

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-EIGHTH DAY — TUESDAY, APRIL 11, 2017

The house met at 10:04 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 215).

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; 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, T.; Klick; 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; 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; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Keough; King, P.; Villalba.

Absent — Dukes; Price.

The speaker recognized Representative Hefner who introduced Dr. Tommy Oglesby, pastor, South Jefferson Baptist Church, Mount Pleasant, who offered the invocation as follows:

Dear heavenly Father, we lift our voice to you because there is none like you. You are creator of the universe, king of heaven, the Lord of glory, and the lover of all mankind. We thank you for your mercy and grace.

Today, we thank you for the privilege of living in this wonderful country and in this great state. We thank you for this body of great leaders of our state. My prayer today is that you will endue them with wisdom. You told us that all wisdom comes from you.

The issues discussed today and the decisions that are made and the millions of people affected place a heavy load on these elected servants of the people. So please grant them clarity of thought, integrity of character, unity of spirit, and purity of motive to fulfill the monumental task before them. May all be reminded that when the righteous rule, the people rejoice.

Father, please bless them, strengthen them, and please bless the people of the State of Texas. We ask these things in the name of Jesus Christ.

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

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 10:15 a.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

(Price now present)

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 10:15 a.m. today, 3W.15, for a formal meeting, to set a calendar.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today and the remainder of the week because of illness:

Keough on motion of Geren.

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

P. King on motion of Metcalf.

Villalba on motion of Gonzales.

CAPITOL PHYSICIAN

The speaker recognized Representative Bernal who presented Dr. Melissa Benavides of San Antonio as the "Doctor for the Day."

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

(Minjarez in the chair)

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 1316 (by Leach, Laubenberg, Sanford, Shaheen, and Holland), Commending U.S. Representative Sam Johnson for his leadership as a military officer and a legislator.

HR 1317 (by Romero), Commending Officer Don Shipp of the Fort Worth Police Department for his work with the Boys of Valor Club at Manuel Jara Elementary School.

HR 1345 (by Murr), Commending Phillip L. Montgomery on his service as president of the Justices of the Peace and Constables Association of Texas.

HR 1353 (by Romero), Commending Officer Juan M. Aguilar of the Fort Worth Police Department for his work with the Boys of Valor Club at Manuel Jara Elementary School.

HR 1354 (by Romero), Commending Sergeant Pablo Mendoza of the Fort Worth Police Department for his work with the Boys of Valor Club at Manuel Jara Elementary School.

HR 1357 (by Isaac), Recognizing April 11, 2017, as Texas Distiller Day at the State Capitol.

HR 1358 (by Cyrier), Recognizing April 11, 2017, as Texas STEM Powered by Aviation and Aerospace Day at the State Capitol.

HR 1364 (by Phelan), Commemorating the 20th anniversary of Inspire, Encourage, Achieve of Beaumont.

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.

CORRECTIONS IN REFERRAL

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

HR 662 - INTRODUCTION OF GUESTS

The chair recognized Representative Gonzales who introduced Assistant Chief Troy D. Evans and representatives of the Round Rock Police Department.

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 1345 - INTRODUCTION OF GUESTS

The chair recognized Representative Murr who introduced the Honorable Phillip L. Montgomery, members of his family, and representatives of the Justices of the Peace and Constables Association of Texas.

HR 1364 - PREVIOUSLY ADOPTED
(by Phelan)

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

HR 1364, Commemorating the 20th anniversary of Inspire, Encourage, Achieve of Beaumont.

INTRODUCTION OF GUESTS

The chair recognized Representative Deshotel who introduced representatives of Inspire, Encourage, Achieve of Beaumont.

(Geren in the chair)

HR 1316 - PREVIOUSLY ADOPTED
(by Leach, Laubenberg, Sanford, Shaheen, and Holland)

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

HR 1316, Commending U.S. Representative Sam Johnson for his leadership as a military officer and a legislator.

INTRODUCTION OF GUEST

The chair recognized Representative Leach who introduced the Honorable Sam Johnson, speaking as follows:

From time to time in this chamber during session, we get to come together and honor great Texans, great Americans. It's not very often that we have the opportunity to welcome to this chamber true American heroes. I can't think of anybody I know of who epitomizes what it means to be an American hero than Congressman Sam Johnson. Congressman, welcome back to your house; welcome home. The house resolution that was just read does a remarkable job of reminding each of us of your story and your historic, heroic sacrifice and service to our country and to this state and to North Texas, and so I won't repeat all of the details. If we spent time today going over everything you've done for this country, we'd be here all day. We'd be here longer than we were on budget night. But I do want to focus on a couple of things, and then I want to ask Speaker Craddick to come up and say a few words.

We all know of Congressman Johnson's service in this chamber and as a United States congressman for the third district of Texas. We all know of his service in the United States military. I do want to focus on something today. I just want to remind us that Sam flew combat missions in both the Korean and Vietnam Wars. After being shot down in North Vietnam and sustaining life-threatening injuries, Sam was held captive and endured nearly seven years as a prisoner of war in Hanoi. After being labeled a diehard by his captors for his fierce loyalty to America, Sam was forced into solitary confinement for over 42 months. He endured seemingly never-ending torture sessions, grueling isolation, and prolonged starvation. He was forced to wear leg stocks and leg irons for several years. One thing many of you may not know is that Sam was forced by the communist North Vietnamese to attend his own mock execution in front of a firing squad while blindfolded and bound.

Through all of this unimaginable torture, Sam kept his faith in God and knew in his heart that one day he would return home to his beloved Shirley and their three children and the country that he loved. Sam could have, during those seven years, members, ended it by renouncing this country and all that we stand for. He was told that this could all be over, perhaps he could even return home, by just saying that what America stood for was wrong and by giving in and compromising. He refused to do so. Congressman Johnson truly is the epitome of an American hero.

One thing I want to mention today in closing—last session when we did this, when we honored Congressman Johnson, his beloved wife, Shirley, was watching remotely. Today, since that time, Shirley has gone to be with Jesus. And Sam will tell you that Shirley and her strength and courage and her love for him and their family is really what got him through. And so Sam, I know today that Shirley joins us in honoring you. And one thing that I want to do today is make sure that we honor Shirley for her service and her sacrifice, because truly, behind every great man is an even greater woman. Congressman, I want to take this opportunity to invite the members to honor Shirley today for her service and sacrifice as well.

Congressman, again, it's an honor to welcome you back to your Texas House and to the Capitol. It's an honor to honor you today. And with that, I'd like to ask Speaker Craddick to come say a few words.

Representative Craddick addressed the house, speaking as follows:

Sam and I were deskmates. You've heard some of the things that happened to him, but you know these long nights we spend in the session, and sitting there visiting with him is something I'll never forget—him talking about when he was in prison and things you didn't hear him talk about every day. This man is a great American. He is what America is all about; I'll tell you that right now. We stayed close through the years. When my daughter, Christi, went up to work in Congress, Sam and Shirley oversaw Christi and took care of her and made sure she had everything she needed. They were a great couple. Sam's a great person.

I ran into Kevin Brady the other day, who many of you know, who served with us, and now he's the chairman of Ways and Means in Congress. They've named the Ways and Means room in the United States Congress for Sam, and I think that just goes to show what he's meant not only here but up there. He's a great friend, and it was wonderful sitting with him. It was great having someone like him in the Texas House. Sam, we thank you for your service to this country in more ways than one and your service to this state. Thanks, you're a great friend.

Representative Dutton addressed the house, speaking as follows:

When I came here in 1985, the class of the 69th Session, there were several of us at that time. I think there were about 32 of us, I believe; there are at least three of us left in this chamber. But one of the people that came in with us was Sam Johnson. We developed a relationship that still goes on. I want to join and

ask my colleagues who were here with me, John Smithee and Hugh Shine, who came a little bit after that, but Sam, we want to thank you for making the 69th class of the Texas Legislature the greatest class in the history of this state.

The chair recognized the Honorable Sam Johnson who briefly addressed the house, speaking as follows:

I just want to say that this legislature far surpasses the one in Washington, D.C. God bless you all. Thank you so much. I appreciate all of you. Hang in there.

REMARKS ORDERED PRINTED

Representative Leach moved to print all remarks on **HR 1316**.

The motion prevailed.

(Minjarez in the chair)

INTRODUCTION OF GUESTS

The chair recognized Representative Burns who introduced a delegation from Keene.

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.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Rules and Resolutions, upon adjournment today, 1W.14, for a formal meeting, to set a calendar.

(Speaker in the chair)

GENERAL STATE CALENDAR

HOUSE BILLS

SECOND READING

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

HB 1351 ON SECOND READING

(by Wray)

HB 1351, A bill to be entitled An Act relating to the prohibition of local motor fuel taxes on compressed natural gas and liquefied natural gas.

Representative Wray moved to postpone consideration of **HB 1351** until 10:30 a.m. Thursday, April 20.

The motion prevailed.

HB 280 ON SECOND READING

(by Howard, Klick, and Coleman)

HB 280, A bill to be entitled An Act relating to a grant program for reducing workplace violence against nurses.

HB 280 was passed to engrossment by (Record 216): 122 Yeas, 21 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.; Burns; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Burrows; Button; Cain; Craddick; Fallon; Hefner; Krause; Landgraf; Lang; Leach; Murr; Paul; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Keough; King, P.; Villalba.

Absent — Burkett; Dukes; Morrison.

STATEMENTS OF VOTE

When Record No. 216 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 216 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 216 was taken, I was shown voting yes. I intended to vote no.

Capriglione

When Record No. 216 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 216 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 216 was taken, I was shown voting yes. I intended to vote no.

Simmons

HB 322 ON SECOND READING
(by Canales, Miller, Wilson, Blanco, et al.)

HB 322, A bill to be entitled An Act relating to the automatic expunction of arrest records and files for certain veterans and the waiver of fees and costs charged for the expunction.

Amendment No. 1

Representative Moody offered the following amendment to **HB 322**:

Amend **HB 322** (house committee report) as follows:

(1) On page 4, line 5, strike "shall" and substitute "may, with the consent of the attorney representing the state,".

(2) On page 4, strike lines 12 through 21 and renumber subsequent SECTIONS of the bill accordingly.

(3) On page 5, line 22, strike "shall" and substitute "may, with the consent of the attorney representing the state,".

(4) On page 5, line 25, strike "shall" and substitute "may, with the consent of the attorney representing the state,".

(5) On page 5, line 26, between "information to" and "a district court", insert "enable".

(6) On page 6, line 20, strike "shall" and substitute "may, with the consent of the attorney representing the state,".

Amendment No. 1 was adopted.

HB 322, as amended, was passed to engrossment.

HB 257 ON SECOND READING
(by Hernandez, Flynn, Blanco, Bernal, and J. Rodriguez)

HB 257, A bill to be entitled An Act relating to a report by the Texas Workforce Commission regarding the transition from military service to employment.

HB 257 was passed to engrossment. (C. Anderson and Laubenberg recorded voting no.)

HB 2007 ON SECOND READING
(by Cospers, Oliverson, Cortez, Blanco, et al.)

HB 2007, A bill to be entitled An Act relating to the licensing and regulation of certain military dentists and dental hygienists who provide voluntary charity dental or dental hygiene care.

HB 2007 was passed to engrossment by (Record 217): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; 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.; 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, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; 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; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Keough; King, P.; Villalba.

Absent — Dean; Dukes; Klick; Moody.

STATEMENT OF VOTE

When Record No. 217 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

CSHB 1862 ON SECOND READING

(by Lucio)

CSHB 1862, A bill to be entitled An Act relating to the designation of certain river or stream segments as being of unique ecological value.

CSHB 1862 was passed to engrossment by (Record 218): 97 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Biedermann; Blanco; Bohac; Burns; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Farrar; Frank; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Miller; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bell; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Button; Cain; Capriglione; Craddick; Cyrier; Dale; Faircloth; Fallon; Flynn; Frullo; Goldman; Hefner; Holland; Klick; Krause; Landgraf; Lang; Laubenberg; Leach; Metcalf; Meyer; Murr; Parker; Paul; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Smithee; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; White; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Keough; King, P.; Villalba.

Absent — Dukes; Morrison.

STATEMENTS OF VOTE

When Record No. 218 was taken, I was shown voting yes. I intended to vote no.

Bohac

When Record No. 218 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

CSHB 281 ON SECOND READING

(by Howard, Guillen, Canales, Alvarado, and Stickland)

CSHB 281, A bill to be entitled An Act relating to establishing a statewide electronic tracking system for evidence of a sex offense.

Amendment No. 1

Representative Howard offered the following amendment to **CSHB 281**:

Amend **CSHB 281** (house committee report) as follows:

(1) On page 3, line 13, between "3." and "Not", insert "(a)".

(2) On page 3, between lines 17 and 18, insert the following:

(b) Section 420.034, Government Code, as added by this Act, applies only to evidence collected on or after the date on which a facility or entity is first required under Subsection (a) of this section to participate in the statewide electronic tracking system. Evidence collected before that date is not required to be tracked under the tracking system.

Amendment No. 1 was adopted.

CSHB 281, as amended, was passed to engrossment.

HB 486 ON SECOND READING

(by VanDeaver and Howard)

HB 486, A bill to be entitled An Act relating to school district ad valorem tax rates.

Representative VanDeaver moved to postpone consideration of **HB 486** until the end of today's second reading general state calendar.

The motion prevailed.

HB 1178 ON SECOND READING
(by Kuempel, Moody, Zerwas, Sheffield, and Holland)

HB 1178, A bill to be entitled An Act relating to the punishment for burglary and theft of controlled substances.

HB 1178 was passed to engrossment by (Record 219): 137 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Klick; 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; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Flynn; Israel; Stickland; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Keough; King, P.; Villalba.

Absent — Dukes; Walle.

HB 878 ON SECOND READING
(by K. King)

HB 878, A bill to be entitled An Act relating to the extension and modification of a public school district depository contract.

HB 878 was passed to engrossment.

HB 2005 ON SECOND READING
(by Larson)

HB 2005, A bill to be entitled An Act relating to the duty of the Texas Water Development Board to conduct studies of and prepare and submit reports on aquifer storage and recovery.

HB 2005 was passed to engrossment by (Record 220): 142 Yeas, 3 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; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; 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, T.; Klick; 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; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; Stickland; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Keough; King, P.; Villalba.

Absent — Dukes.

CSHB 271 ON SECOND READING

(by Miller, Zerwas, Sheffield, Blanco, et al.)

CSHB 271, A bill to be entitled An Act relating to the establishment of the Veterans Recovery Pilot Program to provide certain veterans with hyperbaric oxygen treatment.

CSHB 271 was passed to engrossment. (Laubenberg recorded voting no.)

POSTPONED BUSINESS

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

HB 486 ON SECOND READING

(by VanDeaver and Howard)

HB 486, A bill to be entitled An Act relating to school district ad valorem tax rates.

HB 486 was read second time earlier today and was postponed until this time.

HB 486 - POINT OF ORDER

Representative Leach raised a point of order against further consideration of **HB 486** under Rule 8, Section 1(b) of the House Rules on the grounds that the bill caption is inaccurate.

The point of order was withdrawn.

Representative VanDeaver moved to postpone consideration of **HB 486** until 10 a.m. tomorrow.

The motion prevailed.

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

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

(Turner in the chair)

ADJOURNMENT

Representative Moody moved that the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

The house accordingly, at 12:25 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

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

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.

List No. 2

HB 3467 (By Howard), Relating to a restriction on permits authorizing discharges of sewage effluent into any water in the contributing or recharge zone of the San Antonio or Barton Springs segment of the Edwards Aquifer.

To Natural Resources.

SB 1120 to Ways and Means.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

HB 1217 (By Parker), Relating to appointment of and performance of notarial acts by an electronic notary public; authorizing a fee and creating a criminal offense.

To Investments and Financial Institutions.

HB 2568 (By Pickett), Relating to the application of the motor vehicle emissions inspection and maintenance program to vehicles of certain model years.

To Environmental Regulation.

HB 2569 (By Pickett), Relating to a review of the motor vehicle emissions inspection and maintenance program.

To Environmental Regulation.

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

To Public Health.

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, April 11, 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 264 Perry

Relating to an application made by a county jailer or state correctional officer to obtain a license to carry a handgun.

SB 293 Hinojosa

Relating to the proof required to impose payment holds in certain cases of alleged fraud by Medicaid providers.

SB 499 West

Relating to the adoption of the Uniform Partition of Heirs' Property Act.

SB 509 Huffman

Relating to the evaluation and reporting of investment practices and performance of certain public retirement systems.

SB 564 Campbell

Relating to the applicability of open meetings requirements to certain meetings of a governing body relating to information technology security practices.

SB 626 Schwertner

Relating to the acquisition of certain real property in conjunction with the acquisition of real property for a public use through eminent domain procedures.

SB 628 Schwertner

Relating to establishing actual progress for the purposes of determining the right to repurchase real property from a condemning entity.

SB 669 Nelson

Relating to the system for protesting or appealing certain ad valorem tax determinations; authorizing a fee.

SB 750 Birdwell

Relating to restrictions on holders of package store permits.

SB 944 Hughes

Relating to the adoption of the Uniform Foreign-Country Money Judgments Recognition Act.

SB 951 Hancock

Relating to the regulation of the manufacture and sale of wine and certain related activities; authorizing a fee.

SB 968 Watson

Relating to requiring certain public and private institutions of higher education to provide students and employees an option to electronically report certain offenses to the institution.

SB 969 Watson

Relating to requiring certain public and private institutions of higher education to provide amnesty to students who report incidents of sexual assault.

SB 1081 Burton

Relating to the administration of prophylaxis to prevent ophthalmia neonatorum.

SB 1090 Lucio

Relating to the unlawful restraint of a dog; creating an offense.

SB 1176 Campbell

Relating to the creation of a water park permit in the Alcoholic Beverage Code; authorizing a fee.

SB 1390 Hinojosa

Relating to taxes and fees imposed on cigarettes and other tobacco products, including an exemption to the cigarette tax, related administrative matters, and the elements of certain related offenses.

SB 1524 Nichols

Relating to the movement of certain vehicles transporting an intermodal shipping container; authorizing a fee; creating an offense.

SB 1576 Perry

Relating to the civil commitment of sexually violent predators, the operation of the Texas Civil Commitment Office, and certain related offenses; increasing a criminal penalty.

SCR 26 Estes

Urging Congress to review federal regulations on the oil and gas industry.

SCR 48 Kolkhorst

Recognizing the Washington County Chamber of Commerce for 100 years of service to the community.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 10

Corrections - **HB 1041**

County Affairs - **HB 1894**

Culture, Recreation, and Tourism - **HB 1724, HB 1771, HB 1988**

Environmental Regulation - **HB 1584, HB 2321**

General Investigating and Ethics - **HB 500**

Government Transparency and Operation - **HB 1861**

Human Services - **HB 1620**

Investments and Financial Services - **HB 471, HB 1701, HB 2647**

Licensing and Administrative Procedures - **HB 47, HB 133, HB 442, HB 1247, HB 1555, HB 1698, HB 2019, HB 2097, HB 2113, HB 2275, HB 2953**

Special Purpose Districts - **HB 967, HB 1455**

Urban Affairs - **HB 2477**

Ways and Means - **HB 926, HB 1300, HB 1449, HB 1896, HB 2126, HB 2253, HB 2281, HB 2690, HB 2989, HB 2999**