institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(2) In SECTION 2 of the bill, in added Section 411.208(f), Government Code (page 4, line 25), strike "61.003, Education Code" and substitute "411.2031".

(3) In SECTION 3 of the bill, in amended Section 46.03(c)(1), Penal Code (page 6, line 13), strike "61.003, Education Code" and substitute "411.2031, Government Code".

(4) In SECTION 5 of the bill, in added Section 46.035(f)(1-a), Penal Code (page 8, line 14), strike "61.003, Education Code" and substitute "411.2031, Government Code".

SB 11 - POINT OF ORDER

Representative C. Turner raised a point of order against further consideration of **SB 11** under Rule 6, Section 7 of the House Rules on the grounds that the bill is inappropriately assigned to the major state calendar.

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

Representative C. Turner raised a point of order against further consideration of **SB 11** pursuant to Rule 6, Section 7 of the House Rules on the grounds that the placement of the bill on the major state calendar is incorrect. The point of order is respectfully overruled.

Representative C. Turner argues that this bill is ineligible under the definition of the major state calendar, "on which shall appear bills of statewide effect, not emergency in nature, which establish or change state policy in a major field of governmental activity and which will have a major impact in application throughout the state, without regard to class, area, or other limiting factors." Rule 6, Section 7(2) of the House Rules. This bill, he argues, fails to act "without regard to class, area, or other limiting factors," because it protects only a narrow, highly specific racial or socioeconomic groups, attending specific institutions, largely to the exclusion of others.

Under the house rules, the Calendars Committee has wide discretion in determining the proper placement of items on the calendar "to insure adequate consideration by the house of important legislation." Rule 6, Section 25 of the House Rules. For instance, **HJR 62** was placed on the major state calendar in the 83rd Legislature. It was a narrow bill affecting a highly specific group largely to the exclusion of others (exemptions from ad valorem taxes for surviving spouse of member of the armed services killed in action). Because of the broad latitude of the 15-member Calendars Committee, the placement of this bill was appropriate under Rule 6, Section 7 and Rule 6, Section 25 of the House Rules.

Amendment No. 4 failed of adoption by (Record 1547): 51 Yeas, 96 Nays, 1 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; Herrero; Howard; Israel; Johnson; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon;

Miles; Minjarez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Pickett; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Romero; Sheffield; 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; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Harless; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Price; Raney; 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(C).

Absent — Dukes; Rose.

Amendment No. 5

Representative S. Davis offered the following amendment to **SB 11**:

Amend **SB 11** (house committee printing) as follows:

(1) On page 1, strike lines 13-17 and substitute the following:

(2) "Institution of higher education" has the meaning assigned by Section 61.003, Education Code. The term does not include a health-related institution of higher education listed under Section 63.002(c), Education Code, or the Texas Medical Center.

(3) "Private or independent institution of higher education" has the meaning assigned by Section 61.003, Education Code. The term does not include a health-related institution of higher education listed under Section 63.002(c), Education Code, or the Texas Medical Center.

(4) "Premises" has the meaning assigned by Section 46.035, Penal Code.

(2) On page 4, line 25, strike "61.003, Education Code", and substitute "411.2031".

(3) On page 6, line 13, strike "61.003, Education Code" and substitute "411.2031, Government Code".

(4) On page 8, line 14, strike "Section 61.003, Education Code" and substitute "Section 411.2031, Government Code".

SB 11 - POINT OF ORDER

Representative Martinez Fischer raised a point of order against further consideration of **SB 11** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

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

Amendment No. 6

Representatives Zerwas and D. Bonnen offered the following amendment to **SB 11**:

Amend **SB 11** (house committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 411.2031(c), Government Code (page 1, line 22), strike "or (e)".

(2) In SECTION 1 of the bill, strike added Section 411.2031(e), Government Code (page 2, lines 9-16), and reletter subsequent subsections of that section and any cross-references to those subsections accordingly.

(3) In SECTION 2 of the bill, in amended Section 411.208(a), Government Code (page 3, line 10), strike "that has not adopted rules under Section 411.2031(e)".

(4) In SECTION 2 of the bill, in amended Section 411.208(a), Government Code (page 3, lines 12-13), strike "that has not adopted rules under Section 411.2031(e)".

(5) In SECTION 2 of the bill, in amended Section 411.208(b), Government Code (page 3, lines 24-25), strike "that has not adopted rules under Section 411.2031(e)".

(6) In SECTION 2 of the bill, in amended Section 411.208(b), Government Code (page 3, lines 26-27), strike "that has not adopted rules under Section 411.2031(e)".

(7) In SECTION 2 of the bill, in added Section 411.208(d)(1), Government Code (page 4, line 9), strike "that has not adopted rules under Section 411.2031(e)".

(8) In SECTION 2 of the bill, in added Section 411.208(d)(1), Government Code (page 4, lines 11-12), strike "that has not adopted rules under Section 411.2031(e)".

(9) Strike SECTION 6 of the bill (page 8, line 15, through page 9, line 13), and renumber subsequent SECTIONS of the bill accordingly.

Amendment No. 6 was adopted. (Anchia, Bernal, Clardy, Collier, S. Davis, Farney, Galindo, Geren, Goldman, Israel, Kacal, Koop, Larson, Meyer, Minjarez, Murr, E. Rodriguez, Romero, Sheffield, and S. Turner recorded voting no.)

SB 11, as amended, was passed to third reading by (Record 1548): 101 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; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guillen; Harless; Herrero; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; 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, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Guerra; Gutierrez; Hernandez; Howard; Israel; Johnson; 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.

Present, not voting — Mr. Speaker(C).

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 1548 was taken, I was shown voting yes. I intended to vote no.

Pickett

CSSB 9 ON SECOND READING

(Otto, G. Bonnen, Ashby, Burkett, and Gonzales - House Sponsors)

CSSB 9, A bill to be entitled An Act relating to limitations on the rate of growth of appropriations for certain categories of spending.

CSSB 9 was read second time earlier today, amendments were offered and disposed of, **CSSB 9** was postponed until 8 p.m. today, and was again postponed until this time. Amendment No. 2 was pending at the time of postponement.

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative Otto offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) as follows:

(1) On page 1, line 7, between "ADDITIONAL" and "LIMIT", insert "PROPOSED".

(2) On page 1, strike lines 9-13 and substitute the following:

Sec. 316.0101. SPENDING CATEGORIES. The spending categories for which the Legislative Budget Board shall establish a proposed limit on the rate of growth of appropriations from all sources of revenue other than the federal government in a state fiscal biennium are as follows:

(3) On page 1, line 23, between "a" and "limit", insert "proposed".

(4) On page 2, line 16, between "a" and "limit", insert "proposed".

(5) On page 2, line 20, between "the" and "limit", insert "proposed".

(6) On page 2, line 25, between "the" and "amount", insert "board shall recommend that the".

(7) On page 2, line 27, strike "is" and substitute "be".

(8) On page 3, line 7, between "the" and "limit", insert "proposed".

(9) Strike page 3, lines 10-16, and substitute the following:

(f) Notwithstanding any other law, for purposes of

(10) On page 3, line 18, between "the" and "limit", insert "proposed".

(11) On page 3, line 19, between "the" and "limit", insert "proposed".

(12) Strike page 4, line 9, through page 5, line 6, and substitute the following:

Sec. 316.0105. INCLUSION IN BUDGET RECOMMENDATIONS. The Legislative Budget Board shall include in its budget recommendations the proposed limit of appropriations from all sources of revenue other than the federal government for each spending category described by Section 316.0101.

Sec. 316.0106. REPORT ON PROPOSED LIMITS. Not later than January 1 of each odd-numbered year, the Legislative Budget Board shall issue a report containing the proposed limit of appropriations from all sources of revenue other than the federal government for each spending category described by Section 316.0101 to the appropriate standing committees of the house of representatives and the senate. The board shall publish the report on the board's Internet website.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Howard offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee printing) as follows:

(1) On page 1, line 9, between "LIMIT." and "In", insert "(a)".

(2) On page 1, between lines 19 and 20, insert the following:

(b) Notwithstanding any other provision of this subchapter, in determining the rate of growth of appropriations permitted under this subchapter for public primary and secondary education spending, only the portion of state appropriations that exceeds 50 percent of the total state and local cost of public primary and secondary education is considered. The Legislative Budget Board shall determine the total state and local cost of public primary and secondary education for purposes of this subsection.

Amendment No. 4 was withdrawn.

Amendment No. 5

Representative Howard offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee printing) on page 1 of the bill by striking lines 15-19 and substituting the following:

(2) higher education;

(3) health care;

(4) public safety and corrections; and

(5) other general government.

Amendment No. 5 was adopted.

CSSB 9, as amended, was passed to third reading by (Record 1549): 107 Yeas, 38 Nays, 1 Present, not voting.

Yeas — Alonzo; Anderson, C.; Anderson, R.; Ashby; Aycok; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Collier; Cook; Craddick; Crownover; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Goldman; Gonzales; Guerra; Harless; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Metcalf; Meyer; Miller, D.; Miller, R.; Morrison; Murphy; Murr; Naishtat; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Price; Raney; Raymond; Riddle; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, E.S.; VanDeaver; Villalba; White, J.; White, M.; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Bernal; Blanco; Canales; Coleman; Davis, Y.; Deshotel; Dutton; Farias; Farrar; Giddings; González; Gutierrez; Hernandez; Herrero; Howard; Israel; Klick; Martinez; McClendon; Miles; Minjarez; Moody; Muñoz; Nevárez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Spitzer; Turner, C.; Turner, S.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent — Dukes; Guillen; Martinez Fischer; Pickett.

STATEMENTS OF VOTE

When Record No. 1549 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 1549 was taken, I was shown voting yes. I intended to vote no.

Márquez

When Record No. 1549 was taken, I was shown voting yes. I intended to vote no.

Naishtat

SB 1511 ON SECOND READING (Collier - House Sponsor)

SB 1511, A bill to be entitled An Act relating to the establishment and governance of certain regional transportation authorities.

SB 1511 was read second time on May 20, postponed until May 22, postponed until 3:06 p.m. today, and was again postponed until this time.

Representative Collier moved to postpone consideration of **SB 1511** until 10 a.m. Friday, July 15, 2016.

The motion prevailed.

CSSB 10 ON SECOND READING
(P. King - House Sponsor)

CSSB 10, A bill to be entitled An Act relating to the prosecution of offenses against public administration, including ethics offenses.

CSSB 10 was read second time on May 25, postponed until 9 a.m. today, and was again postponed until this time.

CSSB 10 - POINT OF ORDER

Representative Keough raised a point of order against further consideration of **CSSB 10** under Rule 8, Section 13(c) of the House Rules on the grounds that the deadline for consideration of senate bills on second reading had passed.

The speaker sustained the point of order.

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).

HB 3519 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED

Representative Guerra called up with senate amendments for consideration at this time,

HB 3519, A bill to be entitled An Act relating to the use of home telemonitoring services under Medicaid.

Representative Guerra moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 3519**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 3519**: Guerra, chair; Zerwas, Sheffield, Lucio, and Coleman.

RECESS

Representative S. Thompson moved that the house recess until 10 a.m. today, Wednesday, May 27.

The motion prevailed.

The house accordingly, at 12:03 a.m. Wednesday, May 27, recessed until 10 a.m. today.

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

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

HCR 130 (By Parker), Designating May 26 as John Wayne Day for a 10-year period beginning in 2015.

To Rules and Resolutions.

SIGNED BY THE SPEAKER

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

Senate List No. 29

SB 983, SB 1032

MESSAGES FROM THE SENATE

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

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, May 26, 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 14 Morrison SPONSOR: Watson

Relating to the Texas emissions reduction plan.

(Committee Substitute/Amended)

HB 274 Miles SPONSOR: Lucio

Relating to the enforcement of municipal rules, ordinances, or police regulations prohibiting illegal dumping; increasing a penalty.

HB 283 Fallon SPONSOR: Creighton

Relating to the requirement that certain governmental bodies make audio and video recordings of open meetings available on the Internet.

HB 549 Johnson SPONSOR: Whitmire
Relating to certain duties of the Commission on Jail Standards regarding visitation periods for county jail prisoners.

HB 565 Burkett SPONSOR: Kolkhorst
Relating to powers of private toll project entities.
(Amended)

HB 743 Huberty SPONSOR: Seliger
Relating to the essential knowledge and skills of the required public school curriculum and to certain assessment instruments for public school students.
(Committee Substitute/Amended)

HB 939 Dale SPONSOR: Taylor, Larry
Relating to unenforceable restrictive covenants regarding standby electric generators affecting residential homes.
(Amended)

HB 966 Crownover SPONSOR: Hancock
Relating to the creation of an optional consumer-directed health plan for certain individuals eligible to participate in the group benefits program provided under the Texas Employees Group Benefits Act and their qualified dependents.
(Amended)

HB 1114 Gonzales, Larry SPONSOR: Bettencourt
Relating to the authority with whom certain political committees must file reports of political contributions and expenditures.

HB 1144 Dukes SPONSOR: Hinojosa
Relating to establishing a task force to examine the adjudication, disposition, and registration of juvenile sex offenders.

HB 1164 VanDeaver SPONSOR: Garcia
Relating to requiring the Texas Education Agency to conduct a study to develop a writing assessment method for public school students and establish a pilot program to administer the assessment method developed.
(Committee Substitute)

HB 1252 Pickett SPONSOR: Nichols
Relating to uniform weighing procedures requirements for motor vehicle weight enforcement officers.

HB 1289 Giddings SPONSOR: West
Relating to the acquisition and sale of unimproved real property by an urban land bank.

HB 1295 Capriglione SPONSOR: Hancock
Relating to the disclosure of interested parties by persons contracting with governmental entities and state agencies.
(Amended)

HB 1363 Johnson SPONSOR: Whitmire
Relating to the prosecution of and punishment for the offense of prostitution; creating a criminal offense.
(Amended)

HB 1364 Miller, Rick SPONSOR: Taylor, Van
Relating to the issuance of specialty license plates to honor recipients of the Defense Meritorious Service Medal and the Meritorious Service Medal.
(Committee Substitute)

HB 1626 Johnson SPONSOR: West
Relating to the designation of certain areas as banking or credit union development districts to encourage the establishment of branches of banks or credit unions in those areas.

HB 1690 King, Phil SPONSOR: Huffman
Relating to the investigation and prosecution of offenses against public administration, including ethics offenses.
(Committee Substitute)

HB 1774 Lucio III SPONSOR: Lucio
Relating to the jurisdiction and powers of and the referral of certain proceedings to a criminal law hearing officer in Cameron County.

HB 1786 Dutton SPONSOR: Campbell
Relating to the transfer of driver and traffic safety education from the Texas Education Agency and the Department of Public Safety to the Texas Department of Licensing and Regulation; changing the amounts of certain fees.
(Committee Substitute)

HB 1888 Capriglione SPONSOR: Taylor, Van
Relating to punishment for the offense of driving a commercial motor vehicle without a commercial driver's license; increasing a penalty.
(Committee Substitute/Amended)

HB 2037 Geren SPONSOR: Hinojosa
Relating to compensation and leave for certain peace officers.
(Amended)

HB 2123 King, Phil SPONSOR: Perry
Relating to participation of the state military forces in the state group benefits program.
(Amended)

HB 2159 Moody SPONSOR: Huffman
Relating to requiring the payment of restitution as a condition of community supervision for offenses involving family violence committed in the presence of certain children.
(Amended)

HB 2168 Muñoz, Jr. SPONSOR: Lucio
Relating to the payment date for annuities from the Teacher Retirement System of Texas.

HB 2185 Clardy SPONSOR: Huffman
Relating to the execution of a search warrant for taking a DNA specimen.
(Amended)

HB 2235 Anderson, Rodney SPONSOR: Birdwell
Relating to the eligibility requirements of a notary public.

- HB 2265** Hughes SPONSOR: Hall
Relating to the designation of a portion of State Highway 154 in Wood and Hopkins Counties as the Sgt. Tanner Stone Higgins Memorial Highway.
- HB 2391** Bohac SPONSOR: Watson
Relating to the redemption of certain stored value cards, including gift cards, for cash.
- HB 2498** Zerwas SPONSOR: Eltife
Relating to a compact with other states regarding the licensure of emergency medical services personnel and the authority of those personnel to perform job duties in this state and other states.
- HB 2641** Zerwas SPONSOR: Schwertner
Relating to the exchange of health information in this state; creating a criminal offense.
(Committee Substitute/Amended)
- HB 2665** Moody SPONSOR: Zaffirini
Relating to access to and receipt of certain information regarding a ward by certain relatives of the ward.
(Amended)
- HB 2712** Geren SPONSOR: Hancock
Relating to the temporary exemption of certain tangible personal property related to large data center projects from the sales and use tax.
(Amended)
- HB 2739** Capriglione SPONSOR: Birdwell
Relating to the use of a concealed handgun license as valid proof of personal identification.
- HB 2794** Farney SPONSOR: Zaffirini
Relating to a delayed birth certificate; creating a criminal offense.
(Amended)
- HB 2804** Aycock SPONSOR: Taylor, Larry
Relating to evaluation of public school performance.
(Committee Substitute)
- HB 2830** Martinez, "Mando" SPONSOR: Hinojosa
Relating to the duty of a county to refund an amount of \$2 or less paid to the county clerk or district clerk.
- HB 2861** Raymond SPONSOR: Zaffirini
Relating to an optional procedure for the issuance of a permit by the City of Laredo for the movement of oversize or overweight vehicles carrying cargo in Webb County; authorizing a fee.
(Committee Substitute)
- HB 2921** Paul SPONSOR: Taylor, Larry
Relating to authorizing a recreation and wellness facility fee at the University of Houston-Clear Lake.
- HB 2968** Guillen SPONSOR: Menéndez
Relating to the preservation of the Alamo complex.

(Committee Substitute)

HB 3150 Huberty SPONSOR: Creighton
Relating to the calculation of taxable wages paid by a professional employer organization for purposes of the Texas Unemployment Compensation Act.

HB 3348 Clardy SPONSOR: Eltife
Relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.

(Committee Substitute)

HB 3456 Paul SPONSOR: Estes
Relating to the composition of a district executive committee of a political party.

HB 3562 Thompson, Senfronia SPONSOR: Rodríguez
Relating to the adoption of a policy allowing a grace period after the exhaustion of the balance of a meal card or account used by students to purchase meals in public schools.

(Amended)

HB 3618 Isaac SPONSOR: Campbell
Relating to prohibiting camping and building fires in certain areas; creating a criminal offense.

HB 4147 Reynolds SPONSOR: Ellis
Relating to the creation of Missouri City Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

(Committee Substitute)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 1

Senate Conferees: Nelson - Chair/Bettencourt/Hinojosa/Huffman/Nichols

SB 1139

Senate Conferees: Huffman - Chair/Campbell/Fraser/Nelson/Zaffirini

SB 1191

Senate Conferees: Seliger - Chair/Eltife/Estes/Perry/Zaffirini

SB 1465

Senate Conferees: Watson - Chair/Birdwell/Nichols/Seliger/Uresti

SB 1574

Senate Conferees: Uresti - Chair/Estes/Hinojosa/Huffman/Taylor, Van

SB 1750

Senate Conferees: West - Chair/Bettencourt/Perry/Seliger/Watson

THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

HB 5

Senate Conferees: Nelson - Chair/Bettencourt/Hinojosa/Huffman/Nichols

HB 100

Senate Conferees: Seliger - Chair/Eltife/Kolkhorst/Watson/West

HB 200

Senate Conferees: Perry - Chair/Creighton/Hall/Hinojosa/Kolkhorst

HB 482

Senate Conferees: Eltife - Chair/Creighton/Hancock/Huffines/Whitmire

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, May 26, 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 1926

Kacal

SPONSOR: Fraser

Relating to the operations of a municipally owned utility or municipal power agency; affecting a provision that is subject to criminal penalties; providing authority to issue bonds.

(Committee Substitute/Amended)

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 18 (31 Yeas, 0 Nays)

SB 24 (26 Yeas, 5 Nays)

SB 46 (31 Yeas, 0 Nays)

SB 212 (31 Yeas, 0 Nays)

SB 318 (24 Yeas, 7 Nays)

SB 462 (31 Yeas, 0 Nays)

SB 582 (31 Yeas, 0 Nays)

SB 789 (31 Yeas, 0 Nays)

SB 880 (29 Yeas, 2 Nays)

SB 1148 (31 Yeas, 0 Nays)

SB 1902 (26 Yeas, 5 Nays)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 202

Senate Conferees: Nelson - Chair/Birdwell/Campbell/Hinojosa/Schwertner

SB 204

Senate Conferees: Hinojosa - Chair/Birdwell/Campbell/Nelson/Schwertner

SB 207

Senate Conferees: Hinojosa - Chair/Birdwell/Campbell/Nelson/Schwertner

SB 654

Senate Conferees: Eltife - Chair/Creighton/Estes/Seliger/Whitmire

SB 752

Senate Conferees: Bettencourt - Chair/Hinojosa/Kolkhorst/Nichols/Taylor, Van

SB 866

Senate Conferees: Taylor, Larry - Chair/Bettencourt/Creighton/Kolkhorst/Lucio

SB 1367

Senate Conferees: West - Chair/Ellis/Eltife/Seliger/Taylor, Larry

SB 1735

Senate Conferees: Birdwell - Chair/Bettencourt/Hinojosa/Seliger/Taylor, Van

THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

HB 1454

Senate Conferees: Eltife - Chair/Creighton/Ellis/Taylor, Larry/Watson

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 3**MESSAGE FROM THE SENATE**

SENATE CHAMBER

Austin, Texas

Tuesday, May 26, 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:

LOCAL AND UNCONTESTED CALENDAR

- HB 26** Button SPONSOR: Fraser
Relating to state economic development measures, including abolishment of the Texas emerging technology fund, creation of the governor's university research initiative, and the administration of programs to support certain events.
(Committee Substitute)
- HB 114** Flynn SPONSOR: Hinojosa
Relating to the issuance of certain capital appreciation bonds by political subdivisions.
(Committee Substitute)
- HB 207** Leach SPONSOR: Whitmire
Relating to creating the offense of voyeurism; providing a penalty.
- HB 211** Rose SPONSOR: Rodríguez
Relating to resuming a criminal case after a defendant is determined to be competent to stand trial.
(Committee Substitute)
- HB 229** Guillen SPONSOR: Zaffirini
Relating to the disposition of certain surplus motor vehicles and other law enforcement equipment by the Texas Facilities Commission.
- HB 257** Farney SPONSOR: Huffman
Relating to a judge's or justice's significant interest in a business entity that owns, manages, or operates a private correctional or rehabilitation facility.
- HB 262** Miles SPONSOR: Creighton
Relating to liability of an owner, lessee, or occupant of land that allows land to be used as a community garden.
- HB 263** Miles SPONSOR: Huffman
Relating to the sealing of certain juvenile records.
(Committee Substitute)
- HB 281** Simmons SPONSOR: Nelson
Relating to a limitation on the expansion of certain landfills.
(Committee Substitute)
- HB 307** White, James SPONSOR: Burton
Relating to a study on the feasibility and potential costs and benefits of implementing a pay-for-performance contract program for certain criminal justice programs and services.
- HB 326** Wu SPONSOR: Hall
Relating to information provided by electronic means in support of the issuance of a search warrant.
- HB 480** Bell SPONSOR: Kolkhorst
Relating to retaining a reserve investigator by a prosecuting attorney.
- HB 504** Guillen SPONSOR: Zaffirini
Relating to designating the second full week in September as Direct Support Professionals Week.
- HB 518** Moody SPONSOR: Rodríguez

Relating to certain waivers by a defendant regarding a community supervision revocation hearing.

HB 634 Metcalf SPONSOR: Creighton
Relating to the rights of a guardian of a person in the criminal justice system.

HB 644 Canales SPONSOR: Hinojosa
Relating to the contents of a search warrant and to the offense of tampering with a governmental record consisting of a search warrant.

HB 710 Turner, Sylvester SPONSOR: Rodríguez
Relating to procedures for certain persons charged with a violation of a condition of release from the Texas Department of Criminal Justice on parole or to mandatory supervision.

HB 771 Deshotel SPONSOR: Creighton
Relating to funding for the Texas Academy of Leadership in the Humanities.

HB 781 Burkett SPONSOR: Perry
Relating to caregiver screening and training by substitute care providers for children in the conservatorship of the Department of Family and Protective Services.
(Committee Substitute)

HB 790 Burkett SPONSOR: Hancock
Relating to a study on the implementation and effectiveness of sound mitigation measures on certain highways.

HB 825 Giddings SPONSOR: Uresti
Relating to procedures for identifying any Native American heritage of children in certain hearings in suits affecting the parent-child relationship.

HB 884 Phelan SPONSOR: Nichols
Relating to the abolishment of the Orange County child support office and to the divorce and contempt fees paid in Orange County.

HB 885 Paddie SPONSOR: Eltife
Relating to certain county bail bond boards.
(Committee Substitute)

HB 905 Frullo SPONSOR: Schwertner
Relating to the regulation of knives by a municipality or county.

HB 906 Paddie SPONSOR: Nichols
Relating to the qualifications for appointment as a veterans county service officer.

HB 1015 Canales SPONSOR: Hinojosa
Relating to notice provided to a court regarding certain defendants placed on state jail felony community supervision.

HB 1026 Thompson, Ed SPONSOR: Garcia
Relating to eligibility for appointment as a tabulation supervisor in an election.

HB 1074 Metcalf SPONSOR: Creighton
Relating to the creation of the Montgomery County Municipal Utility District No. 145; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

- HB 1083** Márquez SPONSOR: Whitmire
Relating to a mental health assessment of certain inmates of the Texas Department of Criminal Justice.
- HB 1094** Geren SPONSOR: Eltife
Relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.
(Committee Substitute)
- HB 1128** Fletcher SPONSOR: Taylor, Van
Relating to the issuance of specialty license plates for recipients of the Combat Action Badge, Medal, or Ribbon.
- HB 1184** Paddie SPONSOR: Eltife
Relating to authorizing certain utility cost savings and alternative fuel programs as eligible for local government energy savings performance contracts.
(Committee Substitute)
- HB 1237** Tinderholt SPONSOR: Burton
Relating to the designation of a portion of U.S. Highway 290 in Hays and Travis Counties as the Lieutenant Clay Crabb Memorial Highway.
- HB 1277** Ashby SPONSOR: Bettencourt
Relating to requirements for annexation of certain commercial or industrial areas by a general-law municipality.
- HB 1286** Simmons SPONSOR: Lucio
Relating to the prosecution and punishment of the offense of injury to a child, elderly individual, or disabled individual.
- HB 1287** Simmons SPONSOR: Burton
Relating to a requirement that each state university's Internet website include a link to certain employment data.
- HB 1329** Naishtat SPONSOR: Zaffirini
Relating to the payment of costs incurred by the involuntary commitment of persons with mental illness.
- HB 1337** Naishtat SPONSOR: Zaffirini
Relating to requiring institutions and assisted living facilities to maintain guardianship orders of residents.
- HB 1360** Isaac SPONSOR: Zaffirini
Relating to the exemption of certain vehicles from registration fees.
- HB 1394** Burns SPONSOR: Birdwell
Relating to the composition, governance, and authority of a regional tollway authority that has or proposes to have projects located in counties that are not part of the authority.
- HB 1431** King, Susan SPONSOR: Lucio
Relating to the development of a career-oriented foreign language program that public schools may offer.
- HB 1449** Thompson, Senfronia SPONSOR: Rodríguez

Relating to child custody evaluations and adoption evaluations conducted and testimony provided in certain suits affecting the parent-child relationship; providing penalties; creating an offense; authorizing fees.

HB 1549 McClendon SPONSOR: Menéndez
Relating to nonsubstantive corrections in statutes to references to the Texas Youth Commission and Texas Juvenile Probation Commission.

HB 1551 Howard SPONSOR: Hancock
Relating to money distributed by the School Land Board to the available school fund or to the State Board of Education for investment in the permanent school fund.

HB 1595 Murr SPONSOR: Whitmire
Relating to testing certain defendants or confined persons for communicable diseases.

HB 1617 Paddie SPONSOR: Nichols
Relating to authorizing certain real property transactions involving the Department of Public Safety of the State of Texas.

HB 1628 Johnson SPONSOR: Rodríguez
Relating to authorizing a credit union or other financial institution to conduct savings promotion raffles.

HB 1640 Farias SPONSOR: Campbell
Relating to the compatibility of certain defense community regulations and structures with military operations.

HB 1661 Guerra SPONSOR: Uresti
Relating to Medicaid billing for the services of substitute dentists.

HB 1670 Sheets SPONSOR: Watson
Relating to the possession and removal of a placenta from a hospital or birthing center.

HB 1702 Blanco SPONSOR: Rodríguez
Relating to the elimination of the fee for the Gold Star mother, father, spouse, or family member specialty license plate.

HB 1733 Smithee SPONSOR: Watson
Relating to automobile liability insurance for transportation network company drivers.

HB 1738 Isaac SPONSOR: Campbell
Relating to the release of certain restrictions on the use of certain highway rights-of-way transferred to a municipality from the Texas Department of Transportation.
(Committee Substitute)

HB 1781 Bonnen, Greg SPONSOR: Taylor, Larry
Relating to access by a sibling of a child separated from the sibling due to an action by the Department of Family and Protective Services.

HB 1793 Frullo SPONSOR: Hinojosa
Relating to reports of certain missing children and to the administration of missing or exploited children prevention grants.

- HB 1807** Naishtat SPONSOR: Zaffirini
Relating to requiring the Texas Higher Education Coordinating Board to maintain an inventory of postsecondary educational programs and services for persons with intellectual and developmental disabilities.
- HB 1832** Pickett SPONSOR: Taylor, Larry
Relating to the requirements for and confidentiality of state agency continuity of operations plans.
(Committee Substitute)
- HB 1846** King, Susan SPONSOR: Rodríguez
Relating to public comments on federal grants and contracts related to the Federal Food, Drug, and Cosmetic Act.
- HB 1855** Rose SPONSOR: Whitmire
Relating to training, continuing education, and weapons proficiency standards for correctional officers employed by the Texas Department of Criminal Justice.
- HB 1879** Smith SPONSOR: Bettencourt
Relating to exemptions from continuing education requirements for certain county commissioners.
- HB 1887** Muñoz, Jr. SPONSOR: Hinojosa
Relating to the establishment of a regional center for public safety excellence in the Rio Grande Valley.
(Committee Substitute)
- HB 1914** Bonnen, Dennis SPONSOR: Hancock
Relating to the frequency with which the Board of Pardons and Paroles considers the eligibility of certain inmates for release on parole.
- HB 1924** Coleman SPONSOR: Eltife
Relating to the authority of a psychologist to delegate certain care to an intern.
- HB 1927** Bonnen, Greg SPONSOR: Huffman
Relating to the procedures for applying for a ballot to be voted by mail; creating a criminal offense.
(Committee Substitute)
- HB 2019** Craddick SPONSOR: Seliger
Relating to the authority of certain counties to impose a hotel occupancy tax.
(Committee Substitute)
- HB 2031** Lucio III SPONSOR: Hinojosa
Relating to the diversion, treatment, and use of marine seawater and the discharge of treated marine seawater and waste resulting from the desalination of marine seawater; adding provisions subject to a criminal penalty.
- HB 2055** Davis, Sarah SPONSOR: Schwertner
Relating to the establishment of a sentinel surveillance program for emerging and neglected tropical diseases.
- HB 2063** Oliveira SPONSOR: Zaffirini
Relating to the recording and effective date of certain documents relating to nonjudicial foreclosure sales.
- HB 2067** Oliveira SPONSOR: Zaffirini

Relating to the rescission or waiver of an acceleration of the maturity date of certain debt secured by a lien on real property.

HB 2070 Thompson, Senfronia SPONSOR: Rodríguez
Relating to certain requirements for certain facilities licensed by the Department of Family and Protective Services and the department's enforcement authority.
(Committee Substitute)

HB 2108 Galindo SPONSOR: Garcia
Relating to a medal for certain members of the military forces who served during the Cold War.

HB 2121 King, Tracy O. SPONSOR: Zaffirini
Relating to the repeal of obsolete laws governing county road systems in certain counties.

HB 2134 Burkett SPONSOR: Hall
Relating to allowing a governmental body to request clarification of a request for public information by electronic mail.

HB 2232 Kuempel SPONSOR: Campbell
Relating to the creation of regional military sustainability commissions for certain military installations.

HB 2251 Anchia SPONSOR: Hancock
Relating to an established schedule of payments from the foundation school fund of the yearly entitlement of certain open-enrollment charter schools.

HB 2280 VanDeaver SPONSOR: Eltife
Relating to the creation and operations of health care provider participation programs in certain counties.
(Committee Substitute)

HB 2290 Parker SPONSOR: Huffman
Relating to designating January as Human Trafficking Prevention Month.

HB 2299 Riddle SPONSOR: Whitmire
Relating to the nonsubstantive revision of certain laws concerning community supervision granted in criminal cases, including conforming amendments.

HB 2300 Riddle SPONSOR: Whitmire
Relating to eliminating telegraph transmission as a method to communicate certain information in a criminal case.

HB 2313 Bohac SPONSOR: Garcia
Relating to an exemption from the sales and use tax for items sold by certain nonprofit organizations through a vending machine; adding a provision subject to a criminal offense.

HB 2372 Dutton SPONSOR: Whitmire
Relating to training requirements for juvenile correctional officers employed by the Texas Juvenile Justice Department.

HB 2390 Bohac SPONSOR: Creighton
Relating to civil liability arising from an employee wellness program.

HB 2404 Anderson, Rodney SPONSOR: Eltife
Relating to certain security devices for residential tenancies.

(Committee Substitute)

HB 2407 Miller, Doug SPONSOR: Campbell
Relating to the creation of the Comal Trinity Groundwater Conservation District; providing authority to issue bonds; providing authority to impose assessments, fees, or surcharges.

HB 2439 Smith SPONSOR: Eltife
Relating to inspections and other activities conducted by engineers in connection with the issuance of certain windstorm and hail insurance; authorizing a fee.
(Committee Substitute)

HB 2475 Geren SPONSOR: Eltife
Relating to the establishment of the center for alternative finance and procurement within the Texas Facilities Commission and to public and private partnerships; authorizing a fee.
(Committee Substitute)

HB 2489 Leach SPONSOR: Eltife
Relating to regulation by a property owners' association of residential leases or rental agreements.
(Committee Substitute)

HB 2499 Thompson, Senfronia SPONSOR: Perry
Relating to the electronic filing of bail bonds.

HB 2528 Harless SPONSOR: Kolkhorst
Relating to the authority of a water district to accept donations to fund certain economic development programs.

HB 2547 Miller, Rick SPONSOR: Kolkhorst
Relating to the transfer of certain state property from the Texas Department of Criminal Justice to Fort Bend County.

HB 2549 Davis, Yvonne SPONSOR: Hancock
Relating to the authority and operation of regional tollway authorities.

HB 2558 Isaac SPONSOR: Campbell
Relating to the length of a billing month for a propane gas customer.

HB 2573 Johnson SPONSOR: Lucio
Relating to a deceptive trade practice related to the use of certain words to imply that a person who is not an attorney is authorized to practice law and the prosecution of a cause of action arising from that practice.
(Committee Substitute)

HB 2574 Johnson SPONSOR: Rodríguez
Relating to increasing awareness of the danger of heatstroke for a child left unattended in a motor vehicle.
(Committee Substitute)

HB 2588 Naishtat SPONSOR: Zaffirini
Relating to disclosures by nursing facilities and assisted living facilities regarding certification or classification to provide specialized care, treatment, or personal care services to residents with Alzheimer's disease or related disorders and the

authority of the executive commissioner of the Health and Human Services Commission to adopt rules defining those conditions; adding requirements for an occupational license.

(Committee Substitute)

HB 2589 Phelan SPONSOR: Nichols
Relating to the prosecution of and punishment for assaulting a disabled individual; increasing a criminal penalty.

HB 2598 Kuempel SPONSOR: Zaffirini
Relating to the consideration of steel slag as solid waste by the Texas Commission on Environmental Quality.

HB 2629 Kacal SPONSOR: Hancock
Relating to unauthorized persons at public or private institutions of higher education in this state and to trespass, damage, or defacement occurring on the grounds of those institutions; amending provisions subject to a criminal penalty and creating offenses.

HB 2645 Blanco SPONSOR: Hinojosa
Relating to the prosecution of certain offenses involving family violence and to the violation of certain court orders or conditions of bond in a family violence, sexual assault or abuse, or stalking case.
(Committee Substitute)

HB 2660 Howard SPONSOR: Watson
Relating to Foundation School Program funding for students enrolled in an optional flexible school day program.

HB 2680 Bonnen, Greg SPONSOR: Taylor, Larry
Relating to allocation of money from the law enforcement officer standards and education fund.

HB 2696 Howard SPONSOR: Zaffirini
Relating to a study on reducing workplace violence against nurses.
(Committee Substitute)

HB 2706 Wray SPONSOR: Rodríguez
Relating to the value of personal property exempt from seizure by creditors.

HB 2763 Thompson, Ed SPONSOR: Rodríguez
Relating to a study of the current and potential economic impacts of recycling.

HB 2827 Phillips SPONSOR: Garcia
Relating to the definition of homeland security activity.

HB 2828 Phillips SPONSOR: Burton
Relating to the authority of a municipality or county to obtain criminal history record information for certain persons, including employees, independent contractors, and volunteers.

HB 2851 Parker SPONSOR: Taylor, Van
Relating to the limitation on the liability of the nonprofit corporation established by the Texas Public Finance Authority to issue revenue bonds for open-enrollment charter schools to provide educational facilities.

HB 2945 Alonzo SPONSOR: Hancock

Relating to the use of the juvenile case manager fund.

HB 2946 Phillips SPONSOR: Nichols
Relating to certain laws governing the intersections of railroad tracks and public roadways.

HB 3074 Springer SPONSOR: Schwertner
Relating to the provision of artificially administered nutrition and hydration and life-sustaining treatment.

HB 3092 Rose SPONSOR: West
Relating to the establishment of a pilot program to provide protective services to certain persons determined to be at risk of future harm from abuse, neglect, or exploitation.

HB 3264 Guillen SPONSOR: Hinojosa
Relating to the enforcement of permit requirements for the operation of a domestic wastewater treatment facility.

HB 3283 Zerwas SPONSOR: Zaffirini
Relating to contributions and registrations for an anatomical gift registry; authorizing a fee.

HB 3316 Miller, Doug SPONSOR: Hancock
Relating to the time for recording a durable power of attorney for certain real property transactions.

HB 3357 Lucio III SPONSOR: Eltife
Relating to permitted methods for certain political subdivisions to post notice of a meeting.

HB 3374 Morrison SPONSOR: Lucio
Relating to information regarding Down syndrome.

HB 3387 Krause SPONSOR: Whitmire
Relating to sex offender treatment as a condition of parole or mandatory supervision for certain releasees.
(Committee Substitute)

HB 3404 Thompson, Senfronia SPONSOR: Lucio
Relating to a study on providing care to veterans with post-traumatic stress disorder.

HB 3438 Riddle SPONSOR: Zaffirini
Relating to the transfer of surplus or salvage state agency property.

HB 3439 Riddle SPONSOR: Zaffirini
Relating to the donation of property from a state agency to an assistance organization or a local governmental entity.

HB 3517 Davis, Sarah SPONSOR: Huffman
Relating to requirements governing registration and authorized activities of certain lobbyists; expanding the applicability of an occupational registration.

HB 3547 Larson SPONSOR: Campbell
Relating to a voluntary veteran's employment preference for private employers.

HB 3595 Morrison SPONSOR: Kolkhorst

Relating to the use of municipal hotel occupancy tax revenue in certain municipalities.

HB 3615 Isaac SPONSOR: Zaffirini
 Relating to the use of hotel occupancy tax revenues in certain municipalities and the authority of certain counties to impose a county hotel occupancy tax; authorizing the imposition of a tax.
 (Committee Substitute)

HB 3629 Raney SPONSOR: Schwertner
 Relating to use and allocation of municipal hotel occupancy tax revenues for certain municipalities.

HB 3666 Workman SPONSOR: Watson
 Relating to the withdrawal of the territory of certain emergency services districts from the territory of a metropolitan rapid transit authority.
 (Committee Substitute)

HB 3685 Anderson, Charles "Doc" SPONSOR: Lucio
 Relating to the employment status of certain individuals engaged in rehabilitative work-training programs.

HB 3707 Gonzales, Larry SPONSOR: Perry
 Relating to cloud computing services.

HB 3710 Blanco SPONSOR: Rodríguez
 Relating to a voluntary contribution to the fund for veterans' assistance when applying for a concealed handgun license.

HB 3748 Farney SPONSOR: West
 Relating to the coordination of educational support services for and information regarding students who are currently or were formerly placed in foster care.

HB 3772 Nevárez SPONSOR: Uresti
 Relating to the use of municipal hotel occupancy tax revenue to construct, enhance, upgrade, and maintain arenas, sports facilities, and fields in certain municipalities.

HB 3777 Collier SPONSOR: Hancock
 Relating to the establishment and governance of certain regional transportation authorities.
 (Committee Substitute)

HB 3781 Crownover SPONSOR: Watson
 Relating to the creation of the Texas Health Improvement Network.
 (Committee Substitute)

HB 3982 Romero, Jr. SPONSOR: Lucio
 Relating to solicitation of a person to buy drinks for consumption by an alcoholic beverage retailer or the retailer's employee; authorizing a civil penalty; amending a provision that is subject to a criminal penalty.

HB 4030 Dale SPONSOR: Huffman
 Relating to applications for and certain information regarding an applicant for registration or endorsement under the Private Security Act.

HB 4037 Guillen SPONSOR: Lucio

Relating to the authority of certain counties to impose a hotel occupancy tax and the use of revenue from the hotel occupancy tax by certain counties; authorizing an increase in the rate of a tax; authorizing the imposition of a tax.

(Committee Substitute)

HB 4046 Alvarado SPONSOR: Ellis
Relating to the confidentiality of student records.

HB 4133 Bell SPONSOR: Kolkhorst
Relating to the creation of the Waller County Municipal Utility District No. 23; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4134 Bell SPONSOR: Kolkhorst
Relating to the creation of the Waller County Municipal Utility District No. 20; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4183 Isaac SPONSOR: Campbell
Relating to the creation of the Hays County Municipal Utility District No. 7; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4199 Paddie SPONSOR: Eltife
Relating to the Harrison County Court at Law.

HB 4207 Morrison SPONSOR: Kolkhorst
Relating to the creation of the Aransas County Groundwater Conservation District; providing authority to issue bonds and impose a tax; providing general law authority to impose fees and surcharges.

HCR 35 Farney SPONSOR: Schwertner
Designating the cowboy hat as the official State Hat of Texas.

HCR 46 Farias SPONSOR: Rodríguez
Urging Congress to require the U.S. Department of Veterans Affairs to provide VA services to incarcerated veterans detained in state hospitals and to consider expanding such services to all incarcerated veterans.

HCR 62 Springer SPONSOR: Estes
Designating Nocona as the official Classic Car Capital of Texas for a 10-year period beginning in 2015.

HCR 76 Guillen SPONSOR: Uresti
Designating Poteet as the official Strawberry Capital of Texas for a 10-year period beginning in 2015.

HCR 77 Guillen SPONSOR: Zaffirini
Redesignating Jim Hogg County as the official Vaquero Capital of Texas.

HCR 81 Peña SPONSOR: Uresti
Expressing support for the placement of a monument to Lorenzo de Zavala on the grounds of the Texas State Library and Archives Commission building.

HCR 85 Wray SPONSOR: Birdwell
Directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to Chief Petty Officer Christopher Scott Kyle.

HCR 93 King, Susan SPONSOR: Fraser
Designating Abilene as the official Storybook Capital of Texas.

HCR 94 Springer SPONSOR: Estes
Urging the U.S. Congress to designate the Chisholm Trail and the Great Western Trail as National Historic Trails.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 25

Human Services - **SB 114, SB 723**

Special Purpose Districts - **SB 2057, SB 2074, SB 2075**

SENT TO THE GOVERNOR

May 25 - HB 163, HB 194, HB 197, HB 218, HB 315, HB 331, HB 388, HB 445, HB 479, HB 481, HB 510, HB 577, HB 648, HB 655, HB 663, HB 792, HB 796, HB 819, HB 831, HB 833, HB 872, HB 909, HB 942, HB 1050, HB 1054, HB 1061, HB 1140, HB 1186, HB 1221, HB 1251, HB 1300, HB 1348, HB 1386, HB 1421, HB 1436, HB 1550, HB 1558, HB 1598, HB 1605, HB 1643, HB 1657, HB 1709, HB 1716, HB 1736, HB 1762, HB 1794, HB 1878, HB 1902, HB 1992, HB 2000, HB 2025, HB 2027, HB 2033, HB 2079, HB 2100, HB 2216, HB 2261, HB 2296, HB 2358, HB 2366, HB 2424, HB 2455, HB 2540, HB 2599, HB 2612, HB 2708, HB 2771, HB 3003, HB 3028, HB 3091, HB 3132, HB 3187, HB 3220, HB 3315, HB 3333, HB 3545, HB 3680, HB 3724, HB 3738, HB 3742, HB 3823, HB 3996, HB 4149, HCR 80, HCR 95, HCR 110, HCR 127