

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-FOURTH DAY — THURSDAY, MAY 18, 2017

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

The roll of the house was called and a quorum was announced present (Record 1317).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; 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; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Absent — Dukes; Elkins.

The speaker recognized Representative Sanford who offered the invocation.

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

CAPITOL PHYSICIAN

The speaker recognized Representative Bernal who presented Dr. Jennefer Sutton of Shavano Park as the "Doctor for the Day."

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

(Roberts in the chair)

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES

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

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 25).

REGULAR ORDER OF BUSINESS SUSPENDED

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

RESOLUTIONS ADOPTED

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

The motion prevailed.

The following resolutions were laid before the house:

HR 2113 (by Howard), Congratulating Sharon Pierce on her retirement as state advisor for the Texas Association of Family, Career and Community Leaders of America.

HR 2114 (by E. Johnson), Congratulating the James Madison High School boys' basketball team on winning the 2017 UIL 3A state championship.

HR 2115 (by E. Johnson), Congratulating the Lincoln High School boys' basketball team on winning the 2016 UIL 4A state championship.

HR 2116 (by E. Johnson), Commending Helene Barnes, Andres Cerecero, Brianna Dominguez, Aidan O'Neil, Alejandro Izaguirre, Amahree Archie, Jacob Kowalski, Andi Leacock-Williams, and Louisa Xie for their service as legislative interns in the office of State Representative Eric Johnson.

HR 2131 (by Frullo), Congratulating the 2017 State Artists.

HR 2132 (by Frullo), Congratulating the 2018 Texas State Artist honorees.

HR 2145 (by Lucio), Honoring the participants in the 2017 Rio Grande Valley Legislative Internship Program.

HR 2209 (by Stucky), Congratulating Rosemary "Mamie" Shugert Cross and Thornton "Thorny" Young of Argyle on their wedding.

HR 2227 (by Y. Davis), Congratulating the Reverend Dr. C. J. R. Phillips Jr. on his 40th anniversary as pastor of St. Phillips Missionary Baptist Church in Dallas.

The resolutions were adopted.

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

COMMITTEE GRANTED PERMISSION TO MEET

Representative Murphy requested permission for the Committee on Special Purpose Districts to meet while the house is in session, at 10:30 a.m. today, in 1W.14, to consider **SB 2285** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Special Purpose Districts, 10:30 a.m. today, 1W.14, for a formal meeting, to consider **SB 2285** and pending business.

HR 1591 - PREVIOUSLY ADOPTED

(by Flynn)

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

HR 1591, Congratulating Patrick and Fay Cosgrove of Dallas on their 70th wedding anniversary.

HR 1889 - PREVIOUSLY ADOPTED

(by Price)

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

HR 1889, Recognizing May 2017 as Cystic Fibrosis Awareness Month.

(Elkins now present)

LEAVE OF ABSENCE GRANTED

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

Dutton on motion of K. King.

HR 2145 - PREVIOUSLY ADOPTED

(by Lucio)

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

HR 2145, Honoring the participants in the 2017 Rio Grande Valley Legislative Internship Program.

INTRODUCTION OF GUESTS

The chair recognized Representative Lucio who introduced participants in the 2017 Rio Grande Valley Legislative Internship Program.

HR 2237 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 2237**.

The motion prevailed.

The following resolution was laid before the house:

HR 2237, In memory of former Dallas City Council member Donald W. Hill.

HR 2237 was unanimously adopted by a rising vote. (Hefner, Lang, and Rinaldi recorded voting no.)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 11 a.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 11 a.m. today, 3W.15, for a formal meeting, to set a calendar.

HR 2131 - PREVIOUSLY ADOPTED
(by Frullo)

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

HR 2131, Congratulating the 2017 State Artists.

HR 2132 - PREVIOUSLY ADOPTED
(by Frullo)

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

HR 2132, Congratulating the 2018 Texas State Artist honorees.

INTRODUCTION OF GUESTS

The chair recognized Representative Frullo who introduced the 2017 and 2018 Texas Commission on the Arts honorees.

COMMITTEE GRANTED PERMISSION TO MEET

Representative T. King requested permission for the Committee on Agriculture and Livestock to meet while the house is in session, at 11:15 a.m. today, in 3W.15, to consider **HR 2042**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Agriculture and Livestock, 11:15 a.m. today, 3W.15, for a formal meeting, to consider **HR 2042**.

HR 2090 - ADOPTED
(by Lozano)

Representative Lozano moved to suspend all necessary rules to take up and consider at this time **HR 2090**.

The motion prevailed.

The following resolution was laid before the house:

HR 2090, Expressing support for green schools.

HR 2090 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Lozano who introduced Mike Dieterich, Janna Luce, Sangeetha Karthik, Ken Flippin, and David Matiella.

HR 2114 - PREVIOUSLY ADOPTED
(by E. Johnson)

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

HR 2114, Congratulating the James Madison High School boys' basketball team on winning the 2017 UIL 3A state championship.

INTRODUCTION OF GUESTS

The chair recognized Representative E. Johnson who introduced coaches and players of the James Madison High School boys' basketball team.

HCR 144 - ADOPTED
(by Smithee)

Representative Smithee moved to suspend all necessary rules to take up and consider at this time **HCR 144**.

The motion prevailed.

The following resolution was laid before the house:

HCR 144, Commemorating the 50th anniversary of the Texas Cattle Feeders Association.

HCR 144 was adopted.

(Kuempel in the chair)

GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING

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

SB 319 ON THIRD READING
(Raymond - House Sponsor)

SB 319, A bill to be entitled An Act relating to the continuation and functions of the State Board of Veterinary Medical Examiners; authorizing a reduction in fees; providing penalties.

SB 319 was passed by (Record 1318): 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; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dutton.

Absent — Dukes; Huberty.

STATEMENT OF VOTE

When Record No. 1318 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

SB 304 ON THIRD READING (Raymond - House Sponsor)

SB 304, A bill to be entitled An Act relating to the continuation and functions of the Texas Board of Chiropractic Examiners; authorizing a reduction in fees.

SB 304 was passed by (Record 1319): 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; Deshotel; 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.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang;

Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dutton.

Absent — Dukes; Gonzales; Parker.

STATEMENT OF VOTE

When Record No. 1319 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

SB 313 ON THIRD READING

(Burkett, S. Thompson, and Raymond - House Sponsors)

SB 313, A bill to be entitled An Act relating to the continuation and functions of the State Board of Dental Examiners; imposing fees.

SB 313 was passed by (Record 1320): 144 Yeas, 0 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; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; 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; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; 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 — Dutton.

Absent — Blanco; Dukes; Reynolds.

STATEMENT OF VOTE

When Record No. 1320 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

SB 1004 ON THIRD READING (Geren - House Sponsor)

SB 1004, A bill to be entitled An Act relating to the deployment of network nodes in public right-of-way; authorizing fees.

SB 1004 was passed by (Record 1321): 140 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; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Herrero; Hinojosa; 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; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; 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.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Hernandez; Holland; Miller; Murr; Pickett; Walle.

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

Absent, Excused — Dutton.

Absent — Dukes.

STATEMENTS OF VOTE

When Record No. 1321 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 1321 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1321 was taken, I was shown voting yes. I intended to vote present, not voting.

Lucio

SB 999 ON THIRD READING
(Giddings - House Sponsor)

SB 999, A bill to be entitled An Act relating to procedures for taking possession of a child and for certain hearings in a suit affecting the parent-child relationship involving the Department of Family and Protective Services.

Amendment No. 1

Representative Thierry offered the following amendment to **SB 999**:

Amend **SB 999** on third reading in the section of the bill that amends Section 262.105(a), Family Code, by striking Subdivisions (1), (2), and (3) and substituting the following:

- (1) file a suit affecting the parent-child relationship;
- (2) request the court to appoint an attorney ad litem for the child; and
- (3) request an initial hearing to be held by no later than the first business ~~working~~ day after the date the child is taken into possession.

Amendment No. 1 was adopted.

SB 999, as amended, was passed by (Record 1322): 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; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; 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; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dutton.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 1322 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

SB 1300 ON THIRD READING
(Darby - House Sponsor)

SB 1300, A bill to be entitled An Act relating to the designation of the San Angelo State Supported Living Center as a forensic state supported living center.

SB 1300 was passed by (Record 1323): 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; 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.; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dutton.

Absent — Dukes; Klick.

STATEMENT OF VOTE

When Record No. 1323 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

SB 1476 ON THIRD READING
(K. King - House Sponsor)

SB 1476, A bill to be entitled An Act relating to eligibility for support from the universal service fund.

SB 1476 was passed by (Record 1324): 111 Yeas, 33 Nays, 2 Present, not voting.

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

Nays — Anderson, C.; Anderson, R.; Bell; Biedermann; Button; Cain; Capriglione; Cospers; Faircloth; Fallon; Frullo; Goldman; Holland; Keough; King, P.; Krause; Lang; Laubenberg; Leach; Metcalf; Paul; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Stickland; Swanson; Thompson, E.; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Dutton.

Absent — Canales; Dukes; Klick.

STATEMENTS OF VOTE

When Record No. 1324 was taken, I was shown voting no. I intended to vote yes.

C. Anderson

When Record No. 1324 was taken, I was shown voting yes. I intended to vote no.

Dale

When Record No. 1324 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1324 was taken, I was shown voting no. I intended to vote yes.

Frullo

SB 1758 ON THIRD READING (Turner - House Sponsor)

SB 1758, A bill to be entitled An Act relating to requirements for the court in permanency hearings for children in the conservatorship of the Department of Family and Protective Services who are receiving transitional living services.

SB 1758 was passed by (Record 1325): 138 Yeas, 8 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; 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.; Koop; Krause; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; 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 — Biedermann; Cain; Klick; Lang; Rinaldi; Schaefer; Stickland; Tinderholt.

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

Absent, Excused — Dutton.

Absent — Dukes.

STATEMENTS OF VOTE

When Record No. 1325 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1325 was taken, I was shown voting no. I intended to vote yes.

Klick

SB 1343 ON THIRD READING (Parker - House Sponsor)

SB 1343, A bill to be entitled An Act relating to the prosecution of criminal offenses regarding unauthorized recordings.

SB 1343 was passed by (Record 1326): 143 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; Deshotel; 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; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; 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; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Romero; Stickland; White.

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

Absent, Excused — Dutton.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 1326 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

SB 944 ON THIRD READING (Clardy - House Sponsor)

SB 944, A bill to be entitled An Act relating to the adoption of the Uniform Foreign-Country Money Judgments Recognition Act.

SB 944 was passed by (Record 1327): 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; 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; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson;

Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dutton.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 1327 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

SB 1488 ON THIRD READING (Landgraf - House Sponsor)

SB 1488, A bill to be entitled An Act relating to nonsubstantive additions to, revisions of, and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 84th Legislature to other Acts of that legislature.

SB 1488 was passed by (Record 1328): 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; 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; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; 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; Wu; Zedler; Zerwas.

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

Absent, Excused — Dutton.

Absent — Dukes; Gervin-Hawkins; Reynolds; Wray.

STATEMENTS OF VOTE

When Record No. 1328 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1328 was taken, my vote failed to register. I would have voted yes.

Wray

SB 46 ON THIRD READING**(Y. Davis - House Sponsor)**

SB 46, A bill to be entitled An Act relating to allowing judges to use juror identification numbers when polling the jury.

SB 46 was passed by (Record 1329): 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; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; 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; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dutton.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 1329 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

SB 2027 ON THIRD READING
(Moody - House Sponsor)

SB 2027, A bill to be entitled An Act relating to a study to evaluate by region training and employment opportunities in this state for individuals with an intellectual disability.

SB 2027 was passed by (Record 1330): 121 Yeas, 25 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; 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; Krause; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Bonnen, G.; Cain; Dale; Faircloth; Fallon; Goldman; Hefner; Holland; Isaac; Keough; Lang; Leach; Oliverson; Rinaldi; Schaefer; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Dutton.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 1330 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

SB 2053 ON THIRD READING
(Murr - House Sponsor)

SB 2053, A bill to be entitled An Act relating to the distribution of the consolidated court cost.

SB 2053 was passed by (Record 1331): 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; 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; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Uresti.

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

Absent, Excused — Dutton.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 1331 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

SB 27 ON THIRD READING (Blanco - House Sponsor)

SB 27, A bill to be entitled An Act relating to the mental health program for veterans.

SB 27 was passed by (Record 1332): 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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; 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; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez;

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

Nays — Cain; Krause; Lang; Rinaldi; Schaefer; Stickland; Swanson; Zedler.

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

Absent, Excused — Dutton.

Absent — Dukes; Gervin-Hawkins.

STATEMENTS OF VOTE

When Record No. 1332 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1332 was taken, I was shown voting no. I intended to vote yes.

Zedler

SB 416 ON THIRD READING (Smithee - House Sponsor)

SB 416, A bill to be entitled An Act relating to the composition of the board of directors of the State Bar of Texas.

SB 416 was passed by (Record 1333): 142 Yeas, 4 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; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Holland; Isaac; Stickland; Zedler.

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

Absent, Excused — Dutton.

Absent — Dukes.

STATEMENTS OF VOTE

When Record No. 1333 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1333 was taken, I was shown voting no. I intended to vote yes.

Holland

When Record No. 1333 was taken, I was shown voting yes. I intended to vote no.

Murphy

EMERGENCY CALENDAR SENATE BILLS SECOND READING

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

CSSB 11 ON SECOND READING (Frank - House Sponsor)

CSSB 11, A bill to be entitled An Act relating to the administration of services provided by the Department of Family and Protective Services, including foster care, child protective services, and prevention and early intervention services.

Amendment No. 1

Representative Frank offered the following amendment to **CSSB 11**:

Floor Packet Page No. 2

Amend **CSSB 11** (house committee printing) as follows:

(1) Strike page 16, line 23, through page 17, line 14, and substitute "Sec. 264.151. LEGISLATIVE INTENT".

(2) On page 17, line 15, strike "(b)" and substitute "(a)".

(3) On page 17, line 21, strike "(c)" and substitute "(b)".

(4) On page 28, line 27, strike "DECISIONS" and substitute "RECOMMENDATIONS".

(5) Strike page 29, lines 1-17, and substitute the following:

(a) Notwithstanding any other provision of this subchapter governing the transfer of case management authority to a single source continuum contractor, the department may review, approve, or disapprove a contractor's recommendation with respect to a child's permanency goal.

(b) Subsection (a) may not be construed to limit or restrict the authority of the department to include necessary oversight measures and review processes to maintain compliance with federal and state requirements in a contract with a single source continuum contractor.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Frank offered the following amendment to **CSSB 11**:

Floor Packet Page No. 3

Amend **CSSB 11** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 263.402, Family Code, is amended to read as follows:

Sec. 263.402. LIMIT ON EXTENSION~~[; -WAIVER]~~. ~~[(a)]~~ The parties to a suit under this chapter may not extend the deadlines set by the court under this subchapter by agreement or otherwise.

~~[(b) A party to a suit under this chapter who fails to make a timely motion to dismiss the suit under this subchapter waives the right to object to the court's failure to dismiss the suit. A motion to dismiss under this subsection is timely if the motion is made before the trial on the merits commences.]~~

Amendment No. 2 was adopted.

Amendment No. 3

Representative Miller offered the following amendment to **CSSB 11**:

Floor Packet Page No. 4

Amend **CSSB 11** (house committee printing) as follows:

(1) On page 2, line 5, strike "Subsection (a-1)" and substitute "Subsections (a-1) and (c-1)".

(2) On page 2, between lines 20 and 21, insert the following:

(c-1) If the prospective adoptive parents of a child indicate they want to proceed with the adoption under Subsection (c), the department, licensed child-placing agency, or single source continuum contractor shall provide the prospective adoptive parents with access to research from recognized professional organizations, individuals, or subject-matter experts regarding underlying health issues and other conditions of trauma that could impact child development and permanency.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Raymond offered the following amendment to **CSSB 11**:

Floor Packet Page No. 5

Amend **CSSB 11** (house committee printing) as follows:

(1) Strike page 9, line 17, through page 10, line 9.

(2) On page 10, lines 21-22, between "dismissed" and "without" insert "without prejudice and".

(3) On page 12, lines 9-10, between "dismissed" and "without" insert "without prejudice and".

(4) Strike page 16, line 23, through page 17, line 15, and substitute the following:

Sec. 264.151. LEGISLATIVE FINDINGS AND INTENT. (a) It is the intent of the legislature that the department

(5) On page 17, line 21, strike "(c)" and substitute "(b)".

(6) On page 20, line 20, strike "who have previously been placed".

(7) On page 24, line 15, strike "be eligible to".

(8) On page 28, line 10, strike "90th" and substitute "60th".

(9) On page 30, line 2, strike "services," and substitute "services or".

(10) On page 30, line 3, strike "or integrated care coordination,".

(11) On page 38, line 20, strike "other than" and substitute "including [other than]".

(12) Strike page 46, line 18, through page 47, line 3.

(13) On page 47, line 9, strike "and commission".

(14) On page 47, line 15, strike "or commission".

(15) On page 47, line 20, strike "or commission".

(16) On page 47, line 21, strike "or commission".

(17) On page 47, lines 24-25, strike "or commission".

(18) On page 48, lines 13-14, strike "and the Health and Human Services Commission".

(19) On page 48, lines 22-23, strike "The commission, in collaboration with the department," and substitute "The department".

(20) Renumber SECTIONS of the bill accordingly.

Amendment No. 5

Representative Raymond offered the following amendment to Amendment No. 4:

Amend Amendment No. 4 by Raymond to **CSSB 11** (page 5, prefiled amendments packet) by striking lines 3-11 of the amendment and renumbering subsequent items of the amendment accordingly.

Amendment No. 5 was adopted.

Amendment No. 4, as amended, was adopted.

Amendment No. 6

Representative Oliverson offered the following amendment to **CSSB 11**:
Floor Packet Page No. 7

Amend **CSSB 11** (house committee printing) as follows:

(1) On page 13, lines 18 and 19, strike "is examined and receives a mental health screening conducted by" and substitute "receives an initial medical examination and a mental health screening from".

(2) On page 13, following line 27, insert the following:

(c) Notwithstanding Subsection (b), the department shall ensure that any child that enters the conservatorship of the department receives any necessary emergency medical care as soon as possible.

(d) A physician or other health care provider conducting an examination under Subsection (b) may not administer a vaccination as part of the examination, except that a physician or other health care provider may administer a tetanus vaccination to a child in a commercially available preparation if the physician or other health care provider determines that an emergency circumstance requires the administration of the vaccination. The prohibition on the administration of a vaccination under this subsection does not apply after the department has been named managing conservator of the child after a hearing under Section 262.106 or 262.201.

(3) On page 14, line 1, strike "(c)" and substitute "(e)".

(4) On page 14, line 5, strike "(d)" and substitute "(f)".

(5) On page 14, line 6, strike "relevant medical practitioners" and substitute "selected physicians and other health care providers authorized under state law to conduct medical examinations".

(6) On page 14, line 9, following "screening.", insert the following: The guidelines developed under this subsection must provide assistance and guidance regarding:

(1) assessing a child for:

(A) signs and symptoms of child abuse and neglect;

(B) the presence of acute or chronic illness; and

(C) signs of acute or severe mental health conditions;

(2) monitoring the adjustment of a child to the conservatorship of the department;

(3) ensuring a child has necessary medical equipment and any medication prescribed to the child or needed by the child; and

(4) providing appropriate support and education to a child's caregivers.

(7) On page 14, between lines 9 and 10, insert the following:

(g) Notwithstanding any other law, the guidelines developed under Subsection (f) do not create a standard of care for a physician or other health care provider authorized under state law to conduct medical examinations, and a physician or other health care provider may not be subject to criminal, civil, or administrative penalty or civil liability for failure to adhere to the guidelines.

(8) On page 14, line 10, strike "(e)" and substitute "(h)".

Amendment No. 7

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

Amend Amendment No. 6 by Oliverson to **CSSB 11** (page 7, prefiled amendment packet) by striking the text of the amendment and substituting the following:

Amend **CSSB 11** (house committee printing) by striking page 13, line 12 through page 14, line 17, and substituting the following:

Sec. 264.1076. MEDICAL EXAMINATION REQUIRED. (a) This section applies only to a child who has been taken into the conservatorship of the department and remains in the conservatorship of the department for more than three business days.

(b) The department shall ensure that each child described by Subsection (a) receives an initial medical examination from a physician or other health care provider authorized under state law to conduct medical examinations not later than the end of:

(1) the third day after the date the child is removed from the child's home, if the child:

(A) is removed as the result of sexual assault, physical assault, or an obvious physical injury to the child; or

(B) has a chronic medical condition, a medically complex condition, or a diagnosed mental illness; or

(2) the seventh day after the date of the hearing conducted under Subchapter C, Chapter 262, for a child to whom Subdivision (1) does not apply.

(c) Notwithstanding Subsection (b), the department shall ensure that any child that enters the conservatorship of the department receives any necessary emergency medical care as soon as possible.

(d) A physician or other health care provider conducting an examination under Subsection (b) may not administer a vaccination as part of the examination without parental consent, except that a physician or other health care provider may administer a tetanus vaccination to a child in a commercially available preparation if the physician or other health care provider determines that an emergency circumstance requires the administration of the vaccination. The prohibition on the administration of a vaccination under this subsection does not apply after the department has been named managing conservator of the child after a hearing conducted under Subchapter C, Chapter 262.

(e) Whenever possible, the department shall schedule the medical examination for a child before the last business day of the appropriate time frame provided under Subsection (b).

(f) The department shall collaborate with the commission and selected physicians and other health care providers authorized under state law to conduct medical examinations to develop guidelines for the medical examination conducted under this section, including guidelines on the components to be included in the examination. The guidelines developed under this subsection must provide assistance and guidance regarding:

(1) assessing a child for:

(A) signs and symptoms of child abuse and neglect;

(B) the presence of acute or chronic illness; and

(C) signs of acute or severe mental health conditions;

(2) monitoring a child's adjustment to being in the conservatorship of the department;

(3) ensuring a child has necessary medical equipment and any medication prescribed to the child or needed by the child; and

(4) providing appropriate support and education to a child's caregivers.

(g) Notwithstanding any other law, the guidelines developed under Subsection (f) do not create a standard of care for a physician or other health care provider authorized under state law to conduct medical examinations, and a physician or other health care provider may not be subject to criminal, civil, or administrative penalty or civil liability for failure to adhere to the guidelines.

(h) The department shall make a good faith effort to contact a child's primary care physician to ensure continuity of care for the child regarding medication prescribed to the child and the treatment of any chronic medical condition.

(i) Not later than December 31, 2019, the department shall submit a report to the standing committees of the house of representatives and the senate with primary jurisdiction over child protective services and foster care evaluating the statewide implementation of the medical examination required by this section. The report must include the level of compliance with the requirements of this section in each region of the state.

AMENDMENT NO. 7 - REMARKS

REPRESENTATIVE HOWARD: We talked about this some yesterday, so I just want to clarify. I think part of the issue that I understood in our conversation was that, for one thing, some caseworkers are not trained to do medical assessments of students. And for another, we're also having apparently some communication issues in terms of who is responsible for getting the child to the medical provider to do the assessment. Is that not correct?

REPRESENTATIVE KLICK: Yes.

HOWARD: What you're trying to address here is to make sure that there is an initial medical assessment of the children, and then it's triaged in terms of what occurs after that. Is that correct or not?

KLICK: That is correct. Children that have chronic conditions need to be seen earlier. It may be that when they come into care that they don't even have their medication. If they're an asthmatic, they may not have a nebulizer or an inhaler, and this is to prioritize those children so that they are prepared to care for them properly.

HOWARD: So I want to make sure that I am understanding correctly that the prioritization of the children being seen is being determined by a medical assessment of some kind by a provider that has some training to be able to make this assessment.

KLICK: Currently, there is not anyone that does that. What we have done is set up conditions within the framework of the bill in which they are to receive a medical assessment sooner in the process.

HOWARD: So it may not be that every child would get that initial medical assessment in three days, but what you're suggesting is that you've provided some guidelines that would need to be adhered to so that they know which children need to be prioritized in terms of an immediate medical assessment.

KLICK: Correct. If the agency is having difficulty complying with the 30-day and only comply 58 percent of the time now, I'm very concerned that by making it three days we're going to potentially overlook children that need to be seen sooner because of their conditions. And so this is kind of a triage way of doing so.

HOWARD: Okay, I think I'm beginning to understand it. Initially, I thought you were talking about all children would receive some kind of an initial cursory assessment by a medical provider. But what you are saying is there would be an initial assessment by a caseworker who has guidelines that they can follow to know specifically which children need to be seen in that three-day time period because they have particular medical conditions that require a more immediate medical assessment.

KLICK: Correct.

HOWARD: And then if I could also ask about the vaccinations here. Again, since this is an immediate kind of thing, before we know if the child needs to be placed or not, there's no vaccinations except for those that might be required for an emergency reason, such as tetanus. And then, that this clause does not apply after the department has been named managing conservator. This does not apply then. Then the department has the discretion to do what needs to be done for the welfare of that child. Is that not correct?

KLICK: Correct.

HOWARD: Okay, thank you for the clarification. I appreciate it.

REPRESENTATIVE STICKLAND: Representative Klick, are there any other exemptions that a vaccination can be administered other than tetanus?

KLICK: Right now, the reading of the bill, we've only put tetanus in there in the event of an emergency.

STICKLAND: Until the state is issued conservatorship?

REMARKS ORDERED PRINTED

Representative Stickland moved to print remarks between Representative Klick and Representative Stickland.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

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

Frullo on motion of Muñoz.

CSSB 11 - (consideration continued)

Amendment No. 7 was adopted.

Amendment No. 6, as amended, was adopted by (Record 1334): 115 Yeas, 22 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anderson, R.; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Geren; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Muñoz; Murphy; Murr; Nevárez; Oliverson; Parker; Paul; Phelan; Phillips; Pickett; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, J.; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; VanDeaver; Villalba; Vo; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Alonzo; Anchia; Anderson, C.; Arévalo; Coleman; Davis, S.; Gervin-Hawkins; Hernandez; Longoria; Lucio; Martinez; Minjarez; Moody; Neave; Ortega; Rodriguez, E.; Romero; Rose; Turner; Uresti; Walle; Wu.

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

Absent, Excused — Dutton; Frullo.

Absent — Dukes; Kacal; King, K.; Larson; Oliveira; Paddie; Perez; Price; Stephenson.

STATEMENTS OF VOTE

When Record No. 1334 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1334 was taken, I was excused because of important business. I would have voted yes.

Frullo

When Record No. 1334 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 1334 was taken, I was shown voting yes. I intended to vote no.

Muñoz

When Record No. 1334 was taken, I was shown voting no. I intended to vote yes.

Neave

When Record No. 1334 was taken, I was in the house but away from my desk. I would have voted yes.

Perez

Amendment No. 8

Representative Klick offered the following amendment to **CSSB 11**:

Floor Packet Page No. 9

Amend **CSSB 11** (house committee printing) as follows:

(1) On page 13, lines 18-19, strike "and receives a mental health screening conducted".

(2) Strike page 13, lines 22-27, and substitute the following:

(1) the day the child is removed from the child's home, if the child is removed as the result of sexual assault, physical assault, or an obvious physical injury to the child;

(2) the day after the date the child is removed from the child's home, if the child has a serious chronic medical condition or a medically complex condition; or

(3) the seventh day after the date of the hearing conducted under Subchapter C, Chapter 262, for a child to whom Subdivisions (1) and (2) do not apply.

(3) On page 14, line 2, strike "and mental health screening".

(4) On page 14, line 6, strike "relevant medical practitioners" and substitute "selected physicians and other health care providers authorized under state law to conduct medical examinations".

(5) On page 14, line 7, strike "and mental health screening".

(6) On page 14, line 9, strike "and the screening".

(7) On page 14, between lines 9 and 10, insert the following:

(e) The department shall make a good faith effort to contact a child's primary care physician to ensure continuity of care for the child regarding medication prescribed to the child and the treatment of any chronic medical conditions.

(8) On page 14, line 10, strike "(e)" and substitute "(f)".

(9) On page 14, lines 14-15, strike "and mental health screening".

Amendment No. 8 was withdrawn.

Amendment No. 9

Representative Miller offered the following amendment to **CSSB 11**:

Floor Packet Page No. 16

Amend **CSSB 11** (house committee printing) as follows:

(1) On page 21, between lines 26 and 27, insert the following:

(a-1) Notwithstanding the process for the expansion of community-based foster care described in Subsection (a), and in accordance with the community-based foster care implementation plan developed under Section 264.153, beginning September 1, 2017, the department shall:

(1) begin accepting proposals from entities to provide community-based foster care services in a designated catchment area;

(2) not later than the 90th day after receiving a proposal described by Subdivision (1), determine whether the entity that submitted the proposal is qualified to serve as a single source continuum contractor under Section 264.157; and

(3) following the readiness review process described by Section 264.154, and subject to the availability of funds, implement community-based foster care in catchment areas where a qualified single source continuum contractor has been selected.

(2) On page 22, line 1, strike "Subsection (a)" and substitute "Subsection (a) or the implementation of community-based foster care in catchment areas as provided under Subsection (a-1)".

Amendment No. 9 was adopted.

Amendment No. 10

Representative Neave offered the following amendment to **CSSB 11**:

Floor Packet Page No. 17

Amend **CSSB 11** (house committee printing) as follows:

(1) On page 23, line 17, strike "and".

(2) On page 23, line 19, strike the underlined period and substitute "; and

(5) an attorney ad litem appointed to represent a child in the conservatorship of the department."

Amendment No. 10 was adopted.

Amendment No. 11

Representative Raymond offered the following amendment to **CSSB 11**:

Floor Packet Page No. 18

Amend **CSSB 11** (house committee printing) as follows:

(1) On page 25, lines 8-10, strike "and require the participation of the contractor in the data access and standards governance council created under Section 264.159".

(2) Strike page 25, line 21, through page 26, line 24.

(3) On page 27, line 24, strike "(a)".

(4) On page 28, strike lines 1-5.

(5) Strike page 30, line 22, through page 33, line 3.

(6) Strike page 46, line 18, through page 47, line 3.

(7) Renumber the SECTIONS of the bill as appropriate.

Amendment No. 12

Representative Raymond offered the following amendment to Amendment No. 11:

Amend Amendment No. 11 by Raymond to **CSSB 11** (page 18, prefiled amendments packet) by striking lines 2-5 of the amendment and renumbering subsequent items in the amendment accordingly.

Amendment No. 12 was adopted.

Amendment No. 11, as amended, was adopted.

Amendment No. 13

Representative Ortega offered the following amendment to **CSSB 11**:

Floor Packet Page No. 19

Amend **CSSB 11** (house committee printing) as follows:

(1) On page 25, line 16, strike "and".

(2) On page 25, line 20, between "backgrounds" and the underlined period, insert the following:

; and

(5) establish a process for the single source continuum contractor to report to the department the results of the contractor's best interest determination for a child when the contractor concludes that the determination conflicts with a performance measure for the contractor stated in the contract

Amendment No. 13 was adopted.

Amendment No. 14

Representative Minjarez offered the following amendment to **CSSB 11**:

Floor Packet Page No. 20

Amend **CSSB 11** (house committee printing) by striking page 25, line 22, through page 26, line 24, and substituting the following:

(a) The department shall create a data access and standards governance council to develop protocols for the electronic transfer of data from single source continuum contractors to the department to allow the contractors to perform case management functions.

(b) The council shall develop protocols for the access, management, and security of case data that is electronically shared by a single source continuum contractor with the department.

Amendment No. 14 was adopted.

Amendment No. 15

Representative E. Rodriguez offered the following amendment to **CSSB 11**:

Floor Packet Page No. 21

Amend **CSSB 11** (house committee printing) as follows:

(1) Strike page 26, line 25, through page 27, line 16, and substitute the following:

Sec. 264.160. COST BENEFIT ANALYSIS OF TRANSFER OF CASE MANAGEMENT SERVICES TO SINGLE SOURCE CONTINUUM CONTRACTOR. (a) The department shall conduct a cost benefit analysis of transferring case management services to a single source continuum contractor under this subchapter. The analysis must include:

(1) the actual cost to the department of providing case management services, including any indirect expenses related to the performance of case management services, and any assumptions and documentation that support the actual cost determination;

(2) recommendations for improving the performance of case management services by the department;

(3) an assessment of the costs for a single source continuum contractor to provide case management services under contract with the department and the cost to the department of monitoring the contractor's performance;

(4) an assessment of the capability of a single source continuum contractor to provide case management services at a level comparable to the case management services provided by the department;

(5) a comparison of the cost of establishing caseload standards for case management services for the department and for a single source continuum contractor;

(6) an estimate of the costs of returning the performance of case management services from the single source continuum contractor to the commission or department if necessary, including a reasonable proposed schedule for any actions necessary to return the performance of case management services to the commission or department; and

(7) a comparison of the salary, health care benefits, retirement, and workers' compensation insurance for caseworkers employed by a single source continuum contractor and by the department.

(b) Not later than January 15, 2019, the department shall report the findings and recommendations of the cost benefit analysis conducted under this section to the governor, the lieutenant governor, the speaker of the house of representatives, the Senate Health and Human Services Committee, and the House Human Services Committee.

(c) If the department recommends the transfer of case management services to a single source continuum contractor based on the analysis conducted under Subsection (a), the legislature shall consider the recommendations and vote on whether to approve the recommendations.

(d) The department may not transfer case management services to a single source continuum contractor before the legislature approves the department's recommendations under Subsection (c).

(e) This section expires September 1, 2021.

(2) On page 36, line 10, strike " a timeline for the transfer of case management services, and" and substitute "and[;]".

Amendment No. 15 failed of adoption by (Record 1335): 54 Yeas, 90 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Capriglione; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria;

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

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

Absent, Excused — Dutton; Frullo.

Absent — Dukes; King, K.

STATEMENTS OF VOTE

When Record No. 1335 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1335 was taken, I was excused because of important business. I would have voted no.

Frullo

REASON FOR VOTE

I support the purpose of this bill, but I believe that too many of our current contracts are rife with waste, fraud, and abuse. This amendment would help ensure an audit and cost analysis of the current program.

Capriglione

Amendment No. 16

Representative Minjarez offered the following amendment to **CSSB 11**:
Floor Packet Page No. 27

Amend **CSSB 11** (house committee printing) as follows:

(1) On page 29, line 27, between "DEPARTMENT," and "In", insert "(a)".

(2) On page 30, between lines 5 and 6, insert the following:

(b) The department retains the following roles and responsibilities in relation to case management services provided to children and families in a catchment area:

(1) maintaining direct contact with the child on a monthly basis for the purpose of providing oversight and making recommendations, including final recommendations, to the court regarding the best interest of the child;

(2) maintaining direct observation of family visits with the child on a monthly basis;

(3) evaluating the appropriateness of medical, mental health, and educational decisions made for a child;

(4) monitoring and evaluating the effectiveness of all case management and permanency services provided by a single source continuum contractor and making changes to those services if the services are not effective;

(5) final approval of and authority to change:

(A) the placement of a child;

(B) a child and family service plan;

(C) a decision to discontinue case management services for a child who is aging out of foster care;

(D) a child's permanency plan; and

(E) a decision regarding the adoption of a child;

(6) the prosecution of suits affecting the parent-child relationship, and any legal decisions relating to those suits;

(7) ensuring that a single source continuum contractor provides a child's attorney ad litem and guardian ad litem with immediate access to the child and access to the contractor's information and records relating to the child;

(8) making ongoing recommendations to the court to ensure the safety and well-being of a child; and

(9) taking any action, or requiring a single source continuum contractor to take any action, the department considers necessary to ensure the safety and well-being of a child.

Amendment No. 16 failed of adoption by (Record 1336): 53 Yeas, 90 Nays, 2 Present, not voting.

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

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

Absent, Excused — Dutton; Frullo.

Absent — Dukes; King, K.; Schaefer.

STATEMENTS OF VOTE

When Record No. 1336 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1336 was taken, I was excused because of important business. I would have voted no.

Frullo

Amendment No. 17

Representative Raymond offered the following amendment to **CSSB 11**:
Floor Packet Page No. 23

Amend **CSSB 11** (house committee printing) on page 27, line 2 of the bill, by striking "June" and substituting "September".

Amendment No. 17 was adopted.

Amendment No. 18

Representative Minjarez offered the following amendment to **CSSB 11**:
Floor Packet Page No. 29

Amend **CSSB 11** (house committee printing) as follows:

(1) On page 29, line 27, between "DEPARTMENT." and "In", insert "(a)".

(2) On page 30, between lines 5 and 6, insert the following:

(b) The department retains the following roles and responsibilities in relation to case management services provided to children and families in a catchment area:

(1) maintaining direct contact with the child on a monthly basis for the purpose of providing oversight and making recommendations, including final recommendations, to the court regarding the best interest of the child;

(2) maintaining direct observation of family visits with the child on a monthly basis;

(3) evaluating the appropriateness of medical, mental health, and educational decisions made for a child;

(4) monitoring and evaluating the effectiveness of all case management and permanency services provided by a single source continuum contractor and making changes to those services if the services are not effective;

(5) final approval of and authority to change:

(A) the placement of a child;

- (B) a child and family service plan;
(C) a decision to discontinue case management services for a child who is aging out of foster care;
(D) a child's permanency plan; and
(E) a decision regarding the adoption of a child;
(6) the prosecution of suits affecting the parent-child relationship, and any legal decisions relating to those suits;
(7) ensuring that a single source continuum contractor provides a child's attorney ad litem and guardian ad litem with immediate access to the child and access to the contractor's information and records relating to the child;
(8) making ongoing recommendations to the court to ensure the safety and well-being of a child; and
(9) taking any action, or requiring a single source continuum contractor to take any action, the department considers necessary to ensure the safety and well-being of a child.

Amendment No. 18 was withdrawn.

Amendment No. 19

Representative Hernandez offered the following amendment to **CSSB 11**:
 Floor Packet Page No. 36

Amend **CSSB 11** (house committee printing) as follows:

(1) On page 45, line 18, strike "abuse and neglect" and substitute "abuse, neglect, and exploitation".

(2) On page 45, line 21, strike "abuse and neglect" and substitute "abuse, neglect, and exploitation".

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

SECTION _____. Sections 261.301(b) and (c), Family Code, are amended to read as follows:

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

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

(c) The department is not required to investigate a report that alleges child abuse, ~~[or]~~ neglect, or exploitation by a person other than a person responsible for a child's care, custody, or welfare. The appropriate state or local law enforcement agency shall investigate that report if the agency determines an investigation should be conducted.

SECTION _____. Section 261.401(b), Family Code, is amended to read as follows:

(b) Except as provided by Section 261.404 and Section 531.02013(1)(D), Government Code, a state agency that operates, licenses, certifies, registers, or lists a facility in which children are located or provides oversight of a program that serves children shall make a prompt, thorough investigation of a report that a child has been or may be abused, neglected, or exploited in the facility or program. The primary purpose of the investigation shall be the protection of the child.

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

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

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

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

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

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

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

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

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

(A) a juvenile justice alternative education program;

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

(C) a juvenile probation department.

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

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

Amendment No. 19 - Point of Order

Representative Stickland raised a point of order against further consideration of Amendment No. 19.

The point of order was withdrawn.

Amendment No. 19 was adopted.

Amendment No. 20

Representative Klick offered the following amendment to **CSSB 11**:
Floor Packet Page No. 47

Amend **CSSB 11** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION _____. Section 107.002(b-1), Family Code, is amended to read as follows:

(b-1) In addition to the duties required by Subsection (b), a guardian ad litem appointed for a child in a proceeding under Chapter 262 or 263 shall:

- (1) review the medical care provided to the child; ~~and~~
- (2) in a developmentally appropriate manner, seek to elicit the child's opinion on the medical care provided; and
- (3) for a child at least 16 years of age, ascertain whether the child has received the following documents:

- (A) a certified copy of the child's birth certificate;
- (B) a social security card or a replacement social security card;
- (C) a driver's license or personal identification certificate under Chapter 521, Transportation Code; and
- (D) any other personal document the Department of Family and Protective Services determines appropriate.

SECTION _____. Section 107.003(b), Family Code, is amended to read as follows:

(b) In addition to the duties required by Subsection (a), an attorney ad litem appointed for a child in a proceeding under Chapter 262 or 263 shall:

- (1) review the medical care provided to the child;
- (2) in a developmentally appropriate manner, seek to elicit the child's opinion on the medical care provided; and
- (3) for a child at least 16 years of age:

- (A) [5] advise the child of the child's right to request the court to authorize the child to consent to the child's own medical care under Section 266.010; and

(B) ascertain whether the child has received the following documents:

- (i) a certified copy of the child's birth certificate;
- (ii) a social security card or a replacement social security card;
- (iii) a driver's license or personal identification certificate under Chapter 521, Transportation Code; and
- (iv) any other personal document the Department of Family and Protective Services determines appropriate.

Amendment No. 20 was adopted.

Amendment No. 21

Representative Burrows offered the following amendment to **CSSB 11**:
Floor Packet Page No. 65

Amend **CSSB 11** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Sections 262.201(b) and (c), Family Code, are amended to read as follows:

(b) At the conclusion of the full adversary hearing, the court shall order the return of the child to the parent, managing conservator, possessory conservator, guardian, caretaker, or custodian entitled to possession unless the court finds by a preponderance of the [sufficient] evidence [to satisfy a person of ordinary prudence and caution] that:

(1) there was a danger to the physical health or safety of the child, including a danger that the child would be a victim of trafficking under Section 20A.02 or 20A.03, Penal Code, which was caused by an act or failure to act of the person entitled to possession and for the child to remain in the home is contrary to the welfare of the child;

(2) the urgent need for protection required the immediate removal of the child and reasonable efforts, consistent with the circumstances and providing for the safety of the child, were made to eliminate or prevent the child's removal; and

(3) reasonable efforts have been made to enable the child to return home, but there is a substantial risk of a continuing danger if the child is returned home.

(c) If the court finds by a preponderance of the [sufficient] evidence [to satisfy a person of ordinary prudence and caution] that there is a continuing danger to the physical health or safety of the child and for the child to remain in the home is contrary to the welfare of the child, the court shall issue an appropriate temporary order under Chapter 105. The court shall require each parent, alleged father, or relative of the child before the court to complete the proposed child placement resources form provided under Section 261.307 and file the form with the court, if the form has not been previously filed with the court, and provide the Department of Family and Protective Services with information necessary to locate any other absent parent, alleged father, or relative

of the child. The court shall inform each parent, alleged father, or relative of the child before the court that the person's failure to submit the proposed child placement resources form will not delay any court proceedings relating to the child. The court shall inform each parent in open court that parental and custodial rights and duties may be subject to restriction or to termination unless the parent or parents are willing and able to provide the child with a safe environment. If the court finds that the child requires protection from family violence by a member of the child's family or household, the court shall render a protective order under Title 4 for the child. In this subsection, "family violence" has the meaning assigned by Section 71.004.

SECTION _____. Section 262.205(b), Family Code, is amended to read as follows:

(b) After the hearing, the court may grant the request to remove the child from the parent, managing conservator, possessory conservator, guardian, caretaker, or custodian entitled to possession of the child if the court finds by a preponderance of the [sufficient] evidence ~~[to satisfy a person of ordinary prudence and caution]~~ that:

(1) reasonable efforts have been made to prevent or eliminate the need to remove the child from the child's home; and

(2) allowing the child to remain in the home would be contrary to the child's welfare.

Amendment No. 21 was withdrawn.

Amendment No. 22

Representative Swanson offered the following amendment to **CSSB 11**:
Floor Packet Page No. 64

Amend **CSSB 11** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 262, Family Code, is amended by adding Section 262.013 to read as follows:

Sec. 262.013. PRIORITY IN PLACEMENT. In placing a child with a foster parent, the department shall give priority to family homes with the fewest number of foster children in the home that can best meet the needs of a foster child if the prioritization does not contradict the best interests of a child or established department performance measures. In placing a sibling group, the department shall, to the extent possible, place the sibling group in the same home if it is in the best interest of each child in the home.

(Kacal in the chair)

Amendment No. 22 was adopted by (Record 1337): 138 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; 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; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; 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; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Alonzo; Rose; Thompson, S.

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

Absent, Excused — Dutton; Frullo.

Absent — Dukes; Giddings; Hernandez; Longoria; Lucio.

STATEMENTS OF VOTE

When Record No. 1337 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1337 was taken, I was excused because of important business. I would have voted yes.

Frullo

Amendment No. 23

Representative Giddings offered the following amendment to **CSSB 11**:
Floor Packet Page No. 73

Amend **CSSB 11** by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.1252 to read as follows:

Sec. 264.1252. **FOSTER PARENT RECRUITMENT STUDY.** (a) In this section, "young adult caregiver" means a person who:

(1) is at least 21 years of age but younger than 36 years of age; and

(2) provides foster care for children who are 14 years of age and older.

(b) The department shall conduct a study on the feasibility of developing and implementing a program to recruit and provide training and support for young adult caregivers.

(c) The department shall complete the study not later than December 31, 2018. The department shall conduct the study in collaboration with an institution of higher education. In evaluating the feasibility of the program, the department

shall consider methods to recruit young adult caregivers and the potential impact that the program will have on the foster children participating in the program, including whether the program may result in:

- (1) increased placement stability;
- (2) fewer behavioral issues;
- (3) fewer instances of foster children running away from a placement;
- (4) increased satisfactory academic progress in school;
- (5) increased acquisition of independent living skills; and
- (6) an improved sense of well-being.

(d) The department shall report the results of the study to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature as soon as possible after the study is completed.

(e) This section expires September 1, 2019.

SECTION _____. As soon as practicable after the effective date of this Act, the Department of Family and Protective Services shall begin the study required by Section 264.1252, Family Code, as added by this Act.

(Dukes now present)

Amendment No. 23 was adopted.

Amendment No. 24

Representative Swanson offered the following amendment to **CSSB 11**:

Floor Packet Page No. 75

Amend **CSSB 11** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.1252 to read as follows:

Sec. 264.1252. REIMBURSEMENT FOR ENRICHMENT ACTIVITIES; CRIMINAL OFFENSE. (a) In this section, "enrichment activities" includes athletic camps and competition, art and music classes and camps, school-related extracurricular activities, faith-based camps or mission trips, and the Boy Scouts of America and the Girl Scouts of the United States of America, or similar organizations and activities. The term does not include entertainment activities that a child participates in solely with the child's foster parent.

(b) At the foster parent's discretion, the foster parent may enroll a foster child in age-appropriate enrichment activities.

(c) The department shall reimburse a foster parent for monetary expenses relating to the participation of a child in enrichment activities not to exceed \$200 per month for each child. The foster parent must provide the department with receipts for expenses under this subsection to receive reimbursement.

(d) A person commits an offense if, with intent to defraud or deceive the department, the person knowingly makes or causes to be made a false statement or misrepresentation of a material fact that allows a person to receive a reimbursement under Subsection (c). An offense under this subsection is a Class C misdemeanor.

Amendment No. 24 was withdrawn.

Amendment No. 25

Representatives Swanson, Raymond, Minjarez, Rose, Klick, Miller, Farrar, and Keough offered the following amendment to **CSSB 11**:

Floor Packet Page No. 80

Amend **CSSB 11** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 264, Family Code, is amended by adding Section 264.2042 to read as follows:

Sec. 264.2042. GRANTS FOR FAITH-BASED COMMUNITY COLLABORATIVE PROGRAMS. (a) Using available funds or private donations, the governor shall establish and administer an innovation grant program to award grants to support faith-based community programs that collaborate with the department and the commission to improve foster care and the placement of children in foster care.

(b) A faith-based community program is eligible for a grant under this section if:

(1) the effectiveness of the program is supported by empirical evidence;
and

(2) the program has demonstrated the ability to build connections between faith-based, secular, and government stakeholders.

(c) The regional director for the department in the region where a grant recipient program is located, or the regional director's designee, shall serve as the liaison between the department and the program for collaborative purposes. For a program that operates in a larger region, the department may designate a liaison in each county where the program is operating. The department or the commission may not direct or manage the operation of the program.

(d) The initial duration of a grant under this section is two years. The governor may renew a grant awarded to a program under this section if funds are available and the governor determines that the program is successful.

(e) The governor may not award to a program grants under this section totaling more than \$300,000.

(f) The governor shall adopt rules to implement the grant program created under this section.

SECTION _____. As soon as practicable after the effective date of this Act, the governor shall adopt rules for the implementation and administration of the innovation grant program established under Section 264.2042, Family Code, as added by this Act, and begin to award grants under the program.

Amendment No. 25 - Point of Order

Representative Moody raised a point of order against further consideration of Amendment No. 25 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The point of order was withdrawn.

Amendment No. 25 was adopted.

REMARKS ORDERED PRINTED

Representative Howard moved to print remarks between Representative Klick and Representative Howard on Amendment No. 7.

The motion prevailed.

(Frullo now present)

Amendment No. 26

Representative Dukes offered the following amendment to **CSSB 11**:
Floor Packet Page No. 69

Amend **CSSB 11** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.1212 to read as follows:

Sec. 264.1212. PILOT PROGRAM FOR FINANCIAL TRANSITIONAL LIVING SERVICES. (a) The department shall establish a pilot program to assist foster children in the conservatorship of the department to achieve financial security and independence as the children transition to independent living.

(b) The department shall enter into an agreement with a credit union or other financial institution to establish savings accounts for foster children who, under an agreement with the department and credit union or other financial institution, participate in the pilot program. The agreement may include, as appropriate, the following terms:

(1) subject to Subsection (j), a prohibition on a foster child withdrawing money from the savings account until the earlier of:

(A) the first anniversary of the date the first deposit is made into the savings account; or

(B) the date the balance in the savings account first equals or exceeds \$2,000;

(2) a requirement that the department and the credit union or other financial institution together encourage the foster children participating in the program to open private savings accounts once the participants are no longer eligible for foster care services; and

(3) procedures to transfer ownership and control of the account to the participants exiting the program who are no longer eligible for foster care services.

(c) The department may seek to partner with a person, including a foundation, to match the amounts of money deposited into the foster children savings accounts under the pilot program. The matching funds must be deposited directly into the child's savings account.

(d) The department and the person selected as a partner under Subsection (c) may jointly establish incentives to provide financial rewards to foster children for actions performed by the children, including college visits or attendance at financial education classes. The financial rewards may only be paid by the person and are not available for matching funds provided under Subsection (c).

(e) Not later than January 1 of each even-numbered year, the department may select not more than 20 foster children who are age 16 or older to participate in the pilot program established under this section.

(f) Money that may be deposited in a foster child's savings account established under the pilot program includes:

(1) money earned by the child through employment or allowance;

(2) gift money;

(3) money deposited by the child's foster parent or by a parent or other relative of the child;

(4) money received from the person selected as a partner under Subsection (c) as financial incentives or matching funds; and

(5) other money authorized under the department's agreement with the credit union or other financial institution.

(g) The department shall survey each foster child who enters and exits the pilot program. The survey must be designed to assess any changes in the child's attitudes, perceptions, and knowledge about financial matters from the time the child entered the program until the child exited the program.

(h) The department shall complete an evaluation of the pilot program not later than December 31, 2022.

(i) The department shall submit a report on the evaluation of the pilot program conducted under Subsection (h) to the governor, lieutenant governor, and speaker of the house of representatives as soon as the evaluation is complete. The department shall submit a second report evaluating the pilot program to the governor, lieutenant governor, and speaker of the house of representatives not later than December 31, 2024.

(j) A foster child may not be denied the rights granted under Section 264.0111 to control money earned by the child that is deposited into a savings account under the pilot program.

(k) This section expires December 31, 2024.

SECTION _____. As soon as practicable after the effective date of this Act, the Department of Family and Protective Services shall establish the pilot program as required by Section 264.1212, Family Code, as added by this Act.

CSSB 11 - POINT OF ORDER

Representative Canales raised a point of order against further consideration of **CSSB 11** under Rule 4, Section 32(c)(3) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

The vote of the house was taken on the adoption of Amendment No. 26 and the vote was announced yeas 71, nays 74.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1338): 69 Yeas, 74 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Burkett; Burns; Canales; Coleman; Collier; Cook; Cortez; Dale; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Frank; Gervin-Hawkins; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Koop; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; White; Wilson; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Burrows; Button; Cain; Capriglione; Clardy; Cosper; Craddick; Cyrier; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frullo; Geren; Goldman; Gooden; Hefner; Holland; Hunter; Isaac; Keough; King, K.; King, P.; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; Workman; Wray; Zedler.

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

Absent, Excused — Dutton.

Absent — Allen; Bonnen, D.; Bonnen, G.; Zerwas.

The chair stated that Amendment No. 26 failed of adoption by the above vote.

STATEMENTS OF VOTE

When Record No. 1338 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1338 was taken, I was shown voting yes. I intended to vote no.

Wilson

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence for the remainder of today to attend a meeting of the Conference Committee on **SB 1**:

Zerwas on motion of Geren.

CSSB 11 - (consideration continued)

CSSB 11 - POINT OF ORDER

Representative Canales raised a point of order against further consideration of **CSSB 11**.

The point of order was withdrawn.

Amendment No. 27

Representative Dukes offered the following amendment to **CSSB 11**:

Floor Packet Page No. 40

Amend **CSSB 11** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the remaining SECTIONS of the bill as appropriate:

SECTION _____. Subchapter C, Chapter 40, Human Resources Code, is amended by adding Section 40.0508 to read as follows:

Sec. 40.0508. DIVISION FOR ELIMINATION OF DISPROPORTIONALITY AND DISPARITIES. (a) The commissioner shall maintain a division for elimination of disproportionality and disparities in the department to:

(1) assume a leadership role in working or contracting with state and federal agencies, universities, private interest groups, communities, foundations, and offices of minority services to develop initiatives to decrease or eliminate disparities in access to child welfare services among racial, multicultural, disadvantaged, ethnic, and regional populations, including appropriate language services; and

(2) maximize use of existing resources without duplicating existing efforts.

(b) The division may:

(1) provide a central information and referral source, including a clearinghouse for disparities information, and serve as the primary state resource in coordinating, planning, and advocating access to child welfare services to eliminate disparities in this state;

(2) coordinate conferences and other training opportunities to increase skills among state agencies and government staff in management and in the appreciation of cultural diversity;

(3) pursue and administer grant funds for innovative projects for communities, groups, and individuals;

(4) provide recommendations and training in improving minority recruitment in state agencies;

(5) publicize information regarding disparities in access to child welfare services through the use of the media;

(6) network with existing minority organizations, community-based child welfare services groups, and statewide child welfare services coalitions;

(7) solicit, receive, and spend grants, gifts, and donations from public and private sources; and

(8) contract with public and private entities in the performance of its responsibilities.

(c) In performing its duties under this section, the department shall use the expertise of the members and employees of the center for elimination of disproportionality and disparities.

AMENDMENT NO. 27 - REMARKS

REPRESENTATIVE DUKES: This amendment is an amendment that addresses a major concern within the Department of Family and Protective Services and the State of Texas. This amendment comes about from legislation that was created in 2005 under Speaker Craddick. At the time, we all saw that there was a disproportionate and overrepresented population of African American youth, particularly in Harris County at 44 percent—yet only 12 percent of the state's African American—that were being removed. We looked at the statistics and at the reasons that they were being removed. Taking everything into account, being the financials of the family, whether there was abuse or neglect, we looked at everything. There was not a greater percentage within the African American communities and families to justify the overrepresentation in the removal of African American youth. We knew from statistics of the overrepresentation of African American youth in the criminal justice system. We knew that there was a larger population that was overrepresented in school removals. The issue with Hispanic families was just as egregious, because resources were not available and understandings were not available.

Disproportionality represents the overrepresentation. Disparities is the unequal and different treatment or services provided. For example, we found in the studies and studies done by institutions like The University of Texas and Stephen F. Austin that when we reviewed whether or not an African American youth would receive psychiatric care outside of an institution—so that the problem did not escalate—in comparison to an Anglo youth, there was a huge disparity. And as a result, we saw that more of those youth were given greater sentences and Hispanics greater sentences in the criminal justice system versus Anglo youth who would receive probation or some dispensation.

This division looks at cross-systems for better outcomes. What it has done through its work is to help the agency and its caseworkers to better understand the populations with which it was working. Oftentimes they didn't understand maybe the mannerisms or the tone within an African American family or a Hispanic family. But being a caseworker, they had the power. And if you've ever had anyone call your office who was dealing with an agency in which a child was removed, they will tell you that sometimes they overexert that power when they become irritated or angry. The statistics that we found was that that was quite true, because some families would get a little more heated, they act differently, but the agency folks didn't know how to de-escalate and understand the situation.

REPRESENTATIVE COLEMAN: First of all, Representative Dukes, your work on these issues has made a difference in the lives of Texas children. I passed a bill that looked into these issues on the health side disparities, but you took it further and made sure that we understood those differences that maybe children who come from communities that people just don't—I was telling somebody earlier, "You don't know because you don't live there." So thank you for that. Tell us a little bit more. Your work has certainly created more kinship care because of the distinct needs of certain children and moved children into better circumstances. I

just want to thank you for that and also say that this is a very good amendment because of that disproportionate number of children who need to find homes, and those that don't are often children of color.

DUKES: Right, and there's much misunderstanding about the concept of disproportionality and disparities. Last session it was thought, even though the Texas Supreme Court used a certain entity to do training of the judges statewide, that same entity was involved in doing some of the assessing and training within the agency, but someone somewhere assumes that this is about racism. It's exactly the opposite. It's about assuring that every race is treated equally. With the division that you created on health for the State of Texas and health disparities and then the divisions pulling together the juvenile justice system with child welfare and mental health and the educational system, you're able to look at the broad spectrum of that child who was removed or potentially would be removed by the agency.

The outcomes we've seen was reductions in children going into foster care, reductions in the removals, because they now understood, and they were able to work with family-based decision-making to get outcomes better for the family, and there was no reason to remove the kid any longer. Improved collaborative efforts across the systems with families and communities—that means getting them mental health care if that was what was needed; making sure that there was no alcohol or drug abuse within the family; assisting to make sure they were in school, staying in school, not skipping, and they got better grades. We saw an increase in kinship care placements. Kinship care placement versus regular foster care, there's a huge savings there, because on average it's about \$5,400 a month in foster care versus kinship care which was only a one-time payment, changed to an annual payment by Chairman Raymond this session. We also saw an increase in the number of adoptions of African Americans, which was huge, because the largest population that stays in foster care and languishes and never is adopted and ends up aging out was African American. But we saw an increase in adoption. We saw more children served in their homes with their families, able to stay at their schools, stay at their churches, as opposed to becoming wards of the state and moving elsewhere. And we saw no increase in re-abuse—none whatsoever. We saw improved staff understanding of race, ethnicity, culture, and why people are poor. And we saw staff ability to identify family strengths and target appropriate services. So it worked.

REMARKS ORDERED PRINTED

Representative S. Thompson moved to print remarks by Representative Dukes.

The motion prevailed.

Amendment No. 27 failed of adoption by (Record 1339): 55 Yeas, 88 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez;

Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; 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.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cospier; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler.

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

Absent, Excused — Dutton.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Allen; Bonnen, G.; Cook.

LEAVE OF ABSENCE GRANTED

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

G. Bonnen on motion of Goldman.

CSSB 11 - (consideration continued)

CSSB 11, as amended, was passed to third reading. (Arévalo, Bernal, Collier, Dukes, Giddings, Howard, Israel, Neave, Ortega, Perez, E. Rodriguez, Turner, Uresti, Vo, and Walle recorded voting no.)

(Speaker in the chair)

SB 11 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Raymond, Representatives Burkett, Klick, Dale, and Raymond were authorized as house sponsors to **SB 11**.

HB 2328 - RETURNED TO SENATE BY THE SPEAKER

Pursuant to Rule 13, Section 5A of the House Rules, the speaker returned **HB 2328** with senate amendments to the senate and submitted the following statement:

Pursuant to Rule 13, Section 5A of the House Rules, 85th Legislature, I am returning the attached house bill, with the permission of the primary author, to the Texas Senate for further action for the following reasons:

As **HB 2328** left the house, the sole subject of the bill was an expedited response procedure by governmental bodies for open records requests. The bill only dealt with the way governmental entities administratively handled these expedited open records requests and did not touch, expand, or in any way change the substantive law of open records, including exceptions to disclosure. In fact, proposed amendments proffered on that subject were in the house determined to be not germane.

Amendment No. 1 is a substantive change to open records law, by creating a new exception from disclosure. This amendment has been commonly called the "Boeing Bill," in reference to parties involved in an earlier attorney general opinion which mandated release of the same information. See Tex. **SB 407**, 85th Leg., R.S. (2017); Tex. **HB 792**, 85th Leg., R.S. (2017). Specifically, the amendment seeks to place beyond public disclosure certain competitive bidding information. The amendment is not germane to **HB 2328**.

Amendment No. 2 is also a substantive change to open records law by limiting the scope of what is considered public information for entities that receive or spend public funds. Specifically, the amendment makes wholesale changes to the definition of a "governmental body" in The Open Records Act. This change is not related to the procedural process of **HB 2328** as it left the house and is not germane to **HB 2328**.

Amendment No. 3 also makes substantive changes to open records law. The amendment adds a new exception to substantive open records law. Specifically, the amendment seeks to extend exceptions for evidentiary privilege, attorney-client privilege, and work product privilege to public information requests. This change is a foreign, different, unrelated, and impermissible nongermane addition to **HB 2328**.

Finally, Amendment No. 4 adds a fourth exception and, therefore, creates substantive changes to open records law. The exception includes temporary contractors and transactions of official business and how the information shall be handled, stored, and considered public information. This change is on a wholly different subject than the subject of **HB 2328**. The amendment, therefore, adds an impermissible second subject to **HB 2328**.

In total, the four amendments attempt to add at least 11 substantive open records exceptions to a bill that had nothing to do with that subject. The amendments violate Rule 11, Section 2 and Rule 8, Section 3 of the House Rules and Article III, Section 35 of the Texas Constitution. Neither legislative body's rules or practice allow the modification of the Texas Constitution's restrictions on germaneness or one subject. Regardless of the purpose of the amendments, each one of which was adopted by the senate, none were germane. See 84 H.J. Reg. 5562-5563 (2015) (Pickett point of order on **HB 13**).

MAJOR STATE CALENDAR
SENATE BILLS
SECOND READING

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

**CSSB 2 ON SECOND READING
(D. Bonnen - House Sponsor)**

CSSB 2, A bill to be entitled An Act relating to the administration of the ad valorem tax system.

CSSB 2 - POINT OF ORDER

Representative Nevárez raised a point of order against further consideration of **CSSB 2**.

The point of order was withdrawn.

Representative D. Bonnen moved to postpone consideration of **CSSB 2** until 5 p.m. today.

The motion prevailed.

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. 19).

**GENERAL STATE CALENDAR
SENATE BILLS
SECOND READING**

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

**SB 489 ON SECOND READING
(Alvarado - House Sponsor)**

SB 489, A bill to be entitled An Act relating to recommendations regarding instruction in public schools to prevent the use of e-cigarettes.

SB 489 was passed to third reading by (Record 1340): 114 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Elkins; 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.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; 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; Schofield; Schubert; Sheffield; Shine; Smithee; Springer; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Wilson; Workman; Wray; Wu.

Nays — Bell; Biedermann; Cain; Capriglione; Cospers; Dean; Faircloth; Fallon; Goldman; Hefner; Holland; Keough; Krause; Lang; Leach; Metcalf; Rinaldi; Sanford; Shaheen; Simmons; Stephenson; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bonnen, G.; Dutton.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Allen; King, P.; Klick; Morrison; Schaefer; Walle; White.

STATEMENTS OF VOTE

When Record No. 1340 was taken, I was shown voting no. I intended to vote yes.

Cospers

When Record No. 1340 was taken, I was in the house but away from my desk. I would have voted no.

P. King

When Record No. 1340 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 1340 was taken, I was in the house but away from my desk. I would have voted no.

Schaefer

SB 573 ON SECOND READING (Frullo - House Sponsor)

SB 573, A bill to be entitled An Act relating to the disposition of proceeds from the sale of freshwater fishing stamps issued by the Parks and Wildlife Department.

SB 573 was passed to third reading.

SB 693 ON SECOND READING (Phelan - House Sponsor)

SB 693, A bill to be entitled An Act relating to three-point seat belts on buses that transport schoolchildren.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Price requested permission for the Committee on Public Health to meet while the house is in session, at 3:15 p.m. today, in 3W.9, to consider **SB 344**, **SB 1695**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Health, 3:15 p.m. today, 3W.9, for a formal meeting, to consider **SB 344**, **SB 1695**, and pending business.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Public Health:

Oliverson on motion of Shine.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Parker requested permission for the Committee on Investments and Financial Services to meet while the house is in session, at 3:15 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Investments and Financial Services, 3:15 p.m. today, 1W.14, for a formal meeting, to consider pending business.

SB 693 - (consideration continued)

Amendment No. 1

Representative E. Thompson offered the following amendment to **SB 693**:

Amend **SB 693** (house committee printing) by striking SECTION 2 of the bill (page 2, lines 5 and 6) and renumbering the subsequent SECTIONS of the bill accordingly.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Investments and Financial Services:

E. Johnson on motion of S. Davis.

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Public Health:

Sheffield on motion of Perez.

SB 693 - (consideration continued)

The vote of the house was taken on the adoption of Amendment No. 1 and the vote was announced yeas 70, nays 72.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1341): 68 Yeas, 71 Nays, 1 Present, not voting.

Yeas — Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Burns; Burrows; Button; Cain; Clardy; Cook; Cosper; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gooden; Hefner; Holland; Huberty; Isaac; Keough; King, P.; King, T.; Klick; Krause;

Kuempel; Lambert; Landgraf; Lang; Laubenberg; Leach; Miller; Murphy; Murr; Parker; Paul; Phillips; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Wilson; Workman; Zedler.

Nays — Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bernal; Blanco; Burkett; Canales; Capriglione; Cortez; Craddick; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, J.; Kacal; King, K.; Koop; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Ortega; Paddie; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Romero; Rose; Sanford; Thierry; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wray; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bonnen, G.; Dutton.

Absent, Excused, Committee Meeting — Johnson, E.; Oliverson; Sheffield; Zerwas.

Absent — Allen; Coleman; Collier; Rodriguez, J.

The speaker stated that Amendment No. 1 failed of adoption by the above vote.

LEAVE OF ABSENCE GRANTED

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

J. Rodriguez on motion of González.

(Oliverson and Sheffield now present)

COMMITTEE GRANTED PERMISSION TO MEET

Representative D. Bonnen requested permission for the Committee on Ways and Means to meet while the house is in session, at 3:50 p.m. today, in 1W.14, to consider **SB 521**, **SJR 51**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Ways and Means, 3:50 p.m. today, 1W.14, for a formal meeting, to consider **SB 521**, **SJR 51**, and pending business.

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 4:30 p.m. today, in 3W.9, to consider **SB 94**, **SB 751**, **SB 1676**, **SB 1679**, **SB 1855**, and **SB 1944**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Defense and Veterans' Affairs, 4:30 p.m. today, 3W.9, for a formal meeting, to consider **SB 94, SB 751, SB 1676, SB 1679, SB 1855, and SB 1944.**

COMMITTEE GRANTED PERMISSION TO MEET

Representative Elkins requested permission for the Committee on Government Transparency and Operation to meet while the house is in session, at 4:30 p.m. today, in 1W.14, to consider **SB 200, SB 526,** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Government Transparency and Operation, 4:30 p.m. today, 1W.14, for a formal meeting, to consider **SB 200, SB 526,** and pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Kuempel requested permission for the Committee on Licensing and Administrative Procedures to meet while the house is in session, at 4:30 p.m. today, in 1W.14, to consider **SB 341, SB 371, SB 404, SB 666, SB 1969,** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Licensing and Administrative Procedures, 4:30 p.m. today, 1W.14, for a formal meeting, to consider **SB 341, SB 371, SB 404, SB 666, SB 1969,** and pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Cook requested permission for the Committee on State Affairs to meet while the house is in session, at 4 p.m. today, in 1W.14, to consider **SB 23, SB 261, SB 262, SB 611, SB 1446, SB 1731, and SB 1875.**

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

State Affairs, 4 p.m. today, 1W.14, for a formal meeting, to consider **SB 23, SB 261, SB 262, SB 611, SB 1446, SB 1731, and SB 1875.**

COMMITTEE GRANTED PERMISSION TO MEET

Representative P. King requested permission for the Committee on Homeland Security and Public Safety to meet while the house is in session, at 4:45 p.m. today, in 3W.15, to consider **HCR 140.**

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Homeland Security and Public Safety, 4:45 p.m. today, 3W.15, for a formal meeting, to consider **HCR 140**.

MESSAGE FROM THE SENATE

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

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Ways and Means:

Bohac on motion of Miller.

SB 693 - (consideration continued)**Amendment No. 2**

Representative Stickland offered the following amendment to **SB 693**:

Amend **SB 693** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 547.701, Transportation Code, is amended by adding Subsection (e-1) to read as follows:

(e-1) Subsection (e) does not apply to the Hurst-Eules-Bedford Independent School District or the Birdville Independent School District.

(Kacal in the chair)

Representative Phelan moved to table Amendment No. 2.

The motion to table prevailed by (Record 1342): 74 Yeas, 48 Nays, 8 Present, not voting.

Yeas — Alonzo; Alvarado; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, D.; Button; Cook; Cortez; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Johnson, J.; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Larson; Longoria; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Ortega; Paddie; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Roberts; Rodriguez, E.; Romero; Rose; Schubert; Shine; Stucky; Thierry; Thompson, S.; Turner; VanDeaver; Villalba; Walle; White; Workman; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Burns; Cain; Canales; Capriglione; Clardy; Collier; Cospere; Craddick; Dean; Elkins; Faircloth; Fallon; Frank; Goldman; Gooden; Guillen; Hefner; Holland; Israel; Keough; Krause; Landgraf; Lang; Laubenberg; Metcalf; Miller; Murr; Oliverson; Parker; Paul; Reynolds; Rinaldi; Sanford; Schofield; Shaheen; Sheffield; Simmons; Springer; Stickland; Thompson, E.; Tinderholt; Uresti; Vo; Wilson; Zedler.

Present, not voting — Mr. Speaker; Anchia; Gonzales; Isaac; Kacal(C); Leach; Oliveira; Smithee.

Absent, Excused — Bonnen, G.; Dutton; Rodriguez, J.

Absent, Excused, Committee Meeting — Bohac; Johnson, E.; Zerwas.

Absent — Allen; Burkett; Burrows; Coleman; Dukes; González; Huberty; Hunter; Koop; Lozano; Murphy; Schaefer; Stephenson; Swanson.

STATEMENTS OF VOTE

When Record No. 1342 was taken, I was in the house but away from my desk. I would have voted present, not voting.

Hunter

When Record No. 1342 was taken, I was shown voting yes. I intended to vote no.

Phillips

Amendment No. 3

Representative Cain offered the following amendment to **SB 693**:

Amend **SB 693** (house committee report) on page 1, by striking lines 15 through 22 and substituting the following:

(2) a school district unless the board of trustees for the school district adopts a resolution stating that the district will comply with this section ~~applies to:~~

Representative Phelan moved to table Amendment No. 3.

The motion to table prevailed by (Record 1343): 97 Yeas, 39 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, D.; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, J.; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Ortega; Paddie; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Romero; Rose; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Burns; Burrows; Cain; Cosper; Craddick; Dale; Dean; Elkins; Faircloth; Fallon; Frank; Goldman; Hefner; Holland; Huberty; Isaac; Keough; Krause; Landgraf; Lang; Laubenberg; Leach; Murphy; Murr; Oliverson; Parker; Rinaldi; Sanford; Schofield; Shaheen; Simmons; Stickland; Thompson, E.; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Bonnen, G.; Dutton; Rodriguez, J.

Absent, Excused, Committee Meeting — Bohac; Johnson, E.; Zerwas.

Absent — Allen; Oliveira; Schaefer; Springer; Swanson; Thierry.

LEAVES OF ABSENCE GRANTED

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

Cook on motion of Phillips.

Smithee on motion of C. Anderson.

The following member was granted leave of absence for the remainder of today to attend a meeting of the Committee on State Affairs:

Geren on motion of Muñoz.

SB 693 - (consideration continued)

SB 693 was passed to third reading by (Record 1344): 91 Yeas, 43 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bernal; Blanco; Burkett; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Farrar; Frank; Frullo; Gervin-Hawkins; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, J.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Ortega; Paddie; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Romero; Rose; Sanford; Schofield; Sheffield; Shine; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu.

Nays — Anderson, R.; Bailes; Bell; Biedermann; Bonnen, D.; Burns; Burrows; Button; Cain; Cospier; Cyrier; Dale; Elkins; Faircloth; Fallon; Flynn; Goldman; Gooden; Hefner; Holland; Isaac; Keough; Klick; Krause; Lang; Laubenberg; Leach; Murphy; Murr; Oliverson; Parker; Paul; Rinaldi; Schaefer; Schubert; Shaheen; Simmons; Springer; Stickland; Thompson, E.; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Bonnen, G.; Dutton; Rodriguez, J.

Absent, Excused, Committee Meeting — Bohac; Cook; Geren; Johnson, E.; Smithee; Zerwas.

Absent — Allen; Giddings; Huberty; King, K.; Swanson.

STATEMENTS OF VOTE

When Record No. 1344 was taken, I was shown voting yes. I intended to vote no.

Miller

When Record No. 1344 was taken, I was shown voting yes. I intended to vote no.

Stephenson

**SB 754 ON SECOND READING
(K. King - House Sponsor)**

SB 754, A bill to be entitled An Act relating to the extension and modification of a public school district depository contract.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Morrison requested permission for the Committee on Transportation to meet while the house is in session, at 4:20 p.m. today, in 3W.9, to consider **SB 1437** and **SB 1560**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Transportation, 4:20 p.m. today, 3W.9, for a formal meeting, to consider **SB 1437** and **SB 1560**.

SB 754 - (consideration continued)

SB 754 was passed to third reading.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 4:20 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 4:20 p.m. today, 3W.15, for a formal meeting, to set a calendar.

LEAVE OF ABSENCE GRANTED

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

Gervin-Hawkins on motion of Minjarez.

SB 1051 ON SECOND READING
(Dutton - House Sponsor)

SB 1051, A bill to be entitled An Act relating to the accommodation of a deaf or hard of hearing student in driver education; authorizing a fee.

Representative Koop moved to postpone consideration of **SB 1051** until 4:30 p.m. today.

The motion prevailed.

SB 720 ON SECOND READING
(Fruzzo - House Sponsor)

SB 720, A bill to be entitled An Act relating to rules regarding the carcasses of certain birds or animals.

SB 720 was passed to third reading.

CSSB 957 ON SECOND READING
(Laubenberg, Gonzales, Hinojosa, Geren, and Rose - House Sponsors)

CSSB 957, A bill to be entitled An Act relating to the content and numbering of propositions on the ballot.

(Roberts in the chair)

CSSB 957 was passed to third reading.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Transportation:

Burkett on motion of P. King.

SB 966 ON SECOND READING
(Neave - House Sponsor)

SB 966, A bill to be entitled An Act relating to criminal offenses regarding the consumption or possession of alcoholic beverages by a minor.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Lozano requested permission for the Committee on Higher Education to meet while the house is in session, at 5 p.m. today, in 1W.14, to consider **SB 1799**, **SB 1845**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Higher Education, 5 p.m. today, 1W.14, for a formal meeting, to consider **SB 1799**, **SB 1845**, and pending business.

LEAVES OF ABSENCE GRANTED

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

Martinez on motion of Moody.

Phillips on motion of Parker.

E. Thompson on motion of Parker.

SB 966 - (consideration continued)

SB 966 was passed to third reading.

**SB 1153 ON SECOND READING
(Huberty - House Sponsor)**

SB 1153, A bill to be entitled An Act relating to parental rights and information regarding certain intervention strategies used with public school students.

Amendment No. 1

Representative Huberty offered the following amendment to **SB 1153**:

Amend **SB 1153** (house committee report) on page 4, between lines 10 and 11, by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

() be provided when the child begins to receive the assistance for that school year;

Amendment No. 1 was adopted.

SB 1153, as amended, was passed to third reading.

(E. Thompson now present)

(Kacal in the chair)

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Government Transparency and Operation:

Capriglione on motion of Muñoz.

Gonzales on motion of Burns.

Shaheen on motion of Muñoz.

Uresti on motion of Ortega.

(Smithee now present)

**CSSB 1501 ON SECOND READING
(Kuempel - House Sponsor)**

CSSB 1501, A bill to be entitled An Act relating to the regulation of motor vehicle towing, booting, and storage and to the elimination of required state licensing for vehicle booting companies and operators.

Representative Kuempel moved to postpone consideration of **CSSB 1501** until 4:45 p.m. today.

The motion prevailed.

(Bohac and Burkett now present)

CSSB 1329 ON SECOND READING
(Smithee - House Sponsor)

CSSB 1329, A bill to be entitled An Act relating to the operation and administration of and practice in courts in the judicial branch of state government; increasing a fee.

Amendment No. 1

Representative Smithee offered the following amendment to **CSSB 1329**:

Amend **CSSB 1329** (house committee report) on page 7, by striking lines 10 through 17 and renumbering SECTIONS of ARTICLE 3 of the bill accordingly.

Amendment No. 1 was adopted.

Amendment No. 2

On behalf of Representative Nevárez, Representative Canales offered the following amendment to **CSSB 1329**:

Amend **CSSB 1329** (house committee report) by adding the following appropriately numbered ARTICLE to the bill and renumbering the ARTICLES of the bill accordingly:

ARTICLE ____ . JUDICIAL ASSIGNMENTS

SECTION ____ .01. Section 74.055(c), Government Code, is amended to read as follows:

(c) To be eligible to be named on the list, a retired or former judge must:

(1) have served as an active judge for at least four terms of office [~~96 months~~] in a district, statutory probate, statutory county, or appellate court;

(2) have developed substantial experience in the judge's area of specialty;

(3) not have been removed from office;

(4) certify under oath to the presiding judge, on a form prescribed by the state board of regional judges, that:

(A) the judge has not in the preceding 10 years [~~never~~] been publicly reprimanded or censured by the State Commission on Judicial Conduct related to behavior on the bench or judicial duties; and

(B) the judge has not:

(i) been convicted of any felony [~~did not resign or retire from office after the State Commission on Judicial Conduct notified the judge of the commencement of a full investigation into an allegation or appearance of misconduct or disability of the judge as provided in Section 33.022 and before the final disposition of that investigation~~]; or

(ii) been charged with a claim of domestic abuse or a crime involving moral turpitude [~~if the judge did resign from office under circumstances described by Subparagraph (i), was not publicly reprimanded or censured as a result of the investigation~~];

(5) annually demonstrate that the judge has completed in the past state fiscal year the educational requirements for active district, statutory probate, and statutory county court judges; and

(6) certify to the presiding judge a willingness not to appear and plead as an attorney in any court in this state for a period of two years.

SECTION ____ .02. Section 74.055(f), Government Code, is repealed.

SECTION ____ .03. Section 74.055(c), Government Code, as amended by this Act, applies only to the appointment of a retired or former judge that occurs on or after the effective date of this Act. The appointment of a retired or former judge before the effective date of this Act is governed by the law in effect when the judge was appointed, and that law is continued in effect for that purpose.

Amendment No. 2 was adopted.

Amendment No. 3

Representatives Muñoz and Canales offered the following amendment to **CSSB 1329**:

Amend **CSSB 1329** (house committee printing) as follows:

(1) Insert the following appropriately numbered SECTIONS in ARTICLE 2 of the bill and renumber the SECTIONS of ARTICLE 2 accordingly:

SECTION 2. ____ . Section 24.593, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Notwithstanding any other law:

(1) except as provided by Subdivision (3), the 449th District Court has exclusive jurisdiction over family law and juvenile matters in Hidalgo County;

(2) the judge of the 449th District Court acts as a presiding judge over all family law, juvenile, and child welfare matters in Hidalgo County, including matters referred to a master; and

(3) the judge of the 449th District Court may transfer family law and juvenile matters from that court to other district courts in Hidalgo County.

SECTION 2. ____ . (a) Effective January 1, 2019, Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.6009 to read as follows:

Sec. 24.6009. 465TH JUDICIAL DISTRICT (HIDALGO COUNTY). The 465th Judicial District is composed of Hidalgo County.

(b) The 465th Judicial District is created on January 1, 2019.

(2) Insert the following SECTION in ARTICLE 3 of the bill and renumber the SECTIONS of ARTICLE 3 accordingly:

SECTION 3. ____ . (a) Section 25.1101(a), Government Code, is amended to read as follows:

(a) Hidalgo County has the following statutory county courts:

(1) County Court at Law No. 1 of Hidalgo County;

(2) County Court at Law No. 2 of Hidalgo County;

(3) County Court at Law No. 4 of Hidalgo County;

(4) County Court at Law No. 5 of Hidalgo County;

(5) County Court at Law No. 6 of Hidalgo County;

(6) County Court at Law No. 7 of Hidalgo County; ~~and~~

(7) County Court at Law No. 8 of Hidalgo County; and

(8) County Court at Law No. 9 of Hidalgo County.

(b) Notwithstanding Section 25.1101, Government Code, as amended by this Act, the County Court at Law No. 9 of Hidalgo County is created on September 1, 2019, or on an earlier date determined by the Commissioners Court of Hidalgo County by an order entered in its minutes.

Amendment No. 3 was adopted.

CSSB 1329, as amended, was passed to third reading.

(Martinez and Uresti now present)

POSTPONED BUSINESS

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

SB 1051 ON SECOND READING

(Dutton - House Sponsor)

SB 1051, A bill to be entitled An Act relating to the accommodation of a deaf or hard of hearing student in driver education; authorizing a fee.

SB 1051 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Dutton offered the following amendment to **SB 1051**:

Amend **SB 1051** (house committee printing) on page 1, line 15, between "agency" and "to create" by inserting "or contract with a licensed driver education school or instructor".

Amendment No. 1 was adopted.

(Shaheen now present)

SB 1051, as amended, was passed to third reading.

GENERAL STATE CALENDAR

(consideration continued)

SB 190 ON SECOND READING

(Wu - House Sponsor)

SB 190, A bill to be entitled An Act relating to the administrative closure of certain reported cases of child abuse or neglect made to the Department of Family and Protective Services.

SB 190 was passed to third reading.

SB 1096 ON SECOND READING

(Smithee - House Sponsor)

SB 1096, A bill to be entitled An Act relating to guardianships; authorizing a fee.

(Gonzales and Phillips now present)

SB 1096 was passed to third reading. (Rinaldi recorded voting no.)

(E. Johnson now present)

HB 2379 - WITH SENATE AMENDMENTS

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

HB 2379, A bill to be entitled An Act relating to the provision of legal services to the office of inspector general of the Health and Human Services Commission.

HB 2379 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE SCHOFIELD: Mr. Price, thank you for that layout. You described in the beginning of your layout Section (a-7) of the bill, which says that the chief counsel for the commission is the final authority for all legal interpretations relating to the rules, statutes, and the commission policies on programs administered by the commission. I wanted to make sure, is it your understanding that is just within the agency that the chief counsel is the final authority?

REPRESENTATIVE PRICE: Yes, that's correct.

SCHOFIELD: And this in no way attempted to, by statute, cut off judicial review of any interpretations?

PRICE: No, we are not intending to cut off judicial review.

REMARKS ORDERED PRINTED

Representative Schofield moved to print remarks between Representative Price and Representative Schofield.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a committee meeting:

Metcalf on motion of Phelan.

(Cook now present)

HB 2379 - (consideration continued)

**HB 2379 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Price moved to concur in the senate amendments to **HB 2379**.

The motion to concur in the senate amendments to **HB 2379** prevailed by (Record 1345): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Burrows; Button; Cain; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel;

Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; 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; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; 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.

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

Absent, Excused — Bonnen, G.; Dutton; Gervin-Hawkins; Rodriguez, J.

Absent, Excused, Committee Meeting — Capriglione; Geren; Metcalf; Zerwas.

Absent — Allen; Sheffield.

Senate Committee Substitute

CSHB 2379, A bill to be entitled An Act relating to the functions and administration of the Health and Human Services Commission and the commission's office of inspector general in relation to fraud, waste, and abuse in health and human services.

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

SECTION 1. Section 531.102, Government Code, is amended by amending Subsections (a-3), (a-6), (j), and (k) and adding Subsections (a-7) and (a-8) to read as follows:

(a-3) The executive commissioner is responsible for performing all administrative support services functions necessary to operate the office in the same manner that the executive commissioner is responsible for providing administrative support services functions for the health and human services system, including functions of the office related to the following:

- (1) procurement processes;
- (2) contracting policies;
- (3) information technology services;
- (4) subject to Subsection (a-8), legal services;
- (5) budgeting; and
- (6) personnel and employment policies.

(a-6) The office shall conduct audits, inspections, and investigations independent of the executive commissioner and the commission but shall rely on the coordination required by Subsection (a-5) to ensure that the office has a thorough understanding of the health and human services system for purposes of knowledgeable and effectively performing the office's duties under this section and any other law.

(a-7) The chief counsel for the commission is the final authority for all legal interpretations related to statutes, rules, and commission policy on programs administered by the commission.

(a-8) For purposes of Subsection (a-3), "legal services" includes only legal services related to open records, procurement, contracting, human resources, privacy, litigation support by the attorney general, bankruptcy, and other legal services as detailed in the memorandum of understanding or other written agreement required under Section 531.00553, as added by Chapter 837 (SB 200), Acts of the 84th Legislature, Regular Session, 2015.

(j) The office shall prepare a final report on each audit, inspection, or investigation conducted under this section. The final report must include:

(1) a summary of the activities performed by the office in conducting the audit, inspection, or investigation;

(2) a statement regarding whether the audit, inspection, or investigation resulted in a finding of any wrongdoing; and

(3) a description of any findings of wrongdoing.

(k) A final report on an audit, inspection, or investigation is subject to required disclosure under Chapter 552. All information and materials compiled during the audit, inspection, or investigation remain confidential and not subject to required disclosure in accordance with Section 531.1021(g). A confidential draft report on an audit, inspection, or investigation that concerns the death of a child may be shared with the Department of Family and Protective Services. A draft report that is shared with the Department of Family and Protective Services remains confidential and is not subject to disclosure under Chapter 552.

SECTION 2. Section 531.1021(g), Government Code, is amended to read as follows:

(g) All information and materials subpoenaed or compiled by the office in connection with an audit, inspection, or investigation or by the office of the attorney general in connection with a Medicaid fraud investigation are confidential and not subject to disclosure under Chapter 552, and not subject to disclosure, discovery, subpoena, or other means of legal compulsion for their release to anyone other than the office or the attorney general or their employees or agents involved in the audit, inspection, or investigation conducted by the office or the attorney general, except that this information may be disclosed to the state auditor's office, law enforcement agencies, and other entities as permitted by other law.

SECTION 3. The heading to Section 531.106, Government Code, is amended to read as follows:

Sec. 531.106. LEARNING, ~~[OR]~~ NEURAL NETWORK, OR OTHER TECHNOLOGY.

SECTION 4. Sections 531.106(a), (c), and (g), Government Code, are amended to read as follows:

(a) The commission shall use learning, ~~[or]~~ neural network, or other technology to identify and deter fraud in Medicaid throughout this state.

(c) The data used for data ~~[neural network]~~ processing shall be maintained as an independent subset for security purposes.

(g) Each month, the ~~[learning or neural network]~~ technology implemented under this section must match vital statistics unit death records with Medicaid claims filed by a provider. If the commission determines that a provider has filed a claim for services provided to a person after the person's date of death, as determined by the vital statistics unit death records, the commission shall refer the case for investigation to the commission's office of inspector general.

SECTION 5. Section 531.1061(b), Government Code, is amended to read as follows:

(b) For each case of suspected fraud, abuse, or insufficient quality of care identified by the ~~[learning or neural network]~~ technology required under Section 531.106, the automated fraud investigation tracking system must:

(1) receive electronically transferred records relating to the identified case from the ~~[learning or neural network]~~ technology;

(2) record the details and monitor the status of an investigation of the identified case, including maintaining a record of the beginning and completion dates for each phase of the case investigation;

(3) generate documents and reports related to the status of the case investigation; and

(4) generate standard letters to a provider regarding the status or outcome of an investigation.

SECTION 6. Section 531.1131, Government Code, is amended by amending Subsections (a), (b), and (c) and adding Subsections (c-1), (c-2), and (c-3) to read as follows:

(a) If a managed care organization ~~[organization's special investigative unit under Section 531.113(a)(1)]~~ or an ~~[the]~~ entity with which the managed care organization contracts under Section 531.113(a)(2) discovers fraud or abuse in Medicaid or the child health plan program, the organization ~~[unit]~~ or entity shall:

(1) immediately submit written notice to ~~[and contemporaneously notify]~~ the commission's office of inspector general and the office of the attorney general in the form and manner prescribed by the office of inspector general and containing a detailed description of the fraud or abuse and each payment made to a provider as a result of the fraud or abuse;

(2) subject to Subsection (b), begin payment recovery efforts; and

(3) ensure that any payment recovery efforts in which the organization engages are in accordance with applicable rules adopted by the executive commissioner.

(b) If the amount sought to be recovered under Subsection (a)(2) exceeds \$100,000, the managed care organization ~~[organization's special investigative unit]~~ or the contracted entity described by Subsection (a) may not engage in payment recovery efforts if, not later than the 10th business day after the date the organization ~~[unit]~~ or entity notified the commission's office of inspector general and the office of the attorney general under Subsection (a)(1), the organization ~~[unit]~~ or entity receives a notice from either office indicating that the organization ~~[unit]~~ or entity is not authorized to proceed with recovery efforts.

(c) A managed care organization may retain one-half of any money recovered under Subsection (a)(2) by the organization [organization's special investigative unit] or the contracted entity described by Subsection (a). The managed care organization shall remit the remaining amount of money recovered under Subsection (a)(2) to the commission's office of inspector general for deposit to the credit of the general revenue fund.

(c-1) If the commission's office of inspector general notifies a managed care organization under Subsection (b), proceeds with recovery efforts, and recovers all or part of the payments the organization identified as required by Subsection (a)(1), the organization is entitled to one-half of the amount recovered for each payment the organization identified after any applicable federal share is deducted. The organization may not receive more than one-half of the total amount of money recovered after any applicable federal share is deducted.

(c-2) Notwithstanding any provision of this section, if the commission's office of inspector general discovers fraud, waste, or abuse in Medicaid or the child health plan program in the performance of its duties, the office may recover payments made to a provider as a result of the fraud, waste, or abuse as otherwise provided by this subchapter. All payments recovered by the office under this subsection shall be deposited to the credit of the general revenue fund.

(c-3) The commission's office of inspector general shall coordinate with appropriate managed care organizations to ensure that the office and an organization or an entity with which an organization contracts under Section 531.113(a)(2) do not both begin payment recovery efforts under this section for the same case of fraud, waste, or abuse.

SECTION 7. Section 531.1131, Government Code, as amended by this Act, applies only to an amount of money recovered on or after the effective date of this Act. An amount of money recovered before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

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

SECTION 9. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

HB 271 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

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

(Capriglione now present)

Representative Miller moved to concur in the senate amendments to **HB 271**.

The motion to concur in the senate amendments to **HB 271** prevailed by (Record 1346): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; 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; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; 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.

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

Absent, Excused — Bonnen, G.; Dutton; Gervin-Hawkins; Rodriguez, J.

Absent, Excused, Committee Meeting — Geren; Metcalf; Zerwas.

Absent — Allen; Schaefer.

Senate Committee Substitute

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

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

SECTION 1. Subtitle B, Title 2, Health and Safety Code, is amended by adding Chapter 49 to read as follows:

CHAPTER 49. VETERANS RECOVERY PILOT PROGRAM

Sec. 49.001. DEFINITIONS. In this chapter:

(1) "Facility" includes a hospital, public health clinic, outpatient health clinic, community health center, and any other facility authorized under commission rules to provide hyperbaric oxygen treatment under this chapter.

(2) "Health care practitioner" means a person who is licensed to provide medical or other health care in this state and who has prescriptive authority, including a physician.

(3) "Hyperbaric oxygen treatment" means treatment for post-traumatic stress disorder or a traumatic brain injury prescribed by a health care practitioner and delivered in:

(A) a hyperbaric chamber approved by the United States Food and Drug Administration; or

(B) a hyperbaric oxygen device that is approved by the United States Food and Drug Administration for investigational use under the direction of an institutional review board with a national clinical trial number.

(4) "Physician" means a person licensed to practice medicine by the Texas Medical Board.

(5) "Pilot program" means the Veterans Recovery Pilot Program established under this chapter.

(6) "Traumatic brain injury" means an acquired injury to the brain. The term does not include brain dysfunction caused by congenital or degenerative disorders or birth trauma.

(7) "Veteran" means an individual who has served in:

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

(B) an auxiliary service of one of the armed forces described in Paragraph (A).

Sec. 49.002. ESTABLISHMENT AND OPERATION OF PILOT PROGRAM. (a) Except as provided by Subsection (b), the commission, using existing resources, shall establish and operate the Veterans Recovery Pilot Program to provide diagnostic services, hyperbaric oxygen treatment, and support services to eligible veterans who have post-traumatic stress disorder or a traumatic brain injury.

(b) If there is insufficient money in the veterans recovery account established under Section 49.004 to cover the commission's expenses in administering the pilot program, the commission may not operate the pilot program.

(c) The executive commissioner may appoint an advisory board to assist the commission in developing the pilot program.

Sec. 49.003. RULES. The executive commissioner shall adopt rules to implement this chapter, including standards for veteran and facility eligibility under the pilot program and standards to ensure patient confidentiality is protected under the pilot program. The standards must require that:

(1) eligible facilities comply with applicable fire codes, oversight requirements, and any treatment protocols provided in commission rules; and

(2) eligible participants in the pilot program reside in this state.

Sec. 49.004. VETERANS RECOVERY ACCOUNT. (a) The veterans recovery account is a dedicated account in the general revenue fund.

(b) The veterans recovery account consists of:

(1) gifts, grants, and other donations received for the account; and

(2) interest earned on the investment of money in the fund.

(c) Section 403.0956, Government Code, does not apply to the veterans recovery account.

(d) The executive commissioner shall administer the veterans recovery account. Money in the account may be used only to pay for:

- (1) expenses of administering the pilot program;
- (2) diagnostic testing and treatment of a veteran with post-traumatic stress disorder or a traumatic brain injury under the pilot program; and
- (3) a veteran's necessary travel and living expenses for a veteran required to travel to obtain treatment under the pilot program.

(e) The executive commissioner shall seek reimbursement for payments made under the pilot program from the TRICARE program of the United States Department of Defense, appropriate federal agencies, and any other responsible third party payor.

Sec. 49.005. HYPERBARIC OXYGEN TREATMENT; RESERVATION OF FUNDS. (a) The executive commissioner by rule shall adopt standards for the provision of hyperbaric oxygen treatment under the pilot program to veterans who have been diagnosed with post-traumatic stress disorder or a traumatic brain injury, have been prescribed hyperbaric oxygen treatment by a health care practitioner, and voluntarily agree to treatment under the pilot program.

(b) A facility providing medical care to a veteran who is eligible for hyperbaric oxygen treatment under the pilot program may apply for reimbursement for treatment under the pilot program.

(c) The facility must submit a treatment plan to the commission before providing treatment under the pilot program. The treatment plan must include:

- (1) a prescription order for hyperbaric oxygen treatment issued by a health care practitioner;
- (2) verification of facility and veteran eligibility;
- (3) an estimate of the treatment costs and of the veteran's necessary travel and living expenses for a veteran required to travel to obtain the treatment; and
- (4) any other information required by the commission.

(d) The commission shall approve or disapprove a treatment plan within a reasonable time as established by commission rule. The commission shall notify the facility whether the treatment plan was approved or disapproved by the commission.

(e) The commission may not approve the provision of hyperbaric oxygen treatment under the pilot program unless the facility is in compliance with applicable commission standards and rules and the veteran is eligible for treatment under the pilot program.

(f) If there is sufficient money in the veterans recovery account, the commission shall approve each treatment plan that meets the requirements of this section and the standards adopted under this chapter.

(g) The executive commissioner shall reserve in the veterans recovery account an amount equal to the estimated treatment costs and necessary travel and living expenses specified in the treatment plan for each veteran who is approved for treatment under the pilot program.

Sec. 49.006. PROVISION OF SERVICES; REIMBURSEMENT. (a) A facility may provide hyperbaric oxygen treatment under the pilot program to a veteran who has post-traumatic stress disorder or a traumatic brain injury if the commission approves a treatment plan under Section 49.005 for the veteran.

(b) A facility that elects to provide hyperbaric oxygen treatment to a veteran under Subsection (a) shall provide the treatment without charge to the veteran. A veteran receiving treatment under the pilot program is not liable for the cost of treatment or expenses incurred under the pilot program. The facility may submit to the commission a request for reimbursement from the veterans recovery account for expenses incurred for the treatment.

(c) A facility that elects to provide treatment under the pilot program shall submit to the commission regular reports, in the form prescribed by the commission, of the veteran's measured health improvements under the treatment plan.

(d) The executive commissioner shall reimburse a facility for expenses the facility incurred in providing the hyperbaric oxygen treatment from the veterans recovery account if:

(1) the treatment was provided according to the treatment plan approved by the commission;

(2) the expenses do not exceed the amount reserved for the treatment under Section 49.005; and

(3) the facility demonstrates in the reports described by Subsection (c) that the veteran is making measured health improvements.

(e) If expenses for the treatment exceed funds reserved for the treatment under Section 49.005, the state and the veterans recovery account are not liable for the amount in excess of the reserved funds.

(f) A facility may submit a modified treatment plan under Section 49.005 to request the reservation of funds in addition to funds reserved under the original treatment plan.

(g) From money in the veterans recovery account, the executive commissioner shall reimburse a veteran required to travel to obtain treatment under the pilot program for the travel and living expenses approved by the commission in the treatment plan. The expenses may not exceed the amount reserved for those expenses under Section 49.005.

Sec. 49.007. TERMINATION OF RESERVATION OF FUNDS. (a) If the facility or veteran fails to request reimbursement for treatment or for travel and living expenses under the pilot program for at least six months following the conclusion of treatment, the commission shall notify the facility and the veteran receiving treatment under the facility's treatment plan that the funding reserved for the treatment and expenses will be terminated on the 90th day after the date the commission provides notice under this subsection unless the facility or veteran notifies the commission of continued treatment and expenses under the pilot program or requests reimbursement for the treatment already provided or expenses already incurred under the pilot program.

(b) If a facility or veteran fails to notify the commission of continued treatment and expenses in the time required under Subsection (a), the executive commissioner shall terminate the reservation of funds in the veterans recovery account under the facility's treatment plan for that veteran.

Sec. 49.008. REPORT. Not later than October 1 of each even-numbered year, the commission shall submit to the governor, lieutenant governor, speaker of the house of representatives, and appropriate standing committees of the legislature a report regarding the pilot program that includes an evaluation of the effectiveness of the pilot program and the number of veterans and facilities participating in the pilot program.

Sec. 49.009. EXPIRATION OF CHAPTER. This chapter expires September 1, 2023. Any remaining balance in the veterans recovery account on the expiration of this chapter is transferred to the general revenue fund.

SECTION 2. The executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement Chapter 49, Health and Safety Code, as added by this Act, not later than January 1, 2018.

SECTION 3. This Act takes effect September 1, 2017.

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

Amend **CSHB 271** (senate committee printing) in SECTION 1 of the bill, in added Section 49.001(7), Health and Safety Code, as follows:

(1) In Paragraph (A) (page 1, line 53), between "(A)" and "the", insert "an active or reserve component of".

(2) In Paragraph (B) (page 1, line 55-56), strike "an auxiliary service of one of the armed forces described in Paragraph (A)" and insert the following: "the Texas National Guard as defined by Section 431.001(4), Government Code."

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Natural Resources, upon recess today, Desk 112, for a formal meeting, to consider **SB 2068** and pending business.

Judiciary and Civil Jurisprudence, upon recess today, Desk 13, for a formal meeting, to consider **SB 635**, **SB 807**, **SB 949**, **SB 1016**, **SB 1056**, **SB 1233**, **SB 1325**, **SB 1559**, **SB 1763**, and **SB 2020**.

(Metcalf now present)

RECESS

Representative Kuempel moved that the house recess until 10 a.m. tomorrow.

PARLIAMENTARY INQUIRY

REPRESENTATIVE STICKLAND: What is the status of **SB 2**?

CHAIR (Kacal in the chair): It's not eligible, and it's behind another bill.

STICKLAND: I'm sorry?

CHAIR: It is not eligible and behind another bill.

STICKLAND: What bill is it behind?

CHAIR: **SB 1501**—they're both still pending.

STICKLAND: Until what time were they postponed till?

CHAIR: The journal will reflect the time.

STICKLAND: I'm sorry?

CHAIR: You can check with the journal. That will reflect the time.

STICKLAND: If we want to vote on those two bills today, can we not do so? Can we not stand at ease until 5 p.m. so that—

CHAIR: Representative Stickland, we have a pending motion to recess.

STICKLAND: I object. If folks vote to recess, in favor of the motion to recess, that means we can't bring up the property tax relief, **SB 2**, today, correct?

CHAIR: We will do it tomorrow as a matter of pending business. It will be among the first items.

STICKLAND: Why does the chair wish to wait on those two bills right now?

CHAIR: One, we have a pending point of order, and the parliamentarian's office needs some time to read.

STICKLAND: Why can't we rule on the point of order, Mr. Speaker?

CHAIR: We're not going to rule on it without pulling all the paperwork and doing the correct research.

STICKLAND: I'm sorry?

CHAIR: We're going to pull all the proper paperwork and do our proper research.

STICKLAND: That hasn't been done yet?

CHAIR: We've been a little busy, Mr. Stickland.

STICKLAND: How long do we anticipate it taking?

CHAIR: We're doing our very best.

STICKLAND: What do we anticipate the schedule for this weekend being?

CHAIR: That's not a parliamentary inquiry.

STICKLAND: How is it not a parliamentary inquiry?

CHAIR: We do not have the motions to adjourn before us at this time.

STICKLAND: I want to be clear that if folks vote for the motion to recess that we cannot take up **SB 2** today.

CHAIR: If the house is in recess until 10 a.m. tomorrow, we cannot take up anything today.

REPRESENTATIVE CAIN: Is it possible to have two motions to recess pending at the same time?

CHAIR: We do not have two motions to recess.

CAIN: Is it possible to have two motions to recess pending at the same time?

(Speaker in the chair)

SPEAKER STRAUS: Mr. Cain, we have a pending motion to recess.

CAIN: The reason I ask my previous question—

SPEAKER: Would you like to speak on the motion?

CAIN: The rules speak to a hierarchy of considerations of motions to recess. Thus, it predicts that more than one can be pending at the same time. Is that correct?

SPEAKER: Yes, and if you wanted to make a motion to adjourn, that would take priority.

CAIN: Mr. Speaker, I move that this house recess until today, 5 p.m.

SPEAKER: Mr. Cain, you're not recognized for the motion. We have a motion before us now.

The motion to recess until 10 a.m. tomorrow prevailed by (Record 1347): 122 Yeas, 19 Nays, 1 Present, not voting.

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

Nays — Biedermann; Bohac; Cain; Fallon; Hefner; Isaac; Keough; Krause; Lang; Leach; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bonnen, G.; Dutton; Gervin-Hawkins; Rodriguez, J.

Absent, Excused, Committee Meeting — Geren; Zerwas.

Absent — Allen; Clardy.

STATEMENTS OF VOTE

When Record No. 1347 was taken, I was shown voting no. I intended to vote yes.

Fallon

When Record No. 1347 was taken, I was shown voting yes. I intended to vote no on the motion to recess because I desired to vote on the current **CSSB 2** for it is a good bill.

Wilson

The house accordingly, at 4:54 p.m., recessed until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

SB 610 to Public Education.

SB 825 to Public Education.

SB 1151 to Higher Education.

SB 1696 to Public Education.

SB 1971 to Appropriations.

SB 1972 to Licensing and Administrative Procedures.

SIGNED BY THE SPEAKER

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

House List No. 25

HB 100, HB 216, HB 256, HB 263, HB 1116, HB 1428, HB 1432, HB 1433, HB 1456, HB 1555, HB 1584, HB 1655, HB 1701, HB 2060, HB 2061, HB 2065, HB 2113, HB 2299, HB 2579, HB 2582, HB 2823

Senate List No. 19

SB 28, SB 286, SB 586, SB 587

MESSAGES FROM THE SENATE

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

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 18, 2017

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 29 Thompson, Senfronia SPONSOR: Huffman
Relating to prostitution and the trafficking of persons, civil racketeering related to trafficking, the investigation and prosecution of and punishment for certain sexual offenses and offenses involving or related to trafficking, reimbursement of certain costs for criminal victims who are children, and the release and reporting of certain information relating to a child; increasing a criminal penalty; creating a criminal offense.

(Amended)

HB 834 Parker SPONSOR: Birdwell
Relating to regulating the custody transfer of an adopted child; creating a criminal offense.

(Amended)

HB 920 Kacal SPONSOR: Creighton
Relating to the operation of all-terrain vehicles and recreational off-highway vehicles.

(Amended)

HB 932 Johnson, Jarvis SPONSOR: West
Relating to the collection of information concerning the number of juvenile offenders committed to the Texas Juvenile Justice Department who have been in foster care.

(Amended)

HB 999 Israel SPONSOR: Zaffirini
Relating to requiring the election of directors of certain districts to be held on a uniform election date.

HB 1101 Pickett SPONSOR: Rodríguez
Relating to the authority of the chief appraiser of an appraisal district to require a person to file a new application to confirm the person's current qualification for the exemption from ad valorem taxation of the total appraised value of the residence homestead of a 100 percent disabled veteran.

HB 1501 Thompson, Senfronia SPONSOR: Rodríguez
Relating to child custody evaluations; creating an offense.

HB 1586 King, Tracy O. SPONSOR: Estes
Relating to the services that require a structural pest control license; changing the applicability of an occupational license.

HB 1619 Shine SPONSOR: Buckingham
Relating to the prosecution and punishment of certain outdoor burning violations.

HB 1729 Neave SPONSOR: Garcia
Relating to establishing and funding a grant program for testing evidence collected in relation to sexual assaults or other sex offenses; authorizing voluntary contributions.
(Amended)

HB 1774 Bonnen, Greg SPONSOR: Hancock
Relating to actions on and liability associated with certain insurance claims.

HB 3101 Kuempel SPONSOR: Birdwell
Relating to authorizing the sale of alcoholic beverages on certain passenger buses; authorizing a fee.
(Committee Substitute)

SB 370 Garcia
Relating to the discipline and behavior management of a student enrolled in a grade level below grade three at a school district or open-enrollment charter school.

SB 1609 Bettencourt
Relating to regulation by a property owners' association of certain religious displays.

SB 1682 Lucio
Relating to a building used as a prescribed pediatric extended care center.

SB 1964 Creighton
Relating to the use of land in the William Goodrich Jones State Forest.

SB 2291 Lucio
Relating to the Texas Medal for the Defense of Freedom award.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 587 (29 Yeas, 1 Nay)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 179
Senate Conferees: Menéndez - Chair/Creighton/Huffman/Nelson/Zaffirini

SB 1289
Senate Conferees: Creighton - Chair/Lucio/Menéndez/Nichols/Perry

Respectfully,
Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, May 18, 2017 - 2

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 25 Simmons SPONSOR: Hancock
Relating to the elimination of straight-party voting.
(Amended)

HB 804 Dale SPONSOR: Taylor, Van
Relating to the entitlement of a lessee of property who is required to pay the ad valorem taxes on the property to receive notice of the appraised value of the property.
(Committee Substitute/Amended)

HB 1449 Simmons SPONSOR: Nelson
Relating to prohibiting local governments from imposing certain fees on new construction.
(Committee Substitute/Amended)

HB 1512 Isaac SPONSOR: Watson
Relating to the administration of the owner-builder loan program.
(Committee Substitute/Amended)

HB 1606 Huberty SPONSOR: Lucio
Relating to the authority of the Texas Military Department to purchase food and beverages.

HB 2126 Button SPONSOR: Birdwell
Relating to the franchise tax rate applicable to certain taxable entities that sell telephone prepaid calling cards.

HCR 133 Frullo SPONSOR: Buckingham
Honoring artist G. Harvey of Fredericksburg.

HCR 134 Craddick SPONSOR: Seliger
Honoring Joseph I. O'Neill III of Midland for his achievements as a business and civic leader.

SB 2196 Buckingham
Relating to the requirements for annexation by a municipality of certain municipal utility districts.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 17

Appropriations - **SB 80, SB 132, SB 255, SB 298, SB 854, SB 972, SB 1105, SB 1554, SB 1831**

Business and Industry - **SB 1500, SB 1739**

County Affairs - **SB 911, SB 1462**

Criminal Jurisprudence - **SB 227, SB 524**

Elections - **SB 488**

General Investigating and Ethics - **SB 504, SB 653, SB 705, SB 1465**

Government Transparency and Operation - **SB 59, SB 1299, SB 1440**

Human Services - **SB 1927**

Judiciary and Civil Jurisprudence - **SB 36, SB 37, SB 38, SB 40, SB 41, SB 498, SB 869, SB 1124, SB 1196, SB 1709, SB 1710, SB 1736, SB 1893, SB 1911, SB 2150**

Land and Resource Management - **SB 468, SB 736**

Public Education - **SB 436, SB 529, SB 585, SB 748, SB 1481, SB 1942, SB 2080**

Public Health - **SB 317, SB 654, SB 1090, SB 2001**

State Affairs - **SB 78, SB 528, SB 670**

Urban Affairs - **SB 593**

Ways and Means - **SB 717, SB 731, SB 745, SB 942, SB 1006, SB 1095, SB 1221, SB 1286, SB 1345, SB 1727, SB 1767, SB 2056, SB 2166**

ENROLLED

May 17 - HB 100, HB 216, HB 256, HB 263, HB 1116, HB 1428, HB 1432, HB 1433, HB 1456, HB 1555, HB 1584, HB 1655, HB 1701, HB 2060, HB 2061, HB 2065, HB 2113, HB 2299, HB 2579, HB 2582, HB 2823

SENT TO THE GOVERNOR

May 17 - HCR 143

