

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-THIRD DAY — THURSDAY, MAY 4, 2017

The house met at 2:37 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 733).

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; Cospes; Craddick; Cyrier; Dale; Darby; Davis, S.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; 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 — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Davis, Y.; Dukes; Reynolds; Smithee.

The chair recognized Representative Sanford who offered the invocation.

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

LEAVE OF ABSENCE GRANTED

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

Perez on motion of Sheffield.

REGULAR ORDER OF BUSINESS SUSPENDED

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

RULES SUSPENDED

Representative Goldman moved to suspend Rule 6, Section 16 of the House Rules and all necessary rules to place **HB 477** and **HB 1404** on their third readings and final passage at the end of today's third reading general state calendar.

The motion prevailed by (Record 734): 142 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, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; 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; Bonnen, D.(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Davis, Y.; Dukes; Reynolds; Smithee.

(Smithee now present)

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 735): 143 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, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; 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; Bonnen, D.(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Davis, Y.; Dukes; Reynolds.

STATEMENTS OF VOTE

When Record No. 735 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 735 was taken, I was in the house but away from my desk. I would have voted yes.

Reynolds

HB 156

HB 210

HB 263

SB 128 (Lang, Rinaldi, and Zedler - no) (140 - 3 - 2)

HB 273

HB 297

HB 332 (Tinderholt - no) (142 - 1 - 2)

HB 441

HB 462

HB 492 (Tinderholt - no) (142 - 1 - 2)

HB 555 (Cain, Lang, Rinaldi, Schaefer, Stickland, Tinderholt, and Zedler - no) (136 - 7 - 2)

HB 653 (Cain, Lang, Rinaldi, Stickland, Tinderholt, and Zedler - no) (137 - 6 - 2)

HB 933 (Cain, Flynn, Lang, Rinaldi, Stickland, Tinderholt, and Zedler - no) (136 - 7 - 2)

HB 938

HB 979

HB 986

HB 1028

SB 706

HB 1160

HB 1234

HB 1238 (Tinderholt - no) (142 - 1 - 2)

HB 1254

HB 1288 (Holland, Israel, and E. Rodriguez - present, not voting) (140 - 0 - 5)

SB 594

HB 1303

HB 1494 (Lang, Rinaldi, Schaefer, Tinderholt, and Zedler - no) (138 - 5 - 2)

HB 1501 (Cain, Murphy, Schaefer, and Stickland - no) (139 - 4 - 2)

HB 1510

HB 1521

HB 1538

HB 1558

HB 1573

HB 1608

HB 1611

HB 1638 (Tinderholt - no) (142 - 1 - 2)

HB 1642

HB 1716 (Schaefer and Tinderholt - no) (141 - 2 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 929 (Tinderholt - no) (142 - 1 - 2)

HB 1815 (Cain, Stickland, and Tinderholt - no) (140 - 3 - 2)

HB 1823 (Flynn - no) (142 - 1 - 2)

HB 1860

SB 881

HB 1904

HB 1905

HB 2002

HB 2057

HB 2064

HB 2128

HB 2136

HB 2182

HB 2283

HB 2319

HB 2339

SB 1176

HB 2431 (Cain, Schaefer, Stickland, and Tinderholt - no) (139 - 4 - 2)

HB 2445 (Cain, Schaefer, Stickland, and Tinderholt - no) (139 - 4 - 2)

HB 2469

HB 2475

HB 2565 (Cain and Stickland - no) (141 - 2 - 2)

HB 2566 (Lang, Rinaldi, and Zedler - no) (140 - 3 - 2)

HB 2567

HB 2576 (Cain and Stickland - no) (141 - 2 - 2)

HB 2610

HB 2624 (Cain, Lang, Rinaldi, Schaefer, Stickland, and Zedler - no)
(137 - 6 - 2)

HB 2625 (Cain, Lang, Rinaldi, Schaefer, Stickland, and Zedler - no)
(137 - 6 - 2)

HB 2654

HB 2663

HB 2681 (Cain, Lang, Rinaldi, Schaefer, Stickland, and Zedler - no)
(137 - 6 - 2)

HB 2687 (Cain, Lang, Rinaldi, Schaefer, Stickland, and Zedler - no)
(137 - 6 - 2)

SB 1390 (Tinderholt - no) (142 - 1 - 2)

HB 2739 (Tinderholt - no) (142 - 1 - 2)

HB 2744 (Cain, Lang, Rinaldi, Schaefer, Stickland, and Zedler - no)
(137 - 6 - 2)

HB 2756

HB 2762 (Holland, Israel, and E. Rodriguez - present, not voting)
(140 - 0 - 5)

HB 2765

HB 2818

HB 2819

HB 2849

HB 2904 (Lang, Rinaldi, and Zedler - no) (140 - 3 - 2)

HB 2909

HB 2912 (Cain, Lang, Rinaldi, Schaefer, Stickland, and Zedler - no)
(137 - 6 - 2)

HB 2916

HB 2927

HB 2938 (Paul and E. Thompson requested to be recorded voting no after
the deadline established by Rule 5, Section 52 of the House Rules.)

HB 2976

HB 2985

HB 3003

HB 3029 (Tinderholt - no) (142 - 1 - 2)

HB 3069

HB 3071

HB 3082

HB 3167

HB 3169

HB 3177

HB 3178 (Holland, Israel, and E. Rodriguez - present, not voting)
(140 - 0 - 5)

HB 3181 (Lang, Rinaldi, Schaefer, Tinderholt, and Zedler - no) (138 - 5 - 2)

HB 3188

HB 3206

HB 3342

HB 3394

HB 3423

HB 3453

HB 3484 (Rinaldi, Schaefer, Tinderholt, and Zedler - no) (139 - 4 - 2)

HB 3492 (Cain, Stickland, and Tinderholt - no) (140 - 3 - 2)

HB 3496

HB 3504

HB 3521

HB 3567

HB 3582

HB 3657

HB 3674

HB 3690 (Landgraf - no) (142 - 1 - 2)

HB 3726

HB 3727

HB 3808 (Cain, Lang, Rinaldi, Schaefer, Stickland, Tinderholt, and Zedler - no) (136 - 7 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

HB 3879

HB 3905 (Cain and Stickland - no) (141 - 2 - 2)

HB 3934

HB 3948

HB 3952

HB 3992

HB 4002

HB 4007

HB 4026 (Cain, Stickland, and Tinderholt - no) (140 - 3 - 2)

HB 4029 (Lang, Rinaldi, Schaefer, and Zedler - no) (139 - 4 - 2)

HB 4035

HB 4056

SB 1576

HB 4147

HB 4156

HB 4182

HB 4271 (Cain, Rinaldi, Stickland, and Zedler - no) (139 - 4 - 2)

HB 4284

HB 4291

HB 4305 (Cain, Schaefer, and Stickland - no) (140 - 3 - 2)

HB 4306 (Cain, Schaefer, and Stickland - no) (140 - 3 - 2)

HB 4330 (Rinaldi and Zedler - no) (141 - 2 - 2)

HB 2067

HB 2836

HB 3481

(Goldman in the chair)

(Y. Davis, Dukes, and Reynolds now present)

SB 21 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Darby, Representatives C. Anderson, R. Anderson, Ashby, Bailes, Bell, Bohac, G. Bonnen, Burkett, Burns, Cain, Capriglione, Clardy, Cyrier, Dale, Faircloth, Fallon, Frullo, Goldman, Gooden, Hefner, Holland, Huberty, Isaac, Kacal, Keough, Klick, Kuempel, Lambert, Lang, Larson, Lozano, Metcalf, Miller, Murphy, Oliverson, Paddie, Paul, Phelan, Phillips, Price, Roberts, Schaefer, Schofield, Schubert, Sheffield, Stephenson, Stickland, Swanson, E. Thompson, White, Wilson, Workman, and Wray were authorized as house sponsors to **SB 21**.

**EMERGENCY CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 21 ON THIRD READING
(P. King - House Sponsor)**

SB 21, A bill to be entitled An Act relating to the qualifications, duties, and limitations of Texas delegates to a convention called under Article V of the United States Constitution.

SB 21 was passed by (Record 736): 119 Yeas, 20 Nays, 2 Present, not voting.

Yeas — Allen; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Fairecloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; Gooden; Guillen; Hefner; Hernandez; Holland; Howard; Huberty; Hunter; Isaac; Israel; 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; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Arévalo; Bernal; Canales; Collier; Dukes; González; Guerra; Gutierrez; Hinojosa; Johnson, E.; Minjarez; Nevárez; Ortega; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Wu.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Anchia; Blanco; Coleman; Herrero; Turner; Uresti; Vo.

STATEMENTS OF VOTE

When Record No. 736 was taken, I was shown voting no. I intended to vote yes.

Alvarado

When Record No. 736 was taken, I was shown voting yes. I intended to vote no.

Gervin-Hawkins

When Record No. 736 was taken, I was shown voting no. I intended to vote yes.

Guerra

When Record No. 736 was taken, I was shown voting yes. I intended to vote no.

Howard

When Record No. 736 was taken, I was shown voting yes. I intended to vote no.

S. Thompson

When Record No. 736 was taken, I was in the house but away from my desk. I would have voted no.

Uresti

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 259 ON THIRD READING
(Neave - House Sponsor)**

SB 259, A bill to be entitled An Act relating to jury summons questionnaires.

SB 259 was passed by (Record 737): 141 Yeas, 1 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; 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; Phelan; Phillips; Pickett; Price; Raney;

Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Villalba.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Frullo; Keough; Kuempel; Sanford.

STATEMENT OF VOTE

When Record No. 737 was taken, I was in the house but away from my desk. I would have voted yes.

Keough

SB 763 ON THIRD READING (Frullo - House Sponsor)

SB 763, A bill to be entitled An Act relating to the composition of the Texas Historical Commission.

SB 763 was passed by (Record 738): 134 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospér; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; 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; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Bonnen, D.; Bonnen, G.; Cain; Hefner; Lang; Rinaldi; Schaefer; Springer; Stickland; Tinderholt.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Capriglione; Swanson.

SB 507 ON THIRD READING
(Fruzzo and Collier - House Sponsors)

SB 507, A bill to be entitled An Act relating to mediation of the settlement of certain out-of-network health benefit claims involving balance billing.

SB 507 was passed by (Record 739): 133 Yeas, 12 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; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Fruzzo; Geren; Gervin-Hawkins; Giddings; 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; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

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

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Nevárez.

STATEMENT OF VOTE

When Record No. 739 was taken, I was shown voting no. I intended to vote yes.

Schaefer

SB 758 ON THIRD READING
(J. Rodriguez - House Sponsor)

SB 758, A bill to be entitled An Act relating to bill payment assistance programs offered by certain municipalities.

SB 758 was passed by (Record 740): 111 Yeas, 35 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospser; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Cyrier; Dale; Faircloth; Fallon; Hefner; Holland; Isaac; Keough; Krause; Landgraf; Lang; Laubenberg; Leach; Lozano; Metcalf; Miller; Rinaldi; Sanford; Schaefer; Shaheen; Smithee; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

STATEMENTS OF VOTE

When Record No. 740 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 740 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 740 was taken, I was shown voting yes. I intended to vote no.

Simmons

SB 1003 ON THIRD READING
(Paddie - House Sponsor)

SB 1003, A bill to be entitled An Act relating to the participation of deregulated telecommunications companies in the lifeline program.

SB 1003 was passed by (Record 741): 145 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; 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; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; 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 — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Muñoz.

SB 1145 ON THIRD READING
(Deshotel and Phelan - House Sponsors)

SB 1145, A bill to be entitled An Act relating to the deployment of advanced metering and meter information networks in certain non-ERCOT areas.

SB 1145 was passed by (Record 742): 140 Yeas, 2 Nays, 4 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon;

Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; 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; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; 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.

Nays — Murr; Rinaldi.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Oliveira; Schofield.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR
SENATE BILLS
THIRD READING

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

SB 1086 ON THIRD READING
(Elkins - House Sponsor)

SB 1086, A bill to be entitled An Act relating to the availability of certain hotel occupancy tax information.

SB 1086 was passed by (Record 743): 144 Yeas, 1 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; Cain; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; 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; 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.

Nays — Canales.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Biedermann.

STATEMENT OF VOTE

When Record No. 743 was taken, I was in the house but away from my desk. I would have voted yes.

Biedermann

SJR 2 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Darby, Representatives C. Anderson, R. Anderson, Ashby, Bailes, Bell, Biedermann, Bohac, D. Bonnen, G. Bonnen, Burkett, Burns, Burrows, Button, Cain, Capriglione, Clardy, Cosper, Cyrier, Dale, Darby, Dean, Elkins, Faircloth, Fallon, Flynn, Frank, Frullo, Geren, Goldman, Gooden, Hefner, Holland, Huberty, Isaac, Kacal, Keough, P. King, Klick, Krause, Kuempel, Lambert, Landgraf, Lang, Larson, Laubenberg, Leach, Lozano, Metcalf, Murphy, Oliverson, Paddie, Parker, Paul, Phelan, Phillips, Price, Raney, Rinaldi, Roberts, Schaefer, Schubert, Shaheen, Sheffield, Shine, Smithee, Springer, Stephenson, Stickland, Stucky, Swanson, E. Thompson, Tinderholt, VanDeaver, White, Wilson, Workman, Wray, Zedler, and Zerwas were authorized as house sponsors to **SJR 2**.

(Speaker in the chair)

CONSTITUTIONAL AMENDMENTS CALENDAR SENATE JOINT RESOLUTIONS SECOND READING

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

CSSJR 2 ON SECOND READING (Miller - House Sponsor)

CSSJR 2, A joint resolution applying to the Congress of the United States to call a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

Amendment No. 1

Representative Miller offered the following amendment to **CSSJR 2**:

Amend **CSSJR 2** (house committee printing) by striking page 2, line 22, through page 3, line 1.

Amendment No. 1 was adopted by (Record 744): 99 Yeas, 46 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; González; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Neave; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; 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; Dukes; Dutton; Farrar; Gervin-Hawkins; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Lucio; Martinez; Minjarez; Moody; Muñoz; Nevárez; Oliveira; Ortega; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Giddings; Guillen.

STATEMENT OF VOTE

When Record No. 744 was taken, I was in the house but away from my desk. I would have voted no.

Giddings

COMMITTEE GRANTED PERMISSION TO MEET

Representative Flynn requested permission for the Committee on Pensions to meet while the house is in session, at 4 p.m. today, in 1W.14, to consider **SB 2190** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Pensions, 4 p.m. today, 1W.14, for a formal meeting, to consider **SB 2190** and pending business.

CSSJR 2 - (consideration continued)

Amendment No. 2

Representative Turner offered the following amendment to **CSSJR 2**:

Amend **CSSJR 2** (house committee printing) as follows:

- (1) On page 2, line 10, strike "and".
- (2) On page 2, line 11, between "Congress" and the semicolon, insert ", and to remove from office those officials and members found to have colluded with foreign governments".
- (3) On page 2, line 20, strike "and".
- (4) On page 2, line 21, between "Congress" and the semicolon, insert ", and to remove from office those officials and members found to have colluded with foreign governments".
- (5) On page 3, line 12, strike "and".
- (6) On page 3, line 13, between "Congress" and the semicolon, insert ", and to remove from office those officials and members found to have colluded with foreign governments".
- (7) On page 3, line 21, strike "government, and" and substitute "government,".
- (8) On page 3, line 23, between "Congress" and the period, insert ", and to remove from office those officials and members found to have colluded with foreign governments".

Representative Miller moved to table Amendment No. 2.

The motion to table prevailed by (Record 745): 95 Yeas, 52 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; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Hinojosa; 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; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez;

Herrero; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; 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 — Perez.

Absent, Excused, Committee Meeting — Longoria.

STATEMENT OF VOTE

When Record No. 745 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

CSSJR 2, as amended, was adopted by (Record 746): 94 Yeas, 51 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; Cospere; 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.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Murphy; Murr; Neave; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; 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; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Nevárez; Oliveira; Ortega; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Simmons; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Guillen.

STATEMENT OF VOTE

When Record No. 746 was taken, I was shown voting no. I intended to vote yes.

Morrison

**EMERGENCY CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 2465 ON THIRD READING
(by S. Davis)**

HB 2465, A bill to be entitled An Act relating to political contributions by corporations and labor organizations to certain political committees.

HB 2465 was passed by (Record 747): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; 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; 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.

Nays — Canales.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Giddings.

STATEMENT OF VOTE

When Record No. 747 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

(Kacal in the chair)

HB 2470 ON THIRD READING**(by S. Davis)**

HB 2470, A bill to be entitled An Act relating to permitting the Texas Ethics Commission to provide seminars and charge an attendance fee for those seminars.

HB 2470 was passed by (Record 748): 126 Yeas, 18 Nays, 2 Present, not voting.

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

Nays — Bell; Biedermann; Cain; Canales; Faircloth; Johnson, J.; Keough; Krause; Lang; Leach; Rinaldi; Sanford; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Giddings.

STATEMENT OF VOTE

When Record No. 748 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

HB 2471 ON THIRD READING**(by S. Davis, et al.)**

HB 2471, A bill to be entitled An Act relating to prohibiting political contributions and political expenditures made by certain persons with public funds; creating a criminal offense.

HB 2471 was passed by (Record 749): 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; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Oliverson; Ortega; Paddie; Parker; Paul; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Giddings; Oliveira.

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 1103 ON THIRD READING
(by Hernandez)**

HB 1103. A bill to be entitled An Act relating to excluding a person on the suspense list from jury duty and the use of the address of a person submitted by the voter registrar to the secretary of state in preparing a jury wheel.

HB 1103 was passed by (Record 750): 125 Yeas, 18 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Dukes; Dutton; Elkins; Faircloth; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Stephenson; Stickland; Stucky; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Bonnen, D.; Cain; Cospers; Dale; Fallon; Frank; Hefner; Holland; Isaac; Krause; Paul; Sanford; Schaefer; Springer; Swanson; Thompson, E.; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Biedermann; Davis, Y.; Deshotel.

HB 22 ON THIRD READING

(by Huberty, D. Bonnen, K. King, Meyer, Bernal, et al.)

HB 22, A bill to be entitled An Act relating to public school accountability.

HB 22 - REMARKS

REPRESENTATIVE HUBERTY: Members, this is **HB 22**, which we passed yesterday. Hundreds and hundreds and lots of hours' worth of work, lots of people worked with us—I appreciate that. I appreciate the committee. I know that Mr. Isaac is planning on offering an amendment. Let me take a moment to explain to you that I will be moving to table that. We have spent hundreds of hours trying to find the middle ground to make this bill work. Representative Stickland offered an amendment yesterday that the teacher groups had supported. As of yesterday, the Texas Education Agency has an agreement with the teachers on how the appraisal system would work. He's going to tell you that his amendment is great and what it does. It's false, not true. We have come to an agreement on it. We have a good bill. I'm going to ask you to stick with me on moving to table his amendment as we move forward.

Amendment No. 1

Representative Isaac offered the following amendment to **HB 22**:

Amend **HB 22** on third reading (second reading engrossment) in SECTION 14 of the bill, in amended Section 39.053(c)(3)(A), Education Code (page 20, line 23 through page 21, line 1), by striking Subparagraph (vii) and substituting the following:

(vii) teacher quality as determined by the commissioner, provided that any teacher quality indicator that considers the performance of a teacher's students may not consider student performance on assessment instruments required under Section 39.023;

AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE ISAAC: Chairman Huberty, you practically did my layout for me. I appreciate it. Yes, just yesterday, TEA settled a lawsuit on the issue of using STAAR testing in teacher evaluations. So districts are no longer required to make STAAR scores a component of their local evaluations. This amendment would simply prohibit STAAR scores from being a factor in the teacher quality section of the school climate score under **HB 22**. So if you're concerned with this issue of teachers being penalized, teachers that don't teach STAAR subjects, then vote against the motion to table. All this says is STAAR scores are simply not an equitable measure for teacher quality because, again, not all teachers cover STAAR subjects, and not every subject is tested every year. So why should we penalize teachers that aren't teaching the subject? And they're not being tested every year. This amendment is written specifically to allow other standardized tests.

REPRESENTATIVE TINDERHOLT: I want to make sure that I'm hearing this right. What you're basically saying is, if this is fair and equitable across the entire state, and not every single place is using STAAR to this level, that it's not a fair and equitable. It's not the same across the state unless this amendment is approved. Is that correct?

ISAAC: That is absolutely correct. Again, there are many optional tests that are out there that other districts are using. You heard me yesterday talk about San Antonio Independent School District, which is using another measure that truly measures progress that teachers are making throughout the school year. STAAR is not one of those measures, and our teachers should not be penalized because of a STAAR test if they don't teach the subject. So I'm asking you to vote against the motion to table. Let's have something equitable in statute not something that we are doing right now, which is evaluating teachers based on STAAR. Let's prohibit it. Vote against the motion to table.

Representative Huberty moved to table Amendment No. 1.

The motion to table prevailed by (Record 751): 97 Yeas, 46 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Cook; Cortez; Cospers; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Farrar; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; King, K.; King, P.; Koop; Kuempel; Lambert; Larson; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Oliverson; Ortega; Paddie; Parker; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Stickland; Stucky; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burrows; Cain; Collier; Dale; Faircloth; Fallon; Flynn; Goldman; González; Gooden; Gutierrez; Hefner; Isaac; Keough; King, T.; Klick; Landgraf; Lang; Laubenberg; Leach; Lozano; Metcalf; Murr; Nevárez; Oliveira; Paul; Rinaldi; Rodriguez, J.; Sanford; Schaefer; Shaheen; Smithee; Springer; Stephenson; Swanson; Thierry; Tinderholt; Walle; White; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Krause; Phillips; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 751 was taken, I was shown voting yes. I intended to vote no.

Bohac

When Record No. 751 was taken, I was shown voting yes. I intended to vote no.

Phelan

HB 22 - REMARKS

HUBERTY: Thank you for your support of this bill. This is a great step forward in our accountability system. I move passage.

HB 22 was passed by (Record 752): 146 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

HB 23 ON THIRD READING
(by Huberty and Simmons)

HB 23, A bill to be entitled An Act relating to a grant program to fund innovative programs for public school students with autism.

HB 23 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE GOODEN: I just want to confirm that the grant funds provided in this bill are limited to public schools. Is that correct?

REPRESENTATIVE HUBERTY: Correct.

GOODEN: Could we get your commitment that in negotiations with the senate that this bill continues to stay that way when it comes back to us?

HUBERTY: Absolutely. Yes, sir.

REPRESENTATIVE SIMMONS: I want to go back to Representative Gooden's question on it being for public school children, right?

HUBERTY: Yes, sir.

SIMMONS: And this is a grant program that provides a charter school or a what we consider a normal public school to be eligible to apply for this grant, right?

HUBERTY: Correct.

SIMMONS: And it's for a child that is enrolled in those schools?

HUBERTY: Correct.

SIMMONS: And this is for those children that are on the autism spectrum, correct?

HUBERTY: Correct, and we added, by approval through the commissioner, cognitive learning. So another disorder could be cognitive learning, dyslexia, things of that nature, if the school wanted to specialize in that particular area. As you know, there are some specialty autism schools in Texas but none for cognitive or dyslexia or things of that nature.

SIMMONS: And would you agree that the reason this is needed is because some of our schools have not provided the appropriate services to these children? Is that correct?

HUBERTY: Yes, Mr. Simmons, that is absolutely 100 percent factual. You and I have had this discussion. I have a 504 student. I know very well the process and what children do get and what they don't get, and it's been proven here in Texas that we were having difficulty getting some of these student services. That's correct. Yes, sir.

SIMMONS: And so those people that are—you understand why I have promoted providing additional choice, that's correct?

HUBERTY: I do. Yes, sir.

SIMMONS: And that there are some families that still have not been able to find that. Maybe this will help some of those.

HUBERTY: Yes, sir.

SIMMONS: So the idea of thinking about choice for these our most vulnerable children is not something that, while we could disagree on how it works, should not be something that should be so repulsive to people like it seems to be in some cases around here.

HUBERTY: No, sir, and that's why I was so proud of our committee to support this, because we recognize that. We heard it last week at hearings from parents, some in my community that have nowhere to go. So this is a great first step for us, I believe, to fund specific programs. For specifically, autism, I think it's a wonderful first step.

SIMMONS: Right, and you thought about this in advance so we allocated some funds ahead of time, is that correct?

HUBERTY: Yes, sir. We have \$20 million in the biennium. Also, the program lasts for five years, because we don't want them just to get started, and then we come back and the legislature says, oh, we're not going to do it. We need it to work, and we need to put the program in place. So again, this is a great first step. This is an option. This is a real choice in the public sector, in the public school system for these children. It's a wonderful opportunity for these children. I'm very excited about this.

SIMMONS: You've done a great job on this. I appreciate you standing for these children and not letting the administrators or the others that just want to think about nothing but money to get in the way of educating these children.

HB 23 was passed by (Record 753): 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; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Oliveira; Rodriguez, E.

REMARKS ORDERED PRINTED

Representative Burkett moved to print remarks between Representative Huberty and Representative Gooden and between Representative Huberty and Representative Simmons.

The motion prevailed.

HB 550 ON THIRD READING (by Guillen)

HB 550, A bill to be entitled An Act relating to sound-producing devices on vessels.

HB 550 failed to pass by (Record 754): 67 Yeas, 79 Nays, 2 Present, not voting. (The motion to reconsider the vote was spread on the journal later today. The vote was reconsidered on May 5, and **HB 550** was passed by Record No. 839.)

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Clardy; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Fairecloth; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Lambert; Larson; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Phillips; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Smithee; Thierry; Thompson, S.; Turner; Uresti; Villalba; Vo; Walle; Wu.

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

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

STATEMENTS OF VOTE

When Record No. 754 was taken, I was shown voting yes. I intended to vote no.

Clardy

When Record No. 754 was taken, I was shown voting yes. I intended to vote no.

Faircloth

When Record No. 754 was taken, I was shown voting yes. I intended to vote no.

Gonzales

When Record No. 754 was taken, I was shown voting yes. I intended to vote no.

Lambert

HB 967 ON THIRD READING
(by VanDeaver)

HB 967, A bill to be entitled An Act relating to the powers of the TexAmericas Center.

HB 967 was passed by (Record 755): 115 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Burkett; Burns; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Larson; Laubenberg; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Biedermann; Bonnen, D.; Bonnen, G.; Burrows; Button; Cain; Capriglione; Cyrier; Faircloth; Fallon; Goldman; Hefner; Klick; Krause; Landgraf; Lang; Leach; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Farrar; Uresti.

STATEMENTS OF VOTE

When Record No. 755 was taken, I was shown voting yes. I intended to vote no.

Bohac

When Record No. 755 was taken, I was shown voting yes. I intended to vote no.

Keough

When Record No. 755 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 755 was taken, I was in the house but away from my desk. I would have voted yes.

Uresti

HB 1776 ON THIRD READING

(by Ashby, Huberty, Price, R. Anderson, Kacal, et al.)

HB 1776, A bill to be entitled An Act relating to including a civics test in the graduation requirements for public high school students and to eliminating the United States history end-of-course assessment instrument.

HB 1776 was passed by (Record 756): 139 Yeas, 6 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; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; Rinaldi; Schofield; Stickland; Swanson; Tinderholt.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Oliveira.

HB 1753 ON THIRD READING
(by Farrar, Smithee, and Neave)

HB 1753, A bill to be entitled An Act relating to authorizing a beneficiary designation that transfers a motor vehicle at the owner's death.

HB 1753 was passed by (Record 757): 142 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; Coleman; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; 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; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Clardy; Collier; Keough; Lambert.

STATEMENT OF VOTE

When Record No. 757 was taken, I was in the house but away from my desk. I would have voted yes.

Collier

HB 2468 ON THIRD READING
(by S. Davis)

HB 2468, A bill to be entitled An Act relating to a study on the assessments used by the Board of Pardons and Paroles to make parole decisions.

HB 2468 was passed by (Record 758): 145 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; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; 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; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Isaac.

HB 2529 ON THIRD READING

(by Meyer, S. Thompson, Parker, Burkett, et al.)

HB 2529, A bill to be entitled An Act relating to the definition of coercion for purposes of the offense of trafficking of persons.

HB 2529 was passed by (Record 759): 143 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; Cospere; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Craddick; Giddings; Shaheen.

STATEMENT OF VOTE

When Record No. 759 was taken, my vote failed to register. I would have voted yes.

Shaheen

HB 3921 ON THIRD READING

(by Parker, Price, Button, C. Anderson, and Thierry)

HB 3921, A bill to be entitled An Act relating to the financial exploitation of certain vulnerable adults.

HB 3921 was passed by (Record 760): 128 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; 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; Dukes; Dutton; Elkins; Faircloth; Fallon; 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.; Keough; King, K.; King, P.; King, T.; Koop; Lambert; Landgraf; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Krause; Lang; Rinaldi; Schaefer; Shaheen; Stickland; Tinderholt; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Bernal; Farrar; Klick; Kuempel; Moody; Oliveira; Simmons; Thompson, E.

STATEMENT OF VOTE

When Record No. 760 was taken, I was in the house but away from my desk. I would have voted yes.

Simmons

HB 2646 ON THIRD READING (by Martinez and Guerra)

HB 2646, A bill to be entitled An Act relating to advance acquisition of real property for a transportation facility.

HB 2646 was passed by (Record 761): 132 Yeas, 8 Nays, 2 Present, not voting.

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

Nays — Cain; Lang; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Alvarado; Anderson, R.; Deshotel; Johnson, J.; Muñoz; Walle.

STATEMENTS OF VOTE

When Record No. 761 was taken, my vote failed to register. I would have voted yes.

Alvarado

When Record No. 761 was taken, my vote failed to register. I would have voted yes.

Muñoz

HB 2771 ON THIRD READING
(by Phelan and Fallon)

HB 2771, A bill to be entitled An Act relating to the elimination of a fee collected for an on-site wastewater treatment permit application.

HB 2771 was passed by (Record 762): 142 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Paddie; Parker; Paul; 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; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — González; Ortega; Phillips; Wu.

HB 3537 ON THIRD READING
(by Geren)

HB 3537, A bill to be entitled An Act relating to the use of money subject to restrictions under federal law that is credited to the deferred maintenance fund account.

HB 3537 was passed by (Record 763): 144 Yeas, 2 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.;

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

Nays — Stickland; Tinderholt.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

HB 3593 ON THIRD READING

(by Bernal, Capriglione, Cortez, P. King, Bohac, et al.)

HB 3593, A bill to be entitled An Act relating to instruction in career and technology education provided by public schools, including instruction in technology applications, cybersecurity, and computer coding, and to consideration of completed practicums and internships in school accountability ratings.

HB 3593 was passed by (Record 764): 124 Yeas, 21 Nays, 2 Present, not voting.

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

Nays — Biedermann; Burrows; Cain; Elkins; Fallon; Hefner; Keough; Krause; Landgraf; Lang; Leach; Murr; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Bonnen, D.

STATEMENT OF VOTE

When Record No. 764 was taken, I was shown voting yes. I intended to vote no.

Shaheen

HB 1808 ON THIRD READING (by Meyer, S. Thompson, Parker, and Dale)

HB 1808. A bill to be entitled An Act relating to the prosecution and punishment of certain trafficking and sexual offenses.

Amendment No. 1

Representative Moody offered the following amendment to **HB 1808**:

Amend **HB 1808** on third reading as follows:

(1) Strike Section 22.021(a)(2)(A)(vi), Penal Code, from the bill and substitute the following:

(vi) with the intent of facilitating the commission of the offense, administers or provides [flunitrazepam, otherwise known as rohypnol, gamma hydroxybutyrate, or ketamine] to the victim of the offense any substance capable of impairing the victim's ability to appraise the nature of the act or to resist the act [with the intent of facilitating the commission of the offense];

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

SECTION _____. Section 22.011, Penal Code, is amended by amending Subsection (b) and adding Subsection (e-1) to read as follows:

(b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:

(1) the actor compels the other person to submit or participate by the use of physical force, ~~or~~ violence, or coercion;

(2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to the other person, and the other person believes that the actor has the present ability to execute the threat;

(3) the other person has not consented and the actor knows the other person is:

(A) unconscious;

(B) ~~or~~ physically unable to resist;

(C) incapable of appraising the nature of the act; or

(D) unaware that the sexual assault is occurring;

(4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;

(5) ~~[the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;~~

~~[(6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;~~

~~[(7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;~~

~~(6) [(8) the actor is a public servant who coerces the other person to submit or participate;~~

~~[(9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;~~

(7) ~~[(10)]~~ the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; ~~[(11)]~~

(8) ~~[(11)]~~ the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code; or

(9) the actor knows that the other person has withdrawn consent to the act and the actor persists in the act after consent is withdrawn.

(e-1) It is not a defense to prosecution under this section that the actor mistakenly believed that the other person consented to the conduct if a reasonable person should have known or understood that the other person did not consent to the conduct.

SECTION _____. Section 22.021, Penal Code, is amended by adding Subsection (d-1) to read as follows:

(d-1) It is not a defense to prosecution under this section that the actor mistakenly believed that the other person consented to the conduct if a reasonable person should have known or understood that the other person did not consent to the conduct.

Amendment No. 1 was adopted.

HB 1808, as amended, was passed by (Record 765): 146 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

HB 3849 ON THIRD READING
(by Zerwas)

HB 3849, A bill to be entitled An Act relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue, and the exemption of unappropriated money from use for general governmental purposes.

Representative Zerwas moved to postpone consideration of **HB 3849** until 5:10 p.m. today.

The motion prevailed.

HB 2639 ON THIRD READING
(by Pickett, Zerwas, Raymond, Wray, P. King, et al.)

HB 2639, A bill to be entitled An Act relating to an alert for a missing senior citizen or person with Alzheimer's disease.

HB 2639 was passed by (Record 766): 143 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; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; 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; Zerwas.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Schofield; Shaheen; Zedler.

STATEMENTS OF VOTE

When Record No. 766 was taken, I was in the house but away from my desk. I would have voted yes.

Schofield

When Record No. 766 was taken, I was in the house but away from my desk. I would have voted yes.

Shaheen

When Record No. 766 was taken, I was in the house but away from my desk. I would have voted yes.

Zedler

HB 3976 ON THIRD READING

(by Ashby, Zerwas, Huberty, Bernal, D. Bonnen, et al.)

HB 3976, A bill to be entitled An Act relating to the administration of and benefits payable under the Texas Public School Retired Employees Group Benefits Act.

HB 3976 was passed by (Record 767): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; 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.; 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; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Alvarado; Faircloth; Oliveira; Rodriguez, E.; Schofield; Shaheen.

STATEMENTS OF VOTE

When Record No. 767 was taken, I was shown voting yes. I intended to vote present, not voting.

Guillen

When Record No. 767 was taken, I was in the house but away from my desk. I would have voted yes.

E. Rodriguez

When Record No. 767 was taken, I was in the house but away from my desk. I would have voted yes.

Schofield

When Record No. 767 was taken, I was in the house but away from my desk. I would have voted yes.

Shaheen

HB 1917 ON THIRD READING

(by Raymond, Price, Zerwas, Longoria, S. Davis, et al.)

HB 1917, A bill to be entitled An Act relating to contract requirements for prescription drug benefits provided by Medicaid managed care organizations.

HB 1917 was passed by (Record 768): 102 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Burkett; Burns; Button; Canales; Clardy; Coleman; Collier; Cortez; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Faircloth; Farrar; Flynn; Frullo; Gervin-Hawkins; Giddings; Gonzales; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Stephenson; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burrows; Cain; Capriglione; Dean; Elkins; Fallon; Frank; Geren; Goldman; Hefner; Holland; Keough; King, P.; Krause; Lang; Leach; Metcalf; Miller; Morrison; Paul; Phillips; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Cook; González; Hunter.

STATEMENTS OF VOTE

When Record No. 768 was taken, I was shown voting no. I intended to vote yes.

C. Anderson

When Record No. 768 was taken, I was in the house but away from my desk. I would have voted no.

Cook

When Record No. 768 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 768 was taken, I was shown voting no. I intended to vote yes.

Keough

When Record No. 768 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 768 was taken, I was shown voting yes. I intended to vote no.

Schofield

REASON FOR VOTE

I intended to vote as I did on the second reading of the bill. While I believe in free market, with the transfer of authority from HHSC to DFPS, kinship care, and public private partnership of DPS and foster care all at the same time, changing pharmacy and distribution process is untimely and potentially dangerous. Too much too fast.

Keough

HB 1410 ON THIRD READING (by Ortega, Wu, and Frank)

HB 1410, A bill to be entitled An Act relating to the ability of foster parents to intervene in certain suits affecting the parent-child relationship.

HB 1410 was passed by (Record 769): 145 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; Dukes; Dutton; Elkins; 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.; 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; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Faircloth.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Darby requested permission for the Select Committee on State and Federal Power and Responsibility to meet while the house is in session, at 5 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Select Committee on State and Federal Power and Responsibility, 5 p.m. today, 1W.14, for a formal meeting, to consider pending business.

HB 935 ON THIRD READING

(by Zerwas, Darby, Kacal, Longoria, Price, et al.)

HB 935, A bill to be entitled An Act relating to emergency medical air transportation funding.

HB 935 was passed by (Record 770): 137 Yeas, 8 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; Cosper; Craddick; Cyrier; Dale; Darby; Davis,

S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; 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.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

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

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Faircloth.

STATEMENTS OF VOTE

When Record No. 770 was taken, I was in the house but away from my desk. I would have voted yes.

Faircloth

When Record No. 770 was taken, I was shown voting no. I intended to vote yes.

Stickland

HB 1407 ON THIRD READING

(by Sheffield, Paddie, Darby, Price, Bernal, et al.)

HB 1407, A bill to be entitled An Act relating to the establishment of the emergency medical services assistance program.

HB 1407 was passed by (Record 771): 128 Yeas, 18 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; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg;

Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Capriglione; Hefner; Isaac; Krause; Lang; Leach; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

STATEMENT OF VOTE

When Record No. 771 was taken, I was shown voting yes. I intended to vote no.

Bell

HB 2804 ON THIRD READING (by Price and Fallon)

HB 2804, A bill to be entitled An Act relating to the emergency scheduling of certain controlled substances for the purpose of the prosecution and punishment of certain offenses under the Texas Controlled Substances Act; expanding the application of certain criminal offenses.

HB 2804 was passed by (Record 772): 145 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; 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; Zerwas.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Zedler.

HB 2575 ON THIRD READING
(by Meyer, Fallon, et al.)

HB 2575, A bill to be entitled An Act relating to certain requirements imposed on a sex offender who enters the premises of a school.

HB 2575 was passed by (Record 773): 146 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; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

HB 1586 ON THIRD READING
(by T. King)

HB 1586, A bill to be entitled An Act relating to the services that require a structural pest control license; changing the applicability of an occupational license.

HB 1586 was passed by (Record 774): 126 Yeas, 19 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; 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; Dukes; Dutton; Elkins; Faircloth; Farrar; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Lozano; Lucio; Martínez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Cain; Fallon; Hefner; Keough; King, P.; Krause; Laubenberg; Leach; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

HB 1629 ON THIRD READING
(by Coleman)

HB 1629, A bill to be entitled An Act relating to the development of a quality-based outcome measure for the child health plan program and Medicaid regarding certain persons with HIV.

HB 1629 was passed by (Record 775): 137 Yeas, 9 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Martínez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield;

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

Nays — Keough; Rinaldi; Schaefer; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

STATEMENTS OF VOTE

When Record No. 775 was taken, I was shown voting yes. I intended to vote no.

Bell

When Record No. 775 was taken, I was shown voting no. I intended to vote yes.

White

HB 1645 ON THIRD READING

(by Lozano, Guillen, Oliverson, Koop, R. Anderson, et al.)

HB 1645, A bill to be entitled An Act relating to requiring certain school districts to allow students who participate in Special Olympics to earn a letter on that basis.

HB 1645 was passed by (Record 776): 145 Yeas, 1 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; 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.

Nays — Schaefer.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

STATEMENT OF VOTE

When Record No. 776 was taken, I was shown voting no. I intended to vote yes.

Schaefer

HB 2070 ON THIRD READING (by Smithee)

HB 2070, A bill to be entitled An Act relating to the enforcement of certain warranties for a new motor vehicle.

HB 2070 was passed by (Record 777): 142 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; 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.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Tinderholt.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Anderson, R.; Morrison; Pickett.

STATEMENT OF VOTE

When Record No. 777 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

HB 2101 ON THIRD READING
(by Frullo and Villalba)

HB 2101, A bill to be entitled An Act relating to the issuance of a food and beverage certificate to holders of certain alcoholic beverage permits and licenses.

HB 2101 was passed by (Record 778): 143 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; 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; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Giddings; Morrison; Stephenson.

STATEMENT OF VOTE

When Record No. 778 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

HB 2577 ON THIRD READING
(by S. Thompson)

HB 2577, A bill to be entitled An Act relating to the regulation of bingo games; authorizing fee refunds.

HB 2577 was passed by (Record 779): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Anderson, R.; Deshotel; Morrison.

STATEMENTS OF VOTE

When Record No. 779 was taken, my vote failed to register. I would have voted yes.

R. Anderson

When Record No. 779 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

HB 2578 ON THIRD READING (by S. Thompson)

HB 2578, A bill to be entitled An Act relating to the elimination of certain fees for licensure and the disposition of certain fees collected by the Texas Lottery Commission under the Bingo Enabling Act.

Amendment No. 1

Representative S. Thompson offered the following amendment to **HB 2578**:

Amend **HB 2578** on third reading, by striking added Section 2001.507(i), Occupations Code, and substituting the following:

(i) The commission shall reduce the amount of each local share of a fee to each county or municipality entitled to a share of the fee under Section 2001.503 on a pro rata basis as necessary to retain the amount necessary for the administration of bingo under this chapter for the state fiscal year less the amount estimated by the commission as license fees expected to be deposited in a special account in the general revenue fund for that year. The amount the commission retains under this subsection:

(1) must, in each state fiscal year, be the amount necessary to ensure that the ratio of the amount retained under this subsection to the amount paid to the commission as license fees during that fiscal year is the same as the ratio of the amount appropriated to the commission to enforce bingo laws under Chapter 1281 (HB 1), Acts of the 84th Legislature, Regular Session, 2015, to the amount paid to the commission as license fees during the state fiscal year ending August 31, 2017; and

(2) is considered miscellaneous revenue for purposes of appropriations made to the commission under the General Appropriations Act for the administration of this chapter.

Amendment No. 1 was adopted.

HB 2578, as amended, was passed by (Record 780): 146 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

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).

HB 2377 ON THIRD READING (by Larson and Lucio)

HB 2377, A bill to be entitled An Act relating to the development of brackish groundwater.

HB 2377 was passed by (Record 781): 143 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, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; 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; Kacal(C); Keough.

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Davis, Y.; Roberts.

STATEMENT OF VOTE

When Record No. 781 was taken, I was shown voting present, not voting. I intended to vote yes.

Keough

HB 3172 ON THIRD READING

(by Button, Alvarado, Springer, Gooden, Murphy, et al.)

HB 3172, A bill to be entitled An Act relating to the establishment of an electronic information and application system for state incentives for economic development purposes.

HB 3172 was passed by (Record 782): 115 Yeas, 30 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Burkett; Burns; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Leach; Lozano; Lucio; Martinez; Meyer; Miller;

Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Paul; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Smithee; Springer; Stephenson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burrows; Cain; Capriglione; Fallon; Goldman; Hefner; Holland; King, P.; Krause; Landgraf; Lang; Metcalf; Oliverson; Phelan; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Stickland; Stucky; Swanson; Tinderholt; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Laubenberg.

STATEMENTS OF VOTE

When Record No. 782 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 782 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 782 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 782 was taken, I was shown voting yes. I intended to vote no.

Keough

When Record No. 782 was taken, my vote failed to register. I would have voted yes.

Laubenberg

When Record No. 782 was taken, I was shown voting yes. I intended to vote no.

Leach

HB 3529 ON THIRD READING (by Capriglione, Alonzo, Springer, et al.)

HB 3529, A bill to be entitled An Act relating to the comptroller's investment of certain money held outside the state treasury.

HB 3529 was passed by (Record 783): 145 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; 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; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Laubenberg.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Laubenberg requested permission for the Committee on Elections to meet while the house is in session, at 6 p.m. today, in 1W.14, to consider **HB 944**, **HB 4134**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Elections, 6 p.m. today, 1W.14, for a formal meeting, to consider **HB 944**, **HB 4134**, and pending business.

HB 3664 ON THIRD READING (by T. King)

HB 3664, A bill to be entitled An Act relating to the establishment of a program for marketing, promotion, research, and education efforts regarding Texas wine; authorizing assessments.

HB 3664 was passed by (Record 784): 98 Yeas, 46 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Burkett; Burns; Burrows; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Darby; Davis, S.; Davis, Y.; Deshotel;

Dukes; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; King, K.; King, T.; Koop; Kuempel; Lambert; Larson; Laubenberg; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Smithee; Springer; Stephenson; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Button; Cain; Craddick; Cyrier; Dale; Dean; Fallon; Goldman; Hefner; Holland; Isaac; Keough; King, P.; Klick; Krause; Landgraf; Lang; Leach; Metcalf; Miller; Oliverson; Parker; Paul; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; White; Wilson; Workman; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Johnson, J.

STATEMENTS OF VOTE

When Record No. 784 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 784 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 784 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 784 was taken, I was shown voting yes. I intended to vote no.

Phelan

When Record No. 784 was taken, I was shown voting no. I intended to vote yes.

Stucky

HB 3295 ON THIRD READING

(by Klick)

HB 3295, A bill to be entitled An Act relating to the delivery of certain Medicaid services to persons with an intellectual or developmental disability.

HB 3295 was passed by (Record 785): 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.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; 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; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Burkett; Walle.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Select Committee on State and Federal Power and Responsibility:

Gonzales on motion of Gutierrez.

HB 3051 ON THIRD READING

(by P. King)

HB 3051, A bill to be entitled An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.

HB 3051 was passed by (Record 786): 143 Yeas, 2 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; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa;

Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; 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.

Nays — Cain; Rinaldi.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

HB 2442 ON THIRD READING **(by K. King)**

HB 2442, A bill to be entitled An Act relating to the minutes of operation required for public school districts, charter schools, and other education programs and to calculating the average daily attendance for certain education programs.

HB 2442 was passed by (Record 787): 142 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; 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; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; 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.

Nays — Cain.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Bohac; Coleman.

HB 2435 ON THIRD READING
(by Wray)

HB 2435, A bill to be entitled An Act relating to public improvement projects financed by or through assessments levied on property by municipalities and counties.

HB 2435 was passed by (Record 788): 129 Yeas, 16 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; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farrar; 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.; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

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

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

HB 2228 ON THIRD READING
(by Murphy)

HB 2228, A bill to be entitled An Act relating to deadlines for performing various functions in connection with the ad valorem tax system.

HB 2228 was passed by (Record 789): 142 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; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; 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; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Oliverson; Ortega; Paddie; Parker; Paul; 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; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Coleman; Oliveira; Thierry.

HB 2130 ON THIRD READING
(by Roberts, Dean, Simmons, Moody, et al.)

HB 2130, A bill to be entitled An Act relating to a study conducted by the Texas Education Agency regarding the statewide assessment program in relation to students in special education programs.

HB 2130 was passed by (Record 790): 132 Yeas, 10 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; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Krause; Lang; Leach; Rinaldi; Stickland; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Coleman; Hefner; Swanson.

STATEMENTS OF VOTE

When Record No. 790 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 790 was taken, I was shown voting no. I intended to vote yes.

Wilson

HB 1081 ON THIRD READING

(by Arévalo, Allen, and Dutton)

HB 1081, A bill to be entitled An Act relating to the new instructional facility allotment under the foundation school program.

HB 1081 was passed by (Record 791): 93 Yeas, 49 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Burkett; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Flynn; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Phelan; Phillips; Pickett; Rane; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Shaheen; Sheffield; Shine; Stephenson; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Frank; Geren; Goldman; Hefner; Isaac; Keough; King, P.; Krause; Landgraf; Lang; Laubenberg; Leach; Metcalf; Miller; Morrison; Oliverson; Paddie; Parker; Paul; Price; Rinaldi; Schaefer; Schubert; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Dukes; Frullo; Wray.

STATEMENTS OF VOTE

When Record No. 791 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 791 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 791 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 791 was taken, I was shown voting yes. I intended to vote no.

Sanford

When Record No. 791 was taken, I was in the house but away from my desk. I would have voted no.

Wray

HB 1569 ON THIRD READING
(by Ashby)

HB 1569, A bill to be entitled An Act relating to the disclosure to public schools of certain records of students placed in residential facilities.

HB 1569 was passed by (Record 792): 144 Yeas, 1 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; Dukes; 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; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

HB 1342 ON THIRD READING
(by Parker, et al.)

HB 1342, A bill to be entitled An Act relating to child sexual abuse prevention training for public school students.

Amendment No. 1

Representative Parker offered the following amendment to **HB 1342**:

Amend **HB 1342** on third reading in amended Section 38.004(b), Education Code, by striking Subdivisions (1) and (2) and substituting the following:

(1) each year include a description of the training:

(A) in an informational handbook provided to students, parents, and guardians; or

(B) on the Internet website of the school district, if the district does not provide an informational handbook to students, parents, and guardians;

(2) ensure that each student enrolled in the district attends the training each year; and

(3) provide at least two opportunities each year for a student to attend the training required that year.

Amendment No. 1 was adopted.

HB 1342, as amended, was passed by (Record 793): 128 Yeas, 15 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; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; 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; Hunter; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Burrows; Cain; Dale; Isaac; Klick; Murr; Phillips; Rinaldi; Schaefer; Springer; Stickland; Swanson; Tinderholt; White.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Morrison; Shaheen.

STATEMENTS OF VOTE

When Record No. 793 was taken, I was shown voting yes. I intended to vote no.

Bell

When Record No. 793 was taken, I was shown voting yes. I intended to vote no.

Krause

When Record No. 793 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 793 was taken, I was in the house but away from my desk. I would have voted no.

Shaheen

HB 3158 ON THIRD READING

(by Flynn, Villalba, Koop, Alonzo, Meyer, et al.)

HB 3158, A bill to be entitled An Act relating to the retirement systems for and the provision of other benefits to police and fire fighters in certain municipalities.

Amendment No. 1

Representative Y. Davis offered the following amendment to **HB 3158**:

Amend **HB 3158** on third reading, on page 149, line 9, between "annuity" and "by", insert ", payable either monthly or annually at the election of the member,".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Y. Davis offered the following amendment to **HB 3158**:

Amend **HB 3158** on third reading as follows:

(1) On page 15, line 18, between "(j-9)," and "(p)", insert "(j-10),".

(2) On page 23, line 23, immediately following the underlined period, insert "The State Pension Review Board is entitled to all documents and other information provided to the public or that are the basis for information provided to the public, as determined by the State Pension Review Board, for purposes of this subsection and shall independently review the information to ensure its validity."

(3) On page 23, between lines 23 and 24, insert the following:

(j-10) An employee or other agent acting on behalf of the pension system commits an offense if the person knowingly provides false information to the State Pension Review Board under Subsection (j-9) of this section. An offense under this subsection is a Class B misdemeanor.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Y. Davis offered the following amendment to **HB 3158**:

Amend **HB 3158** on third reading as follows:

(1) On page 151, line 1, strike "an unforeseeable emergency or hardship" and substitute "a financial hardship that was not reasonably foreseeable".

(2) On page 151, line 7, after the underlined period, insert: "In adopting the rules, the board shall provide flexibility to members."

Amendment No. 3 was adopted.

HB 3158, as amended, was passed by (Record 794): 141 Yeas, 0 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; 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; Dukes; 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, J.; 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; 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; Anchia; Johnson, E.; Kacal(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Deshotel; Giddings.

STATEMENT OF VOTE

When Record No. 794 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

HB 14 ON THIRD READING

(by Murr, S. Davis, Springer, and Oliverson)

HB 14, A bill to be entitled An Act relating to the carrying of handguns by license holders on the property of state hospitals; providing a civil penalty.

HB 14 was passed by (Record 795): 142 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; 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.

Nays — Bell; Cain.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Giddings.

STATEMENTS OF VOTE

When Record No. 795 was taken, I was shown voting no. I intended to vote yes.

Bell

When Record No. 795 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

HB 2040 ON THIRD READING (by P. King)

HB 2040, A bill to be entitled An Act relating to the building code standards for new residential construction in the unincorporated area of certain counties; affecting the prosecution of a criminal offense.

HB 2040 was passed by (Record 796): 128 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; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn;

Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Cain; Canales; Hefner; Krause; Lang; Leach; Nevárez; Rinaldi; Schaefer; Schofield; Shaheen; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — González.

HB 2207 ON THIRD READING

(by Kuempel)

HB 2207, A bill to be entitled An Act relating to procedures and fees for the deposit and safekeeping of wills and other fees collected by court clerks in probate matters; authorizing and increasing fees.

HB 2207 was passed by (Record 797): 142 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; 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; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; 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.

Nays — Canales.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Gonzales; Longoria.

Absent — Allen; Nevárez.

HB 2991 ON THIRD READING
(by Phillips and Fallon)

HB 2991, A bill to be entitled An Act relating to the confidentiality of files related to complaints to and investigations by the Texas Commission on Law Enforcement.

(Gonzales now present)

(Kuempel in the chair)

HB 2991 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE DUTTON: Chairman Phillips, I have a copy of your bill. I assume you know it, but on line 19 on the first page, I think it's titled "Confidentiality of Investigation Material"—tell me what investigation material we're making confidential that's not confidential now.

REPRESENTATIVE PHILLIPS: Well, because the attorney general has ruled that the language under this chapter where they are doing the civil complaints, or the administrative complaints, they don't have this type of protection. So while they're going through that investigation, they would have to disclose that, whether they've completed their investigation or had a chance to talk to all of the witnesses to find out if this is accurate or not. I know one instance in my community. There was an allegation that they weren't actually doing the continuing legal—like we do CLE, but it's their education that they have to do—so there was an investigation on that.

DUTTON: Let me ask you a question, but it's not excluded? It's not confidential to everybody is it, in the way the bill is drafted?

PHILLIPS: The officer gets to know what their charge is.

DUTTON: Well, he can get a copy of the whole file.

PHILLIPS: Well, there's some attorney-client privilege that he wouldn't be—or privileged information would not be.

DUTTON: But the public would be excluded from getting this information, is that right?

PHILLIPS: Just like they're going through the process, just through the process of the investigation, yes.

DUTTON: The public is excluded from the information during that period?

PHILLIPS: Just like they are on the criminal investigations today. And this language is similar to the Chiropractic Examiners, the Real Estate Commission, the Occupations Codes, because this is an occupation code type thing. Not so much, it wouldn't be related to—

DUTTON: Well, let me ask you this, what is the problem you're trying to cure? I'm trying to figure out what the problem is that creates the necessity for this particular bill and for this particular provision in your bill.

PHILLIPS: There's a few things going through that. One is, you certainly would not want—well, TCOLE investigators have shared that there's been a chilling effect from releasing this information on potential witnesses and informants, and this part helps them minimize the effects of that if they're investigating an officer. They've also seen this being used a lot in elections. So let's say you have somebody that wants to run for sheriff or constable, all of a sudden these violations get alleged, and then you have this big deal that there's an investigation going on, even though there may not be any kind of an issue. Just kind of like what we have if somebody files an ethics complaint against us, that they go through that process before they release it.

DUTTON: Well, I'm not sure I'm following you. In turn, your bill seems to go much further in its reach than what you're describing for this chamber.

PHILLIPS: I don't think so.

DUTTON: So it's your understanding that first of all, this only applies to administrative complaints, is that right?

PHILLIPS: Correct, administrative investigations.

DUTTON: Administrative investigations—and so those would be what kind of complaints, Chairman Phillips?

PHILLIPS: Well, they would be complaints that can be minor things like noncompliance with continuing education requirements or audit deficiencies—

DUTTON: Could they be a citizen filing a complaint against an officer?

PHILLIPS: If they didn't have their continuing education, that they made false—generally these types of complaints are made from the law enforcement or somebody involved with law enforcement. This is pretty much typically—

DUTTON: My question, though, is, will your bill prevent citizens filing a complaint against an office and getting information regarding that complaint while it's being investigated?

PHILLIPS: If they're not the complainant, I think probably they would, but that doesn't mean they wouldn't know what's going on, that they wouldn't be disclosed this information. If they're a witness and a complainant, they're going to be discussing it, so they're going to know about it.

DUTTON: Well, no, not a witness. I mean a citizen who makes a complaint against an officer.

PHILLIPS: Again, primarily these are law enforcement making these complaints and not citizens.

DUTTON: I think you told me that, but that's not my question. My question has to do with citizens. To what extent does this affect citizens making complaints against a police officer?

PHILLIPS: This doesn't stop them from making the complaint.

DUTTON: It won't, but it will prevent you from doing whatever your bill says you can't do now, after you pass this bill, right?

PHILLIPS: Right.

DUTTON: So something is going to be prohibited, right? And I'm trying to figure out what that is.

PHILLIPS: Until the investigation's over, as in most proper investigations, the whole investigation is not going to be made public until the investigation's complete. That's proper police work. Like you said, we don't want to freeze up the informants or the complainants or witnesses.

DUTTON: So that's what this does. It says that it would have to be a closed file in order for it to have to be excepted under our Open Records Act, is that right?

PHILLIPS: Excepted? I'm not sure I understand that.

DUTTON: Well, it would have to be a closed file. As long as the department was investigating it, and if that investigation took 100 years, it would never be made available to the public.

PHILLIPS: That's correct.

DUTTON: And so is there anything in here that says a department has to do an investigation timely or anything?

PHILLIPS: This is TCOLE; it's not your local police department.

DUTTON: I understand, that's why I'm calling it the department.

PHILLIPS: You said department. I just want to make it clear.

DUTTON: I meant TCOLE; I call it a department of state.

PHILLIPS: There's nothing in this bill that does that, but I assume that they have responsibilities to the TCOLE commissioners to dispose of their investigations and to report those. I don't know the full extent of that. I can certainly find that out.

DUTTON: Do you know how many such investigations they've had in the last year or so?

PHILLIPS: Let me see—I think I might have some information about that. Last fiscal year, they opened about 1,291 administrative investigations.

DUTTON: So if your bill passes, what will change is that those 1,200 or so investigations now will be excepted from public disclosure until such time as the investigations are completed, is that right?

PHILLIPS: Yes, sir, that's correct.

DUTTON: And the reason we need to do that is because—I think you said—the witnesses somehow or another have a problem with it or the informants have a problem with it?

PHILLIPS: Right, and to encourage them to keep being a part of that. That's what is reported to me.

DUTTON: And you see this bill as an opportunity to assist TCOLE?

PHILLIPS: Yes, this is to assist TCOLE do their job more effectively.

DUTTON: And so right now the choice we're making, really, with your bill is, do we assist TCOLE or do we assist the public or do we provide information to the public?

PHILLIPS: No, sir. We need TCOLE to be able to investigate and do a good job in their investigations and not get—

DUTTON: How long has TCOLE been around, though?

PHILLIPS: Well, TCOLE's been around for several years, but it used to be called TCLEOSE.

DUTTON: TCLEOSE—I got all that, but that's not my question. My question is—

PHILLIPS: I don't know how long. TCOLE's probably been around under TCOLE—has it been five years since we changed that?

DUTTON: Probably. Well, the name, but the function has been around for much longer than that.

PHILLIPS: Yes, much longer than that.

DUTTON: Right, so they have been doing these investigations before. My question, though, relates to why does this become such a needed tool by TCOLE now?

PHILLIPS: I think that some of that is that they've become used in political campaigns. They have become pawns in political campaigns.

DUTTON: Who has?

PHILLIPS: TCOLE and their investigations.

DUTTON: TCOLE has become pawns in a political—

PHILLIPS: Their investigations have become part of campaigns when those investigations haven't been completed. And just because of investigations, they're getting the open records requests regarding those, and they're having to focus on that.

DUTTON: Well, why don't we just eliminate them from providing information regarding a campaign or something, Larry? That's what I'm saying. Yours expands much further than what seems to be the problem, and now we're getting caught up in restricting—

PHILLIPS: They're just going to be treated like they do their criminal complaints. I don't see that it's that much of a difference in administrative complaints.

DUTTON: Well, you know there's a lot of difference between a criminal complaint and an administrative complaint. Administrative complaints generally just involve—you might get a couple of days off for having violated some of the department rules and that sort of thing.

PHILLIPS: Again, that's different than police department.

DUTTON: I understand, but it doesn't result in you—

PHILLIPS: They can be put on probation, those kinds of things.

DUTTON: Exactly, but in a criminal complaint, you could lose your liberty.

PHILLIPS: Well, but if you lose your license, you wouldn't be able to practice your craft.

DUTTON: Yes, but I don't think that would nearly be the same as losing your freedom, in any event. I should have asked this on second reading, because I don't understand the need for it, but I think it's a little bit overly broad in terms of the reach that it makes to cure the problem that I think you've identified for this body.

REPRESENTATIVE TURNER: In continuing on that dialogue with Chairman Dutton, I'm still not clear what it is that TCOLE is trying to hide from public view that is currently available now.

PHILLIPS: It's their entire investigation file as it relates to this—so their entire investigation file, the communications with the attorneys and the investigators working for TCOLE. All of that now, because the code only applies to their criminal investigations; it does not apply to the administrative investigations, and so it's the same type of material.

TURNER: Okay, I understand that. So let me give you specific questions. Currently, an officer who is subject to a proposed administrative action by TCOLE currently is entitled to the investigation file so they can prepare for their case, for an appeal. And on page 2 of the bill, Subsection (b) reads that TCOLE "may" provide that information: "a complaint or an investigation may be disclosed to the respondent of the complaint." So my question is, is your intent for that to be discretionary or does TCOLE still have to provide that information to the officer or their attorney if they request it?

PHILLIPS: Let me get back over there. "On request, a license holder"—so if you look at (b) above, they can already get all of that information. That doesn't except Subsection (b). See, they're already able to get all of that.

TURNER: I'm sorry, is this page 2, line 2?

PHILLIPS: Page 1.

TURNER: All right, as I'm reading it, it says—make sure I'm tracking with you: "On request, a license holder may obtain information regarding a complaint made against the license holder under this chapter, including a complete copy of the complaint file, but not including information that is an attorney-client

communication, an attorney work product, or other information protected by a privilege recognized by the Texas Rules of Civil Procedure or the Texas Rules of Evidence."

PHILLIPS: Right. These are similar, like I said, to the other occupational codes regarding licenses.

TURNER: So if TCOLE claims the information is attorney-client communication or attorney work product, then they would not have to provide that information to the officer or their attorney?

PHILLIPS: Correct, just like the officer wouldn't have to give theirs to them. This is much more like a civil issue than a criminal issue.

TURNER: But to be real clear, right now, under the law, that information is required to be given, because it says it in the underlying statute here.

PHILLIPS: I don't know for sure that all of that is required now. This language is to make it more consistent with the other codes.

TURNER: But this bill is going to add language that says, "but not including information that is an attorney-client."

PHILLIPS: To make that clear, yes.

TURNER: So TCOLE does have discretion? Going back to my question about page 2, Subsection (b)?

PHILLIPS: They raised that—yes, they raised that before. Okay, go back to page 2?

TURNER: Page 2, Subsection (b), it says it may be disclosed to the respondent of the complaint.

PHILLIPS: Yes, that's inconsistent with (a).

TURNER: It is.

PHILLIPS: It's (b) up front is what controls that.

TURNER: But if you read Subsection (b) on page 2, "Notwithstanding Subsection (a), information or material prepared or compiled by the commission in connection with a complaint or an investigation may be disclosed to." So it doesn't say they shall; it says they may. So it sounds like they may have discretion whether they provide—

PHILLIPS: Not as it relates to the entire complaint file. They have to do that. That's talking about this other information here.

TURNER: So it's your intent that they have to provide the complaint file to the officer or their attorney during one of these. That is your intent?

PHILLIPS: Yes, and it's always been—no reason to not do that.

TURNER: And then the proposed Subsection (e) states that the identity of a complainant or witness is confidential. What is the intent behind that? Because I understand that this information—

PHILLIPS: You're saying what number?

TURNER: I'm sorry, Subsection (e) in the bill. So that's at the bottom of page 2.

PHILLIPS: Okay, say that again.

TURNER: Subsection (e) states that the identity of a complainant or witness is confidential.

PHILLIPS: Are you looking at the substitute?

TURNER: I am. **CSHB 2991**, it looks like it's lines 6, 7, and 8 on page 3.

PHILLIPS: Okay, what was the question again?

TURNER: So my question is, why are we putting in that language that this would be confidential?

PHILLIPS: Well, this is in accordance with Chapter 552. That wouldn't be how it impacts, the way I understand it, the license holder. This relates to Chapter 552 of the Government Code.

TURNER: So as it relates to the license holder—

PHILLIPS: That relates to the open records section.

TURNER: So I want to make sure I understand. It is not your intent that this information would be excluded or withheld from the license holder who's defending their license before TCOLE?

PHILLIPS: Correct, as it relates to that provision, correct.

REMARKS ORDERED PRINTED

Representative Turner moved to print remarks between Representative Dutton and Representative Phillips and between Representative Turner and Representative Phillips.

The motion prevailed.

HB 2991 was passed by (Record 798): 101 Yeas, 37 Nays, 3 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gonzales; Gooden; Guerra; Guillen; Hefner; Herrero; Howard; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Martinez; Meyer; Miller; Moody; Morrison; Murphy; Murr; Oliveira; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Rodriguez, E.; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; VanDeaver; Villalba; Vo; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Biedermann; Blanco; Cain; Canales; Collier; Cortez; Davis, Y.; Dukes; Dutton; Gervin-Hawkins; Giddings; Goldman; González; Gutierrez; Hinojosa; Israel; Johnson, E.; Johnson, J.; Lucio; Minjarez; Muñoz; Neave; Nevárez; Ortega; Reynolds; Rodriguez, J.; Romero; Stickland; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; Wu.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Alonzo; Bell; Deshotel; Hernandez; Holland; Walle; White.

STATEMENTS OF VOTE

When Record No. 798 was taken, I was shown voting no. I intended to vote yes.

Alvarado

When Record No. 798 was taken, my vote failed to register. I would have voted yes.

Bell

When Record No. 798 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 798 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 798 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 798 was taken, I was shown voting no. I intended to vote yes.

Goldman

When Record No. 798 was taken, I was in the house but away from my desk. I would have voted yes.

Holland

When Record No. 798 was taken, I was shown voting present, not voting. I intended to vote yes.

Metcalf

When Record No. 798 was taken, I was shown voting yes. I intended to vote no.

Rose

When Record No. 798 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

POSTPONED BUSINESS

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

HB 3849 ON THIRD READING (by Zerwas)

HB 3849, A bill to be entitled An Act relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue, and the exemption of unappropriated money from use for general governmental purposes.

HB 3849 was read third time earlier today and was postponed until this time.

HB 3849 was passed by (Record 799): 141 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.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospes; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; 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; Kuempel(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Burkett; Deshotel; Morrison; Raney; Schofield.

STATEMENTS OF VOTE

When Record No. 799 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 799 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

GENERAL STATE CALENDAR
(consideration continued)
HB 3417 ON THIRD READING
(by T. King)

HB 3417, A bill to be entitled An Act relating to the criteria considered by groundwater conservation districts before granting or denying a permit.

HB 3417 was passed by (Record 800): 141 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; Stickland; Tinderholt.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Blanco; Deshotel.

STATEMENT OF VOTE

When Record No. 800 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 2369 ON THIRD READING
(by Nevárez)

HB 2369, A bill to be entitled An Act relating to municipal fees charged to public school districts for water and sewer service.

Amendment No. 1

Representative Capriglione offered the following amendment to **HB 2369**:

Amend **HB 2369** on third reading by striking SECTION 5 of the bill (page 2, line 15 through page 3, line 20) and renumbering the subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

HB 2369, as amended, was passed by (Record 801): 145 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; 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; 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; Kuempel(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel.

STATEMENT OF VOTE

When Record No. 801 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 296 ON THIRD READING
(by Muñoz)

HB 296, A bill to be entitled An Act relating to a deceptive act or practice related to the sale, marketing, packaging, or advertising of nitrous oxide.

HB 296 was passed by (Record 802): 99 Yeas, 43 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Blanco; Burkett; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dukes; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Kacal; King, K.; King, T.; Klick; Lambert; Larson; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Capriglione; Craddick; Dean; Elkins; Faircloth; Fallon; Frank; Goldman; Hefner; Isaac; Keough; King, P.; Koop; Krause; Landgraf; Lang; Laubenberg; Leach; Metcalf; Miller; Morrison; Murr; Price; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Springer; Stickland; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Anderson, C.; Deshotel; Dutton; Johnson, J.

STATEMENTS OF VOTE

When Record No. 802 was taken, I was in the house but away from my desk. I would have voted no.

C. Anderson

When Record No. 802 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 802 was taken, I was shown voting yes. I intended to vote no.

Meyer

HB 2509 ON THIRD READING
(by Parker, Meyer, D. Bonnen, and Fallon)

HB 2509, A bill to be entitled An Act relating to the eligibility of certain victims of trafficking of persons for an order of nondisclosure.

HB 2509 was passed by (Record 803): 143 Yeas, 2 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; 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; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Fallon; Stickland.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel.

STATEMENTS OF VOTE

When Record No. 803 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 803 was taken, I was shown voting no. I intended to vote yes.

Fallon

When Record No. 803 was taken, I was shown voting no. I intended to vote yes.

Stickland

HB 2334 ON THIRD READING
(by Oliverson)

HB 2334, A bill to be entitled An Act relating to the imposition of a criminal penalty for the violation of a rule adopted or order issued under the Flood Control and Insurance Act.

HB 2334 was passed by (Record 804): 101 Yeas, 43 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Canales; Clardy; Coleman; Collier; Cortez; Cospier; Cyrier; Darby; Davis, S.; Davis, Y.; Dukes; Elkins; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Koop; Lambert; Larson; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Paul; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Smithee; Stephenson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, G.; Burrows; Button; Cain; Capriglione; Cook; Craddick; Dale; Dean; Dutton; Faircloth; Fallon; Frank; Goldman; Gonzales; Hefner; Hunter; Isaac; King, P.; Klick; Krause; Landgraf; Lang; Leach; Metcalf; Parker; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Springer; Stickland; Stucky; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Laubenberg.

STATEMENTS OF VOTE

When Record No. 804 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 804 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 804 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 1345 ON THIRD READING**(by Dale)**

HB 1345, A bill to be entitled An Act relating to a photograph on a driver's license.

HB 1345 was passed by (Record 805): 141 Yeas, 3 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; 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; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Nays — Murr; Stickland; Tinderholt.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Zerwas.

STATEMENTS OF VOTE

When Record No. 805 was taken, I was shown voting yes. I intended to vote no.

D. Bonnen

When Record No. 805 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 805 was taken, I was shown voting no. I intended to vote yes.

Stickland

HB 471 ON THIRD READING**(by E. Johnson)**

HB 471, A bill to be entitled An Act relating to permitting credit unions and other financial institutions to award prizes by lot to promote savings.

HB 471 was passed by (Record 806): 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; 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; Kuempel(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Sanford.

STATEMENT OF VOTE

When Record No. 806 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 515 ON THIRD READING**(by VanDeaver, Isaac, Deshotel, Ashby, Huberty, et al.)**

HB 515, A bill to be entitled An Act relating to assessment of public school students and providing accelerated instruction and eliminating performance requirements based on performance on certain assessment instruments.

HB 515 was passed by (Record 807): 141 Yeas, 3 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; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; 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; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; King, P.; Schofield.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Vo.

STATEMENT OF VOTE

When Record No. 807 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 17 ON THIRD READING (by Lozano)

HB 17, A bill to be entitled An Act relating to the establishment of the Texas Higher Education Innovation Accelerator for public institutions of higher education.

HB 17 was passed by (Record 808): 120 Yeas, 23 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; Cortez; Cosper; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Lambert; Landgraf; Larson; Laubenberg; Lozano; Martinez; Metcalf; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield;

Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Cain; Dale; Fallon; Goldman; Hefner; Isaac; Keough; Klick; Krause; Lang; Leach; Miller; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Wilson.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Israel; Lucio.

STATEMENT OF VOTE

When Record No. 808 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 214 ON THIRD READING

(by Canales)

HB 214, A bill to be entitled An Act relating to a recording of certain proceedings of the Texas Supreme Court and Court of Criminal Appeals and the publication of the recordings.

HB 214 was passed by (Record 809): 143 Yeas, 1 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; 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; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Rane; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; 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.

Nays — Murr.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Rose.

STATEMENT OF VOTE

When Record No. 809 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 3237 ON THIRD READING (by Moody)

HB 3237, A bill to be entitled An Act relating to when search warrant affidavits become public information.

HB 3237 was passed by (Record 810): 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; 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; 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; Kuempel(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; King, P.

STATEMENTS OF VOTE

When Record No. 810 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 810 was taken, I was in the house but away from my desk. I would have voted yes.

P. King

HB 385 ON THIRD READING
(by Murphy and Fallon)

HB 385, A bill to be entitled An Act relating to the elimination of certain formula funding and dropped course restrictions for students enrolled in accelerated, affordable baccalaureate programs at public institutions of higher education.

HB 385 was passed by (Record 811): 143 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; 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; 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; 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; Kuempel(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Giddings; Phelan.

STATEMENT OF VOTE

When Record No. 811 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 338 ON THIRD READING
(by Burrows)

HB 338, A bill to be entitled An Act relating to acreage contracts and quantity contracts for the purchase of agricultural products.

HB 338 was passed by (Record 812): 139 Yeas, 3 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; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; 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; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Stickland; Tinderholt.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Laubenberg; Simmons.

STATEMENTS OF VOTE

When Record No. 812 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 812 was taken, I was in the house but away from my desk. I would have voted yes.

Simmons

HB 855 ON THIRD READING

(by Capriglione, Goldman, Simmons, J. Rodriguez, Button, et al.)

HB 855, A bill to be entitled An Act relating to the management and investment of the economic stabilization fund and the Texas legacy distribution fund, including the determination of a sufficient balance within the economic stabilization fund.

HB 855 was passed by (Record 813): 143 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, 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; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; 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; 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; 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; Johnson, J.; Kuempel(C).

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Stucky.

STATEMENT OF VOTE

When Record No. 813 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 423 ON THIRD READING

(by Wray)

HB 423, A bill to be entitled An Act relating to the computation of cost of goods sold for purposes of the franchise tax by taxable entities that transport ready-mixed concrete.

HB 423 was passed by (Record 814): 128 Yeas, 18 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; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Herrero; Holland; Howard; Huberty; Hunter; Isaac; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee;

Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Biedermann; Cain; Collier; Fallon; Hernandez; Hinojosa; Israel; Johnson, E.; Krause; Lucio; Ortega; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Turner; Wu.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

HB 477 ON THIRD READING
(by Collier)

In accordance with a previous motion, the chair laid before the house, on its third reading and final passage,

HB 477, A bill to be entitled An Act relating to the provision and use of health coverage information to educate consumers purchasing individual health benefit coverage.

HB 477 was passed by (Record 815): 81 Yeas, 63 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Blanco; Burns; Canales; Clardy; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Faircloth; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, E.; Johnson, J.; King, T.; Koop; Lambert; Laubenberg; Lozano; Lucio; Martinez; Minjarez; Moody; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Phelan; Phillips; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Smithee; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu.

Nays — Anderson, C.; Anderson, R.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Button; Cain; Capriglione; Cook; Cosper; Craddick; Cyrier; Dale; Dean; Elkins; Fallon; Frank; Frullo; Goldman; Gonzales; Hefner; Holland; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Krause; Landgraf; Lang; Larson; Leach; Metcalf; Meyer; Miller; Morrison; Paddie; Parker; Paul; Price; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Wilson; Zedler; Zerwas.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

Absent — Huberty.

STATEMENTS OF VOTE

When Record No. 815 was taken, I was shown voting present, not voting. I intended to vote yes.

Muñoz

When Record No. 815 was taken, I was shown voting yes. I intended to vote no.

White

When Record No. 815 was taken, I was shown voting yes. I intended to vote no.

Wray

**HB 1404 ON THIRD READING
(by Allen, Guillen, White, et al.)**

In accordance with a previous motion, the chair laid before the house, on its third reading and final passage,

HB 1404, A bill to be entitled An Act relating to the eligibility of a criminal defendant for an order of nondisclosure of criminal history record information.

HB 1404 was passed by (Record 816): 96 Yeas, 50 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Biedermann; Blanco; Burkett; Canales; Clardy; Coleman; Collier; Cortez; Cospers; Dale; Darby; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Farrar; Flynn; Frank; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Koop; Krause; Lambert; Larson; Lozano; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Sheffield; Stephenson; Stucky; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Capriglione; Cook; Craddick; Cyrier; Davis, S.; Dean; Faircloth; Fallon; Frullo; Goldman; Hefner; Holland; Hunter; Klick; Landgraf; Lang; Laubenberg; Leach; Metcalf; Meyer; Miller; Murr; Paddie; Parker; Paul; Phelan; Phillips; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stickland; Swanson; Thompson, E.; Zedler.

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

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

STATEMENT OF VOTE

When Record No. 816 was taken, I was shown voting yes. I intended to vote no.

Koop

POSTPONED BUSINESS

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

HB 4237 ON SECOND READING

(by Moody, Coleman, Price, Lozano, Turner, et al.)

HB 4237, A bill to be entitled An Act relating to mental health first aid training for university employees.

HB 4237 was read second time on May 3 and was postponed until 8 a.m. today.

Representative Moody moved to postpone consideration of **HB 4237** until 8 a.m. tomorrow.

The motion prevailed.

HB 2071 ON SECOND READING

(by Cook)

HB 2071, A bill to be entitled An Act relating to a defendant's payment of costs associated with a court-appointed counsel.

HB 2071 was read second time on April 25 and was postponed until 9 a.m. today.

Representative Cook moved to postpone consideration of **HB 2071** until 8 a.m. Monday, May 8.

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.

HB 2770 was read second time on April 27 and was postponed until 9 a.m. today.

Amendment No. 1

Representative Smithee offered the following amendment to **HB 2770**:

Amend **HB 2770** (house committee printing) as follows:

- (1) On page 1, line 11, strike "among" and substitute "between".
- (2) On page 1, line 15, strike "Subsection (c)" and substitute "Subsections (c) and (d)".
- (3) On page 1, line 19, strike "or for human trafficking".
- (4) On page 1, between lines 20 and 21, insert the following:
(d) Subsection (c) does not apply to:

(1) a provider of remote computing services or electronic communication services to the public;

(2) a provider of an interactive computer service as defined by 47 U.S.C. Section 230;

(3) an Internet service provider;

(4) a search engine operator;

(5) a browsing or hosting company;

(6) an operating system provider; or

(7) a device manufacturer.

(5) On page 2, line 13, between "(b)" and the underlined semicolon, insert the following:

to determine if the persons notified are able to offer technical assistance to the attorney general in a manner consistent with 47 U.S.C. Section 230

Amendment No. 1 was adopted.

HB 2770, as amended, was passed to engrossment.

CSHB 3218 ON SECOND READING
(by Phillips)

CSHB 3218, A bill to be entitled An Act relating to health maintenance organization contracts with certain entities to provide health care services.

CSHB 3218 was read second time on May 2 and was postponed until 9 a.m. today.

Representative Phillips moved to postpone consideration of **CSHB 3218** until 8 a.m. Saturday, May 6.

The motion prevailed.

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 5:57 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Defense and Veterans' Affairs, 5:57 p.m. today, 3W.15, for a formal meeting, to consider pending business.

CSHB 2335 ON SECOND READING
(by Miller, Keough, Blanco, Wu, et al.)

CSHB 2335, A bill to be entitled An Act relating to requiring evidence-based trauma training for certain attorneys, court-appointed volunteer advocates, child-care workers, and child protective services employees.

CSHB 2335 was read second time on April 18, amendments were offered and disposed of, and **CSHB 2335** was postponed until April 20. **CSHB 2335** was laid out as postponed business on April 20, amendments were offered and disposed of, and **CSHB 2335** was again postponed until 10 a.m. today.

Representative Miller moved to postpone consideration of **CSHB 2335** until 10 a.m. Friday, May 12.

The motion prevailed.

SB 1459 ON SECOND READING
(Martinez - House Sponsor)

SB 1459, 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.

SB 1459 was considered in lieu of **HB 3013**.

SB 1459 was read second time and was passed to third reading.

HB 3013 - LAID ON THE TABLE SUBJECT TO CALL

Representative Martinez moved to lay **HB 3013** on the table subject to call.

The motion prevailed.

CSHB 500 ON SECOND READING
(by Geren, E. Johnson, Howard, P. King, S. Davis, et al.)

CSHB 500, A bill to be entitled An Act relating to the effect of certain felony convictions of public elected officers.

CSHB 500 was read second time on May 2 and was postponed until 10 a.m. today.

Representative Geren moved to postpone consideration of **CSHB 500** until 10 a.m. Monday, May 8.

The motion prevailed.

CSHB 446 ON SECOND READING
(by Bell, et al.)

CSHB 446, A bill to be entitled An Act relating to refunds of certain bingo licensing and registration fees.

CSHB 446 was read second time on May 2 and was postponed until 10 a.m. today.

Representative Bell moved to postpone consideration of **CSHB 446** until 9 a.m. Saturday, May 6.

The motion prevailed.

HB 3903 ON THIRD READING
(by Burkett)

HB 3903, A bill to be entitled An Act relating to certain political contributions by judicial candidates and officeholders and certain political committees.

HB 3903 was read third time on May 3 and was postponed until 12 p.m. today.

Representative Guerra moved to postpone consideration of **HB 3903** until 6:03 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:

CSHB 1774 ON SECOND READING
(by G. Bonnen, Lucio, Parker, Frullo, Phillips, et al.)

CSHB 1774, A bill to be entitled An Act relating to actions on and liability associated with certain insurance claims.

(Speaker in the chair)

Amendment No. 1

Representative G. Bonnen offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee report) as follows:

(1) On page 3, line 15, between "Association" and the underlined period, insert "unless a claim-related dispute resolution procedure is available to policyholders under Chapter 2211".

(2) On page 4, line 5, strike "An" and substitute "This chapter applies to an".

(3) On page 4, line 6, strike "against the Texas Windstorm Insurance Association or".

(4) On page 4, lines 7-9, strike "ceded to an insurer by the Texas Windstorm Insurance Association under Subchapter O, Chapter 2210, is governed by Chapter 2210" and substitute "renewed under Section 2210.703".

Amendment No. 1 was adopted.

Amendment No. 2

Representative K. King offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) Insert the following SECTION and renumber all subsequent SECTIONS as follows:

"SECTION _____. It is the intent of the Legislature that this Act apply only to claims filed under residential property insurance policies."

(2) On page 2, line 18 insert the following between "claim" and "that":
"filed under residential property insurances policies"

COMMITTEE GRANTED PERMISSION TO MEET

Representative Oliveira requested permission for the Committee on Business and Industry to meet while the house is in session, at 6:30 p.m. today, in 3W.9, to consider **HB 3888** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Business and Industry, 6:30 p.m. today, 3W.9, for a formal meeting, to consider **HB 3888** and pending business.

CSHB 1774 - (consideration continued)

Amendment No. 2 failed of adoption.

Amendment No. 3

Representative K. King offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) Insert the following SECTION and renumber all subsequent SECTIONS as follows:

"SECTION _____. This Act may be cited as the Hail Claims Act."

(2) On page 2, strike lines 24-27 and replace with the following:

"(c) Arises from damage to or loss of covered property caused, wholly or partly, by hail."

Amendment No. 3 failed of adoption by (Record 817): 59 Yeas, 87 Nays, 2 Present, not voting.

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

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Cook; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Keough; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Laubenberg; Leach; Lozano; Lucio; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Raney; Rinaldi; Roberts; 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(C); Oliveira.

Absent, Excused — Perez.

Absent, Excused, Committee Meeting — Longoria.

STATEMENT OF VOTE

When Record No. 817 was taken, I was shown voting yes. I intended to vote no.

Price

CSHB 1774 - POINT OF ORDER

Representative Nevárez raised a point of order against further consideration of **CSHB 1774** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

(Perez now present)

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

Rule 4, Section 32(c)(2) of the House Rules requires each committee report on a bill to "include in summary or section-by-section form a detailed analysis of the subject matter of the bill," including "an analysis of the content of the bill." Representative Nevárez argues **CSHB 1774**'s bill analysis omits the requirement to keep contemporaneous time records for the purpose of calculating attorney's fees incurred up to the time of providing pre-suit notice. Additionally, Representative Nevárez argues that the bill analysis fails to provide a detailed description of the method for calculating attorney's fees awarded after judgment has been rendered.

The chair finds that the bill analysis at issue is not materially misleading and that it contains sufficient information to inform the reader of its substance. Page 1 of the bill analysis states that a claimant is required to give written notice "of the amount of reasonable and necessary attorney's fees incurred by the claimant as of the date of the notice. The bill provides the method for calculation of such attorney's fees" Page 3 of the bill analysis explains that:

CSHB 1774 sets the amount of attorney's fees that may be awarded to a claimant in an action to which the bill's provisions apply at the lesser of the amount of reasonable and necessary attorney's fees supported at trial by sufficient evidence and determined by the trier of fact to have been incurred by the claimant in bringing the action, the amount of attorney's fees that may be awarded to the claimant under other applicable law, or the amount determined by a specified calculation involving a ratio based on the amount to be awarded in the judgment and the amount alleged to be owed on the claim in a notice given under the bill's provisions.

The analysis goes on to talk about the circumstances under which the fees may be awarded or not awarded. A bill analysis does not have to restate the bill word for word. Instead, a bill analysis must provide sufficient information to inform the reader of the substance of the issues in the bill. Having reviewed the bill, the complete analysis, and house precedents, the chair determines that this thorough and accurate analysis of the attorney's fees provisions satisfies Rule 4, Section 32(c)(2).

Amendment No. 4

Representative Canales offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

On page 4, strike lines 22-27 and replace with the following:

"(3) the amount of reasonable and necessary attorney's fees as of the date the notice is given as determined by the following factors:

(A) the time and labor required, the novelty and difficulty of the questions involved, and the skill required to perform the legal service properly;

(B) the likelihood that the acceptance of the particular employment will preclude other employment by the lawyer;

(C) the fee customarily charged in the locality for similar legal services;

(D) the amount involved and the results obtained;

(E) the time limitations imposed by the client or by the circumstances;

(F) the nature and length of the professional relationship with the client;

(G) the experience, reputation, and ability of the lawyer or lawyers performing the services; and

(H) whether the fee is fixed or contingent on results obtained or uncertainty of collection before the legal services have been rendered.

Amendment No. 4 failed of adoption by (Record 818): 57 Yeas, 88 Nays, 2 Present, not voting.

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

Nays — Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Cook; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; 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.

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

Absent, Excused, Committee Meeting — Longoria.

Absent — Cosper; Faircloth.

STATEMENT OF VOTE

When Record No. 818 was taken, I was shown voting yes. I intended to vote no.

Ashby

COMMITTEE GRANTED PERMISSION TO MEET

Representative S. Davis requested permission for the Committee on General Investigating and Ethics to meet while the house is in session, at 7:15 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

General Investigating and Ethics, 7:15 p.m. today, 3W.15, for a formal meeting, to consider pending business.

CSHB 1774 - (consideration continued)

Amendment No. 5

Representative Lucio offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee report) as follows:

(1) On page 6, line 5, strike "Once notice is" and substitute "Not later than the 30th day after receiving a presuit notice".

(2) On page 6, line 9, immediately following the underlined period, insert the following:

If reasonably possible, the inspection, photography, and evaluation must be completed not later than the 60th day after the date the person receives the presuit notice.

Amendment No. 5 was withdrawn.

Amendment No. 6

Representative Lucio offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) on page 8, line 9, after "claimant." by inserting:

"In exchange for such an election, the insurer must provide written notice to the insured that the insurer consents to state court jurisdiction in the county in which the property is located and explicitly state that the insurer is waiving any right to remove the case to federal court."

Amendment No. 6 failed of adoption by (Record 819): 54 Yeas, 91 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Dukes; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; King, K.; King, T.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Johnson, J.; Kacal; Keough; 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; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Swanson.

STATEMENT OF VOTE

When Record No. 819 was taken, I was in the house but away from my desk. I would have voted no.

Swanson

Amendment No. 7

Representative Dutton offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing), on page 11, between lines 16 and 17, by inserting the following appropriately lettered subsection:

() Notwithstanding any other provision, the court shall award the claimant the full amount of reasonable and necessary attorney's fees supported at trial by sufficient evidence, and determined by the trier of fact, without any reduction based on an excessive notice issued under Sec. 542A.003, if the trier of fact determines that the insurer committed any act constituting bad faith.

(Kuempel in the chair)

Amendment No. 7 failed of adoption by (Record 820): 57 Yeas, 89 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Keough; 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; Kuempel(C); Oliveira.

Absent, Excused, Committee Meeting — Longoria.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 12).

CSHB 1774 - (consideration continued)

CSHB 1774 - POINT OF ORDER

Representative Walle raised a point of order against further consideration of **CSHB 1774** under Rule 8, Section 3 of the House Rules on the grounds that it violates the one-subject rule.

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

Under Rule 8, Section 3 of the House Rules, "[e]ach bill (except a general appropriations bill . . .) shall contain only one subject." Representative Walle argues that **CSHB 1774** contains two subjects, (1) procedures for claims under Chapter 542A (created by the bill) and (2) prejudgment interest on claims other than windstorm. Representative Walle asserts the language, "Nothing in this subsection prevents the award of prejudgment interest on the amount of the claim, as provided by law." He asserts that by mentioning another law, the bill is introducing a second subject. This is incorrect. Stating that a bill does not affect

some provision of preexisting law does not constitute a second subject. The chair has reviewed the entire bill and finds a single unifying subject. For these reasons, the chair finds the bill does not violate of Rule 8, Section 3.

Amendment No. 8

Representative Lucio offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee report) as follows:

(1) On page 6, line 5, strike "Once notice is" and substitute "Not later than the 30th day after receiving a presuit notice".

(2) On page 6, line 9, immediately following the underlined period, insert the following:

If reasonably possible, the inspection, photography, and evaluation must be completed not later than the 60th day after the date the person receives the presuit notice.

Amendment No. 8 was adopted.

CSHB 1774 - POINT OF ORDER

Representative Nevárez raised a point of order against further consideration of **CSHB 1774** under Rule 8, Section 1(b) of the House Rules on the grounds that the bill caption is inaccurate.

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

Under Rule 8, Section 1(b) of the House Rules, "A house bill that would impose, authorize, increase, or change the rate or amount of a tax, assessment, surcharge, or fee must include a short statement at the end of its title or caption indicating the general effect of the bill on the tax, assessment, surcharge, or fee"

CSHB 1774 establishes requirements and procedures regarding the handling of legal actions for certain insurance claims, to include those arising from damage to or loss of property by way of hail storms and other forces of nature. Representative Nevárez argues that including the FAIR Plan Association in the bill's definition of an insurer will result in changed fees as a result of the bill's interaction with existing law. He asserts the change to the existing fees in other state or federal laws should be subject to the requirement of Rule 8, Section 1(b).

Assuming that Representative Nevárez is correct about the change to fees that exist outside the bill, the chair nonetheless determines that because the bill does not, within its four corners, change a fee within the meaning of Rule 8, Section 1(b), the point of order is overruled. See 83 H.J. Reg. 1615-1616 (Simpson point of order on **CSHB 63**).

Amendment No. 9

Representative Clardy offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 1, lines 11-12, strike "Section 542.060, Insurance Code, is amended by amending Subsection (a) and adding Subsection (c)" and substitute "Section 542.060(a), Insurance Code, is amended".

(2) On page 1, strike line 14 and substitute the following:

(a) If an insurer

(3) Strike page 1, line 23, through page 2, line 10.

(4) On page 11, line 17, strike "(a)".

(5) Strike page 11, line 24, through page 12, line 3.

AMENDMENT NO. 9 - REMARKS

REPRESENTATIVE CLARDY: Believe it or not, doctor, I have actually read the bill, and I think I do have some ability to comprehend legal documents and insurance policies. And it's really not that difficult to compare if you do a side-by-side of the paragraph that exists under current law with the proposed paragraph which is only going to apply to these new hailstorm, if I can use that word, claims. So when you look at what the current law does, it's very simple, which is the advantage of this statute. And again, I would ask all the members to think about the times we've struggled with laws. There is a great advantage when a bill as simple and understandable as existing law is, compared to when you read, if I could quote the committee substitute on this point, "the insurer is liable to pay the holder of the policy . . . simple interest on the amount of the claim as damages each year at the rate determined on the date of judgment by adding five percent to the interest rate determined under Section 304.003, Finance Code"—you've got to get another book to actually read the statute—"together with reasonable . . . attorney's fees." So my point on this is—and as far as the recitation of what the interest rates have been, Mr. Bonnen, you said something about interest rates in the 1980s. In the last five years, where have our interest rates been?

REPRESENTATIVE G. BONNEN: Extremely low.

CLARDY: Extremely low, and is there anything that you've seen that's going to suggest to you those rates are going to change dramatically anytime in the near future?

G. BONNEN: I'm sorry, I couldn't understand the question.

CLARDY: Is there anything that indicates to you that those interest rates are going to rise dramatically anytime in the future?

G. BONNEN: I think interest rates change for sure.

CLARDY: They do change, but again, the penalty provision is clear. It's 18 percent. This is not trying to be commercially reasonable. It's trying to incentivize the interest companies to perform. Would you agree with that?

G. BONNEN: I think the penalty interest rate provision is very clear. It's based on what the calculation for prejudgment interest is, so it's already known and understood by judges. It's known and understood by the legal community. It's not confusing, and it is entirely adequate.

CLARDY: Exactly, but what's clear is the original provision says 18 percent. Everybody knows how to do that. Everybody who's got a calculator can figure that one. They don't have to consult the Finance Code and pull up the LIBOR rate and the newspaper and figure out each year what that rate might have been. It's a very confusing provision to attempt to do. And Dr. Bonnen, with respect to that provision, isn't it true that that exists in other places in the legal arena for other calculations of rates?

G. BONNEN: That what exists in other areas?

CLARDY: The LIBOR calculation. There are other places in the law where that's provided. Are you aware of that?

G. BONNEN: Yes, the prejudgment interest is well-established in law.

CLARDY: But my point is this. In these other places in the law where we use a LIBOR calculation, that's to determine damages in a compensatory or in a replacement sort of way to value the time value of money. Would you agree with that?

G. BONNEN: Sure.

CLARDY: Okay, but in this instance, we're not trying to make the claimant whole because of what their damages are and the loss of the money. We're intending to punish the insurance company for failing to honor the contract and pay a claim in a prompt way. So wouldn't you agree with me that if you want someone to stop performing badly, in a way where they fail to pay the claim and they've been found liable by the trier of fact, that a stronger penalty would be a better deterrent than a weaker penalty? Wouldn't you agree with that?

G. BONNEN: The penalty interest provision is strong.

CLARDY: If it's right now, we did LIBOR at two percent at seven percent. Are you telling me that you think that an insurance company is going to perform the same way when they have seven percent hanging over their head versus 18 percent? You think that's an equivalent penalty?

G. BONNEN: The penalty interest today would be 10 percent, not seven percent. It has a floor of 10 percent.

CLARDY: This is not fuzzy math.

G. BONNEN: Well, apparently, you don't understand it.

CLARDY: Eighteen percent we know what it is, but seven percent floating around on any given day, we don't know what it is. And don't you think the citizens of Texas deserve a clear law that's been understood—a law that's been applied that is understood not only by the consumer who has the policy but also the courts that have interpreted this part of the law consistently for many, many years now? Isn't there an advantage to consistency and simplicity in the law?

G. BONNEN: I think that the fact you keep saying seven percent indicates that you don't understand what's in the bill.

CLARDY: Okay, what's LIBOR right now?

G. BONNEN: The penalty interest rate today would be 10 percent.

CLARDY: LIBOR plus five is what your committee substitute says, isn't it? Let me make sure I'm reading this right, Greg, but I think it says, "interest on the amount of the claim as damages each year at the rate determined on the date of judgment by adding five percent to the interest rate determined under Section 304," which references back to a LIBOR rate. So now, I'm not a neurosurgeon. I know that, Dr. Bonnen, but five plus an interest rate comes up to seven, which is well less than 18 percent. That's a simple point. I like the bill. I want to be able to support the bill, but I would like to see some changes that, again, incentivize insurance companies to treat our citizens, our constituents, better and make them do the right thing.

Amendment No. 9 failed of adoption by (Record 821): 59 Yeas, 86 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Larson; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Paddie; Phillips; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, P.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; 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; Kuempel(C); Oliveira.

Absent, Excused, Committee Meeting — Longoria.

Absent — Perez.

CSHB 1774 - POINT OF ORDER

Representative Ortega raised a point of order against further consideration of **CSHB 1774** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

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

HB 1774 establishes requirements and procedures regarding the handling of legal actions for certain insurance claims, to include those arising from damage to or loss of property by way of hailstorms and other forces of nature. The section of the bill that Representative Ortega alleges is missing from the bill analysis reads:

(a) Except as provided by Subsection (b), this chapter applies to an action on a claim against an insurer or agent, including:

- (1) an action alleging a breach of contract;
- (2) an action alleging negligence, misrepresentation, fraud, or breach of a common law duty; or
- (3) an action brought under:
 - (A) Subchapter D, Chapter 541;
 - (B) Subchapter B, Chapter 542; or
 - (C) Subchapter E, Chapter 17, Business & Commerce Code.

Certainly, it would have been acceptable for the analysis to have explained the causes of action expressly included in the applicability section of the bill, but the list provided in that section of the bill is not exclusive; the bill appears to apply to any action on a claim against insurers or agents. To reflect the breadth of the bill's applicability, the first sentence of the analysis section of the bill analysis says "**CSHB 1774** amends the Insurance Code to establish requirements and procedures applicable to an action on a claim against any insurer . . . or agent . . ." In addition, these provisions are reflected in the side-by-side comparison between the original bill and the committee substitute. Having carefully reviewed the bill, the complete analysis, and house precedents, the chair finds that the bill analysis does not violate Rule 4, Section 32(c) of the House Rules. Accordingly, the point of order is respectfully overruled.

(Speaker in the chair)

Amendment No. 10

Representative Gutierrez offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

- (1) On page 3, line 19, strike "Subsection (b)" and substitute "this section".
- (2) On page 4, between lines 9 and 10, insert the following appropriately designated subsection:

() This chapter does not apply to an action filed by a claimant who is a veteran of the armed forces of the United States on a claim arising from damage to or loss of property owned by the veteran.

REMARKS ORDERED PRINTED

Representative González moved to print remarks between Representative G. Bonnen and Representative Clardy on Amendment No. 9.

The motion prevailed.

Amendment No. 10 was withdrawn.

Amendment No. 11

Representative Gutierrez offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 3, line 19, strike "Subsection (b)" and substitute "this section".

(2) On page 4, between lines 9 and 10, insert the following appropriately designated subsection:

() This chapter does not apply to an action filed by a claimant who is a veteran of the armed forces of the United States on a claim arising from damage to or loss of property that is financed through the Veterans' Land Board.

Amendment No. 11 failed of adoption by (Record 822): 52 Yeas, 87 Nays, 2 Present, not voting.

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

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

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

Absent, Excused, Committee Meeting — Longoria.

Absent — Anderson, C.; Dale; Isaac; Pickett; Rodriguez, J.; Rose; Smithee; Uresti.

STATEMENTS OF VOTE

When Record No. 822 was taken, my vote failed to register. I would have voted no.

Dale

When Record No. 822 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

Amendment No. 12

Representative E. Rodriguez offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

On page 2, line 20, insert the following between "policy" and "providing":
" , excluding residential property insurance policies,"

Amendment No. 12 failed of adoption by (Record 823): 52 Yeas, 91 Nays, 2 Present, not voting.

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

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; 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, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Metcalf; Meyer; Miller; Morrison; Murphy; 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(C); Oliveira.

Absent, Excused, Committee Meeting — Longoria.

Absent — Capriglione; Davis, Y.; Herrero; Murr.

STATEMENTS OF VOTE

When Record No. 823 was taken, I was in the house but away from my desk. I would have voted no.

Capriglione

When Record No. 823 was taken, my vote failed to register. I would have voted yes.

Herrero

When Record No. 823 was taken, I was in the house but away from my desk. I would have voted no.

Murr

Amendment No. 13

Representative Nevárez offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 3, line 19, strike "Subsection (b)" and replace with "Subsections (b) and (c)".

(2) On page 4, line 10, add the following Subsection:

"(c) This chapter does not apply to the recovery of policy benefits for lost business income, continuing operation expense, or payroll continuation."

Amendment No. 13 failed of adoption by (Record 824): 54 Yeas, 91 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; 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, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; 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(C); Oliveira.

Absent, Excused, Committee Meeting — Longoria.

Absent — Guillen; Metcalf.

STATEMENT OF VOTE

When Record No. 824 was taken, my vote failed to register. I would have voted yes.

Guillen

Amendment No. 14

Representative Muñoz offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 3, line 19, strike "Subsection (b)" and substitute "this section".

(2) On page 4, between lines 9 and 10, insert the following appropriately designated subsection:

() This chapter does not apply to an action on a claim arising from damage to or loss of property that is the claimant's residence homestead as defined by Section 11.13, Tax Code, if the claimant is eligible for an exemption from ad valorem taxation under Section 11.13(c), 11.131, 11.132, 11.133, or 11.22, Tax Code, of a property owned by the claimant.

Amendment No. 14 failed of adoption by (Record 825): 53 Yeas, 90 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; King, K.; King, T.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, P.; Klick; Koop; 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.

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

Absent, Excused, Committee Meeting — Longoria.

Absent — Davis, Y.; Fallon; Johnson, J.; Krause.

STATEMENT OF VOTE

When Record No. 825 was taken, I was in the house but away from my desk. I would have voted no.

Fallon

Amendment No. 15

Representative Walle offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 3, line 19, strike "Subsection (b)" and replace with "Subsections (b) and (c)".

(2) On page 4, line 10, add the following Subsection:

"(c) This chapter does not apply to a claim that arises from damage to or loss of covered property caused, wholly or partly, by forces of nature in an area designated by executive order or proclamation under Section 418.014, Government Code."

Amendment No. 15 failed of adoption by (Record 826): 55 Yeas, 92 Nays, 2 Present, not voting.

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

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

Absent, Excused, Committee Meeting — Longoria.

Amendment No. 16

Representative Uresti offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 3, line 19, strike "Subsection (b)" and substitute "this section".

(2) On page 4, between lines 9 and 10, insert the following appropriately designated subsection:

() This chapter does not apply to an action filed by a claimant who is a person with a disability on a claim arising from damage to or loss of property owned by the person.

Amendment No. 16 failed of adoption by (Record 827): 53 Yeas, 94 Nays, 2 Present, not voting.

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

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

Absent, Excused, Committee Meeting — Longoria.

Amendment No. 17

Representative Raymond offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) on page 12 by striking lines 4-8 and substituting the following:

SECTION 5. This Act takes effect September 1, 2017.

Amendment No. 17 was adopted.

Amendment No. 18

Representative Moody offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 10, line 22, strike "Except as provided by Subsection (d), the" and substitute "The".

(2) On page 11, strike lines 7-16.

Amendment No. 18 failed of adoption by (Record 828): 53 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Johnson, E.; Johnson, J.; King, T.; Larson; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; 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; 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(C); Oliveira.

Absent, Excused, Committee Meeting — Longoria.

Absent — Howard; Israel.

Amendment No. 19

Representative Herrero offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 9, line 17, between "agent's" and "responsibility", insert "degree of fault, state of mind, and".

(2) On page 9, line 18, between the underlined period and "To", insert the following:

The insurer is liable to the claimant for the agent's responsibility for claim-related damage, as determined by the jury under this section.

Amendment No. 19 failed of adoption by (Record 829): 55 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; King, T.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; Cook; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; 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.

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

Absent, Excused, Committee Meeting — Longoria.

Amendment No. 20

Representative Neave offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 3, line 19, strike "Subsection (b)" and substitute "this section".

(2) On page 4, between lines 9 and 10, add the following appropriately designated subsection:

() This chapter does not apply to a claim arising from damage to or loss of property of a religious organization as defined by Section 544.251.

Amendment No. 20 failed of adoption by (Record 830): 51 Yeas, 90 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Dukes; Dutton; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; 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; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C); Herrero; Krause; Oliveira.

Absent, Excused, Committee Meeting — Longoria.

Absent — Deshotel; Farrar; Sanford; Swanson.

STATEMENT OF VOTE

When Record No. 830 was taken, I was in the house but away from my desk. I would have voted no.

Sanford

CSHB 1774 - POINT OF ORDER

Representative Walle raised a point of order against further consideration of **CSHB 1774** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

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

Rule 4, Section 32(c)(1) of the House Rules requires each committee report on a bill to "include . . . background information on the proposal and information on what the bill or resolution proposed to do." Representative Walle argues the background and purpose section of the bill analysis is fatally flawed because it did not discuss the "bill's provisions to overrule certain court of appeals opinions

permitting prejudgment interest to be awarded on the prompt pay law's 18 percent penalty. Nor is any mention made that the bill reaches prompt pay claims under Chapter 542." He further asserts these defects are not cured by the rest of the bill analysis, including the side-by-side comparison of the original bill to the committee substitute.

The entire background and purpose section of the bill analysis says "Concerns have been raised regarding the handling of legal actions for certain insurance claims, including those arising from damage to or loss of property due to hailstorms and other forces of nature. **CSHB 1774** addresses this issue by establishing requirements and procedures applicable to such an action, and makes other changes." Although this section of the bill is disturbingly sparse, perhaps for reasons of which the membership is already aware, it says that the background for the bill is that "[c]oncerns have been raised" regarding certain insurance claims, and it provides the purpose of the bill by explaining how the bill "addresses this issue." See 85 H.J. Reg. 1861-1862 (2017) (E. Rodriguez point of order on **CSSB 4**) ("the more pressure the drafters (and authors) face to protect the bill analyses from points of order, the less likely they are to draft bill analysis with the broader goal of educating the public").

While a more robust explanation of the bill's background might have helped interested readers better understand why the bill was created and what it is intended to do, the bill analysis was not required to explain that the bill responds to or overrules any court of appeals opinions. After carefully reviewing the bill, the entire analysis, and house precedents, the chair determines that the background and purpose section of the bill did not violate Rule 4, Section 32(c)(1) by omitting the information complained of by Representative Walle.

Amendment No. 21

Representative Blanco offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 3, line 19, strike "Subsection (b)" and substitute "this section".

(2) On page 4, between lines 9 and 10, insert the following appropriately designated subsection:

() This chapter does not apply to an action filed by a claimant who is a surviving spouse as defined by Section 11.133, Tax Code, on a claim arising from damage to or loss of property that is the claimant's residence homestead as defined by Section 11.13, Tax Code.

Amendment No. 21 failed of adoption by (Record 831): 53 Yeas, 90 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Lucio; Minjarez; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean;

Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; Klick; Koop; 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.

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

Absent, Excused, Committee Meeting — Longoria.

Absent — King, P.; Krause; Martinez; Moody.

STATEMENTS OF VOTE

When Record No. 831 was taken, my vote failed to register. I would have voted no.

Krause

When Record No. 831 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez

When Record No. 831 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

Amendment No. 22

Representative Blanco offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) as follows:

(1) On page 3, line 19, strike "Subsection (b)" and substitute "this section".

(2) On page 4, between lines 9 and 10, insert the following appropriately designated subsection:

() This chapter does not apply to an action filed by a claimant who is a member of the armed forces of the United States on active duty overseas if the claim arises from damage to or loss of property that is the claimant's residence homestead as defined by Section 11.13, Tax Code.

Amendment No. 22 failed of adoption by (Record 832): 53 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Lucio; Minjarez; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; Cook; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; 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.

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

Absent, Excused, Committee Meeting — Longoria.

Absent — Martinez; Moody.

STATEMENTS OF VOTE

When Record No. 832 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez

When Record No. 832 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

Amendment No. 23

Representative Y. Davis offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 38, Insurance Code, is amended by adding Subchapter K to read as follows:

SUBCHAPTER K. CLAIMS REPORTING BY CERTAIN RESIDENTIAL PROPERTY INSURERS

Sec. 38.501. CLAIMS REPORTING BY CERTAIN RESIDENTIAL PROPERTY INSURERS. (a) In this section, "insurer" means an insurer as defined by Section 542A.001 that is engaged in the business of residential property insurance in this state.

(b) An insurer shall report to the department the denial of a claim under each residential insurance policy issued by the insurer.

(c) The report required under Subsection (b) must include:

(1) the zip code of the property covered by the residential insurance policy under which the claim is made; and

(2) each reason for the denial of the claim.

(d) The commissioner by rule shall adopt the form of the report required under Subsection (b).

SECTION _____. Not later than December 31, 2017, the commissioner of insurance shall adopt rules as necessary to implement Subchapter K, Chapter 38, Insurance Code, as added by this Act. An insurer subject to that subchapter shall make its initial report under that subchapter not later than the 60th day after the effective date of the rules.

Amendment No. 23 was withdrawn.

Amendment No. 24

Representative Turner offered the following amendment to **CSHB 1774**:

Amend **CSHB 1774** (house committee printing) on page 6, between lines 4 and 5, by inserting the following appropriately numbered section and renumbering sections and cross-references appropriately:

Sec. 542A. INSURED'S RIGHT TO POLICY INFORMATION. (a) After a claimant has provided notice under Sec. 542A.003, on the claimant's request, the insurer must provide in writing:

(1) a complete copy of the claimant's policy including all amendments and endorsements;

(2) the complete claim file as maintained by the insurer and its agent for any claim made on the property that is the subject of the present claim in the preceding five years; and

(3) the complete underwriting file for the policy.

Amendment No. 24 failed of adoption by (Record 833): 54 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Geren; 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; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; 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; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; 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.; Tindholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Longoria.

Absent — Farrar.

CSHB 1774, as amended, was passed to engrossment by (Record 834): 91 Yeas, 55 Nays, 3 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; 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; 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; Clardy; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; 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); Oliveira; Simmons.

Absent, Excused, Committee Meeting — Longoria.

STATEMENT OF VOTE

When Record No. 834 was taken, I was shown voting present, not voting. I intended to vote yes.

Simmons

POSTPONED BUSINESS

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

HB 3903 ON THIRD READING (by Burkett)

HB 3903, A bill to be entitled An Act relating to certain political contributions by judicial candidates and officeholders and certain political committees.

HB 3903 was read third time on May 3, postponed until 12 p.m. today, and was again postponed until this time.

Amendment No. 1

Representative Burkett offered the following amendment to **HB 3903**:

Amend **HB 3903** on third reading as follows:

(1) Strike SECTION 1 of the bill.

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

SECTION _____. Section 253.1611, Election Code, is amended by amending Subsection (e) and adding Subsection (e-1) to read as follows:

(e) This section does not apply to a political contribution made to the principal political committee of the state executive committee or a county executive committee of a political party ~~that~~

~~[(1) is made in return for goods or services, including political advertising or a campaign communication, the value of which substantially equals or exceeds the amount of the contribution; or~~

~~[(2) is in an amount that is not more than the candidate's or officeholder's pro rata share of the committee's normal overhead and administrative or operating costs].~~

(e-1) This subsection applies only to a political party required to nominate candidates by primary election. This section does not apply to a political contribution made to a political committee affiliated with:

(1) an organization that has been designated as an auxiliary, coalition, or county chair association of a political party as provided by political party rule or state executive committee bylaw; or

(2) a local chapter of an organization described by Subdivision (1).

SECTION _____. Section 253.1611(f), Election Code, is repealed.

Amendment No. 1 was adopted.

HB 3903, as amended, was passed by (Record 835): 107 Yeas, 40 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bailes; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Button; Capriglione; Clardy; Coleman; Cortez; Cospers; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dukes; Dutton; Elkins; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González; Gooden; Guillen; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Miller; Minjarez; Moody; Morrison; Murphy; Neave; Oliverson; Paddie; Parker; Paul; Perez; Phelan; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Romero; Rose; Sanford; Schaefer; Shaheen; Sheffield; Shine; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Allen; Anderson, R.; Ashby; Bell; Bonnen, D.; Burrows; Cain; Canales; Collier; Cyrier; Dean; Deshotel; Faircloth; Farrar; Giddings; Gonzales; Guerra; Gutierrez; Johnson, E.; Krause; Landgraf; Meyer; Muñoz; Murr; Nevárez; Oliveira; Ortega; Phillips; Pickett; Price; Rinaldi; Rodriguez, J.; Schofield; Schubert; Simmons; Smithee; Stickland; Thierry; Thompson, S.; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Longoria.

Absent — Cook.

STATEMENT OF VOTE

When Record No. 835 was taken, I was shown voting no. I intended to vote yes.

Faircloth

(Kuempel in the chair)

GENERAL STATE CALENDAR (consideration continued)

CSHB 2262 ON SECOND READING (by Gooden and Muñoz)

CSHB 2262, A bill to be entitled An Act relating to health benefit plan coverage for accelerated refills of certain prescription eye drops.

CSHB 2262 was passed to engrossment by (Record 836): 132 Yeas, 15 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; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farrar; 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; Lambert; Landgraf; Larson; Laubenberg; 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; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Burrows; Cain; Fallon; Gonzales; Keough; Krause; Lang; Leach; Rinaldi; Schaefer; Shaheen; Stickland; Wilson; Zedler.

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

Absent, Excused, Committee Meeting — Longoria.

STATEMENT OF VOTE

When Record No. 836 was taken, I was shown voting no. I intended to vote yes.

Gonzales

HB 2463 ON SECOND READING (by Price)

HB 2463, A bill to be entitled An Act relating to requiring state agencies to develop written succession plans.

LEAVE OF ABSENCE GRANTED

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

Vo on motion of Bernal.

HB 2463 - (consideration continued)

Amendment No. 1

Representative Price offered the following amendment to **HB 2463**:

Amend **HB 2463** (house committee printing), on page 2 of the bill, as follows:

(1) Strike lines 1 through 6 and substitute the following:

(b) A state agency shall develop a written succession plan:

(1) identifying and developing mechanisms to ensure the transfer of institutional knowledge from experienced and retiring employees who are not appointed by the governor or the governing body of the state agency to succeeding employees; and

(2) identifying the skills and abilities necessary for the development of the succeeding employees.

(2) Between lines 6 and 7, insert the following subsection and reletter subsequent subsections accordingly:

(c) At least annually, the state agency shall update the written succession plan developed under Subsection (b). The updated written succession plan must include a report on the implementation of the mechanisms, skills, and abilities identified and developed in the previous written succession plan.

Amendment No. 1 was adopted.

HB 2463, as amended, was passed to engrossment.

**CSHB 1944 ON SECOND READING
(by Murphy and Capriglione)**

CSHB 1944, A bill to be entitled An Act relating to captive insurance companies.

CSHB 1944 was passed to engrossment.

**CSHB 715 ON SECOND READING
(by Wu, S. Davis, Thierry, and S. Thompson)**

CSHB 715, A bill to be entitled An Act relating to the occurrence on certain premises of certain activities that may constitute a common nuisance.

CSHB 715 was passed to engrossment.

**CSHB 3772 ON SECOND READING
(by Button, Parker, Capriglione, Springer, Martinez, et al.)**

CSHB 3772, A bill to be entitled An Act relating to operation of the Texas leverage fund program administered by the Texas Economic Development Bank.

CSHB 3772 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **CSHB 3772**.

The point of order was withdrawn.

CSHB 3772 - POINT OF ORDER

Representative Tinderholt raised a point of order against further consideration of **CSHB 3772**.

The point of order was withdrawn.

Representative Button moved to postpone consideration of **CSHB 3772** until 10:30 a.m. tomorrow.

The motion prevailed.

**CSHB 557 ON SECOND READING
(by Collier and Minjarez)**

CSHB 557, A bill to be entitled An Act relating to the procedure for expunction of arrest records and files for certain persons who are tried for an offense and subsequently acquitted.

Amendment No. 1

Representative S. Thompson offered the following amendment to **CSHB 557**:

Amend **CSHB 557** (house committee report) as follows:

(1) On page 1, line 12, between "district court" and ", or", insert ", a justice court, or a municipal court of record".

(2) On page 1, line 19, strike "district" and substitute "[~~district~~]".

(3) Strike page 2, lines 3 through 10.

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

SECTION _____. Article 55.01, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (c) and subject to Subsection (b-1), a district court, a justice court, or a municipal court of record may expunge all records and files relating to the arrest of a person [~~who has been arrested for commission of a felony or misdemeanor~~] under the procedure established under Article 55.02 if:

(1) the person is:

(A) tried for the offense for which the person was arrested;

(B) convicted of the offense; and

(C) acquitted by the court of criminal appeals or, if the period for granting a petition for discretionary review has expired, by a court of appeals; or

(2) an office of the attorney representing the state authorized by law to prosecute the offense for which the person was arrested recommends the expunction to the [~~appropriate district~~] court before the person is tried for the offense, regardless of whether an indictment or information has been presented against the person in relation to the offense.

(b-1) A justice court or a municipal court of record may only expunge records and files under Subsection (b) that relate to the arrest of a person for an offense punishable by fine only.

SECTION _____. Section 1a(a), Article 55.02, Code of Criminal Procedure, is amended to read as follows:

(a) The trial court presiding over a case in which a person [~~defendant~~] is convicted and subsequently granted relief or pardoned on the basis of actual innocence of the offense of which the person [~~defendant~~] was convicted, if the trial court is a district court, a justice court, or a municipal court of record, or a district court in the county in which the trial court is located shall enter an order of expunction for a person entitled to expunction under Article 55.01(a)(1)(B)(ii) not later than the 30th day after the date the court receives notice of the pardon or other grant of relief. The person shall provide to the [~~district~~] court all of the information required in a petition for expunction under Section 2(b).

SECTION _____. Section 2, Article 55.02, Code of Criminal Procedure, is amended by amending Subsections (a) and (b) and adding Subsection (a-1) to read as follows:

(a) A person who is entitled to expunction of records and files under Article 55.01(a)(1)(A), 55.01(a)(1)(B)(i), or 55.01(a)(2) or a person who is eligible for expunction of records and files under Article 55.01(b) may file an ex parte petition for expunction in a district court for the county in which:

- (1) the petitioner was arrested; or
- (2) the offense was alleged to have occurred.

(a-1) If the arrest for which expunction is sought is for an offense punishable by fine only, a person who is entitled to expunction of records and files under Article 55.01(a) or a person who is eligible for expunction of records and files under Article 55.01(b) may file an ex parte petition for expunction in a justice court or a municipal court of record in the county in which:

- (1) the petitioner was arrested; or
- (2) the offense was alleged to have occurred.

(b) A ~~The~~ petition filed under Subsection (a) or (a-1) must be verified and must include the following or an explanation for why one or more of the following is not included:

- (1) the petitioner's:
 - (A) full name;
 - (B) sex;
 - (C) race;
 - (D) date of birth;
 - (E) driver's license number;
 - (F) social security number; and
 - (G) address at the time of the arrest;
- (2) the offense charged against the petitioner;
- (3) the date the offense charged against the petitioner was alleged to have been committed;
- (4) the date the petitioner was arrested;
- (5) the name of the county where the petitioner was arrested and if the arrest occurred in a municipality, the name of the municipality;
- (6) the name of the agency that arrested the petitioner;
- (7) the case number and court of offense; and
- (8) together with the applicable physical or e-mail addresses, a list of all:
 - (A) law enforcement agencies, jails or other detention facilities, magistrates, courts, prosecuting attorneys, correctional facilities, central state depositories of criminal records, and other officials or agencies or other entities of this state or of any political subdivision of this state;

(B) central federal depositories of criminal records that the petitioner has reason to believe have records or files that are subject to expunction; and

(C) private entities that compile and disseminate for compensation criminal history record information that the petitioner has reason to believe have information related to records or files that are subject to expunction.

SECTION _____. Article 102.006, Code of Criminal Procedure, is amended to read as follows:

Art. 102.006. FEES IN EXPUNCTION PROCEEDINGS. (a) In addition to any other fees required by other law and except as provided by Subsection (b), a petitioner seeking expunction of a criminal record in a district court shall pay the following fees:

(1) the fee charged for filing an ex parte petition in a civil action in district court;

(2) \$1 plus postage for each certified mailing of notice of the hearing date; and

(3) \$2 plus postage for each certified mailing of certified copies of an order of expunction.

(a-1) In addition to any other fees required by other law and except as provided by Subsection (b), a petitioner seeking expunction of a criminal record in a justice court or a municipal court of record under Chapter 55 shall pay a fee of \$100 for filing an ex parte petition for expunction to defray the cost of notifying state agencies of orders of expunction under that chapter.

(b) The fees under Subsection (a) or the fee under Subsection (a-1), as applicable, shall be waived if:

(1) the petitioner seeks expunction of a criminal record that relates to an arrest for an offense of which the person was acquitted, other than an acquittal for an offense described by Article 55.01(c); and

(2) the petition for expunction is filed not later than the 30th day after the date of the acquittal.

SECTION _____. Section 27.031, Government Code, is amended by adding Subsection (e) to read as follows:

(e) A justice court has concurrent jurisdiction with a district court and a municipal court of record over expunction proceedings relating to the arrest of a person for an offense punishable by fine only.

SECTION _____. Section 30.00005, Government Code, is amended by adding Subsection (e) to read as follows:

(e) The court has concurrent jurisdiction with a district court and a justice court over expunction proceedings relating to the arrest of a person for an offense punishable by fine only.

SECTION _____. Subchapter B, Chapter 103, Government Code, is amended by adding Section 103.02101 to read as follows:

Sec. 103.02101. ADDITIONAL FEE IN CERTAIN EXPUNCTION CASES: CODE OF CRIMINAL PROCEDURE. A petitioner filing an ex parte petition for expunction in a justice court or a municipal court of record shall pay a fee under Article 102.006, Code of Criminal Procedure, of \$100 to defray the costs of notifying state agencies of orders of expunction.

SECTION _____. Section 202.001(b), Local Government Code, is amended to read as follows:

(b) The following records may be destroyed without meeting the conditions of Subsection (a):

(1) records the destruction or obliteration of which is directed by an expunction order issued by a [district] court pursuant to state law; and

(2) records defined as exempt from scheduling or filing requirements by rules adopted by the commission or listed as exempt in a records retention schedule issued by the commission.

SECTION _____. (a) Except as provided by Subsection (b) of this section, this Act applies to an expunction of records and files relating to any criminal offense that occurred before, on, or after the effective date of this Act.

(b) Section 1, Article 55.02, Code of Criminal Procedure, as amended by this Act, applies only to the expunction of arrest records and files related to a criminal offense for which the trial of the offense begins on or after the effective date of this Act. The expunction of arrest records and files under Section 1, Article 55.02, Code of Criminal Procedure, related to a criminal offense for which the trial of the offense begins before the effective date of this Act is governed by the law in effect on the date the trial begins, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

CSHB 557, as amended, was passed to engrossment.

CSHB 590 ON SECOND READING

(by Bohac)

CSHB 590, A bill to be entitled An Act relating to the liability of first responders who provide roadside assistance.

CSHB 590 was passed to engrossment.

(Speaker in the chair)

HB 550 - MOTION TO RECONSIDER SPREAD ON JOURNAL

On motion of Representative Darby, the motion to reconsider the vote by which **HB 550** failed to pass was spread on the journal. (The motion to reconsider was called from the journal on May 5. The vote was reconsidered, and **HB 550** was passed by Record No. 839.)

HB 378 - RECOMMITTED

Representative Lozano moved to recommit **HB 378** from the Committee on Calendars to the Committee on Higher Education.

The motion prevailed.

COMMITTEES GRANTED PERMISSION TO MEET

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

Permission to meet was granted.

PROVIDING FOR ADJOURNMENT

At 10:52 p.m., Representative Geren moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10:30 a.m. tomorrow.

The motion prevailed.

(S. Davis in the chair)

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

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

(Fallon in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:04 p.m., adjourned until 10:30 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HB 4348 (By Dukes), Relating to the creation of the Vision East Municipal Utility District No. 1; providing authority to impose a tax and issue bonds.
To Special Purpose Districts.

HR 1895 (By Sanford), Congratulating Svaksha Iyengar of Prosper High School on her selection as a National Merit Scholar finalist.
To Rules and Resolutions.

HR 1901 (By Herrero), Congratulating Myranda Flores of West Oso High School on her receipt of a 2017 Education to Employment Partners Scholarship.
To Rules and Resolutions.

SB 36 to Judiciary and Civil Jurisprudence.

SB 37 to Judiciary and Civil Jurisprudence.

SB 38 to Judiciary and Civil Jurisprudence.

SB 39 to Judiciary and Civil Jurisprudence.

SB 41 to Judiciary and Civil Jurisprudence.

SB 79 to Government Transparency and Operation.

SB 226 to Natural Resources.

SB 239 to Judiciary and Civil Jurisprudence.

SB 257 to Judiciary and Civil Jurisprudence.

SB 276 to Public Education.

SB 286 to Higher Education.

SB 343 to Criminal Jurisprudence.

SB 379 to Land and Resource Management.

SB 404 to Licensing and Administrative Procedures.

SB 417 to Insurance.

SB 460 to Investments and Financial Institutions.

SB 461 to Elections.

SB 527 to Criminal Jurisprudence.

SB 549 to Licensing and Administrative Procedures.

SB 561 to Insurance.

SB 587 to Public Education.

SB 588 to Defense and Veterans' Affairs.

SB 593 to Urban Affairs.

SB 625 to Special Purpose Districts.

SB 677 to Corrections.

SB 729 to Ways and Means.

SB 775 to Defense and Veterans' Affairs.
SB 865 to Natural Resources.
SB 877 to Business and Industry.
SB 924 to Human Services.
SB 964 to Special Purpose Districts.
SB 972 to Appropriations.
SB 990 to Urban Affairs.
SB 1014 to Natural Resources.
SB 1015 to Urban Affairs.
SB 1034 to Transportation.
SB 1052 to Investments and Financial Institutions.
SB 1073 to Insurance.
SB 1083 to Ways and Means.
SB 1098 to Licensing and Administrative Procedures.
SB 1105 to Appropriations.
SB 1119 to Higher Education.
SB 1129 to Transportation.
SB 1193 to Judiciary and Civil Jurisprudence.
SB 1203 to Criminal Jurisprudence.
SB 1233 to Judiciary and Civil Jurisprudence.
SB 1242 to Criminal Jurisprudence.
SB 1269 to Natural Resources.
SB 1327 to Transportation.
SB 1345 to Ways and Means.
SB 1371 to Defense and Veterans' Affairs.
SB 1381 to Investments and Financial Institutions.
SB 1404 to Public Education.
SB 1504 to Criminal Jurisprudence.
SB 1519 to Licensing and Administrative Procedures.
SB 1523 to Transportation.
SB 1538 to Natural Resources.
SB 1548 to Juvenile Justice and Family Issues.
SB 1634 to Public Education.
SB 1767 to Ways and Means.

SB 1815 to Higher Education.

SB 1847 to Ways and Means.

SB 1877 to Transportation.

SB 1878 to Land and Resource Management.

SB 1895 to Business and Industry.

SB 1901 to Public Education.

SB 1940 to Defense and Veterans' Affairs.

SB 1965 to Juvenile Justice and Family Issues.

SB 1969 to Licensing and Administrative Procedures.

SB 1987 to Special Purpose Districts.

SB 2110 to Select Texas Ports, Innovation, and Infrastructure.

SCR 3 to Select State and Federal Power and Responsibility.

SIGNED BY THE SPEAKER

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

Senate List No. 12

SB 4, SB 347, SB 843

MESSAGES FROM THE SENATE

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

Message No. 4

MESSAGE FROM THE SENATE
 SENATE CHAMBER
 Austin, Texas
 Thursday, May 4, 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 496 Uresti

Relating to the participation of the school of osteopathic medicine at the University of the Incarnate Word in certain state programs supporting graduate medical education programs.

SB 801 Seliger

Relating to the instructional material list and supplemental instructional materials adopted by the State Board of Education.

SB 1318 Taylor, Van

Relating to designation of mathematics innovation zones by the commissioner of education and to the establishment of pay for success programs to provide necessary funding.

SB 1820 Burton

Relating to an application for a ballot to be voted by mail.

SB 1839 Hughes

Relating to the preparation, certification, and classification of public school educators.

SB 1845 Campbell

Relating to the development of transferable degree or certificate program curricula for which qualified veterans or military service members may be awarded course credit based on military service.

SB 1870 Zaffirini

Relating to county prohibition of the possession of glass containers within the boundaries of a state-owned riverbed; creating an offense.

SB 1883 Campbell

Relating to the approval of open-enrollment charter schools and the review of challenges by open-enrollment charter schools or school districts to accountability determinations.

SB 1893 Birdwell

Relating to the administrative judicial regions in this state.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 3

Agriculture and Livestock - **HB 3717, SB 1459**

Corrections - **HB 1421**

County Affairs - **HB 818, HB 2725, HB 3428, HB 3470, HB 3669, SJR 27**

Criminal Jurisprudence - **HB 1111, HB 1274, HB 1749, HB 2583, HB 2586, HB 2622**

Culture, Recreation, and Tourism - **HB 1724** (corrected)

Defense and Veterans' Affairs - **HB 3039, HB 3066**

Elections - **HB 2720, HB 2837, HB 3332**

Energy Resources - **SB 1871**

General Investigating and Ethics - **HB 2473**

Government Transparency and Operation - **HB 349, HB 1082, HB 2234, HB 3491**

Higher Education - **HB 493, HB 654, HB 796, HB 1007, HB 1241, HB 1369, HB 2421, HB 2432, HB 2478, HB 2937, HB 2988, HB 3179, HB 3512, HB 3768, HB 3775, HB 4276**

Homeland Security and Public Safety - **HB 103, HB 574, HB 981, HB 2820, HB 3006, HB 3132**

Human Services - **HB 2025, HB 2570, HB 3109, HB 3164, HB 3292, HB 3409, HB 3420, HB 3561, HB 3564, HB 3565, HB 3982, HB 4094, HB 4168**

Insurance - **HB 831, HB 2036, HB 2345, HB 3430**

Investments and Financial Services - **HB 2656**

Juvenile Justice and Family Issues - **HB 2929, HB 3477, HB 3845**

Land and Resource Management - **HB 3074**

Licensing and Administrative Procedures - **HB 133, HB 3163, SB 1176**

Public Education - **HB 306, HB 1152, HB 1799, HB 3349, HB 3439**

Public Health - **HB 661, HB 810, HB 1158, HB 1908, HB 2135, HB 3236, HB 3576, HB 3721**

State Affairs - **HB 200, HB 1527 (corrected), HB 3302, HB 3383**

Transportation - **HB 732, HB 917, HB 918, HB 1256, HB 1302, HB 1312, HB 1372, HB 1656, HB 1764, HB 2276, HB 2433, HB 2461, HB 2462, HB 2557, HB 2700, HB 2963, HB 3087, HB 3252, HB 3254, HB 3255, HB 3272, HB 3499, HB 3654, HB 3689**

Urban Affairs - **HB 1427, HB 2365, HB 3281, HB 3574**

Ways and Means - **HB 2236**

ENGROSSED

May 3 - HB 20, HB 136, HB 435, HB 486, HB 501, HB 505, HB 579, HB 626, HB 664, HB 681, HB 714, HB 727, HB 834, HB 874, HB 913, HB 928, HB 1076, HB 1133, HB 1285, HB 1296, HB 1414, HB 1426, HB 1500, HB 1543, HB 1544, HB 1793, HB 1976, HB 1980, HB 2039, HB 2065, HB 2174, HB 2205, HB 2286, HB 2501, HB 2615, HB 2715, HB 2774, HB 2817, HB 2931, HB 2950, HB 3025, HB 3063, HB 3130, HB 3165, HB 3276, HB 3323, HB 3337, HB 3360, HB 3370, HB 3675, HB 3765, HB 3784, HB 3788, HB 3872, HB 3997, HB 4054, HJR 37

SENT TO THE GOVERNOR

May 3 - HCR 121, HCR 124

