

# HOUSE JOURNAL

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EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

FIFTY-EIGHTH DAY — THURSDAY, APRIL 27, 2017

The house met at 1:59 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 493).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.(C); Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; 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; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; 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, Committee Meeting — Longoria.

Absent — Dukes.

### LEAVES OF ABSENCE GRANTED

On motion of Representative S. Thompson and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

### RULES SUSPENDED

Representative S. Thompson moved to suspend all necessary rules to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed.

### **MOTION FOR ONE RECORD VOTE**

On motion of Representative Kacal and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

#### **LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING**

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following the bill number).

(Record 494): 144 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; 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; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; 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.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Longoria.

Absent — Dukes; Stickland.

#### **STATEMENTS OF VOTE**

When Record No. 494 was taken, I was shown voting present, not voting. I intended to vote yes.

Phillips

When Record No. 494 was taken, my vote failed to register. I would have voted yes.

Stickland

**HB 91**

**HB 216**

**HB 418**

**SB 988**

**HB 922** (Cain and Stickland - no) (143 - 1 - 3)

**HB 1106** (Cain and Stickland - no) (143 - 1 - 3)

**HB 1162**

**HB 1170**

**HB 1439** (Schaefer - no) (143 - 1 - 3)

**HB 1445** (Cain, Schaefer, and Stickland - no) (142 - 2 - 3)

**HB 1448** (Cain, Schaefer, and Stickland - no) (142 - 2 - 3)

**HB 1455** (Cain, Rinaldi, Schaefer, and Stickland - no) (141 - 3 - 3)

**HB 1468** (Cain, Rinaldi, Stickland, and Tinderholt - no) (141 - 3 - 3)

**HB 1481**

**HB 1560** (Schaefer - no) (143 - 1 - 3)

**HB 1625** (Schaefer - no) (143 - 1 - 3)

**HB 1646** (Schaefer - no) (143 - 1 - 3)

**HB 1648** (Cain, Stickland, and Tinderholt - no) (142 - 2 - 3)

**HB 1664** (Cain, Schaefer, and Stickland - no) (142 - 2 - 3)

**HB 1691**

**HB 1727**

**HB 1779** (Wilson - no) (143 - 1 - 3) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 1790**

**HB 1791** (Schaefer requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 1814**

**HB 1921** (Cain, Stickland, and Tinderholt - no) (142 - 2 - 3)

**HB 1954**

**HB 1956** (Rinaldi, Schaefer, and Tinderholt - no) (141 - 3 - 3)

**HB 1962** (Cain, Rinaldi, Schaefer, and Stickland - no) (141 - 3 - 3)

**HB 1963** (Cain, Rinaldi, Schaefer, and Stickland - no) (141 - 3 - 3)

**HB 1975**

**HB 1989**

**HB 1990** (Tinderholt - no) (143 - 1 - 3)

**HB 1995**

**HB 2048**

**HB 2134** (Cain, Rinaldi, Schaefer, and Stickland - no) (141 - 3 - 3)

**HB 2215** (Tinderholt - no) (143 - 1 - 3)

**HB 2216** (Tinderholt - no) (143 - 1 - 3)

**HB 2220** (Cain, Schaefer, and Stickland - no) (142 - 2 - 3)

**HB 2239**

**HB 2271**

**HB 2279**

**HB 2326** (Rinaldi, Schaefer, and Wilson - no) (141 - 3 - 3)

**HB 2366**

**HB 2460**

**HB 2546**

**HB 2562** (Schaefer and Wilson - no) (142 - 2 - 3) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 2580** (Rinaldi - no) (143 - 1 - 3)

**HB 2588** (Cain, Stickland, and Tinderholt - no) (142 - 2 - 3) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 2590**

**HB 2698**

**HB 2726**

**HB 2891** (Cain and Stickland - no) (143 - 1 - 3)

**HB 2936** (Cain, Stickland, and Tinderholt - no) (142 - 2 - 3)

**HB 2949** (Schaefer - no) (143 - 1 - 3)

**HB 2968**

**HB 2995** (Cain, Rinaldi, Schaefer, and Stickland - no) (141 - 3 - 3)

**HB 3055** (Schaefer and Tinderholt - no) (142 - 2 - 3)

**HB 3090** (Cain, Stickland, and Wilson - no) (142 - 2 - 3) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 3101** (Tinderholt - no) (143 - 1 - 3)

**HB 3157**

**HB 3277** (Phillips, Rinaldi, and Schaefer - no) (142 - 3 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 3283**

**HB 3286**

**HB 3338**

**HB 3358**

**HB 3398** (Rinaldi - no) (143 - 1 - 3)

**HB 3402**

**HB 3536**

**HB 3557**

**HB 3594**

**HB 3618**

**HB 3647**

**HB 3954** (Cain, Rinaldi, Schaefer, and Stickland - no) (141 - 3 - 3)

**HB 3964**

**HB 4042**

**HB 926** (Cain, Hefner, Lang, Rinaldi, Schaefer, Stickland, and Tinderholt - no) (138 - 6 - 3) (Simmons and Springer requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 2675**

**HB 2792** (Cain, Phillips, Rinaldi, Schaefer, Stickland, Tinderholt, and Wilson - no) (139 - 6 - 2)

(Speaker in the chair)

#### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Pickett requested permission for the Committee on Environmental Regulation to meet while the house is in session, at 2:20 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Environmental Regulation, 2:20 p.m. today, 3W.9, for a formal meeting, to consider pending business.

**EMERGENCY CALENDAR  
SENATE BILLS  
THIRD READING**

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

**SB 4 ON THIRD READING  
(Geren, Workman, et al. - House Sponsors)**

**SB 4**, A bill to be entitled An Act relating to the enforcement by campus police departments and certain local governmental entities of state and federal laws governing immigration and to related duties and liability of certain persons in the criminal justice system; providing a civil penalty; creating a criminal offense.

**Amendment No. 1**

Representative Alonzo offered the following amendment to **SB 4**:

Amend **SB 4** (on third reading) of the bill as follows:

(1) On page 13, line 17, strike "SEVERABILITY AND" and substitute "SEVERABILITY, TRANSITION, AND".

(2) On page 13, between line 25 and 26, add the following appropriately numbered section to the article and renumber subsequent sections of the article accordingly:

SECTION 7.\_\_\_\_. A local entity, campus police department, or any other person subject to a provision of this Act is not required to comply with that provision until the United States Supreme Court has issued a court opinion upholding that provision under the Texas constitution or United States constitution.

Representative Geren moved to table Amendment No. 1.

The motion to table prevailed by (Record 495): 97 Yeas, 50 Nays, 1 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; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; Gooden; Hefner; Herrero; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; González; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Martinez; Minjarez; Moody;

Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Longoria.

Absent — Dukes.

### STATEMENTS OF VOTE

When Record No. 495 was taken, I was shown voting yes. I intended to vote no.

Giddings

When Record No. 495 was taken, I was shown voting yes. I intended to vote no.

Herrero

**SB 4** was passed by (Record 496): 94 Yeas, 53 Nays, 1 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Longoria.

Absent — Dukes.

### REMARKS ORDERED PRINTED

Representative Romero moved to print all remarks on **SB 4**.

The motion prevailed. [Please refer to the supplement to the Day 57 journal for the text of the closing remarks on **SB 4**.]

### COMMITTEE GRANTED PERMISSION TO MEET

Representative Alvarado requested permission for the Committee on Urban Affairs to meet while the house is in session, at 3:10 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Urban Affairs, 3:10 p.m. today, 1W.14, for a formal meeting, to consider pending business.

### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

#### HB 657 ON THIRD READING (by Bernal, Guillen, and Burns)

**HB 657**, A bill to be entitled An Act relating to procedures for a student enrolled in a special education program who fails to perform satisfactorily on certain assessment instruments.

**HB 657** was passed by (Record 497): 130 Yeas, 14 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; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; 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; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stucky; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Hunter; Klick; Krause; Lang; Leach; Paul; Sanford; Schaefer; Stickland; Swanson; Thompson, E.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Longoria.

Absent — Dukes; Gonzales; Lozano; Stephenson.



### FIVE-DAY POSTING RULE SUSPENDED

Representative Moody moved to suspend the five-day posting rule to allow the Committee on Criminal Jurisprudence to consider **HB 2049**, **HB 2724**, **HB 2911**, **HB 3147**, and **HB 3773** at 2 p.m. or upon final adjournment/recess Monday, May 1 in E2.014.

The motion prevailed.

### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Criminal Jurisprudence, 2 p.m. or upon final adjournment/recess Monday, May 1, E2.014, for a public hearing, to consider **HB 2049**, **HB 2724**, **HB 2911**, **HB 3147**, and **HB 3773**.

### LEAVE OF ABSENCE GRANTED

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

Gonzales on motion of Frank.

### HB 2571 ON THIRD READING

(by Gutierrez, Flynn, Lozano, Blanco, Clardy, et al.)

**HB 2571**, A bill to be entitled An Act relating to the establishment of a trauma affected veterans clinical care and research center at The University of Texas Health Science Center at San Antonio.

**HB 2571** was passed by (Record 498): 132 Yeas, 11 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; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; 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.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; 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; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Fallon; Keough; Lang; Rinaldi; Schaefer; Springer; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gonzales.

Absent, Excused, Committee Meeting — Longoria.

Absent — Dukes; Farrar; Lozano; Stephenson.

**ADDRESS BY REPRESENTATIVE GUTIERREZ  
ON A MATTER OF PERSONAL PRIVILEGE**

The chair recognized Representative Gutierrez who addressed the house on a matter of personal privilege.

**HB 1861 ON THIRD READING  
(by Elkins)**

**HB 1861**, A bill to be entitled An Act relating to the confidentiality of certain information related to a computer security incident.

**HB 1861** was passed by (Record 499): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; 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; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; 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 — Gonzales.

Absent, Excused, Committee Meeting — Longoria.

Absent — Ashby; Dukes; Giddings.

**STATEMENTS OF VOTE**

When Record No. 499 was taken, I was in the house but away from my desk. I would have voted yes.

Ashby

When Record No. 499 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

### **POSTPONED BUSINESS**

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

#### **HB 1351 ON SECOND READING (by Wray and Fallon)**

**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.

**HB 1351** was read second time on April 11, postponed until April 20, and was again postponed until 10:30 a.m. today.

Representative Wray moved to postpone consideration of **HB 1351** until 3:20 p.m. today.

The motion prevailed.

### **GENERAL STATE CALENDAR HOUSE BILLS SECOND READING**

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

#### **HB 1101 ON SECOND READING (by Pickett and Guillen)**

**HB 1101**, A bill to be entitled An Act relating to the authority of the chief appraiser of an appraisal district to require a person to file a new application to confirm the person's current qualification for the exemption from ad valorem taxation of the total appraised value of the residence homestead of a 100 percent disabled veteran.

**HB 1101** was passed to engrossment.

#### **CSHB 1003 ON SECOND READING (by Capriglione and Parker)**

**CSHB 1003**, A bill to be entitled An Act relating to investment of public funds.

#### **Amendment No. 1**

Representative Capriglione offered the following amendment to **CSHB 1003**:

Amend **CSHB 1003** (house committee printing) as follows:

(1) On page 4, line 3, strike "2256.016(b), (f), and (h)," and substitute "2256.016(b) and (f)."

(2) On page 5, line 14, strike "pool created to function as a money market mutual fund" and substitute "pool that uses amortized cost or fair value accounting [~~created to function as a money market mutual fund~~]."

(3) On page 5, line 16, strike "\$1 net asset value" and substitute "\$1.00 [~~\$1~~] net asset value, when rounded and expressed to two decimal places".

(4) On page 5, lines 25 and 26, strike "pool created to function as a money market mutual fund" and substitute "pool that uses amortized cost [~~created to function as a money market mutual fund~~]".

(5) On page 6, strike lines 3 through 15.

(6) On page 7, strike lines 18 through 24 and substitute the following:

(e) An eligible entity may pledge as security for and to the payment of a security, credit, or insurance agreement related to a hedging contract any revenue the entity is authorized by law or an agreement to pledge to the payment of any other obligation.

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

SECTION \_\_\_\_\_. Section 2256.004(a), Government Code, is amended to read as follows:

(a) This subchapter does not apply to:

(1) a public retirement system as defined by Section 802.001;

(2) state funds invested as authorized by Section 404.024;

(3) an institution of higher education having total endowments of at least \$150 [~~\$95~~] million in book value on September 1, 2017 [~~May 1, 1995~~];

(4) funds invested by the Veterans' Land Board as authorized by Chapter 161, 162, or 164, Natural Resources Code;

(5) registry funds deposited with the county or district clerk under Chapter 117, Local Government Code; or

(6) a deferred compensation plan that qualifies under either Section 401(k) or 457 of the Internal Revenue Code of 1986 (26 U.S.C. Section 1 et seq.), as amended.

(8) Renumber the SECTIONS of the bill appropriately.

Amendment No. 1 was adopted.

**CSHB 1003**, as amended, was passed to engrossment.

### **LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Urban Affairs:

Alvarado on motion of Paul.

Bernal on motion of Paul.

Elkins on motion of Paul.

Isaac on motion of Paul.

J. Johnson on motion of Paul.

Leach on motion of Paul.

Zedler on motion of Paul.

**CSHB 2387 ON SECOND READING**  
**(by Herrero)**

**CSHB 2387**, A bill to be entitled An Act relating to disclosure and use of certain information regarding the Crime Victims' Compensation Act.

Representative Herrero moved to postpone consideration of **CSHB 2387** until 12 p.m. Monday, May 1.

The motion prevailed.

**HB 2611 ON SECOND READING**  
**(by VanDeaver and Huberty)**

**HB 2611**, A bill to be entitled An Act relating to broker agreements for the sale of real property by school districts.

**HB 2611** was passed to engrossment. (Holland, Israel, and E. Rodriguez recorded voting present, not voting.)

**HB 3722 ON SECOND READING**  
**(by K. King and Faircloth)**

**HB 3722**, A bill to be entitled An Act relating to funding adjustments for school districts that annex unacceptable school districts.

**Amendment No. 1**

Representative Huberty offered the following amendment to **HB 3722**:

Amend **HB 3722** (house committee report) as follows:

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

SECTION \_\_\_\_\_. Section 41.002(g), Education Code, is amended to read as follows:

(g) The wealth per student that a district may have under Subsection (e) is adjusted as follows:

$$AWPS = WPS \times (((EWL/280,000 - 1) \times DTR/1.17[\underline{1.5}] + 1)$$

where:

"AWPS" is the district's wealth per student;

"WPS" is the district's wealth per student determined under Subsection (e);

"EWL" is the equalized wealth level; and

"DTR" is the district's adopted maintenance and operations tax rate for the current school year.

(2) On page 2, line 8, strike "This Act" and substitute "Section 13.054, Education Code, as amended by this Act,".

Amendment No. 1 was adopted.

**HB 3722**, as amended, was passed to engrossment.

**HB 2059 ON SECOND READING**  
**(by Phillips and Canales)**

**HB 2059**, A bill to be entitled An Act relating to the expunction of certain convictions or arrests of a minor for certain alcohol-related offenses.

**HB 2059** was passed to engrossment.

**CSHB 578 ON SECOND READING**  
**(by Turner)**

**CSHB 578**, A bill to be entitled An Act relating to certain leave policies for state employees.

**Amendment No. 1**

Representative Turner offered the following amendment to **CSHB 578**:

Amend **CSHB 578** (house committee report) as follows:

(1) On page 2, strike lines 4-5 and substitute the following:  
deduction in salary to a state employee who is:

(1) the subject of an investigation being conducted by the agency; or  
(2) a victim of, or witness to, an act or event that is the subject of an investigation being conducted by the agency.

(2) On page 2, line 10, strike "comptroller" and substitute "state auditor's office".

(3) On page 2, strike line 12 and substitute the following:  
agency employee described by Subsection (a)(1) who has been granted 168 hours  
or

Amendment No. 1 was adopted.

**CSHB 578**, as amended, was passed to engrossment.

**HB 2378 ON SECOND READING**  
**(by Larson)**

**HB 2378**, A bill to be entitled An Act relating to extensions of an expired permit for the transfer of groundwater from a groundwater conservation district.

**HB 2378** was passed to engrossment.

**HB 279 ON SECOND READING**  
**(by Howard, Alvarado, Minjarez, S. Davis, and Blanco)**

**HB 279**, A bill to be entitled An Act relating to the continuation of the women's health advisory committee.

**HB 279** was passed to engrossment by (Record 500): 80 Yeas, 57 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Arévalo; Ashby; Bailes; Blanco; Bohac; Burkett; Canales; Clardy; Coleman; Collier; Cook; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Larson; Lucio; Martinez; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bell; Biedermann; Bonnen, G.; Burns; Burrows; Button; Cain; Capriglione; Cospers; Craddick; Cyrier; Dale; Dean; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Hefner; Holland; Hunter; Keough; King, P.; Klick; Krause; Landgraf; Lang; Laubenberg; Lozano; Metcalf; Meyer; Miller; Morrison; Murr; Paul; Phillips; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Wilson; Workman.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gonzales.

Absent, Excused, Committee Meeting — Alvarado; Bernal; Elkins; Isaac; Johnson, J.; Leach; Longoria; Zedler.

Absent — Bonnen, D.; Dukes; Shine.

#### **STATEMENT OF VOTE**

When Record No. 500 was taken, I was shown voting yes. I intended to vote no.

Parker

#### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 3:30 p.m. today, in 1W.14, to set a calendar.

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, 3:30 p.m. today, 1W.14, for a formal meeting, to set a calendar.

#### **POSTPONED BUSINESS**

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

#### **SB 1120 ON SECOND READING**

**(Wray - House Sponsor)**

**SB 1120**, A bill to be entitled An Act relating to the prohibition of local motor fuel taxes on compressed natural gas and liquefied natural gas.

**SB 1120** was considered in lieu of **HB 1351**.

**SB 1120** was read second time and was passed to third reading.

#### **HB 1351 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Wray moved to lay **HB 1351** on the table subject to call.

The motion prevailed.

**GENERAL STATE CALENDAR**  
**(consideration continued)**  
**HB 1266 ON SECOND READING**  
**(by Geren)**

**HB 1266**, A bill to be entitled An Act relating to notice for hearings and trial settings in criminal cases.

**HB 1266** was passed to engrossment.

**HB 743 ON SECOND READING**  
**(by Farrar, Bernal, González, and Allen)**

**HB 743**, A bill to be entitled An Act relating to social work services in public schools.

(Goldman in the chair)

**Amendment No. 1**

Representatives Tinderholt, Cain, and Biedermann offered the following amendment to **HB 743**:

Amend **HB 743** (house committee printing) on page 1, line 10, between "relationships," and "and assist", by inserting "protect expectations of privacy in intimate facilities,".

Amendment No. 1 was withdrawn.

**LEAVES OF ABSENCE GRANTED**

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Calendars:

Alonzo on motion of Gooden.

Ashby on motion of Gooden.

Cook on motion of Gooden.

S. Davis on motion of Gooden.

Geren on motion of Gooden.

Giddings on motion of Gooden.

Howard on motion of Gooden.

Hunter on motion of Gooden.

Kacal on motion of Gooden.

K. King on motion of Gooden.

Koop on motion of Gooden.

Nevárez on motion of Gooden.

Paddie on motion of Gooden.



Phelan on motion of Gooden.

Rose on motion of Gooden.

**HB 743 - (consideration continued)**

**HB 743** failed to pass to engrossment by (Record 501): 55 Yeas, 66 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Arévalo; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Darby; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Huberty; Israel; Johnson, E.; King, T.; Lambert; Larson; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Oliveira; Ortega; Perez; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Sheffield; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Cospier; Craddick; Cyrier; Dale; Dean; Faircloth; Fallon; Flynn; Frullo; Hefner; Holland; Keough; King, P.; Klick; Krause; Kuempel; Landgraf; Lang; Laubenberg; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phillips; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; White; Wilson; Workman; Wray.

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

Absent, Excused — Gonzales.

Absent, Excused, Committee Meeting — Alonzo; Alvarado; Ashby; Bernal; Cook; Davis, S.; Elkins; Geren; Giddings; Howard; Hunter; Isaac; Johnson, J.; Kacal; King, K.; Koop; Leach; Longoria; Nevárez; Paddie; Phelan; Rose; Zedler.

Absent — Dukes; Frank; Villalba.

**STATEMENTS OF VOTE**

When Record No. 501 was taken, I was shown voting no. I intended to vote yes.

Roberts

When Record No. 501 was taken, I was in the house but away from my desk. I would have voted no.

Villalba

**HB 1424 ON SECOND READING  
(by Murphy and Workman)**

**HB 1424**, A bill to be entitled An Act relating to the operation of an unmanned aircraft over certain facilities or sports venues; creating a criminal offense.

**Amendment No. 1**

Representative Murphy offered the following amendment to **HB 1424**:

Amend **HB 1424** (house committee printing) as follows:

(1) On page 4, lines 9-11, strike "operator is authorized by the Federal Aviation Administration to conduct operations over that airspace" and substitute the following:

operation is conducted in compliance with:

(i) each applicable Federal Aviation Administration rule, restriction, or exemption; and

(ii) all required Federal Aviation Administration authorizations

(2) On page 6, lines 3-5, strike "operator is authorized by the Federal Aviation Administration to conduct operations over the airspace" and substitute the following:

operation is conducted in compliance with:

(A) each applicable Federal Aviation Administration rule, restriction, or exemption; and

(B) all required Federal Aviation Administration authorizations

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Murphy offered the following amendment to **HB 1424**:

Amend **HB 1424** (house committee printing) as follows:

(1) On page 1, line 17, strike "; or" and substitute ";\u00bd".

(2) On page 1, line 19, between "Prisons" and the underlined period, insert the following:

;\u00bd

(D) a secure correctional facility or secure detention facility, as defined by Section 51.02, Family Code

Amendment No. 2 was adopted.

**HB 1424**, as amended, was passed to engrossment by (Record 502): 120 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dutton; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Israel; Johnson, E.; Keough; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine;

Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Cain; Stickland.

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

Absent, Excused — Gonzales.

Absent, Excused, Committee Meeting — Alonzo; Alvarado; Ashby; Bernal; Cook; Davis, S.; Elkins; Geren; Giddings; Howard; Hunter; Isaac; Johnson, J.; Kacal; King, K.; Koop; Leach; Longoria; Nevárez; Paddie; Phelan; Rose; Zedler.

Absent — Dukes; White.

### STATEMENT OF VOTE

When Record No. 502 was taken, I was in the house but away from my desk. I would have voted yes.

White

### HB 1284 ON SECOND READING

(by S. Thompson)

**HB 1284**, A bill to be entitled An Act relating to the licensing and regulation of a journeyman lineman.

(Alvarado, Bernal, Elkins, Isaac, J. Johnson, Leach, and Zedler now present)

**HB 1284** was passed to engrossment. (Hunter recorded voting no.)

### HB 1655 ON SECOND READING

(by P. King)

**HB 1655**, A bill to be entitled An Act relating to the reporting of certain offenses committed by members of the Texas military forces.

**HB 1655** was passed to engrossment.

### CSHB 1469 ON SECOND READING

(by Bailes)

**CSHB 1469**, A bill to be entitled An Act relating to qualifications for certain teachers employed by certain open-enrollment charter schools.

### Amendment No. 1

Representative Schaefer offered the following amendment to **CSHB 1469**:

Amend **CSHB 1469** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 12.129, Education Code, is amended to read as follows:

Sec. 12.129. MINIMUM QUALIFICATIONS FOR PRINCIPALS AND TEACHERS. (a) Except as provided by Subsection (b), a [A] person employed as a principal or a teacher by an open-enrollment charter school must hold a baccalaureate degree.

(b) A person may be employed as a teacher for a noncore academic career and technical education course without holding a baccalaureate degree if the person has:

(1) demonstrated subject matter expertise related to the subject taught, such as professional work experience, formal training and education, holding a relevant active professional industry license, certification, or registration, or any combination of work experience, training and education, and industry license, certification, or registration; and

(2) received at least 20 hours of classroom management training, as determined by the governing body of the open-enrollment charter school.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Amendment No. 1 was withdrawn.

**CSHB 1469** was passed to engrossment.

### **HB 1704 ON SECOND READING**

**(by Kuempel)**

**HB 1704**, A bill to be entitled An Act relating to the award of court costs and attorney's fees in actions to determine the applicability of certain local government regulations.

**HB 1704** was passed to engrossment.

### **LEAVE OF ABSENCE GRANTED**

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

Kuempel on motion of Frullo.

### **HB 2413 ON SECOND READING**

**(by Burkett)**

**HB 2413**, A bill to be entitled An Act relating to certain identifying information regarding career school or college students.

**HB 2413** was passed to engrossment by (Record 503): 121 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; King, P.; King, T.; Klick; Krause; Lambert; Landgraf; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Parker; Paul; Perez;

Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Cain; Lang; Rinaldi; Stickland; Wilson.

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

Absent, Excused — Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Alonzo; Ashby; Cook; Davis, S.; Geren; Giddings; Howard; Hunter; Kacal; King, K.; Koop; Longoria; Nevárez; Paddie; Phelan; Rose.

Absent — Dukes; Keough; Schaefer.

### STATEMENTS OF VOTE

When Record No. 503 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 503 was taken, I was shown voting yes. I intended to vote no.

Krause

When Record No. 503 was taken, I was shown voting yes. I intended to vote no.

Swanson

### CSHB 2332 ON SECOND READING

(by E. Thompson)

**CSHB 2332**, A bill to be entitled An Act relating to the creation of the Brazoria County Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**CSHB 2332** was passed to engrossment by (Record 504): 116 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, P.; King, T.; Klick; Lambert; Landgraf; Lang; Larson; Laubenberg; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ortega; Parker; Paul; Perez; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez,

J.; Romero; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Cain; Krause; Leach; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused — Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Alonzo; Ashby; Cook; Davis, S.; Geren; Giddings; Howard; Hunter; Kacal; King, K.; Koop; Longoria; Nevárez; Paddie; Phelan; Rose.

Absent — Canales; Dukes; Oliveira; Thierry.

### STATEMENTS OF VOTE

When Record No. 504 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 504 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

### HB 1669 ON SECOND READING (by T. King)

**HB 1669**, A bill to be entitled An Act relating to appeals and complaints arising from school laws brought by parents and public school students; authorizing the award of attorney's fees.

#### Amendment No. 1

Representative T. King offered the following amendment to **HB 1669**:

Amend **HB 1669** (house committee report) as follows:

(1) Strike page 1, line 6, through page 2, line 13.  
 (2) On page 2, line 24, following "this chapter.", insert "This subsection does not affect a claim brought by a parent under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) or a successor federal statute addressing special education services for a child with a disability."

(3) Strike page 2, line 25, through page 3, line 2.

(4) Renumber SECTIONS of the bill as necessary.

#### AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE SIMMONS: I appreciate you adding those amendments. You and I visited on this before. It's your belief with these amendments, that this will not have an effect on special needs parents being able to petition the school and beyond for the rights of their students. Is that correct?

REPRESENTATIVE T. KING: That's correct. That is my belief.

SIMMONS: I understand that. There were some concerns, members, that some of the organizations had with Representative King's bill. With this amendment, I want to make sure everybody knows that we are good with this amendment, and we are good with this bill. I really appreciate you doing that.

T. KING: I appreciate that, Mr. Simmons. You know, what's left just simply says you cannot take a formal compliant process that is destined for legitimate parental rights questions and use it for cheer, dance, and extracurricular activities.

SIMMONS: I agree with that.

### REMARKS ORDERED PRINTED

Representative Simmons moved to print remarks between Representative T. King and Representative Simmons.

The motion prevailed.

Amendment No. 1 was adopted.

(Kacal now present)

**HB 1669**, as amended, was passed to engrossment. (Hunter recorded voting no.)

(Hunter now present)

### HB 2356 ON SECOND READING (by Cospers and Shine)

**HB 2356**, A bill to be entitled An Act relating to the applicability of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of ad valorem tax relief to disabled veterans.

(Alonzo, Ashby, Cook, S. Davis, Howard, and Rose now present)

**HB 2356** was passed to engrossment by (Record 505): 120 Yeas, 16 Nays, 2 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, P.; King, T.; Lambert; Landgraf; Larson; Laubenberg; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Cain; Hefner; Klick; Krause; Lang; Leach; Phillips; Rinaldi; Schaefer; Shaheen; Sheffield; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Geren; Giddings; King, K.; Koop; Longoria; Nevárez; Paddie; Phelan.

Absent — Dukes; Howard.

### STATEMENTS OF VOTE

When Record No. 505 was taken, I was shown voting yes. I intended to vote no.

Burrows

When Record No. 505 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 505 was taken, I was shown voting yes. I intended to vote no.

Fallon

When Record No. 505 was taken, I was excused to attend a meeting of the Committee on Calendars. I would have voted yes.

Phelan

(K. King, Koop, Paddie, and Phelan now present)

### HB 2750 ON SECOND READING

(by Hinojosa, Lozano, Raney, and Clardy)

**HB 2750**, A bill to be entitled An Act 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.

#### Amendment No. 1

Representative Hinojosa offered the following amendment to **HB 2750**:

Amend **HB 2750** (house committee report) as follows:

(1) On page 1, line 17, strike "fifth" and substitute "30th".

(2) On page 1, line 22, after the underlined period, insert the following:

A public employer may deliver a written notice under this section to an employee by hand delivery, mail, e-mail, or other form of electronic communication commonly used by the employer to communicate with employees.

(Geren and Giddings now present)

Amendment No. 1 was adopted.



**HB 2750**, as amended, was passed to engrossment. (C. Anderson, Bohac, Fallon, Flynn, Hefner, Hunter, Lang, Miller, Paul, Rinaldi, and E. Thompson recorded voting no.)

### LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of illness in the family:

Dukes on motion of Reynolds.

### CSHB 1571 ON SECOND READING

(by Paddie)

**CSHB 1571**, A bill to be entitled An Act relating to energy savings performance contracts.

#### Amendment No. 1

Representative Paddie offered the following amendment to **CSHB 1571**:

Amend **CSHB 1571** (house committee printing) on page 8, line 6, between "**(B)**" and "used", by inserting "may be".

Amendment No. 1 was adopted.

(Nevárez now present)

**CSHB 1571**, as amended, was passed to engrossment by (Record 506): 124 Yeas, 14 Nays, 3 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; Capriglione; Clardy; Collier; Cook; Cortez; Cosper; Craddock; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Lambert; Landgraf; Larson; 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; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Flynn; Krause; Lang; Leach; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

Absent — Canales; Laubenberg; Oliveira; Smithee; Thierry.

**HB 2802 ON SECOND READING**  
**(by Larson)**

**HB 2802**, A bill to be entitled An Act relating to the review of river authorities by the Sunset Advisory Commission.

**Amendment No. 1**

Representatives Workman, Israel, Hinojosa, Morrison, E. Rodriguez, Howard, Isaac, Schubert, Cyrier, and Wilson offered the following amendment to **HB 2802**:

Amend **HB 2802** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. The Legislative Budget Board shall conduct an efficiency review authorized by Section 322.0171, Government Code, of the Lower Colorado River Authority and report the findings of the review and analysis to the governor and the legislature not later than December 31, 2018.

Amendment No. 1 was adopted.

**HB 2802**, as amended, was passed to engrossment. (Rinaldi recorded voting no.)

**MESSAGE FROM THE SENATE**

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

**CSHB 1735 ON SECOND READING**  
**(by Faircloth)**

**CSHB 1735**, A bill to be entitled An Act relating to the powers and duties of certain election officers.

**Amendment No. 1**

Representative Paul offered the following amendment to **CSHB 1735**:

Amend **CSHB 1735** (house committee printing) as follows:

(1) On page 2, strike lines 6 through 8 and substitute the following:

"I swear (or affirm) that I will objectively work to be sure every eligible voter's vote is accepted and counted, and that only the ballots of those voters who violated the Texas Election Code will be rejected. I will make every effort to correctly reflect the voter's intent when it can be clearly determined. I will not work alone when ballots are present and will work only in the presence of a member of a political party different from my own. I will faithfully perform my duty as an officer of the election and guard the purity of the election."

(2) On page 3, strike lines 7 through 9 and substitute the following:

"I swear (or affirm) that I will objectively work to be sure every eligible voter's vote is accepted and counted, and that only the ballots of those voters who violated the Texas Election Code will be rejected. I will make every effort to correctly reflect the voter's intent when it can be clearly determined. I will not

work alone when ballots are present and will work only in the presence of a member of a political party different from my own. I will faithfully perform my duty as an officer of the election and guard the purity of the election."

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

SECTION \_\_\_\_\_. Chapter 1, Election Code, is amended by adding Section 1.016 to read as follows:

Sec. 1.016. OATHS BY ELECTION OFFICERS. (a) An oath or statement required by the Texas Constitution or this code prior to an election officer entering service may be administered and a certificate of the fact given by:

(1) the secretary of state, a member of the secretary of state's staff, or a state inspector appointed by the secretary;

(2) a county or municipal clerk or the clerk's deputies;

(3) a county tax assessor-collector or the county tax assessor-collector's deputies;

(4) a city secretary;

(5) a member of a county election commission or county election board;

(6) a county elections administrator or employee of a county elections administrator;

(7) the secretary of the governing body of a political subdivision other than a county or city or the authority performing the duties of a secretary under this code;

(8) a presiding election judge or alternate presiding judge who has already entered service;

(9) an early voting clerk or a deputy early voting clerk who has already entered service;

(10) a member of an early voting ballot board or signature verification committee who has already entered service; or

(11) a presiding judge, manager, or tabulation supervisor of a central counting station who has already entered service.

(b) An oath, statement, or certificate described under Subsection (a) is valid for the duration of the election officer's term of office and shall be filed with election records for the election in which the election officer is serving.

(c) The secretary of state may prescribe a form of oath, statement, or certificate that incorporates any oaths or statements required by the Texas Constitution or this code for an election officer into a single oath or statement.

SECTION \_\_\_\_\_. Section 127.004(b), Election Code, is amended to read as follows:

(b) To be eligible for appointment, a person must:

(1) have the competence, training, and experience required for the proper performance of the work assigned; and

(2) in a county with a population of less than 60,000, be a registered voter of the political subdivision served by the authority establishing the counting station or an employee of the political subdivision that adopts or owns the voting system.

SECTION \_\_\_\_\_. Section 127.007, Election Code, is amended by adding Subsection (c) to read as follows:

(c) The plan required under this section must be available to the public on request not later than 5 p.m. on the fifth day before the date of the election.

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative G. Bonnen offered the following amendment to **CSHB 1735**:

Amend **CSHB 1735** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 32.002, Election Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) For purposes of this subsection, the county chair shall provide a list of names of persons eligible for appointment as election judges. Judges of countywide polling places established under Section 43.007 must be appointed from the list of names of persons submitted by the county chair in compliance with Subsection (c) except that in appointing a person from the list the commissioners court shall apportion the number of judges in direct proportion to the percentage of precincts located in each county commissioner's precinct won by each party in the last gubernatorial election, the commissioners court is not required to make the appointments based on specific polling locations or precincts, a presiding judge or alternate presiding judge is not required to serve in a polling place located in the precinct in which the judge resides, and more than one presiding judge or alternate presiding judge may be selected from the same precinct to serve in polling places not located in the precinct in which the judges reside. The county chairs may submit, and the commissioners court may preapprove, the appointment of more presiding judges or alternate presiding judges than necessary to fill available positions. The county clerk may select an individual whose appointment was preapproved by the commissioners court to fill a vacancy in a position that was held by an individual from the same political party. Other than a judge's party affiliation, nothing in this subsection precludes a county clerk from placing an election officer at a countywide polling place based on the need for services at that location.

SECTION \_\_\_\_\_. Section 32.006(a), Election Code, is amended to read as follows:

(a) The county chair of a political party holding a primary election shall appoint for each primary~~[, with the approval of the county executive committee,]~~ the judges for each precinct in which the election will be held in the county and fill any vacancy that occurs in the position of presiding judge or alternate presiding judge.

SECTION \_\_\_\_\_. Section 32.009(d), Election Code, is amended to read as follows:

(d) A notice to a presiding judge must state the name, ~~and~~ address, and any available telephone number and e-mail address of the alternate, and a notice to an alternate must state the name, ~~and~~ address, and any available telephone number and e-mail address of the presiding judge.

SECTION \_\_\_\_\_. Subchapter A, Chapter 32, Election Code, is amended by adding Section 32.012 to read as follows:

Sec. 32.012. PROVISION OF INFORMATION RELATING TO ELECTION JUDGES APPOINTED BY COMMISSIONERS COURT. (a) After the commissioners court appoints a presiding election judge and an alternate presiding judge, the county clerk shall provide to the county chair of each political party a list of the individuals appointed by the commissioners court.

(b) The appointment list must be provided in writing.

SECTION \_\_\_\_\_. Section 32.114(e), Election Code, is amended to read as follows:

(e) An election judge, early voting clerk, or deputy early voting clerk in charge of an early voting polling place is entitled to compensation for attending the training program at an hourly rate fixed by the appropriate authority in an amount that is equal to or greater than the federal minimum wage [not to exceed \$7].

SECTION \_\_\_\_\_. Section 43.007, Election Code, is amended by amending Subsection (a) and adding Subsections (m) and (n) to read as follows:

(a) The secretary of state shall implement a program to allow each commissioners court participating in the program to eliminate county election precinct polling places and establish countywide polling places for:

(1) each general election for state and county officers;

(2) each election held on the uniform election date in May and any resulting runoff;

(3) each election on a proposed constitutional amendment;

(4) each primary election and runoff primary election if:

(A) the county chair or county executive committee of each political party participating in a joint primary election under Section 172.126 agrees to the use of countywide polling places; or

(B) the county chair or county executive committee of each political party required to nominate candidates by primary election agrees to use the same countywide polling places; and

(5) each election of a political subdivision located in the county that is held jointly with an election described by Subdivision (1), (2), (3), or (4).

(m) In adopting a methodology under Subsection (f), the county must ensure that:

(1) each county commissioner's precinct contains at least one countywide polling place; and

(2) the total number of permanent branch and temporary branch polling places open for voting in a county commissioner's precinct does not exceed more than twice the number of permanent branch and temporary branch polling places in another county commissioner's precinct.

(n) To the greatest extent possible, countywide polling places shall be located in a precinct where the political party that received the greatest number of votes in the last gubernatorial election is the same political party with which the presiding judge is affiliated.

SECTION \_\_\_\_\_. Section 85.009(b), Election Code, is amended to read as follows:

(b) Before July of each year, the county chair of each political party holding a primary election in the county shall submit in writing to the county clerk a list of names of persons in order of preference for each early voting polling place who are eligible for selection as an election officer. The county chair may supplement the list of names of persons until the 30th day before early voting begins in case an appointed election officer becomes unable to serve. The county clerk shall appoint the first person meeting the applicable eligibility requirements from the list submitted in compliance with this subsection by the party with the highest number of votes in the county as the presiding judge ~~[election officer]~~ of that polling place and the first person meeting the applicable eligibility requirements from the list submitted in compliance with this subsection by the party with the second highest number of votes in the county as the alternate presiding judge ~~[election officer]~~ of that polling place. The county clerk shall appoint additional election officers for each polling place in the manner described by Subsection (a). The county clerk may reject the list if the persons whose names are submitted on the list are determined not to meet the applicable eligibility requirements.

SECTION \_\_\_\_\_. Subchapter A, Chapter 85, Election Code, is amended by adding Section 85.0091 to read as follows:

Sec. 85.0091. EARLY VOTING ELECTION OFFICERS FOR PRIMARY ELECTIONS. (a) The early voting clerk shall select election officers for a primary election for the main early voting polling place and any branch polling place in a manner consistent with Section 85.009, except that the early voting clerk shall prescribe the deadline by which county chairs must submit names of persons eligible to serve as election officers during early voting.

(b) This section does not apply to a joint primary governed by Section 172.126.

SECTION \_\_\_\_\_. Sections 32.006(b) and 32.010, Election Code, are repealed.

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative S. Thompson offered the following amendment to **CSHB 1735**:

Amend **CSHB 1735** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering remaining SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 86.0015, Election Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) The county clerk shall provide to a voter who has applied for and qualifies to receive ballots to be voted by mail under this section, with the ballot for an election held on the November uniform election date, an application for a ballot to be voted by mail and instructions for submitting the application under this subsection. The application:

(1) must be preprinted so that the voter is required only to sign and date the application;

(2) may be returned with the voter's ballot in the carrier envelope;

(3) applies to each election that occurs before December 31 of the next even-numbered year following the November election, notwithstanding Subsection (b)(2)(A); and

(4) must be signed by the applicant, or by a witness as provided by Section 84.003.

(h) The county clerk is not required to provide an application for a ballot to be voted by mail as provided by Subsection (g) in an odd-numbered year to a voter who has previously filed an application that covers elections for the next calendar year.

SECTION \_\_\_\_\_. Section 87.044, Election Code, is amended by adding Subsection (c) to read as follows:

(c) The early voting ballot board shall deliver to the early voting clerk any early voting applications included as provided by Section 86.0015(g) in a carrier envelope with a ballot voted in an election held on the November uniform election date regardless of whether the ballot is accepted.

Amendment No. 3 was withdrawn.

#### **Amendment No. 4**

Representative S. Thompson offered the following amendment to **CSHB 1735**:

Amend **CSHB 1735** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 11.002(a), Election Code, is amended to read as follows:

(a) In this code, "qualified voter" means a person who:

(1) is 18 years of age or older;

(2) is a United States citizen;

(3) has not been determined by a final judgment of a court exercising probate jurisdiction to be:

(A) totally mentally incapacitated; or

(B) partially mentally incapacitated without the right to vote;

(4) has not been finally convicted of a felony or, if so convicted, has:

(A) completed [fully discharged the person's sentence, including] any term of incarceration[~~-, parole,~~] or community supervision, or completed a period of probation ordered by any court;

(B) served at least 10 consecutive years of parole or mandatory supervision; or

(C) ~~[(B)]~~ been pardoned or otherwise released from the resulting disability to vote;

(5) is a resident of this state; and

(6) is a registered voter.

SECTION \_\_\_\_\_. Section 13.001(a), Election Code, is amended to read as follows:

(a) To be eligible for registration as a voter in this state, a person must:

(1) be 18 years of age or older;

(2) be a United States citizen;

(3) not have been determined by a final judgment of a court exercising probate jurisdiction to be:

(A) totally mentally incapacitated; or

(B) partially mentally incapacitated without the right to vote;

(4) not have been finally convicted of a felony or, if so convicted, must have:

(A) completed ~~[fully discharged the person's sentence, including]~~ any term of incarceration~~[- parole,]~~ or community supervision, or completed a period of probation ordered by any court;

(B) served at least 10 consecutive years of parole or mandatory supervision; or

(C) ~~[(B)]~~ been pardoned or otherwise released from the resulting disability to vote; and

(5) be a resident of the county in which application for registration is made.

#### **Amendment No. 4 - Point of Order**

Representative Schofield raised a point of order against further consideration of Amendment No. 4 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The point of order was withdrawn.

Amendment No. 4 was withdrawn.

**CSHB 1735**, as amended, was passed to engrossment.

#### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Raymond requested permission for the Committee on Human Services to meet while the house is in session, at 4:35 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Human Services, 4:35 p.m. today, 1W.14, for a formal meeting, to consider pending business.



**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. 13).

**HB 239 ON SECOND READING  
(by Hernandez and White)**

**HB 239**, A bill to be entitled An Act relating to a report regarding the confinement of pregnant inmates by the Texas Department of Criminal Justice.

**HB 239** was passed to engrossment.

**HB 1156 ON SECOND READING  
(by S. Davis, R. Anderson, Minjarez, Laubenberg, Farrar, et al.)**

**HB 1156**, A bill to be entitled An Act relating to the unlawful restraint of a dog; creating an offense.

**HB 1156 - POINT OF ORDER**

Representative Burrows raised a point of order against further consideration of **HB 1156** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative S. Davis moved to postpone consideration of **HB 1156** until 2 p.m. Monday, May 1.

The motion prevailed.

**HB 104 ON SECOND READING  
(by White)**

**HB 104**, A bill to be entitled An Act relating to notification provided to certain victims of criminal offenses.

**HB 104** was passed to engrossment.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Moody moved to suspend the five-day posting rule to allow the Committee on Criminal Jurisprudence to consider **HB 2430** at 2 p.m. or upon final adjournment/recess Monday, May 1 in E2.014.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Criminal Jurisprudence, 2 p.m. or upon final adjournment/recess Monday, May 1, E2.014, for a public hearing, to consider **HB 2430** and the previously posted agenda.

**CSHB 2943 ON SECOND READING**  
**(by Larson, Price, and Wu)**

**CSHB 2943**, A bill to be entitled An Act relating to the use of money in the state water pollution control revolving fund.

**CSHB 2943** was passed to engrossment.

**CSHB 2328 ON SECOND READING**  
**(by Lucio and Elkins)**

**CSHB 2328**, A bill to be entitled An Act relating to an expedited response by a governmental body to a request for public information.

**Amendment No. 1**

Representative Schofield offered the following amendment to **CSHB 2328**:

Amend **CSHB 2328** as follows:

On page 10, line 7, insert the following and renumber subsequent sections accordingly:

SECTION 6. Subchapter B, Chapter 552, Government Code, is amended by adding Section 31.101 to read as follows:

Sec. 552.030. REQUEST FOR INFORMATION FROM NONRESIDENT.

(a) If a governmental body receives a request for information from a person whose primary residence is not in this state, the governmental body may, but is not required to, accept or comply with the request.

(b) A governmental body may ask a requestor to provide the physical address at which the requestor resides in order to establish the requestor's residency. If, not later than the 10th business day following the date the governmental body's request is sent to the requestor, the requestor fails to provide information establishing residency in this state, the governmental body may, for purposes of the request, treat the requestor as a person whose primary residence is not in this state.

(c) This section does not apply to requestor which is an organization requesting the information for commercial purposes in the ordinary course of its business.

Amendment No. 1 was withdrawn.

**CSHB 2328** was passed to engrossment. (Hefner, Lang, and Swanson recorded voting no.)

**HB 3018 ON SECOND READING**  
**(by Phelan)**

**HB 3018**, A bill to be entitled An Act relating to reciprocity requirements for nonresident insurance agents to offer or sell insurance policies issued by the Texas Windstorm Insurance Association.

**HB 3018** was passed to engrossment.

**HB 1934 ON SECOND READING**  
**(by Minjarez, Blanco, and Cosper)**

**HB 1934**, A bill to be entitled An Act relating to temporary certification of an educator from outside the state who is the spouse of an active duty military service member.

Representative Krause moved to postpone consideration of **HB 1934** until 5:05 p.m. today.

The motion prevailed.

**HB 115 ON SECOND READING**  
**(by Guillen and Springer)**

**HB 115**, A bill to be entitled An Act relating to the value of a residential dwelling that may be offered or awarded as a prize at a charitable raffle.

**HB 115** was passed to engrossment.

**HB 2035 ON SECOND READING**  
**(by Walle, Minjarez, Thierry, S. Davis, and Howard)**

**HB 2035**, A bill to be entitled An Act relating to the continuation of the Maternal Mortality and Morbidity Task Force.

**HB 2035** was passed to engrossment.

**CSHB 572 ON SECOND READING**  
**(by Stephenson and González)**

**CSHB 572**, A bill to be entitled An Act relating to the disposal of pesticides.

**CSHB 572** was passed to engrossment. (Rinaldi recorded voting no.)

**CSHB 740 ON SECOND READING**  
**(by Burkett)**

**CSHB 740**, A bill to be entitled An Act relating to the issuance and renewal of licenses and registrations for certain child-care facilities and the amount of the fees for those licenses.

**CSHB 740** was passed to engrossment.

**HB 2994 ON SECOND READING**  
**(by Ashby, Clardy, Phillips, Stephenson, and Blanco)**

**HB 2994**, A bill to be entitled An Act relating to workforce continuing education offered by public junior colleges.

**HB 2994** was passed to engrossment.

**CSHB 1859 ON SECOND READING**  
**(by Simmons)**

**CSHB 1859**, A bill to be entitled An Act relating to certain rental-purchase agreements.

**CSHB 1859** was passed to engrossment. (Rinaldi recorded voting no.)

**CSHB 1755 ON SECOND READING****(by Neave)**

**CSHB 1755**, A bill to be entitled An Act relating to jury summons questionnaires.

Representative Neave moved to postpone consideration of **CSHB 1755** until 9 a.m Wednesday, May 3.

The motion prevailed.

**CSHB 2321 ON SECOND READING****(by Turner and Howard)**

**CSHB 2321**, A bill to be entitled An Act relating to low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement programs and local initiative projects.

**Amendment No. 1**

Representative Turner offered the following amendment to **CSHB 2321**:

Amend **CSHB 2321** (house committee report) as follows:

(1) On page 1, strike lines 8 through 13 and substitute the following:

(4-a) "Purchase" means a transaction in which a person buys a vehicle.

(2) On page 2, strike lines 20 through 25 and substitute the following:

(2) the ~~registration of the~~ vehicle:

(A) is registered in a county implementing the program ~~[is current];~~

or ~~[and]~~

(B) ~~[reflects that the vehicle]~~ has been registered in a ~~[the]~~ county implementing the program for at least 12 of the 15 months preceding the application for participation in the program;

(3) On page 4, strike line 10 and substitute "Register, or to meet federal Tier 3, Bin 85 or a cleaner Bin certification under 40 C.F.R. Section 86.1811-17;";

(4) On page 5, strike line 4 and substitute "Register, or to meet federal Tier 3, Bin 160 or a cleaner Bin certification under 40 C.F.R. Section 86.1811-17;";

(5) On page 5, line 16, strike "that is sold".

Amendment No. 1 was adopted.

**CSHB 2321 - REMARKS**

REPRESENTATIVE HUBERTY: Chairman Turner, as you know, we had a bill two or three weeks ago dealing with LIRAP, and I know Representative Leach and I worked on some language here. I know Dallas County was involved. Is this in any way changing or impacting what we did that allowed for—if you recall, it originally started with Harris County—we're making sure that 90 percent of the funding went back to the counties. And I think we included, I can't remember the population cutoff, but let's call it 500,000, and then also allowed it for the local initiative projects to be better utilized in that. So can you give us the intent of what you're trying to do?

REPRESENTATIVE TURNER: Absolutely, Chairman Huberty. I appreciate the question because I supported your bill, and this bill is in no way in conflict with the bill that you had a couple of weeks ago that I voted for. These bills—your bill, mine—are slightly different approaches to modernizing the LIRAP program, but I think they complement each other well and will serve our communities well.

HUBERTY: Well, hopefully, when you get it over to the senate we can visit with them and figure out how to make sure that collectively we get what we want in both bills. So it sounds like you have a good bill. I just want to make sure they aren't impacting, specifically, what we tried to do for Dallas County, Harris County, and some of the other big counties in the State of Texas.

TURNER: Absolutely. I look forward to working with you on that.

### REMARKS ORDERED PRINTED

Representative Huberty moved to print remarks between Representative Turner and Representative Huberty.

The motion prevailed.

**CSHB 2321**, as amended, was passed to engrossment by (Record 507): 116 Yeas, 17 Nays, 2 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; Cospser; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Faircloth; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; Klick; Koop; Lambert; Landgraf; Larson; Laubenberg; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murr; Neave; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, J.; Romero; Sanford; Schofield; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thompson, E.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Cyrier; Frank; Hefner; Krause; Lang; Metcalf; Murphy; Rinaldi; Schaefer; Schubert; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

Absent — Cortez; Elkins; Fallon; King, T.; Leach; Nevárez; Oliveira; Rodriguez, E.; Rose; Thierry; Thompson, S.

**STATEMENTS OF VOTE**

When Record No. 507 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

When Record No. 507 was taken, I was in the house but away from my desk. I would have voted no.

Fallon

When Record No. 507 was taken, I was shown voting yes. I intended to vote no.

Hunter

**MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

**POSTPONED BUSINESS**

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

**HB 1934 ON SECOND READING**

**(by Minjarez, Blanco, and Cosper)**

**HB 1934**, A bill to be entitled An Act relating to temporary certification of an educator from outside the state who is the spouse of an active duty military service member.

**HB 1934** was read second time earlier today and was postponed until this time.

**HB 1934** was passed to engrossment.

**GENERAL STATE CALENDAR**

**(consideration continued)**

**CSHB 836 ON SECOND READING**

**(by Clardy and J. Rodriguez)**

**CSHB 836**, A bill to be entitled An Act relating to a requirement that certain participating institutions under the student loan program administered by the Texas Higher Education Coordinating Board provide loan debt information to certain students.

**CSHB 836** was passed to engrossment.

**HB 3220 ON SECOND READING**

**(by Phillips)**

**HB 3220**, A bill to be entitled An Act relating to the regulation of insurance holding company systems, including internationally active insurance groups; authorizing a fee.

**HB 3220** was passed to engrossment.

**HB 3013 ON SECOND READING**  
**(by Martinez, Canales, and Guillen)**

**HB 3013**, A bill to be entitled An Act relating to incentives to encourage landowners to destroy, remove, or treat citrus trees located in a pest management zone.

Representative Martinez moved to postpone consideration of **HB 3013** until 10 a.m. Monday, May 1.

The motion prevailed.

**HB 2770 ON SECOND READING**  
**(by Smithee)**

**HB 2770**, A bill to be entitled An Act relating to the declaration of a common nuisance involving a computer network or web address.

Representative Smithee moved to postpone consideration of **HB 2770** until 9 a.m. Thursday, May 4.

The motion prevailed.

**HB 832 ON SECOND READING**  
**(by Clardy)**

**HB 832**, A bill to be entitled An Act relating to state funding for baccalaureate degree programs offered at certain public junior colleges.

**HB 832** was passed to engrossment.

**CSHB 1983 ON SECOND READING**  
**(by Wray, Martinez, Phillips, Guerra, Geren, et al.)**

**CSHB 1983**, A bill to be entitled An Act relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.

**CSHB 1983** was passed to engrossment.

**CSHB 1204 ON SECOND READING**  
**(by White and Wu)**

**CSHB 1204**, A bill to be entitled An Act relating to the provision of services as an alternative to adjudication for certain children who engage in conduct in need of supervision or delinquent conduct.

**CSHB 1204** was passed to engrossment.

**CSHB 919 ON SECOND READING**  
**(by Kacal, Shine, K. King, et al.)**

**CSHB 919**, A bill to be entitled An Act relating to workers' compensation insurance coverage for certain intrastate fire mutual aid system team members and regional incident management team members.

**CSHB 919** was passed to engrossment.

**CSHB 106 ON SECOND READING**  
**(by Martinez, Guillen, and Blanco)**

**CSHB 106**, A bill to be entitled An Act relating to certain images captured by an unmanned aircraft.

**Amendment No. 1**

Representative Martinez offered the following amendment to **CSHB 106**:

Amend **CSHB 106** (house committee report) as follows:

(1) On page 5, line 5, strike "or" and substitute "[~~or~~]".

(2) On page 5, line 10, between "image" and the period, insert the following:

; or

(21) if the image is captured by an employee of an insurance company or of an affiliate of the company in connection with the underwriting of an insurance policy, or the rating or adjusting of an insurance claim, regarding real property or a structure on real property and if the operator of the unmanned aircraft is authorized by the Federal Aviation Administration to conduct operations within the airspace from which the image is captured

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Murphy offered the following amendment to **CSHB 106**:

Amend **CSHB 106** (house committee report) as follows:

(1) On page 5, line 5, strike "or" and substitute "[~~or~~]".

(2) On page 5, line 10, between "image" and the period, insert the following:

; or

(21) if the image is:

(A) captured for the purpose of delivering consumer goods that were ordered through an Internet website or mobile application and the operator of the unmanned aircraft is authorized by the Federal Aviation Administration to conduct operations within the airspace from which the image is captured; and

(B) directly related to the purpose described by Paragraph (A), including images captured for purposes of navigation or ensuring public safety

**Amendment No. 3**

Representative Gooden offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Murphy to **CSHB 106** as follows:

(1) On page 1, line 6, strike "the image is".

(2) On page 1, line 7, strike "captured" and substitute "the image is captured only".

(3) On page 1, line 12, strike "and".

(4) On page 1, line 13, strike "directly related" and substitute "the image is necessary".



(5) On page 1, line 15, following "safety" add the following:

;

(C) no individual is identifiable in the image;

(D) the image is not publicly displayed, distributed, or disclosed;

and

(E) the original image, and all copies and backups of the image, are destroyed promptly following the delivery of the consumer goods described by Paragraph A

Amendment No. 3 was adopted.

Amendment No. 2, as amended, was adopted.

**CSHB 106**, as amended, was passed to engrossment.

**HB 516 ON SECOND READING**  
(by Israel)

**HB 516**, A bill to be entitled An Act relating to the requirement that drivers younger than a certain age complete and pass a driver education course.

**HB 516** was passed to engrossment.

**CSHB 298 ON SECOND READING**  
(by Larson)

**CSHB 298**, A bill to be entitled An Act relating to a parent's right to view the body of a deceased child before an autopsy is performed.

**CSHB 298** was passed to engrossment.

**SB 301 ON SECOND READING**  
(Flynn - House Sponsor)

**SB 301**, A bill to be entitled An Act relating to the operations and functions of the Employees Retirement System of Texas and the sunset review date for, financial management of, and programs administered by the agency.

**SB 301** was considered in lieu of **HB 2459**.

**Amendment No. 1**

Representative Flynn offered the following amendment to **SB 301**:

Amend **SB 301** (house committee report) by striking SECTION 16 of the bill (page 11, lines 9-14) and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Flynn offered the following amendment to **SB 301**:

Amend **SB 301** (house committee report) as follows:

(1) On page 7, line 2, strike "two" and substitute "one".

(2) On page 7, line 3, strike "alternative investments" and substitute "the trust fund established by Section 815.310".

Amendment No. 2 was adopted.

**SB 301**, as amended, was passed to third reading.

**HB 2459 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Flynn moved to lay **HB 2459** on the table subject to call.

The motion prevailed.

**CSHB 28 ON SECOND READING**

(by **D. Bonnen, et al.**)

**CSHB 28**, A bill to be entitled An Act relating to the use of certain surplus state revenue, in certain circumstances, to adjust franchise tax rates to phase out the franchise tax and to the expiration of that tax.

Representative G. Bonnen moved to postpone consideration of **CSHB 28** until 5:40 p.m. today.

The motion prevailed.

**HB 1292 ON SECOND READING**

(by **Raymond**)

**HB 1292**, A bill to be entitled An Act relating to the Texas Funeral Service Commission; authorizing fees.

**Amendment No. 1**

Representative Faircloth offered the following amendment to **HB 1292**:

Amend **HB 1292** (house committee report) as follows:

(1) On page 1, strike lines 6-17 and substitute the following:

(a) The Texas Funeral Service Commission consists of seven members appointed by the governor, with the advice and consent of the senate as follows:

(1) one member [~~two members~~] who is [~~are~~] licensed as both an embalmer and a funeral director for at least the five years preceding appointment to the commission;

(2) one member who is licensed as a funeral director and is a registered cemetery owner or operator; [~~and~~]

(3) one member who is licensed as a funeral director and is a licensed crematory establishment operator; and

(4) four members who represent the public and who:

(A) are not regulated under this chapter; and

(B) have consistently shown an interest in supporting consumer protection.

(2) On page 38, line 12, strike "651.051(a)(2)" and substitute "651.051(a)".

Amendment No. 1 was adopted.

**HB 1292**, as amended, was passed to engrossment.

**CSHB 249 ON SECOND READING**  
**(by Hernandez, Frank, Faircloth, and Blanco)**

**CSHB 249**, A bill to be entitled An Act relating to investigations of abuse, neglect, or exploitation conducted by the Department of Family and Protective Services.

**Amendment No. 1**

Representative Hernandez offered the following amendment to **CSHB 249**:

Amend **CSHB 249** (house committee printing) as follows:

(1) On page 3, strike lines 3-13 and substitute the following:

SECTION 3. Section 261.301, Family Code, is amended by amending Subsections (b), (c), and (h) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (b-1), a [A] state agency shall investigate a report that alleges abuse, [or] neglect, or exploitation occurred in a facility operated, licensed, certified, or registered by that agency as provided by Subchapter E. In conducting an investigation for a facility operated, licensed, certified, registered, or listed by the department, the department shall perform the investigation as provided by:

- (1) Subchapter E; and
- (2) the Human Resources Code.

(b-1) The department shall investigate a report that alleges abuse, neglect, or exploitation occurred in a facility operated, licensed, certified, or registered by the Health and Human Services Commission, the department, or another health and human services agency listed in Section 531.001, Government Code. The department shall perform the investigation as provided by:

- (1) Subchapter E; and
- (2) the Human Resources Code.

(2) Strike page 3, line 22, through page 4, line 3.

(3) On page 7, line 15, strike "Sections 261.401(a) and (b), Family Code, are" and substitute "Section 261.401(a), Family Code, is".

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

SECTION \_\_\_\_\_. Sections 261.401(b), Family Code, is amended to read as follows:

(b) Except as provided by Sections 261.301 and [Section] 261.404, a state agency that operates, licenses, certifies, registers, or lists a facility in which children are located or provides oversight of a program that serves children shall make a prompt, thorough investigation of a report that a child has been or may be abused, neglected, or exploited in the facility or program. The primary purpose of the investigation shall be the protection of the child.

SECTION \_\_\_\_\_. Sections 261.405(a) and (c), Family Code, are amended to read as follows:

(a) Notwithstanding Section 261.001, in [H] this section:

(1) "Abuse" means an intentional, knowing, or reckless act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program that causes or may cause emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.

(2) "Exploitation" means the illegal or improper use of a child or of the resources of a child for monetary or personal benefit, profit, or gain by an employee, volunteer, or other individual working under the auspices of a facility or program as further described by rule or policy.

(3) "Juvenile justice facility" means a facility operated wholly or partly by the juvenile board, by another governmental unit, or by a private vendor under a contract with the juvenile board, county, or other governmental unit that serves juveniles under juvenile court jurisdiction. The term includes:

(A) a public or private juvenile pre-adjudication secure detention facility, including a holdover facility;

(B) a public or private juvenile post-adjudication secure correctional facility except for a facility operated solely for children committed to the Texas Juvenile Justice Department; and

(C) a public or private non-secure juvenile post-adjudication residential treatment facility that is not licensed by the Department of Family and Protective Services or the Department of State Health Services.

(4) ~~(2)~~ "Juvenile justice program" means a program or department operated wholly or partly by the juvenile board or by a private vendor under a contract with a juvenile board that serves juveniles under juvenile court jurisdiction. The term includes:

(A) a juvenile justice alternative education program;

(B) a non-residential program that serves juvenile offenders under the jurisdiction of the juvenile court; and

(C) a juvenile probation department.

(5) "Neglect" means a negligent act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program, including failure to comply with an individual treatment plan, plan of care, or individualized service plan, that causes or may cause substantial emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.

(c) The Texas Juvenile Justice Department shall make a prompt, thorough ~~conduct an~~ investigation as provided by this chapter if that department receives a report of alleged abuse, neglect, or exploitation in any juvenile justice program or facility. The primary purpose of the investigation shall be the protection of the child.

Amendment No. 1 was adopted.

**CSHB 249**, as amended, was passed to engrossment.

**HB 2062 ON SECOND READING**  
**(by Phillips)**

**HB 2062**, A bill to be entitled An Act relating to the creation and operations of health care provider participation programs in certain counties.

**HB 2062** was passed to engrossment.

**RESOLUTIONS CALENDAR**

The chair laid before the house the following resolutions on committee report:

**CSHCR 56**  
**(by Shine, Cosper, Sheffield, et al.)**

**CSHCR 56**, Recognizing Texas as a Purple Heart State.

**Amendment No. 1**

Representative Shine offered the following amendment to **CSHCR 56**:

Amend **CSHCR 56** (house committee printing) by striking page 1, line 1, through page 2, line 21, and substituting the following:

WHEREAS, The Purple Heart is a combat decoration awarded to members of the United States armed forces who are wounded by an instrument of war in the hands of the enemy or presented to the next of kin in the name of those who are killed in action or die of wounds received in action; and

WHEREAS, Originally established by General George Washington during the Revolutionary War, the Purple Heart was revived by means of a presidential executive order on February 22, 1932, the 200th anniversary of President Washington's birth, out of respect for his military achievements; the criteria were announced by the War Department on that date in General Order No. 3; and

WHEREAS, Texas is home to 1.5 million veterans, representing 5 percent of the nation's total veteran population; the state has 30 Purple Heart cities, 4 Purple Heart counties, and 9 Purple Heart universities, which have all committed to recognizing veterans and honoring their commitments to veterans services; in addition, Texas is home to Belton New Tech High at Waskow, the first high school in the nation to earn a Purple Heart School designation, and to Purple Heart Elementary School in El Paso; and

WHEREAS, Numerous Texas agencies provide services to benefit former members of the military, including the Texas Veterans Commission, Texas Veterans Land Board, Office of the Adjutant General, Texas Health and Human Services Commission, State Bar of Texas, Department of State Health Services, Texas Workforce Commission, Texas Workforce Investment Council, Texas Higher Education Coordinating Board, Texas Correctional Office on Offenders with Medical or Mental Impairments, Texas Commission on Jail Standards, Texas Department of Housing and Community Affairs, and Texas Department of Agriculture; and

WHEREAS, The State of Texas is dedicated to improving the lives of its veterans with the highest standard of services, and it acknowledges the enormous sacrifices made by recipients of the Purple Heart; now, therefore, be it

RESOLVED, That the 85th Legislature of the State of Texas hereby recognize Texas as a Purple Heart State and encourage agencies and government bodies at all levels to serve veterans with the same degree of devotion demonstrated by members of the armed forces in their service to our state and nation; and, be it further

RESOLVED, That the Texas Legislature hereby designate February 22 as Purple Heart Day; and, be it further

RESOLVED, That, in accordance with the provisions of Section 391.004(d), Government Code, this designation remain in effect until the 10th anniversary of the date this resolution is finally passed by the legislature.

Amendment No. 1 was adopted.

**CSHCR 56**, as amended, was adopted by (Record 508): 144 Yeas, 0 Nays, 2 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; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; 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; Goldman(C).

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

### **POSTPONED BUSINESS**

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

#### **CSHB 28 ON SECOND READING (by D. Bonnen, et al.)**

**CSHB 28**, A bill to be entitled An Act relating to the use of certain surplus state revenue, in certain circumstances, to adjust franchise tax rates to phase out the franchise tax and to the expiration of that tax.

**CSHB 28** was read second time earlier today and was postponed until this time.

**Amendment No. 1**

Representative Howard offered the following amendment to **CSHB 28**:

Amend **CSHB 28** (house committee report) on page 1, line 22, between "biennium" and the underlined semicolon, by inserting ", excluding the portion of that balance that was encumbered".

Representative D. Bonnen moved to table Amendment No. 1.

The motion to table prevailed by (Record 509): 89 Yeas, 54 Nays, 2 Present, not voting.

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

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Darby; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; 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; Thompson, S.; Turner; Uresti; Vo; Walle; Workman; Wu; Zerwas.

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

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

Absent — Guillen.

**STATEMENT OF VOTE**

When Record No. 509 was taken, my vote failed to register. I would have voted yes.

Guillen

**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. 4).

**CSHB 28 - (consideration continued)****Amendment No. 2**

Representative Walle offered the following amendment to **CSHB 28**:

Amend **CSHB 28** (house committee report) as follows:

(1) On page 2, line 14, strike "Subsection (e)" and substitute "Subsections (e) and (h)".

(2) On page 3, between lines 24 and 25, insert the following:

(h) Notwithstanding any other provision of this section, the comptroller may adopt adjusted tax rates under this section that apply beginning in a state fiscal biennium only if the Texas Higher Education Coordinating Board certifies to the comptroller that, based on appropriations for that biennium, the average grant amount during that biennium for:

(1) Toward EXcellence, Access, & Success (TEXAS) grants will at least equal the highest average amount for those grants awarded during any state fiscal biennium, increased by a percentage equal to the percentage change in the Consumer Price Index since the beginning of the state fiscal biennium with the highest average amount for those grants; and

(2) Texas Educational Opportunity Grant Program grants will at least equal the highest average amount for those grants awarded during any state fiscal biennium, increased by a percentage equal to the percentage change in the Consumer Price Index since the beginning of the state fiscal biennium with the highest average amount for those grants.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Gutierrez requested permission for the Committee on Defense and Veterans' Affairs to meet while the house is in session, at 6:40 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Defense and Veterans' Affairs, 6:40 p.m. today, 1W.14, for a formal meeting, to consider pending business.

**CSHB 28 - (consideration continued)**

Amendment No. 2 failed of adoption by (Record 510): 52 Yeas, 89 Nays, 2 Present, not voting.

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



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

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

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

Absent — Dale; Thompson, S.; White.

### COMMITTEE GRANTED PERMISSION TO MEET

Representative T. King requested permission for the Committee on Agriculture and Livestock to meet while the house is in session, at 6:55 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Agriculture and Livestock, 6:55 p.m. today, 1W.14, for a formal meeting, to consider pending business.

### CSHB 28 - (consideration continued)

#### Amendment No. 3

Representative Blanco offered the following amendment to **CSHB 28**:

Amend **CSHB 28** (house committee report) as follows:

(1) On page 2, line 14, strike "Subsection (e)" and substitute "Subsections (e) and (h)".

(2) On page 3, between lines 24 and 25, insert the following:

(h) Notwithstanding any other provision of this section, the comptroller may adopt adjusted tax rates under this section that apply beginning in a state fiscal biennium only if the Texas Higher Education Coordinating Board certifies to the comptroller that, based on appropriations for that biennium, the state will offset the cost to institutions of higher education of the exemptions required by Section 54.341, Education Code, for that biennium.

Amendment No. 3 was withdrawn.

**Amendment No. 4**

Representative J. Rodriguez offered the following amendment to **CSHB 28**:

Amend **CSHB 28** (house committee report) as follows:

(1) On page 2, line 14, strike "Subsection (e)" and substitute "Subsections (e) and (h)".

(2) On page 3, between lines 24 and 25, insert the following:

(h) Notwithstanding any other provision of this section, the comptroller may adopt adjusted tax rates under this section that apply beginning in a state fiscal biennium only if:

(1) the boards of trustees of the Employees Retirement System of Texas and the Teacher Retirement System of Texas certify to the comptroller that those systems are expected to be actuarially sound throughout that biennium; and

(2) the Legislative Budget Board certifies to the comptroller that the state has no unfunded liabilities for pensions, health care, prepaid higher education tuition programs, or other similar long-term defined benefits for that biennium.

Amendment No. 4 failed of adoption by (Record 511): 54 Yeas, 90 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu; Zerwas.

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

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

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

**STATEMENTS OF VOTE**

When Record No. 511 was taken, I was shown voting no. I intended to vote yes.

T. King

When Record No. 511 was taken, I was shown voting no. I intended to vote yes.

Roberts

When Record No. 511 was taken, I was shown voting no. I intended to vote yes.

VanDeaver

**Amendment No. 5**

Representative Blanco offered the following amendment to **CSHB 28**:

Amend **CSHB 28** (house committee report) as follows:

(1) On page 2, line 14, strike "Subsection (e)" and substitute "Subsections (e) and (h)".

(2) On page 3, between lines 24 and 25, insert the following:

(h) Notwithstanding any other provision of this section, the comptroller may adopt adjusted tax rates under this section that apply beginning in a state fiscal biennium only if the Texas Higher Education Coordinating Board certifies to the comptroller that, based on appropriations for that biennium, the state will offset the cost to institutions of higher education of the exemptions required by Section 54.341, Education Code, for that biennium.

Amendment No. 5 failed of adoption by (Record 512): 52 Yeas, 91 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Turner; Uresti; Vo; Walle; Wu; Zedler.

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

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

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

Absent — Thompson, S.

### STATEMENTS OF VOTE

When Record No. 512 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 512 was taken, I was shown voting yes. I intended to vote no.

Zedler

### Amendment No. 6

Representative Turner offered the following amendment to **CSHB 28**:

Amend **CSHB 28** (house committee report) as follows:

(1) On page 2, line 14, strike "Subsection (e)" and substitute "Subsections (e) and (h)".

(2) On page 3, between lines 24 and 25, insert the following:

(h) Notwithstanding any other provision of this section, the comptroller may adopt adjusted tax rates under this section that apply beginning in a state fiscal biennium only if:

(1) the Legislative Budget Board certifies to the comptroller that the amount of state revenue appropriated for the Foundation School Program for that biennium results in the state contributing at least 50 percent of the cost of maintaining and operating the public school system for that biennium; and

(2) the commissioner of education certifies to the comptroller that each prekindergarten student entitled to the benefits of the Foundation School Program who attends a full-day prekindergarten program offered by a school district is counted on the basis of full-day attendance for purposes of calculating the district's weighted average daily attendance under the law in effect on the date the determinations under Subsection (a) are made.

### Amendment No. 7

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

Amend Amendment No. 6 as follows:

Amend **CSHB 28** (house committee report) as follows:

(1) On page 2, line 14, strike "Subsection (e)" and substitute "Subsections (e) and (h)".

(2) On page 3, between lines 24 and 25, insert the following:

(h) Notwithstanding any other provision of this section, the comptroller may adopt adjusted tax rates under this section that apply beginning in a state fiscal biennium only if:

(1) the Legislative Budget Board certifies to the comptroller that the amount of state revenue appropriated for the Foundation School Program for that biennium results in the state contributing at least 80 percent of the cost of maintaining and operating the public school system for that biennium; and

(2) the commissioner of education certifies to the comptroller that each prekindergarten student entitled to the benefits of the Foundation School Program who attends a full-day prekindergarten program offered by a school district is counted on the basis of full-day attendance for purposes of calculating the district's weighted average daily attendance under the law in effect on the date the determinations under Subsection (a) are made.

Amendment No. 7 was adopted.

Amendment No. 6, as amended, failed of adoption by (Record 513): 58 Yeas, 85 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Darby; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Lambert; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Turner; Uresti; VanDeaver; Vo; Walle; Wu.

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

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

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

Absent — Thompson, S.

#### STATEMENTS OF VOTE

When Record No. 513 was taken, I was shown voting no. I intended to vote yes.

Gooden

When Record No. 513 was taken, I was shown voting yes. I intended to vote no.

Roberts

**Amendment No. 8**

Representative Romero offered the following amendment to **CSHB 28**:

Amend **CSHB 28** (house committee report) as follows:

(1) On page 2, line 1, between "year" and the underlined comma, insert "to taxable entities described by Subsection (d)(1)".

(2) Strike page 2, line 26 through page 3, line 5, and substitute the following:

(d) Notwithstanding any other provision of this chapter, the adjusted tax rates adopted under Subsection (b):

(1) apply to a taxable entity for a report only if the taxable entity's total revenue from its entire business for the period on which the report is based is less than \$10 million;

(2) apply to a report originally due on or after January 1 of the even-numbered year following the date the rates are adopted; and

(3) are considered for purposes of this chapter for those entities to be the rates provided by and imposed under Section 171.002 or 171.1016, as applicable.

Amendment No. 8 failed of adoption by (Record 514): 52 Yeas, 91 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

Absent — Thompson, S.

**Amendment No. 9**

Representative Romero offered the following amendment to **CSHB 28**:

Amend **CSHB 28** (house committee report) as follows:

(1) On page 2, line 1, between "year" and the underlined comma, insert "to taxable entities described by Subsection (d)(1)".

(2) Strike page 2, line 26 through page 3, line 5, and substitute the following:

(d) Notwithstanding any other provision of this chapter, the adjusted tax rates adopted under Subsection (b):

(1) apply to a taxable entity for a report only if the taxable entity's total revenue from its entire business for the period on which the report is based is less than \$50 million;

(2) apply to a report originally due on or after January 1 of the even-numbered year following the date the rates are adopted; and

(3) are considered for purposes of this chapter for those entities to be the rates provided by and imposed under Section 171.002 or 171.1016, as applicable.

Amendment No. 9 failed of adoption by (Record 515): 51 Yeas, 92 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

Absent — Thompson, S.

**CSHB 28** was passed to engrossment by (Record 516): 98 Yeas, 45 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.; Dean; Deshotel; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman(C); Gooden; Guerra; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; 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; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

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

Present, not voting — Mr. Speaker; Allen.

Absent, Excused — Dukes; Gonzales; Kuempel.

Absent, Excused, Committee Meeting — Longoria.

Absent — Thompson, S.

### STATEMENT OF VOTE

When Record No. 516 was taken, I was shown voting no. I intended to vote yes.

Uresti

### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Juvenile Justice and Family Issues, upon final adjournment today, 1W.14, for a formal meeting, to consider pending business.

### ADJOURNMENT

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

The motion prevailed.

The house accordingly, at 7:28 p.m., adjourned until 10 a.m. tomorrow.



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**ADDENDUM**

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**SIGNED BY THE SPEAKER**

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

**House List No. 13****HB 89****MESSAGES FROM THE SENATE**

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

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Thursday, April 27, 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 591** Lucio  
Relating to a community outreach campaign to increase awareness of veterans benefits and services.

**SB 692** Rodríguez  
Relating to regulation by certain counties of lots in platted subdivisions that have remained undeveloped.

**SB 814** Hinojosa  
Relating to the board of directors of the Agua Special Utility District.

**SB 1491** Zaffirini  
Relating to domestic surplus lines insurers; authorizing and imposing a tax.

**SB 1633** Perry  
Relating to the provision of pharmacy services through a telepharmacy system; establishing a remote dispensing site license.

**SB 1655** Watson  
Relating to the availability of certain information under the public information law.

**SB 1698**

Lucio

Relating to outreach and awareness for women veterans in this state.

**SB 1780**

Zaffirini

Relating to the amount of compensation and allowances of a county auditor in certain counties.

**SB 1929**

Kolkhorst

Relating to maternal mortality and morbidity and pregnancy-related deaths, including postpartum depression.

**SB 2053**

West

Relating to the distribution of the consolidated court cost.

**SB 2127**

Taylor, Larry

Relating to limitations on the information reported by consumer reporting agencies.

Respectfully,

Patsy Spaw

Secretary of the Senate

**Message No. 3**

## MESSAGE FROM THE SENATE

## SENATE CHAMBER

Austin, Texas

Thursday, April 27, 2017 - 3

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

## THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**SB 399**

Kolkhorst

Relating to nontolled lanes on a highway that has been converted from a nontolled highway to a toll project.

**SB 687**

Uresti

Relating to the collection and use of certain information relating to child abuse and neglect and the provision of prevention and early intervention services; creating an offense.

**SB 1148**

Buckingham

Relating to maintenance of certification by a physician or an applicant for a license to practice medicine in this state; authorizing a fee.

**SB 1584**

Garcia

Relating to the conditions of community supervision.

**SB 1622**

Uresti

Relating to the creation of a statewide alert system for missing military members.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 4**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Thursday, April 27, 2017 - 4

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 602** Hinojosa

Relating to the establishment of a restructuring commission to evaluate each state supported living center.

**SB 738** Kolkhorst

Relating to the transfer of certain suits affecting the parent-child relationship.

**SB 1731** Birdwell

Relating to the repeal of laws governing certain state entities, including the functions of those entities.

**SB 2076** Rodríguez

Relating to the titling of motor vehicles; creating a criminal offense and authorizing fees.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**April 26**

Agriculture and Livestock - **HB 338, HB 3582, HB 3587**

Business and Industry - **HB 2067, HB 2483, HB 2856, HB 3702, HB 3868, HB 3879, HB 4011, HB 4264**

Corrections - **HB 3697, HB 4280**

County Affairs - **HB 295, HB 1716, HB 3639, HB 4024, HB 4049**

Criminal Jurisprudence - **HB 1314, HB 1404, HB 2509, HB 2908, HB 3016, HB 3189, HB 3872, HB 3978**

Culture, Recreation, and Tourism - **HB 1254, HB 2274, HCR 27, HCR 75, HCR 83**

Defense and Veterans' Affairs - **HB 1630**

Economic and Small Business Development - **HB 3323**

Elections - **HB 273, HB 332, HB 530, HB 543, HB 1086, HB 1151, HB 1391, HB 2139, HB 3422**

Higher Education - **HB 16, HB 17, HB 2002**

Human Services - **HB 1160, HB 2752, HB 2904, HB 2992, HB 3788, HB 3934**

Insurance - **HB 1944, HB 2131, HB 3202**

Judiciary and Civil Jurisprudence - **HB 1480, HB 2207, HB 2783**

Juvenile Justice and Family Issues - **HB 2848, HB 2849**

Licensing and Administrative Procedures - **HB 2976**

Natural Resources - **HB 1946, HB 1964, HB 3025, HB 3043, HB 3166, HB 3417, HB 3987**

Pensions - **HB 1416, HB 1976**

Public Education - **HB 515**

State Affairs - **HB 1665, HB 2463, HB 2780, HB 3859**

Transportation - **HB 277**

Urban Affairs - **HB 2351, HB 3685**

Ways and Means - **HB 27, HB 902, HB 1494, HB 1623, HB 2445, HB 2526, HB 3181, HB 3973, HJR 52, SB 1120**

**SENT TO THE GOVERNOR**

**April 26 - HCR 74, HCR 76, HCR 111, HCR 114, HCR 115, HCR 116**