

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTIETH DAY — TUESDAY, MARCH 28, 2017

The house met at 10:02 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 106).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Keough; Klick.

The speaker recognized Representative Rose who introduced James Parker, senior pastor, True Purpose Church, Dallas, who offered the invocation as follows:

Heavenly Father, we come in the name of Jesus by the power of the Holy Spirit. More than thankful, we are grateful for this house of representatives who have been divinely anointed and appointed by you for such a time as this to be rich in good works for all of your people, especially the young children and the aged.

We pray that each member of this house of representatives, both republican and democrat united as one, are all humble enough to seek you, spiritual enough to hear from you, and mature enough to obey you in all that they do. May they see you more clearly, love you more dearly, follow you more nearly, trust you more surely, and worship you more purely. In all that they do, may they give to

you more cheerfully, obey you more willfully, serve you more skillfully, pray to you more tearfully, and respect you more fearfully. In the name of Jesus, by the power of God the Holy Spirit. Amen.

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

LEAVE OF ABSENCE GRANTED

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

Keough on motion of Geren.

REGULAR ORDER OF BUSINESS SUSPENDED

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

(Perez in the chair)

CAPITOL PHYSICIAN

The chair recognized Representative Bernal who presented Dr. José Hinojosa of San Antonio as the "Doctor for the Day."

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

RESOLUTIONS ADOPTED

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

The motion prevailed.

The following resolutions were laid before the house:

HR 1132 (by Villalba), Commending Caren Bright of Dallas for her support of Dallas-area mothers and children through Pamper Lake Highlands.

HR 1135 (by Craddick), Recognizing March 28, 2017, as Permian Basin Petroleum Association Day at the State Capitol.

HR 1155 (by Dean), Recognizing March 28, 2017, as Upshur County Day at the State Capitol.

The resolutions were adopted.

On motion of Representative Lucio, the names of all the members of the house were added to the resolutions as signers thereof, with the understanding that a member may remove his or her name from any resolution.

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 782 - INTRODUCTION OF GUESTS

The chair recognized Representative Sheffield who introduced representatives of the McCulloch County 4-H team.

HR 811 - INTRODUCTION OF GUEST

The chair recognized Representative Leach who introduced Caroline Carothers, Miss Texas 2016.

COMMITTEES GRANTED PERMISSION TO MEET

Pursuant to Rule 4, Section 9 of the House Rules, Representative Kacal requested permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings. For purposes of this motion, those committees and subcommittees that are scheduled to meet upon adjournment or final recess today shall be considered to be scheduled to meet during bill referral today.

Permission to meet was granted.

**HCR 95 - ADOPTED
(by Dale, Paul, and Miller)**

Representative Dale moved to suspend all necessary rules to take up and consider at this time **HCR 95**.

The motion prevailed.

The following resolution was laid before the house:

HCR 95, In memory of Richard "Mack" Machowicz of Pearland.

HCR 95 was read and was unanimously adopted by a rising vote.

On motion of Representative Paul, the names of all the members of the house were added to **HCR 95** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Dale who introduced family members and friends of Richard "Mack" Machowicz.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 8).

HR 481 - INTRODUCTION OF GUESTS

The chair recognized Representative Turner who introduced LaTasha Watson, deputy chief of the Arlington Police Department, and members of her family.

(Speaker in the chair)

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**CSHB 1818 ON SECOND READING
(by Gonzales, Raymond, Darby, S. Thompson, and Flynn)**

CSHB 1818, A bill to be entitled An Act relating to the continuation and functions of the Railroad Commission of Texas; providing for the imposition of fees.

Amendment No. 1

Representative Alonzo offered the following amendment to **CSHB 1818**:
Floor Packet Page No. 2

Amend **CSHB 1818** (house committee report) as follows:

(1) On page 1, line 5, strike "Section 81.01001(a), Natural Resources Code, is" and substitute "Sections 81.01001(a) and (b), Natural Resources Code, are".

(2) On page 1, line 7, strike "Railroad Commission of Texas" and substitute "Texas Oil & Gas [Railroad] Commission [of Texas]".

(3) On page 1, between lines 10 and 11, insert the following:

(b) The Texas Oil & Gas [Railroad] Commission [of Texas] shall pay the costs incurred by the Sunset Advisory Commission in performing a review of the commission under this section. The Sunset Advisory Commission shall determine the costs, and the commission shall pay the amount of those costs promptly on receipt of a statement from the Sunset Advisory Commission detailing the costs.

(4) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill and any cross-references to those SECTIONS accordingly:

SECTION _____. The heading to Chapter 81, Natural Resources Code, is amended to read as follows:

CHAPTER 81. TEXAS OIL & GAS [RAILROAD] COMMISSION [OF
TEXAS]

SECTION _____. Section 81.001, Natural Resources Code, is amended to read as follows:

Sec. 81.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Oil & Gas [Railroad] Commission [of Texas].

(2) "Commissioner" means any member of the Texas Oil & Gas [Railroad] Commission [of Texas].

SECTION _____. Subchapter A, Chapter 81, Natural Resources Code, is amended by adding Section 81.003 to read as follows:

Sec. 81.003. TEXAS OIL & GAS COMMISSION. (a) The Railroad Commission of Texas is renamed the Texas Oil & Gas Commission.

(b) A reference in law to:

(1) the Railroad Commission of Texas means the Texas Oil & Gas Commission; and

(2) a railroad commissioner or a member of the Railroad Commission of Texas means a member of the Texas Oil & Gas Commission.

SECTION _____. Subchapter B, Chapter 81, Natural Resources Code, is amended by adding Section 81.010015 to read as follows:

Sec. 81.010015. ELECTION AND TERMS OF COMMISSIONERS; VACANCIES. (a) The commission is composed of three commissioners elected at the general election for state and county officers.

(b) Commissioners serve staggered terms of six years, with the term of one commissioner expiring December 31 of each even-numbered year.

(c) The governor shall appoint a person to fill a vacancy on the commission until the next general election.

SECTION _____. Section 81.01005, Natural Resources Code, is amended to read as follows:

Sec. 81.01005. NAME AND SEAL. (a) The commissioners are known collectively as the "Texas Oil & Gas [Railroad] Commission [of Texas]."

(b) The seal of the commission contains a star of five points with the words "Texas Oil & Gas [Railroad] Commission [of Texas]" engraved on it.

SECTION _____. The heading to Section 81.0521, Natural Resources Code, is amended to read as follows:

Sec. 81.0521. FEE FOR APPLICATION FOR EXCEPTION TO [RAILROAD] COMMISSION RULE.

SECTION _____. Section 52.092(c), Election Code, is amended to read as follows:

(c) Statewide offices of the state government shall be listed in the following order:

- (1) governor;
- (2) lieutenant governor;
- (3) attorney general;
- (4) comptroller of public accounts;
- (5) commissioner of the General Land Office;
- (6) commissioner of agriculture;
- (7) oil & gas [railroad] commissioner;
- (8) chief justice, supreme court;
- (9) justice, supreme court;
- (10) presiding judge, court of criminal appeals;
- (11) judge, court of criminal appeals.

SECTION _____. On the effective date of this Act, the name of the Railroad Commission of Texas is changed to the Texas Oil & Gas Commission. The change of the agency's name does not affect:

- (1) the agency's powers, duties, rights, or obligations;
- (2) the agency's personnel, equipment, data, documents, facilities, contracts, items, other property, appropriations, rules, or decisions;
- (3) a proceeding of or involving the agency under the name of the Railroad Commission of Texas; or

(4) the terms of the chairman or other members of the governing body of the agency.

Representative Darby moved to table Amendment No. 1.

The motion to table prevailed by (Record 107): 105 Yeas, 38 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cook; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Deshotel; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González; Gooden; Guerra; Gutierrez; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Nevárez; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Rodriguez, J.; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Alonzo; Anchia; Arévalo; Bernal; Blanco; Bohac; Coleman; Collier; Cortez; Davis, Y.; Dutton; Gervin-Hawkins; Giddings; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Romero; Rose; Turner; Uresti; Vo; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Keough; Klick.

Absent — Cospser; Dukes; Farrar; Lambert.

STATEMENT OF VOTE

When Record No. 107 was taken, I was shown voting no. I intended to vote yes.

Y. Davis

Amendment No. 2

Representative Darby offered the following amendment to **CSHB 1818**:
Floor Packet Page No. 5

Amend **CSHB 1818** (house committee report) as follows:

(1) On page 2, line 10, strike "an annual plan to use" and substitute "an annual plan for each state fiscal year to use".

(2) On page 3, line 10, strike "September" and substitute "July".

(3) On page 3, line 11, strike "preceding the year" and substitute "preceding the state fiscal year".

(4) On page 9, line 13, strike "first year" and substitute "first state fiscal year".

(5) On page 9, line 16, strike "2019" and substitute "the state fiscal year beginning September 1, 2018".

(6) On page 9, line 17, strike "September" and substitute "July".

Amendment No. 2 was adopted.

Amendment No. 3

Representative E. Rodriguez offered the following amendment to **CSHB 1818**:

Floor Packet Page No. 6

Amend **CSHB 1818** (house committee printing) on page 1, line 10, by striking "2029" and substituting "2023".

Representative Gonzales moved to table Amendment No. 3.

The motion to table prevailed by (Record 108): 110 Yeas, 34 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cook; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Deshotel; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Nevárez; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, J.; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Alvarado; Anchia; Arévalo; Bernal; Blanco; Coleman; Collier; Cortez; Dutton; Farrar; Gervin-Hawkins; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Martinez; Minjarez; Moody; Muñoz; Neave; Oliveira; Ortega; Perez; Rodriguez, E.; Romero; Thierry; Turner; Uresti; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Keough; Klick.

Absent — Davis, Y.; Dukes; Rose.

Amendment No. 4

Representative Cain offered the following amendment to **CSHB 1818**:

Floor Packet Page No. 11

Amend **CSHB 1818** (house committee report) as follows:

(1) On page 3, line 27, strike "fees" and substitute "taxes [~~fees~~]".

(2) On page 4, strike "fees" and substitute "taxes [~~fees~~]" in the following places:

- (A) line 6;
- (B) line 9;
- (C) line 11;
- (D) line 13;
- (E) line 15;
- (F) line 17;
- (G) line 18;
- (H) line 19;
- (I) line 20;
- (J) line 22;
- (K) line 23; and
- (L) line 26.

(3) On page 4, line 27, between "(24)" and "[~~money~~", insert "taxes".

(4) On page 5, line 2, strike "[~~(25)~~ fees" and substitute "[~~(25)~~ fees"]".

(5) On page 5, line 4, strike "(25) [~~and (26)~~] fees" and substitute "(25) taxes [~~and (26) fees~~"]".

(6) On page 5, strike "fees" and substitute "taxes" in the following places:

- (A) line 6;
- (B) line 11;
- (C) line 14;
- (D) line 16;
- (E) line 18; and
- (F) line 25.

(7) On page 5, line 9, strike "FEES" and substitute "TAXES".

(8) On page 5, line 26, strike "fee" and substitute "tax".

(9) On page 6, strike "fees" and substitute "taxes" in the following places:

- (A) line 1;
- (B) line 3;
- (C) line 4;
- (D) line 15; and
- (E) line 16.

(10) On page 6, lines 12 and 17, strike "fee" and substitute "tax".

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

SECTION _____. Section 81.0521, Natural Resources Code, is amended to read as follows:

Sec. 81.0521. TAX [~~FEES~~] FOR APPLICATION FOR EXCEPTION TO RAILROAD COMMISSION RULE. (a) With each application for an exception to any commission rule contained in Chapter 3 of Part I of Title 16 of the Texas Administrative Code, the applicant shall submit to the commission a tax [~~fee~~] of \$150.

(b) The application tax [~~fee~~] for an exception to any commission rule may not be refunded.

(c) The proceeds from this tax [fee], excluding any penalties collected in connection with the tax [fee], shall be deposited to the oil and gas regulation and cleanup fund as provided by Section 81.067.

SECTION _____. Section 81.056(g), Natural Resources Code, is amended to read as follows:

(g) The commission may use money in the oil-field cleanup fund to implement this section. The amount of money in the fund the commission may use for that purpose may not exceed the amount of money in the fund that is derived from taxes [fees] collected under Section 91.142 from common carriers or owners or operators of pipelines as determined annually by the commission.

SECTION _____. Section 81.067(b), Natural Resources Code, is amended to read as follows:

(b) The commission shall certify to the comptroller the date on which the balance in the fund equals or exceeds \$30 million. The oil-field cleanup regulatory tax [fees] on oil and gas shall not be collected or required to be paid on or after the first day of the second month following the certification, except that the comptroller shall resume collecting the tax [fees] on receipt of a commission certification that the fund has fallen below \$25 million. The comptroller shall continue collecting the tax [fees] until collections are again suspended in the manner provided by this subsection.

SECTION _____. The heading to Section 81.070, Natural Resources Code, is amended to read as follows:

Sec. 81.070. ESTABLISHMENT OF SURCHARGES ON TAXES [FEES].

SECTION _____. Sections 81.070(a), (b), (d), and (f), Natural Resources Code, are amended to read as follows:

(a) Except as provided by Subsection (b), the commission by rule shall provide for the imposition of reasonable surcharges as necessary on taxes [fees] imposed by the commission that are required to be deposited to the credit of the oil and gas regulation and cleanup fund as provided by Section 81.067 in amounts sufficient to enable the commission to recover the costs of performing the functions specified by Section 81.068 from those taxes [fees] and surcharges.

(b) The commission may not impose a surcharge on an oil-field cleanup regulatory tax [fee] on oil collected under Section 81.116 or an oil-field cleanup regulatory tax [fee] on gas collected under Section 81.117.

(d) The commission shall collect a surcharge on a tax [fee] at the time the tax [fee] is collected.

(f) A surcharge collected under this section shall not exceed an amount equal to 185 percent of the tax [fee] on which it is imposed.

SECTION _____. The heading to Subchapter E, Chapter 81, Natural Resources Code, is amended to read as follows:

SUBCHAPTER E. TAXES [FEES]

SECTION _____. Section 81.116, Natural Resources Code, is amended to read as follows:

Sec. 81.116. OIL-FIELD CLEANUP REGULATORY TAX [~~FE~~] ON OIL. (a) An oil-field cleanup regulatory tax [~~fee~~] is imposed on crude petroleum produced in this state in the amount of five-eighths of one cent on each barrel of 42 standard gallons.

(b) The oil-field cleanup regulatory tax [~~fee~~] is in addition to, and independent of any liability for, the tax imposed under Chapter 202, Tax Code.

(c) Except as provided by Subsection (d) of this section, Chapter 202, Tax Code, applies to the administration and collection of the oil-field cleanup regulatory tax [~~fee~~], and the penalties provided by that chapter apply to any person who fails to pay or report the oil-field cleanup regulatory tax [~~fee~~].

(d) The comptroller shall suspend collection of the tax [~~fee~~] in the manner provided by Section 81.067. The exemptions and reductions set out in Sections 202.052, 202.054, 202.056, 202.057, 202.059, and 202.060, Tax Code, do not affect the tax [~~fee~~] imposed by this section.

(e) Proceeds from the tax [~~fee~~], excluding any penalties collected in connection with the tax [~~fee~~], shall be deposited to the oil and gas regulation and cleanup fund as provided by Section 81.067.

SECTION _____. Section 81.117, Natural Resources Code, is amended to read as follows:

Sec. 81.117. OIL-FIELD CLEANUP REGULATORY TAX [~~FE~~] ON GAS. (a) An oil-field cleanup regulatory tax [~~fee~~] is imposed on gas initially produced and saved in this state in the amount of one-fifteenth of one cent for each thousand cubic feet.

(b) The oil-field cleanup regulatory tax [~~fee~~] is in addition to, and independent of any liability for, the tax imposed under Section 201.052, Tax Code.

(c) Except as provided by Subsection (d), the administration, collection, and enforcement of the oil-field cleanup regulatory tax [~~fee~~] is the same as for the tax imposed under Section 201.052, Tax Code.

(d) The comptroller shall suspend collection of the tax [~~fee~~] in the manner provided by Section 81.067. The exemptions and reductions set out in Sections 201.053, 201.057, 201.058, and 202.060, Tax Code, do not affect the tax [~~fee~~] imposed by this section.

(e) Proceeds from the tax [~~fee~~], excluding any penalties collected in connection with the tax [~~fee~~], shall be deposited to the oil and gas regulation and cleanup fund as provided by Section 81.067.

SECTION _____. Section 85.2021, Natural Resources Code, is amended to read as follows:

Sec. 85.2021. DRILLING PERMIT TAX [~~FE~~]. (a) With each application or materially amended application for a permit to drill, deepen, plug back, or reenter a well, the applicant shall submit to the commission a nonrefundable tax [~~fee~~] of:

- (1) \$200 if the total depth of the well is 2,000 feet or less;
- (2) \$225 if the total depth of the well is greater than 2,000 feet but less than or equal to 4,000 feet;

(3) \$250 if the total depth of the well is greater than 4,000 feet but less than or equal to 9,000 feet;

(4) \$300 if the total depth of the well is greater than 9,000 feet.

(b) An applicant shall submit an additional nonrefundable tax [fee] of \$200 when a Rule 37 spacing or a Rule 38 density exception review is requested.

(c) An applicant shall submit an additional nonrefundable tax [fee] of \$150 when requesting that the commission expedite the application for a permit to drill, deepen, plug back, or reenter a well.

(d) All taxes [fees] collected under this section shall be deposited in the oil and gas regulation and cleanup fund.

SECTION _____. Section 89.024(d), Natural Resources Code, is amended to read as follows:

(d) An operator who files an abeyance of plugging report must pay an annual tax [fee] of \$100 for each well covered by the report. A tax [fee] collected under this section shall be deposited in the oil and gas regulation and cleanup fund.

SECTION _____. Section 89.026(d), Natural Resources Code, is amended to read as follows:

(d) An operator who files documentation described by Subsection (a) must pay an annual tax [fee] of \$50 for each well covered by the documentation. A tax [fee] collected under this section shall be deposited in the oil and gas regulation and cleanup fund.

SECTION _____. Section 89.047(h), Natural Resources Code, is amended to read as follows:

(h) A person who is designated as the operator of an orphaned well on or after January 1, 2006, and not later than December 31, 2007, is entitled to receive:

(1) a nontransferable exemption from severance taxes for all future production from the well as provided by Section 202.060, Tax Code;

(2) a nontransferable exemption from the taxes [fees] provided by Sections 81.116 and 81.117 for all future production from the well; and

(3) a payment from the commission in an amount equal to the depth of the well multiplied by 50 cents for each foot of well depth if, not later than the third anniversary of the date the commission designates the person as the operator of the well, the person brings the well back into continuous active operation or plugs the well in accordance with commission rules.

SECTION _____. The heading to Section 89.088, Natural Resources Code, is amended to read as follows:

Sec. 89.088. RECORD OF REQUEST FOR NOTICE BY LIENHOLDER OR NONOPERATOR; FORM; TAX [FEE].

SECTION _____. Section 89.088(c), Natural Resources Code, is amended to read as follows:

(c) The commission may charge a filing tax [fee] for a request for notice not to exceed \$10 for each lease covered by the request.

SECTION _____. Sections 91.0115(b), (c), and (d), Natural Resources Code, are amended to read as follows:

(b) The commission may charge a tax [fee] in an amount to be determined by the commission for a letter of determination.

(c) The commission shall charge a tax [fee] not to exceed \$75, in addition to the tax [fee] required by Subsection (b), for processing a request to expedite a letter of determination.

(d) The taxes [fees] collected under this section shall be deposited in the oil and gas regulation and cleanup fund.

SECTION _____. Section 91.1013, Natural Resources Code, is amended to read as follows:

Sec. 91.1013. APPLICATION TAXES [~~FEES~~]. (a) With each application for a fluid injection well permit, the applicant shall submit to the commission a nonrefundable tax [fee] of \$200. In this section, "fluid injection well" means any well used to inject fluid or gas into the ground in connection with the exploration or production of oil or gas other than an oil and gas waste disposal well regulated by the commission pursuant to Chapter 27, Water Code.

(b) With each application for a permit to discharge to surface water under this chapter and commission rules, other than a permit for a discharge that meets National Pollutant Discharge Elimination System requirements for agricultural or wildlife use, the applicant shall submit to the commission a nonrefundable tax [fee] of \$300.

(c) Taxes [Fees] collected under this section shall be deposited in the oil and gas regulation and cleanup fund.

SECTION _____. Section 91.114(g), Natural Resources Code, is amended to read as follows:

(g) A tax or fee tendered in connection with a report or application that is rejected under this section is nonrefundable.

SECTION _____. Section 91.142(g), Natural Resources Code, is amended to read as follows:

(g) An organization report filed under this section must be accompanied by the following tax [fee]:

- (1) for an operator of not more than 25 wells, \$300;
- (2) for an operator of more than 25 but not more than 100 wells, \$500;
- (3) for an operator of more than 100 wells, \$1,000;
- (4) for an operator of one or more natural gas pipelines as classified by the commission, \$225;
- (5) for an operator of one or more service activities or facilities who does not operate any wells, an amount determined by the commission but not less than \$300 or more than \$500;
- (6) for an operator of one or more liquids pipelines as classified by the commission who does not operate any wells, an amount determined by the commission but not less than \$425 or more than \$625;
- (7) for an operator of one or more service activities or facilities, including liquids pipelines as classified by the commission, who also operates one or more wells, an amount determined by the commission based on the sum of the amounts provided by the applicable subdivisions of this subsection but not less than \$425 or more than \$1,125; and

(8) for an entity not currently performing operations under the jurisdiction of the commission, \$300.

SECTION _____. The heading to Section 91.605, Natural Resources Code, is amended to read as follows:

Sec. 91.605. HAZARDOUS OIL AND GAS WASTE GENERATION TAX [~~FE~~].

SECTION _____. Sections 91.605(a), (b), (c), and (e), Natural Resources Code, are amended to read as follows:

(a) An annual tax [~~fee~~] is imposed on each operator who generates hazardous oil and gas waste.

(b) The commission by rule shall set the tax [~~fee~~], which must:

(1) be based on the volume of hazardous oil and gas waste generated by the operator; and

(2) be reasonably related to the costs of implementing this subchapter and enforcing the rules, orders, and permits adopted or issued by the commission under this subchapter.

(c) The commission by rule shall also prescribe the procedures by which an operator must account for the volume of hazardous oil and gas waste generated and pay the tax [~~fee~~].

(e) The taxes [~~fees~~] collected under this section shall be deposited in the oil and gas regulation and cleanup fund.

SECTION _____. Sections 91.654(a), (b), and (e), Natural Resources Code, are amended to read as follows:

(a) A person who desires to participate in the voluntary cleanup program under this subchapter must submit to the commission an application and an application tax [~~fee~~] as prescribed by this section.

(b) An application submitted under this section must:

(1) be on a form provided by the commission;

(2) contain:

(A) general information concerning:

(i) the person and the person's capability, including the person's financial capability, to perform the voluntary cleanup;

(ii) the site; and

(iii) the name, address, and telephone number of all surface and mineral owners;

(B) other background information requested by the commission;

(C) an environmental assessment of the actual or threatened release of the contaminant at the site; and

(D) if the person applying is not the surface owner, written authorization from the surface owner agreeing to the applicant's participation in the program;

(3) be accompanied by an application tax [~~fee~~] of \$1,000; and

(4) be submitted according to schedules set by the commission.

(e) Taxes [~~Fees~~] collected under this section shall be deposited to the credit of the oil and gas regulation and cleanup fund under Section 81.067.

SECTION _____. Sections 91.655(b) and (c), Natural Resources Code, are amended to read as follows:

(b) If an application is rejected because it is incomplete or inaccurate, the commission, not later than the 45th day after receipt of the application, shall provide the person with a list of all information needed to make the application complete or accurate. A person may resubmit an application once without submitting an additional application tax [~~fee~~] if the person resubmits the application not later than the 45th day after the date the commission issues notice that the application has been rejected.

(c) If the commission rejects the application, the commission shall:

- (1) notify the person that the application has been rejected;
- (2) explain the reasons for rejection of the application; and
- (3) inform the person that the commission will refund half the person's application tax [~~fee~~] unless the person indicates a desire to resubmit the application.

SECTION _____. Sections 91.656(b) and (d), Natural Resources Code, are amended to read as follows:

(b) A voluntary cleanup agreement must provide for:

- (1) recovery by the commission of all reasonable costs:
 - (A) incurred by the commission in review and oversight of the person's work plan and reports and as a result of the commission's field activities;
 - (B) attributable to the voluntary cleanup agreement; and
 - (C) in excess of the amount of taxes [~~fees~~] submitted by the applicant under Section 91.654;

(2) a schedule of payments to the commission to be made by the person for recovery of all commission costs fairly attributable to the voluntary cleanup program, including direct and indirect costs of overhead, salaries, equipment, and utilities, and legal, management, and support costs; and

(3) appropriate tasks, deliverables, and schedules.

(d) If an agreement is not reached between a person desiring to participate in the voluntary cleanup program and the commission on or before the 30th day after good faith negotiations have begun:

- (1) the person or the commission may withdraw from the negotiations; and
- (2) the commission retains the person's application tax [~~fee~~].

SECTION _____. Section 91.706(b), Natural Resources Code, is amended to read as follows:

(b) If an operator uses or reports use of a well for production, injection, or disposal for which the operator's certificate of compliance has been cancelled, the commission may refuse to renew the operator's organization report required by Section 91.142 until the operator pays the tax [~~fee~~] required by Section 91.707 and the commission issues the certificate of compliance required for that well.

SECTION _____. Section 91.707, Natural Resources Code, is amended to read as follows:

Sec. 91.707. TAX [~~FE~~] FOR REISSUED CERTIFICATE. (a) If a certificate of compliance for a well has been canceled for one or more violations of provisions of this title, Section 26.131, Water Code, or Subchapter C, Chapter 27, Water Code, rules adopted or orders issued under that title, section, or subchapter, as applicable, or licenses, permits, or certificates issued to the owner or operator of the well under that title, section, or subchapter, as applicable, the commission may not issue a new certificate of compliance until the owner or operator submits to the commission a nonrefundable tax [~~fee~~] of \$300 for each severance or seal order issued for the well.

(b) Taxes [~~Fees~~] collected under this section shall be deposited to the oil and gas regulation and cleanup fund.

SECTION _____. The heading to Section 121.211, Utilities Code, is amended to read as follows:

Sec. 121.211. PIPELINE SAFETY AND REGULATORY TAXES [~~FEES~~].

SECTION _____. Sections 121.211(a), (b), (c), (d), (e), and (h), Utilities Code, are amended to read as follows:

(a) The railroad commission by rule may adopt a tax [~~fee~~] to be assessed annually against operators of natural gas distribution pipelines and their pipeline facilities and natural gas master metered pipelines and their pipeline facilities subject to this title.

(b) The railroad commission by rule shall establish the method by which the tax [~~fee~~] will be calculated and assessed. In adopting a tax [~~fee~~] structure, the railroad commission may consider any factors necessary to provide for the equitable allocation among operators of the costs of administering the railroad commission's pipeline safety and regulatory program under this title.

(c) The total amount of taxes [~~fees~~] estimated to be collected under rules adopted by the railroad commission under this section may not exceed the amount estimated by the railroad commission to be necessary to recover the costs of administering the railroad commission's pipeline safety and regulatory program under this title, excluding costs that are fully funded by federal sources.

(d) The commission may assess each operator of a natural gas distribution system subject to this title an annual tax [~~fee~~] not to exceed one dollar for each service line reported by the system on the Distribution Annual Report, Form RSPA F7100.1-1, due on March 15 of each year. The tax [~~fee~~] is due March 15 of each year.

(e) The railroad commission may assess each operator of a natural gas master metered system subject to this title an annual tax [~~fee~~] not to exceed \$100 for each master metered system. The tax [~~fee~~] is due June 30 of each year.

(h) A tax [~~fee~~] collected under this section shall be deposited to the credit of the oil and gas regulation and cleanup fund as provided by Section 81.067, Natural Resources Code.

SECTION _____. Section 27.0321, Water Code, is amended to read as follows:

Sec. 27.0321. APPLICATION TAX [~~FE~~]. (a) With each application for an oil and gas waste disposal well permit, the applicant shall submit to the railroad commission a nonrefundable tax [~~fee~~] of \$100.

(b) The tax [~~fee~~] collected under this section shall be deposited to the credit of the oil and gas regulation and cleanup fund as provided by Section 81.067, Natural Resources Code.

SECTION _____. Section 29.015, Water Code, is amended to read as follows:

Sec. 29.015. APPLICATION TAX [~~FEES~~]. With each application for issuance, renewal, or material amendment of a permit, the applicant shall submit to the railroad commission a nonrefundable tax [~~fee~~] of \$100. Taxes [~~Fees~~] collected under this section shall be deposited in the oil and gas regulation and cleanup fund.

Representative Gonzales moved to table Amendment No. 4.

The motion to table prevailed by (Record 109): 130 Yeas, 15 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Bohac; Cain; Krause; Lang; Leach; Muñoz; Raymond; Rinaldi; Sanford; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Keough; Klick.

Absent — Dukes; Schofield.

STATEMENT OF VOTE

When Record No. 109 was taken, I was shown voting yes. I intended to vote no.

Schaefer

Amendment No. 5

Representative Walle offered the following amendment to **CSHB 1818**:

Floor Packet Page No. 27

Amend **CSHB 1818** (house committee printing) as follows:

(1) On page 5, line 8, strike "Section 81.071" and substitute "Sections 81.071 and 81.072".

(2) On page 6, between lines 19 and 20, insert the following:

Sec. 81.072. ENFORCEMENT INFORMATION. (a) The commission shall post on the commission's Internet website:

(1) comprehensive information regarding the commission's enforcement of this title and rules, orders, licenses, permits, and certificates issued under this title, including information regarding:

(A) inspection and enforcement activity;

(B) violations; and

(C) the amount of penalties finally assessed;

(2) information evidencing quarterly trends regarding enforcement activity by the commission, including:

(A) the number of complaints received and the manner in which they were resolved;

(B) the total number of inspections conducted, the number of inspections conducted following the receipt of a complaint, and the number of inspections conducted on the commission's own initiative;

(C) the number of violations, categorized according to the degree of severity of the violation and the statute, rule, order, license, permit, or certificate violated, for which enforcement action has been taken;

(D) the number of repeat violations determined to have been committed; and

(E) the number of violations referred to the attorney general for enforcement; and

(3) an analysis of annual trends regarding complaints filed with the commission and enforcement activity by the commission.

(b) Information required to be posted under this section must be:

(1) in a searchable format;

(2) organized by county, by operator or other entity, and by well, if applicable; and

(3) capable of being downloaded in bulk.

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

SECTION _____. The Railroad Commission of Texas shall comply with Section 81.072, Natural Resources Code, as added by this Act, not later than January 1, 2019.

Representative Gonzales moved to table Amendment No. 5.

The motion to table prevailed.

Amendment No. 6

Representative Anchia offered the following amendment to **CSHB 1818**:

Floor Packet Page No. 33

Amend **CSHB 1818** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. (a) Subchapter C, Chapter 81, Natural Resources Code, is amended by adding Section 81.072 to read as follows:

Sec. 81.072. REQUIREMENTS REGARDING EMPLOYMENT OF PERSONS NOT LAWFULLY PRESENT. (a) In this section:

(1) "Employ" means to agree or promise to provide compensation for labor or services rendered.

(2) "Person not lawfully present" means a person who, at the time of employment, is not:

(A) a citizen or national of the United States; or

(B) an alien who is lawfully admitted for permanent residence in the United States under the federal Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.) or authorized to be employed by that Act or the United States attorney general.

(b) The executive head of any private business entity that is issued a license, permit, certificate, or other authorization by, or that enters into a contract with, the commission must attest under penalty of perjury, in the manner and on a form prescribed by the commission and accessible on the commission's Internet website, that the entity:

(1) diligently inquires into the employment authorization status of each employee;

(2) does not knowingly employ any person not lawfully present; and

(3) if applicable, will require any subcontractor directly involved in the performance of a service that is performed under a contract between the entity and the commission to provide verification to the entity and the commission that the subcontractor diligently inquires into the employment authorization status of each employee and does not knowingly employ any person not lawfully present.

(c) The attestation required by Subsection (b) must occur before the issuance of the authorization or execution of the contract, as applicable.

(d) If the commission discovers that a private business entity that has been issued a license, permit, certificate, or other authorization by, or with whom the commission contracts, knowingly employs persons not lawfully present, the commission shall promptly refer the entity's executive head to the appropriate local law enforcement entity for prosecution and to the United States Immigration and Customs Enforcement for proper enforcement.

(e) The commission shall publish on the commission's Internet website under the heading "Sanctuary Industries" the name of any private business entity found by the commission under Subsection (d) to knowingly employ persons not lawfully present.

(f) The commission shall adopt rules for the administration of this section.

(b) Notwithstanding any other provision of this Act, this section takes effect January 1, 2018.

Amendment No. 7

Representative Anchia offered the following amendment to Amendment No. 6:

Amend Amendment No. 6 by Anchia to **CSHB 1818** (page 33, prefiled amendments packet) by striking the text of the amendment and substituting the following:

SECTION _____. (a) Subchapter C, Chapter 81, Natural Resources Code, is amended by adding Section 81.072 to read as follows:

Sec. 81.072. REQUIREMENTS REGARDING EMPLOYMENT OF PERSONS NOT LAWFULLY PRESENT; OFFENSE. (a) In this section:

(1) "Employ" means to agree or promise to provide compensation for labor or services rendered.

(2) "Person not lawfully present" means a person who, at the time of employment, is not:

(A) a citizen or national of the United States; or

(B) an alien who is lawfully admitted for permanent residence in the United States under the federal Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.) or authorized to be employed by that Act or the United States attorney general.

(b) The executive head of any private business entity that is issued a license, permit, certificate, or other authorization by the commission or that enters into a contract with the commission, including the executive head of any private business entity that is a subcontractor directly involved in the performance of a service to be performed under a contract with the commission, must attest, in the manner and on a form prescribed by the commission and accessible on the commission's Internet website, that the entity:

(1) uses due diligence to inquire regarding the employment authorization status of each employee.

(2) does not currently and will not during the term of the authorization or contract, as applicable, employ any person not lawfully present.

(c) The attestation required by Subsection (b) must occur before the issuance of the authorization or execution of the contract, as applicable.

(d) If the commission discovers that a private business entity that has been issued a license, permit, certificate, or other authorization by, or with whom the commission contracts or the entity subcontracts, employs persons not lawfully present, the commission shall promptly refer the entity's executive head to the appropriate local law enforcement entity and to the United States Immigration and Customs Enforcement for proper enforcement.

(e) The commission shall publish on the commission's Internet website under the heading "Sanctuary Industries" the name of any private business entity found by the commission under Subsection (d) to employ persons not lawfully present.

(f) A person commits an offense if the person makes a false attestation under Subsection (b). An offense under this subsection is a Class A misdemeanor. Notwithstanding Section 6.02(b), Penal Code, proof of a culpable mental state is not required for a conviction for an offense under this subsection.

(g) The commission shall adopt rules for the administration of this section.

(b) Notwithstanding any other provision of this Act, this section takes effect January 1, 2018.

(Huberty in the chair)

Amendment No. 7 failed of adoption by (Record 110): 0 Yeas, 140 Nays, 2 Present, not voting.

Nays — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Howard; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused — Keough; Klick.

Absent — Deshotel; Dukes; Holland; Oliveira; Thompson, S.; Wu.

STATEMENT OF VOTE

When Record No. 110 was taken, I was in the house but away from my desk. I would have voted no.

Deshotel

Amendment No. 8

Representative Tinderholt offered the following amendment to Amendment No. 6:

Amend Amendment No. 6 by Anchia, on page 2, line 18, after the period by adding "If at any time the commission discovers evidence of human trafficking, the commission shall promptly report such evidence to an appropriate law enforcement entity."

Amendment No. 8 was adopted.

Amendment No. 9

Representative G. Bonnen offered the following amendment to Amendment No. 6:

Amend Amendment No. 6 by Anchia by striking the text of the amendment and substituting the following:

Amend **CSHB 1818** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter C, Chapter 81, Natural Resources Code, is amended by adding Section 81.072 to read as follows:

Sec. 81.072. VERIFICATION BY CONTRACTORS. (a) In this section, "E-verify program" has the meaning assigned by Section 673.001, Government Code.

(b) The commission may not award a contract for goods or services in this state to a contractor unless the contractor and any subcontractor registers with and participates in the E-verify program to verify employee information. The contractor and any subcontractor shall continue to participate in the program during the term of the contract.

(c) The commission shall develop procedures for the administration of the E-verify program under this section.

Amendment No. 9 was adopted. (Guillen recorded voting no.)

Amendment No. 6, as amended, was adopted by (Record 111): 97 Yeas, 46 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guerra; Hefner; Holland; Hunter; Isaac; Kacal; King, K.; King, P.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Thierry; Turner; Uresti; Vo; Walle; Wu.

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

Absent, Excused — Keough; Klick.

Absent — Deshotel; Dukes; Johnson, J.

STATEMENTS OF VOTE

When Record No. 111 was taken, I was in the house but away from my desk. I would have voted no.

Deshotel

When Record No. 111 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 111 was taken, I was shown voting no. I intended to vote yes.

Herrero

When Record No. 111 was taken, I was shown voting yes. I intended to vote no.

Rose

Amendment No. 10

Representative Howard offered the following amendment to **CSHB 1818**:
Floor Packet Page No. 35

Amend **CSHB 1818** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill and any cross-references to those SECTIONS accordingly:

SECTION _____. Sections 81.0531(b), (c), and (d), Natural Resources Code, are amended to read as follows:

(b) The penalty may not exceed:

(1) \$25,000 [~~\$10,000~~] a day for each violation that is not related to pipeline safety; or

(2) \$200,000 a day for each violation that is related to pipeline safety.

(c) In determining the amount of the penalty, the commission shall consider the ~~[permittee's history of previous violations, the seriousness of the violation, any hazard to the health or safety of the public, and the demonstrated good faith of the person charged. In determining the amount of the penalty for a violation of a provision of this title or a rule, order, license, permit, or certificate that relates to pipeline safety, the commission shall consider the]~~ guidelines adopted under Subsection (d).

(d) The commission ~~[by rule]~~ shall adopt guidelines to be used in determining the amount of the penalty. The commission shall provide an opportunity for public input on the guidelines ~~[for a violation of a provision of this title or a rule, order, license, permit, or certificate that relates to pipeline safety]~~. The guidelines must ~~[shall]~~ include a penalty calculation worksheet that specifies the typical penalty for certain violations, circumstances justifying enhancement of a penalty and the amount of the enhancement, and circumstances

justifying a reduction in a penalty and the amount of the reduction. The guidelines must provide for different penalties for different violations based on the seriousness of the violation and any hazard to the health or safety of the public resulting from the violation. The guidelines must ~~shall~~ take into account:

- (1) the permittee's history of previous violations, including the number of previous violations;
- (2) the seriousness of the violation and of any pollution resulting from the violation;
- (3) any hazard to the health or safety of the public;
- (4) the degree of culpability;
- (5) the demonstrated good faith of the person charged; ~~and~~
- (6) the number of times the permittee's certificate of compliance issued under Subchapter P, Chapter 91, has been canceled;
- (7) any economic benefit gained through the violation;
- (8) the penalty necessary to deter future violations; and
- (9) any other factor the commission considers relevant.

SECTION _____. Section 81.058(d), Natural Resources Code, is amended to read as follows:

(d) An administrative penalty imposed under this section may not exceed \$25,000 ~~[\$5,000]~~ a day for each violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty under this section.

SECTION _____. Section 91.002(b), Natural Resources Code, is amended to read as follows:

(b) An offense under Subsection (a) of this section is punishable by a fine of not more than \$25,000 ~~[\$10,000]~~ a day for each day a violation is committed.

SECTION _____. Section 27.101(a), Water Code, is amended to read as follows:

(a) A person who violates any provision of this chapter under the jurisdiction of the railroad commission, any rule of the railroad commission made under this chapter, or any term, condition, or provision of a permit issued by the railroad commission under this chapter shall be subject to a civil penalty in any sum not exceeding \$25,000 ~~[\$5,000]~~ for each day of noncompliance and for each act of noncompliance. A violation under the jurisdiction of the commission is enforceable as provided by Chapter 7.

SECTION _____. Section 27.1011(b), Water Code, is amended to read as follows:

(b) The penalty may not exceed \$25,000 ~~[\$10,000]~~ a day for each violation. Each day a violation continues may be considered a separate violation for purposes of penalty assessments.

SECTION _____. Section 27.105(a), Water Code, is amended to read as follows:

(a) A person who knowingly or intentionally violates a provision of this chapter under the jurisdiction of the railroad commission, a rule of the railroad commission, or a term, condition, or provision of a permit issued by the railroad

commission under this chapter is subject to a fine of not more than \$25,000 [~~\$5,000~~] for each violation and for each day of violation. A violation under the jurisdiction of the commission is enforceable under Section 7.157.

SECTION _____. The changes in law made by this Act apply only to a violation committed on or after the effective date of this Act. A violation committed before the effective date of this Act is governed by the law in effect when the violation was committed, and the former law is continued in effect for that purpose. For purposes of this section, a violation was committed before the effective date of this Act if any element of the violation was committed before that date.

Representative Gonzales moved to table Amendment No. 10.

The motion to table prevailed by (Record 112): 102 Yeas, 39 Nays, 2 Present, not voting.

Yeas — Alonzo; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Hinojosa; Holland; Hunter; Isaac; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Perez; Phelan; Phillips; Price; Raney; Raymond; Rinaldi; Roberts; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Gutierrez; Hernandez; Herrero; Howard; Israel; Johnson, E.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Pickett; Reynolds; Rodriguez, J.; Rose; Thierry; Turner; Uresti; Vo; Walle; Wu.

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

Absent, Excused — Keough; Klick.

Absent — Anchia; Dukes; Guillen; Oliveira; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 112 was taken, I was shown voting yes. I intended to vote no.

Arévalo

When Record No. 112 was taken, my vote failed to register. I would have voted yes.

Guillen

When Record No. 112 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

Amendment No. 11

Representative Collier offered the following amendment to **CSHB 1818**:
Floor Packet Page No. 39

Amend **CSHB 1818** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 27.034(a), Water Code, is amended to read as follows:

(a) The railroad commission shall adopt rules and procedures reasonably required for the performance of its powers, duties, and functions under this chapter, including rules for notice and ~~[procedure of]~~ public hearings. The rules for notice shall include provisions for giving notice to local governments and affected persons. The railroad commission shall define "affected person" by rule. The rules for public hearings shall require the railroad commission to hold a public hearing in the county in which the site of a proposed injection well is located to receive public comment for consideration by the commission in determining whether to grant the application for a permit for the well.

Amendment No. 11 was withdrawn.

Amendment No. 12

Representative Turner offered the following amendment to **CSHB 1818**:
Floor Packet Page No. 41

Amend **CSHB 1818** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 27.031, Water Code, is amended to read as follows:

Sec. 27.031. PERMIT FROM RAILROAD COMMISSION. (a) No person may continue using a disposal well or begin drilling a disposal well or converting an existing well into a disposal well to dispose of oil and gas waste without first obtaining a permit from the railroad commission.

(b) The railroad commission may not issue a permit for a disposal well under this section unless the railroad commission ensures that the well will not be located within three miles of a dam, lake, or reservoir.

Amendment No. 12 was withdrawn.

Amendment No. 13

Representative Turner offered the following amendment to **CSHB 1818**:

Floor Packet Page No. 42

Amend **CSHB 1818** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 27.034(a), Water Code, is amended to read as follows:

(a) The railroad commission shall adopt rules and procedures reasonably required for the performance of its powers, duties, and functions under this chapter, including rules for notice and ~~procedure of~~ public hearings. The rules for notice shall include provisions for giving notice to local governments and affected persons. The railroad commission shall define "affected person" by rule. The rules for public hearings shall require the railroad commission to hold a public hearing in the municipality in which the site of a proposed injection well is located if:

(1) the municipality has a population of 150,000 or more; and
(2) a member of the legislature whose district includes all or part of the territory of the municipality requests that the railroad commission hold a public hearing.

Representative Darby moved to table Amendment No. 13.

The motion to table prevailed by (Record 113): 94 Yeas, 48 Nays, 2 Present, not voting.

Yeas — Alonzo; Anderson, C.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Hefner; Holland; Hunter; Isaac; Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Raymond; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zerwas.

Nays — Allen; Alvarado; Anchia; Anderson, R.; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Turner; Uresti; Vo; Walle; Wu; Zedler.

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

Absent, Excused — Keough; Klick.

Absent — Davis, Y.; Krause; Sanford; Thompson, S.

STATEMENTS OF VOTE

When Record No. 113 was taken, I was in the house but away from my desk. I would have voted yes.

Krause

When Record No. 113 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

Amendment No. 14

Representative Turner offered the following amendment to **CSHB 1818**:
Floor Packet Page No. 43

Amend **CSHB 1818** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 81.0523, Natural Resources Code, is amended by adding Subsection (e) to read as follows:

(e) Notwithstanding Subsections (b) and (c), a municipality or other political subdivision that enacted an ordinance or other measure before May 18, 2015, that prohibited, limited, or regulated the drilling or use of oil and gas waste disposal wells in the territory of the municipality or other political subdivision may notify the commission that a permit application pending before the commission proposes to drill or use a well that would have been prohibited, limited, or regulated under the ordinance or other measure. Notwithstanding Chapter 27, Water Code, if the commission receives notice under this section, the commission may not issue the permit unless the permit complies with the former ordinance or measure identified in the notice.

Amendment No. 14 was withdrawn.

Amendment No. 15

Representative Canales offered the following amendment to **CSHB 1818**:
Floor Packet Page No. 44

Amend **CSHB 1818** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 91.104(c), Natural Resources Code, is amended to read as follows:

(c) A person required to file a bond, letter of credit, or cash deposit under Section 91.103 who operates one or more wells is considered to have met that requirement for a well if the well bore is included in a well-specific plugging insurance policy that:

- (1) is approved by the Texas Department of Insurance;
- (2) names this state as the owner and contingent beneficiary of the policy;

(3) names a primary beneficiary who agrees to plug the specified well bore;

(4) is fully prepaid and cannot be canceled or surrendered;

(5) provides that the policy continues in effect until the specified well bore has been plugged;

(6) provides that benefits will be paid when, but not before, the specified well bore has been plugged in accordance with commission rules in effect at the time of plugging; and

(7) provides benefits that equal the greatest of:

(A) an amount equal to the amount determined by the commission under Section 91.1043 for the oil and gas division district in which the specified well is located multiplied by the number of feet [~~\$2 for each foot~~] of well depth, as determined in the manner specified by the commission, for the [~~specified~~] well;

(B) if the specified well is a bay well and regardless of whether the well is producing oil or gas, the amount required under commission rules for a bay well that is not producing oil or gas;

(C) if the specified well is an offshore well and regardless of whether the well is producing oil or gas, the amount required under commission rules for an offshore well that is not producing oil or gas; or

(D) the payment otherwise due under the policy for plugging the well bore.

SECTION _____. Section 91.1041(a), Natural Resources Code, is amended to read as follows:

(a) A person required to file a bond, letter of credit, or cash deposit under Section 91.103 who operates one or more wells may file a bond in an amount equal to the amount determined by the commission under Section 91.1043 for the oil and gas division district in which each well is located multiplied by the number of feet [~~\$2 for each foot~~] of well depth for each well.

SECTION _____. Sections 91.1042(a) and (b), Natural Resources Code, are amended to read as follows:

(a) A person required to file a bond, letter of credit, or cash deposit under Section 91.103 may file a blanket bond to cover all wells for which a bond, letter of credit, or cash deposit is required as follows:

(1) a person who operates 10 or fewer wells shall file a \$35,000 [~~\$25,000~~] blanket bond;

(2) a person who operates more than 10 but not more [~~fewer~~] than 20 [~~100~~] wells shall file a \$50,000 blanket bond;

(3) a person who operates more than 20 but not more than 35 wells shall file a \$75,000 blanket bond;

(4) a person who operates more than 35 but not more than 60 wells shall file a \$130,000 blanket bond;

(5) a person who operates more than 60 but fewer than 100 wells shall file a \$215,000 blanket bond; and

(6) [~~3~~] a person who operates 100 or more wells shall file a \$250,000 blanket bond.

(b) Notwithstanding Subsection (a), the commission by rule shall set the amount of the bond for an operator of bay or offshore wells at a reasonable amount that exceeds the amount provided by Subsection (a)(1), (2), ~~(3)~~, (4), (5), or (6), as applicable.

SECTION _____. Subchapter D, Chapter 91, Natural Resources Code, is amended by adding Section 91.1043 to read as follows:

Sec. 91.1043. DETERMINATION OF AVERAGE PLUGGING COSTS. At the beginning of each state fiscal year, the commission shall determine the average cost for each foot of well depth of plugging a well located in each oil and gas division district during the preceding state fiscal year.

SECTION _____. (a) The changes in law made by this Act apply only to a person required to file a bond, letter of credit, or cash deposit under Section 91.103, Natural Resources Code, on or after the effective date of this Act. A person required to file a bond, letter of credit, or cash deposit under 91.103, Natural Resources Code, before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(b) The changes in law made by this Act apply to each well for which a person is required to file a bond, letter of credit, or cash deposit under Section 91.103, Natural Resources Code, on or after the effective date of this Act regardless of whether the person was required to file a bond, letter of credit, or cash deposit under that section for the well before the effective date of this Act.

Amendment No. 15 was withdrawn.

Amendment No. 16

Representative Anchia offered the following amendment to **CSHB 1818**:
Floor Packet Page No. 49

Amend **CSHB 1818** (house committee printing) by adding the following SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 81, Natural Resources Code, is amended by adding Section 81.010045 to read as follows:

Sec. 81.010045. CERTAIN POLITICAL CONTRIBUTIONS RESTRICTED. (a) In this section, "political committee" and "political contribution" have the meanings assigned by Section 251.001, Election Code.

(b) A commissioner may not knowingly accept a political contribution given or offered with the intention that it be used in connection with a campaign for or the holding of any elective office, including the office of commissioner, except during the period:

(1) beginning 19 months before the date of the next general election at which the commissioner's office is filled; and

(2) ending on the 30th day after the date of that election.

(c) A person other than a commissioner may not knowingly accept a political contribution given or offered with the intention that it be used in connection with a campaign for the office of commissioner, except:

(1) during the period:

(A) beginning 19 months before the date of the next general election at which any commissioner's office is filled; and

(B) ending on the 30th day after the date of that election; or

(2) during the period beginning on the date a vacancy in the office of commissioner occurs and ending on the date that vacancy is filled.

(d) A commissioner may not knowingly accept a political contribution, and shall refuse a political contribution that is received, from a party in a contested case before the commission or a political committee affiliated with such a party during the period:

(1) beginning on the date notice of the hearing in the contested case is given; and

(2) ending on:

(A) the 30th day after the date the decision in the contested case is rendered; or

(B) if a request for rehearing is filed:

(i) the date the request is denied; or

(ii) the 30th day after the date the decision after rehearing is rendered.

(e) A commissioner shall return a political contribution that is received and refused under Subsection (d) not later than the 30th day after the date the commissioner received the contribution.

(f) The commission shall adopt all rules necessary to implement Subsections (d) and (e), including rules that:

(1) direct the commission to maintain a list of the contested cases before the commission and the parties to each case in order to aid the commissioners in complying with those subsections; and

(2) ensure that each notice of a hearing in a contested case that is issued by the commission or a commissioner contains information about the political contributions prohibited under Subsection (d).

Amendment No. 16 was withdrawn.

Amendment No. 17

Representative Krause offered the following amendment to **CSHB 1818**:
Floor Packet Page No. 59

Amend **CSHB 1818** (house committee report) as follows:

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

SECTION _____. Section 81.068, Natural Resources Code, is amended to read as follows:

Sec. 81.068. PURPOSES OF OIL AND GAS REGULATION AND CLEANUP FUND. Money in the oil and gas regulation and cleanup fund may be used by the commission or its employees or agents for any purpose related to the regulation of oil and gas development, including oil and gas monitoring and inspections, oil and gas remediation, and oil and gas well plugging, the study and

evaluation of electronic access to geologic data and surface casing depths necessary to protect usable groundwater in this state, [~~alternative fuels programs under Section 81.0681,~~] the administration of pipeline safety and regulatory programs, public information and services related to those activities, and administrative costs and state benefits for personnel involved in those activities.

(2) On page 9, line 11, strike "Section 91.1135, Natural Resources Code, is" and substitute "Sections 81.0681 and 91.1135, Natural Resources Code, are".

Amendment No. 17 was adopted.

(Speaker in the chair)

PARLIAMENTARY INQUIRY

REPRESENTATIVE SCHAEFER: Can you tell me the status of an amendment that was prefiled number 850889?

SPEAKER STRAUS: Mr. Schaefer, that amendment was not germane.

SCHAEFER: Who decided that that amendment was not germane?

SPEAKER: The chair made that determination.

SCHAEFER: Was there a point of order called on that amendment?

SPEAKER: Mr. Schaefer, since 1913, it has been the practice of the chair to not lay out nongermane amendments.

SCHAEFER: Is that an amendment that was on a sunset bill?

SPEAKER: There have been situations of nongermane amendments on sunset bills and other bills.

SCHAEFER: Would that amendment fit under the broad germane rules under Rule 11, Section 2, when considering germaneness?

SPEAKER: No, sir.

SCHAEFER: It's a sunset bill, and so it would not pertain as to Rule 11, Section 2, "amendments pertaining to the organization, powers, regulation, and management of the agency, commission, or advisory committee"? Is this not a sunset bill?

SPEAKER: Mr. Schaefer, the amendment is not germane to the bill.

SCHAEFER: Under what germaneness standard was that decision made?

SPEAKER: Under the standards of Rule 11, Section 2, and the Texas Constitution.

SCHAEFER: Do we not have a broad standard under Rule 11, Section 2, dealing with bills relating to the Texas Sunset Act? Is that not a fair characterization?

SPEAKER: The chair agrees that Rule 11, Section 2, governs germaneness.

SCHAEFER: Was this an amendment that dealt—and the caption, dealing with the "intimate facilities owned, leased, or controlled by or otherwise under the authority of the Railroad Commission"—dealing with privacy and safety of people in those public offices? Dealing with "a reasonable expectation of privacy when using intimate facilities," is that the—

SPEAKER: Mr. Schaefer, I understand the parliamentarian, over the last several hours, has spent quite a bit of time visiting with you about this.

SCHAEFER: Last session, Representative González raised a point of order on an amendment, and the chair sustained that point of order on a bill relating to a local water district by Mr. Isaac. And you sustained that and said it was not germane. So when that happened, had the amendment been laid out before the body?

SPEAKER: Mr. Schaefer, I'm not sure that's a proper parliamentary inquiry. Would you like to bring that down front?

SCHAEFER: Has it been the practice also of the speaker to rule that certain amendments are not germane after they've been laid out before the body?

SPEAKER: Yes, Mr. Schaefer.

SCHAEFER: And today, Mr. Speaker, we did not do that, correct? Today, you did not allow the amendment to be laid before the body. Is that correct?

SPEAKER: Mr. Schaefer, when the chair has a chance to review amendments and determines they are not germane, we do not lay them out.

SCHAEFER: Is that what you did today, Mr. Speaker?

SPEAKER: That's correct.

SCHAEFER: Is there a standard that we can understand to know when the chair is going to allow a member to lay an amendment out and when they're not?

SPEAKER: Mr. Schaefer, anytime that the chair has a good opportunity to preview amendments in advance. We do not lay out nongermane amendments.

REPRESENTATIVE CAIN: I'd like to motion to consider amendment number 850884. It's packet page 58, requiring the commission to ensure that women are women on their birth certificate for purposes of historically underutilized—

SPEAKER: Mr. Cain, you are not recognized for that at this time.

REPRESENTATIVE STICKLAND: Earlier in a parliamentary inquiry with Mr. Schaefer, you said that the chair had ruled that his amendment was not germane. Is that correct?

SPEAKER: Would you repeat the question, please?

STICKLAND: Earlier in response to a parliamentary inquiry by Representative Schaefer, you made the comment that the chair had ruled that it was not germane. Is that true?

SPEAKER: The chair determined that it was not germane.

STICKLAND: The chair determined it was not germane, that is correct? Is that your position?

SPEAKER: That is correct.

STICKLAND: How many signatures does it take to challenge the ruling of the chair, to overturn it?

SPEAKER: There is no procedure for overturning the decision on not laying out a nongermane amendment.

STICKLAND: If a member disagrees with what the chair has ruled on, how do we challenge the ruling of the chair? Or is this membership completely beholden to your decision?

SPEAKER: Mr. Stickland, there's no method for challenging the ruling on germaneness. There is precedent.

STICKLAND: Did you say that there is precedent for—could you repeat that, please?

SPEAKER: There is precedent that we do not lay out nongermane amendments.

STICKLAND: I understand that.

SPEAKER: And the rules cannot be suspended to do so.

STICKLAND: I understand that, Mr. Speaker, but is it not true that it takes 10 signatures to challenge the ruling of a chair on any item so that the membership can then vote if they agree with you or not?

SPEAKER: Mr. Stickland, this is not a ruling of the chair.

STICKLAND: Mr. Speaker, did you not say that the chair had ruled that this amendment was not germane, and therefore it could not be laid out?

SPEAKER: The chair had determined.

STICKLAND: I'm sorry, so now it's determined?

SPEAKER: That's correct.

STICKLAND: Can we challenge your determination? Sir, would you recognize 10 signatures to challenge your ruling on germaneness on an issue today so that the membership has an opportunity to vote on it?

SPEAKER: This is not a ruling, Mr. Stickland.

STICKLAND: You will not recognize this membership the ability to challenge a decision that you made? You will not recognize us for that motion?

SPEAKER: I will not recognize you to challenge the determination of a nongermane amendment.

STICKLAND: Mr. Speaker, what do we have the right as members to do, if it does not include offering an amendment we feel is germane?

SPEAKER: You have the right to vote on this bill.

STICKLAND: We have the right to vote on this bill, but we do not have the right to put forth an amendment that you decided—that apparently is unchallengeable—can be dealt with?

SPEAKER: Mr. Stickland, I believe we've answered your question.

STICKLAND: You will not recognize anyone to bring forth a motion to challenge your decision on germaneness?

SPEAKER: Respectfully, Mr. Stickland, we've answered your question.

REMARKS ORDERED PRINTED

Representative Stickland moved to print remarks between Representative Schaefer and the speaker, between Representative Cain and the speaker, and between Representative Stickland and the speaker.

The motion prevailed.

CSHB 1818, as amended, was passed to engrossment. (Anchia, Hinojosa, Ortega, E. Rodriguez, and Uresti recorded voting no.)

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 377 ON SECOND READING
(by Oliverson, Cortez, Miller, Flynn, Arévalo, et al.)**

HB 377, A bill to be entitled An Act relating to the issuance of specialty license plates to surviving spouses of certain military veterans.

HB 377 was passed to engrossment by (Record 114): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Keough; Klick.

**HB 283 ON SECOND READING
(by Herrero, Hunter, Miller, Price, Cortez, et al.)**

HB 283, A bill to be entitled An Act relating to the creation of an open burn pit registry for certain service members and veterans.

HB 283 was passed to engrossment. (Biedermann, Cain, Lang, Rinaldi, Stickland, Swanson, and Zedler recorded voting no.)

**HB 1317 ON SECOND READING
(by K. King)**

HB 1317, A bill to be entitled An Act relating to the designation of U.S. Highway 287 in Claude as the Charles H. Roan Memorial Highway.

HB 1317 was passed to engrossment.

FIVE-DAY POSTING RULE SUSPENDED

Representative Coleman moved to suspend the five-day posting rule to allow the Committee on County Affairs to consider **HB 2482** at 10:30 a.m. or upon final adjournment/recess Thursday, March 30 in E2.026.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

County Affairs, 10:30 a.m. or upon final adjournment/recess Thursday, March 30, E2.026, for a public hearing, to consider **HB 2482** and the previously posted agenda.

Rules and Resolutions, during bill referral today, 1W.14, for a formal meeting, to set a calendar.

PROVIDING FOR ADJOURNMENT

At 1:28 p.m., Representative Hunter moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees and the receipt of messages from the senate, the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

(Sanford in the chair)

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Geren in the chair)

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

ADJOURNMENT

In accordance with a previous motion, the house, at 5:05 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 2701 (By Hinojosa), Relating to early voting by certain persons who are caretakers of persons with certain disabilities.

To Elections.

HB 2703 (By Muñoz), Relating to a temporary order appointing a receiver in a suit for dissolution of a marriage.

To Juvenile Justice and Family Issues.

HB 2704 (By Lozano), Relating to a study on the use of portable testing equipment to identify synthetic drugs.

To Homeland Security and Public Safety.

HB 2705 (By Lozano), Relating to alternative education loans and to the use of higher education private activity bonds by qualified alternative education loan lenders.

To Higher Education.

HB 2706 (By González), Relating to an adjustment under the public school finance system for optional homestead exemptions.

To Public Education.

HB 2707 (By White), Relating to the manner in which a bail bond or personal bond is forfeited.

To Criminal Jurisprudence.

HB 2708 (By Coleman), Relating to the use of deadly force in defense of a person or property.

To Criminal Jurisprudence.

HB 2709 (By Tinderholt), Relating to a study conducted by the Texas Education Agency on the financial costs of providing educational services to persons who are not lawfully present in the United States.

To State Affairs.

HB 2710 (By Hunter), Relating to the availability of dates of birth under the public information law.

To Government Transparency and Operation.

HB 2711 (By Muñoz), Relating to the relationship of noninstitutional providers of laboratory services with health benefit plan issuers.

To Insurance.

HB 2712 (By Uresti), Relating to a firearm buyback program administered by certain local law enforcement agencies.

To Homeland Security and Public Safety.

HB 2713 (By Alonzo), Relating to an audit by the comptroller of unpaid oil and gas royalties held in trust by the Railroad Commission of Texas.

To Energy Resources.

HB 2714 (By Bohac), Relating to the exemption from ad valorem taxation of leased motor vehicles that are not held primarily for the production of income by the lessee.

To Ways and Means.

HB 2715 (By Darby), Relating to the composition and use of money in the oil and gas regulation and cleanup fund.

To Energy Resources.

HB 2717 (By González), Relating to overtime pay for child protective services employees in the Department of Family and Protective Services.

To Human Services.

HB 2718 (By González), Relating to examination requirements for child protective services caseworkers.

To Human Services.

HB 2720 (By Shine), Relating to the location of a polling place.

To Elections.

HB 2721 (By Lucio), Relating to eligibility requirements for registration as an interior designer.

To Licensing and Administrative Procedures.

HB 2722 (By Phillips), Relating to early voting ballots for persons with an employment hardship;

To Elections.

HB 2723 (By Shine), Relating to the deadline to file a petition for redetermination of a tax deficiency determination made by the comptroller.

To Ways and Means.

HB 2724 (By Rose), Relating to community supervision in this state and the waiver or modification of certain fees, fines, and costs imposed on certain defendants; changing fees applicable to community supervision or a defendant's participation in certain programs.

To Criminal Jurisprudence.

HB 2725 (By González), Relating to the composition of the board of directors of a stormwater control and recapture planning authority in certain counties.

To County Affairs.

HB 2726 (By Holland), Relating to state banks, state bank holding companies, and branches of foreign banks.

To Investments and Financial Institutions.

HB 2728 (By Bohac), Relating to the evaluation of an application for a low income housing tax credit.

To Urban Affairs.

HB 2729 (By Lucio), Relating to an inventory of credentials and certificates that may be earned by a public high school student through a career and technology education program.

To Public Education.

HB 2730 (By Lucio), Relating to the authority of the commissioner of education to create career and technical credentials and certificates that may be earned through a career and technology education program and to a study to identify unmet needs in career and technology education programs.

To Public Education.

HB 2731 (By Lucio), Relating to state agency contracts with the United States Postal Service.

To Government Transparency and Operation.

HB 2733 (By Lucio), Relating to the authority of a towing company or booting company to remove and store or boot an unauthorized vehicle in a parking facility.

To Licensing and Administrative Procedures.

HB 2734 (By Reynolds), Relating to certain election practices and procedures.

To Elections.

HB 2735 (By Bohac), Relating to the carrying of a handgun by certain first responders and volunteer emergency services personnel; providing for a fee.

To Homeland Security and Public Safety.

HB 2737 (By Isaac), Relating to the creation of an additional judicial district composed of Hays County.

To Judiciary and Civil Jurisprudence.

HB 2738 (By Hernandez), Relating to the hours of instruction provided in barbering and cosmetology schools.

To Licensing and Administrative Procedures.

HB 2739 (By Hernandez), Relating to the regulation of barber schools, private beauty culture schools, and other facilities used to teach or perform the practice of barbering or cosmetology.

To Licensing and Administrative Procedures.

HB 2740 (By Paddie), Relating to the election of the board of directors of the Panola County Groundwater Conservation District.

To Natural Resources.

HB 2741 (By Deshotel), Relating to the operation of casino gaming in this state by licensed persons in certain areas of this state to provide additional money for residual windstorm insurance coverage in the coastal areas; requiring occupational licenses or certifications; authorizing fees; imposing a tax; creating criminal offenses and providing other penalties.

To Licensing and Administrative Procedures.

HB 2743 (By Zedler), Relating to the use of electronic prescriptions for the prescribing or dispensing of Schedule II controlled substances.

To Public Health.

HB 2744 (By Hernandez), Relating to the creation of the Channelview Improvement District; providing authority to issue bonds; providing authority to impose fees and taxes.

To Special Purpose Districts.

HB 2746 (By Zedler), Relating to the designation of a portion of State Highway 360 in Ellis and Tarrant Counties as the Senator Chris Harris Memorial Highway.

To Transportation.

HB 2747 (By Zedler), Relating to eligibility for and grounds for disciplinary action applicable to a license to practice medicine.

To Public Health.

HB 2749 (By Cortez), Relating to the composition of the Port Authority Advisory Committee.

To Transportation.

HB 3100 (By J. Johnson), Relating to the manner in which a majority is determined for the purpose of filling a vacancy in nomination.

To Elections.

HB 3252 (By S. Thompson), Relating to the use of public-private partnerships by certain transportation authorities.

To Transportation.

HB 3254 (By Phillips), Relating to the regulation of a motor carrier and the enforcement of motor carrier regulations; authorizing the imposition of a fee.

To Transportation.

HB 3255 (By Phillips), Relating to motor vehicle size and weight limitations, including the enforcement of those limitations; creating a criminal offense.

To Transportation.

HB 3256 (By Rose), Relating to the establishment by certain counties and hospital districts of disease control pilot programs to reduce the risk of certain infectious and communicable diseases; authorizing fees.

To Public Health.

HB 3257 (By Paddie), Relating to the regulation and inspection of boilers.

To Licensing and Administrative Procedures.

HB 3258 (By C. Anderson), Relating to applicability of certain county road administration laws to McLennan County.

To Transportation.

HB 3259 (By Shaheen), Relating to the enforcement of penalties imposed by a local authority using a photographic traffic signal enforcement system.

To Transportation.

HB 3260 (By Button), Relating to use of the governor's university research initiative fund to support the commercialization of property derived from research at or through public institutions of higher education.

To Higher Education.

HB 3261 (By Geren), Relating to the registration and regulation of appraisal management companies; authorizing fees; expanding the applicability of an occupational registration.

To Licensing and Administrative Procedures.

HB 3262 (By Ortega, Pickett, Moody, González, and Blanco), Relating to the authority to establish a customer assistance program for certain municipally owned utilities.

To State Affairs.

HB 3263 (By J. Rodriguez), Relating to the service retirement annuity for certain members of the Judicial Retirement System of Texas Plan Two who resume service.

To Pensions.

HB 3264 (By R. Anderson), Relating to ad valorem tax benefits for certain current and former first responders and their families.

To Ways and Means.

HB 3265 (By Howard), Relating to cemeteries.

To Culture, Recreation, and Tourism.

HB 3266 (By Coleman), Relating to the conduct that constitutes the practice of psychology.

To Public Health.

HB 3267 (By Lozano), Relating to participation in and contributions to the optional retirement program for certain employees of institutions of higher education.

To Higher Education.

HB 3268 (By Coleman), Relating to the licensing and practice of psychological associates.

To Higher Education.

HB 3269 (By Coleman), Relating to certain contraband searches conducted by the Texas Department of Criminal Justice.

To Corrections.

HB 3270 (By Bohac), Relating to criminal background checks for persons employed by certain public school contractors.

To Public Education.

HB 3272 (By Wray), Relating to the suspension, revocation, or cancellation of a driver's license or personal identification certificate and to certain conduct constituting contempt of court that may result in the suspension or denial of a driver's license.

To Transportation.

HB 3273 (By Roberts), Relating to the licensing and regulation of pharmacies, pharmacists, and pharmacy technicians.

To Public Health.

HB 3276 (By Oliverson), Relating to notice of health benefit plan provider network status provided by certain freestanding emergency medical care facilities.

To Insurance.

HB 3277 (By Guillen), Relating to the imposition of an administrative penalty for certain violations of the law regulating plumbing.

To Licensing and Administrative Procedures.

HB 3278 (By Schaefer), Relating to certain requirements for barber schools and private beauty culture schools.

To Licensing and Administrative Procedures.

HB 3279 (By Schaefer), Relating to eligibility requirements for the specialized telecommunications assistance program.

To State Affairs.

HB 3280 (By Hinojosa), Relating to an annual report submitted to the comptroller by a municipality that imposes certain hotel occupancy taxes.

To Ways and Means.

HB 3281 (By E. Rodriguez), Relating to the eligibility of certain municipalities to establish homestead preservation districts and reinvestment zones.

To Urban Affairs.

HB 3282 (By E. Rodriguez), Relating to municipal regulation of property of political subdivisions.

To Land and Resource Management.

HB 3283 (By Guillen), Relating to the designation of a portion of State Highway 16 in Duval County as the Al Dean Memorial Highway.

To Transportation.

HB 3284 (By Springer), Relating to the applicability of underground facility damage prevention and safety requirements to certain activities.

To Energy Resources.

HB 3285 (By J. Rodriguez), Relating to expenditures by the secretary of state on general election voter education programs.

To Elections.

HB 3286 (By Goldman), Relating to the regulation of amusement redemption machine game rooms in certain counties.

To Licensing and Administrative Procedures.

HB 3287 (By Goldman), Relating to the sale of beer and ale by the holders of Manufacturer's Licenses and Brewer's permits.

To Licensing and Administrative Procedures.

HB 3289 (By White), Relating to the procedures for certain technical violations of community supervision.

To Corrections.

HB 3290 (By Bailes), Relating to evaluation of public schools.

To Public Education.

HB 3291 (By Gooden), Relating to education employees uniform group health coverage.

To Pensions.

HB 3292 (By Klick), Relating to the temporary continuation of medical assistance for certain individuals with intellectual or developmental disabilities.

To Human Services.

HB 3293 (By Capriglione and Goldman), Relating to the voluntary certification of roofing companies by the Texas Department of Licensing and Regulation; authorizing fees.

To Licensing and Administrative Procedures.

HB 3294 (By Parker), Relating to the eligibility of certain NASCAR events to receive funding through the Major Events Reimbursement Program.

To Economic and Small Business Development.

HB 3295 (By Klick), Relating to the delivery of certain Medicaid services to persons with an intellectual or developmental disability.

To Human Services.

HB 3296 (By Klick), Relating to persons required to establish nursing peer review committees.

To Public Health.

HB 3298 (By Martinez), Relating to warning signs posted by certain food service establishments that prepare food items containing peanut products.

To Public Health.

HB 3299 (By Thierry), Relating to a franchise tax credit for entities that establish a grocery store or healthy corner store in a food desert.

To Ways and Means.

HB 3300 (By Martinez), Relating to cardiopulmonary resuscitation certification requirements for certain food service workers.

To Public Health.

HB 3442 (By Cook), Relating to the Fairfield Hospital District.
To County Affairs.

HB 3576 (By Guerra), Relating to the collection and release of information on the Zika virus and other high consequence communicable diseases for certain purposes.

To Public Health.

HB 3706 (By Lucio), Relating to certain alternative education programs designed to address workforce development needs for at risk students.

To Public Education.

HB 3876 (By Goldman), Relating to repealing training licenses for motor vehicle towing.

To Licensing and Administrative Procedures.

HB 4101 (By Lucio), Relating to a change of name and sex for certain persons and the issuance of associated vital records and documentation; authorizing a fee.

To State Affairs.

HR 1136 (By Herrero), Honoring Roger Valentine on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1137 (By Herrero), Honoring Andy Alaniz on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1138 (By Herrero), Honoring David Castro on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1139 (By Herrero), Honoring Jose Noe Mendez on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1140 (By Herrero), Honoring Ramiro L. Esquivel on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1141 (By Herrero), Honoring Dan McLaughlin on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1142 (By Herrero), Honoring Jesus M. Martinez on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1143 (By Herrero), Honoring Ram Chavez on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1144 (By Herrero), Honoring Robert Callejo on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1145 (By Herrero), Honoring Dennis A. Galloway on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1146 (By Herrero), Honoring Arnold P. Leal on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1147 (By Herrero), Honoring Richard Thomas Rinche on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1148 (By Herrero), Honoring Johnny R. Fernandez on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1149 (By Herrero), Honoring Ysrael Ramirez on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1150 (By Herrero), Honoring Tom Rendon on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1151 (By Herrero), Honoring Skyler J. E. Barker on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1152 (By Herrero), Honoring Jeremy A. Holmes on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

HR 1153 (By Herrero), Honoring Martin A. Longoria on the occasion of his recognition by Chapter 598 of the Military Order of the Purple Heart.

To Rules and Resolutions.

List No. 2

HB 1865 (By Krause and Guillen), Relating to the scheduling of the first and last days of school for students by school districts.

To Public Education.

HB 2716 (By Alonzo), Relating to a study by the Department of Agriculture of the transfer of water from the Mississippi River.

To Agriculture and Livestock.

HB 2719 (By Romero), Relating to the creation of a Texas conditional driver's permit, provisional Texas conditional driver's permit, and Texas conditional instruction permit; authorizing a fee.

To State Affairs.

HB 2727 (By Lucio), Relating to access to a residence or former residence to retrieve personal property, including access based on danger of family violence.

To Business and Industry.

HB 2736 (By Frullo), Relating to a succession plan for a regional public defender's office that primarily handles capital cases.

To Criminal Jurisprudence.

HB 2742 (By G. Bonnen), Relating to the right of members of the legislature, the lieutenant governor, committees of the legislature, and legislative agencies to access certain governmental information for legislative purposes; creating a criminal offense.

To General Investigating and Ethics.

HB 2750 (By Hinojosa), Relating to requiring a public employer to give notice to new employees of the ability of certain employees to participate in the Public Service Loan Forgiveness Program.

To Government Transparency and Operation.

HB 3064 (By Guillen), Relating to the dedication and maximization of returns on payments received by this state for economic losses sustained from the Deepwater Horizon oil spill.

To Appropriations.

HB 3086 (By Murphy), Relating to the Texas Economic Development Act.

To Ways and Means.

HB 3271 (By Shaheen), Relating to the right of certain public officers to access public information, documents, records, and property.

To General Investigating and Ethics.

HB 3274 (By Capriglione), Relating to the creation of a chief innovation and technology officer position in the office of the governor.

To Government Transparency and Operation.

HB 3275 (By Capriglione), Relating to the monitoring of major information resources projects by the Department of Information Resources.

To Government Transparency and Operation.

HB 3288 (By Klick), Relating to the reimbursement of prescription drugs under Medicaid and the child health plan program.

To Appropriations.

HB 3302 (By Gonzales), Relating to the sunset review process and certain governmental entities subject to that process.

To State Affairs.

HB 3711 (By Sheffield), Relating to prevention of and response to communicable diseases in certain long-term care facilities.

To Public Health.

HB 3954 (By Gonzales), Relating to the creation and operations of health care provider participation programs in certain counties.

To County Affairs.

SB 1 to Appropriations.

SIGNED BY THE SPEAKER

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

House List No. 8

HCR 66, HCR 69

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, March 28, 2017

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 16 Nichols

Relating to decreasing the fee for the issuance of an original or renewed license to carry a handgun.

SB 20 Taylor, Larry

Relating to health plan and health benefit plan coverage for abortions.

SB 594 Creighton

Relating to the procedure for the approval of rules adopted by the comptroller relating to the appraisal of qualified open-space land and qualified timber land for ad valorem tax purposes.

SB 629 Schwertner

Relating to liability for interest if land appraised for ad valorem tax purposes as agricultural or open-space land is sold or diverted to a different use.

SB 717 Taylor, Van

Relating to the reappraisal for ad valorem tax purposes of property damaged in a disaster.

SB 730 Bettencourt

Relating to the exemption from ad valorem taxation of income-producing tangible personal property having a value of less than a certain amount.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER

Austin, Texas
Tuesday, March 28, 2017 - 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:

SB 1 Nelson
General Appropriations Bill.

SB 27 Campbell
Relating to the mental health program for veterans.

SB 115 Huffines
Relating to the Internet broadcast of certain open meetings.

SB 492 West
Relating to procedures of a county tax assessor-collector for collection of dishonored checks and invoices; authorizing a fee.

SB 578 Lucio
Relating to the creation by the Health and Human Services Commission of a veteran suicide prevention action plan.

SB 945 Bettencourt
Relating to the authority of the chief appraiser of an appraisal district to correct an ad valorem tax appraisal roll.

SB 1033 Perry
Relating to authorization for the conveyance of certain real property from Texas Tech University to Texas Tech University Health Sciences Center.

SCR 32 Taylor, Larry
Urging Congress to provide sufficient federal funding for the construction of a storm surge barrier along the Texas coast.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 27

Criminal Jurisprudence - **HB 670, HB 682**

Defense and Veterans' Affairs - **HB 827**

Higher Education - **HB 1062**

House Administration - **HB 635**

Natural Resources - **HB 544**

Ways and Means - **HB 217, HB 455, HB 598, HB 1101, HB 1199, HB 1454, HB 1496, HB 1632**

ENROLLED

March 27 - HCR 66, HCR 69

RECOMMENDATIONS FILED WITH THE SPEAKER

March 27 - HB 1982, HB 2363, HB 2364, HB 2424