

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-NINTH DAY (CONTINUED) — WEDNESDAY, MAY 24, 2017

The house met at 10:03 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1709).

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; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; 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; Wu; Zedler; Zerwas.

Absent — Wray.

The speaker recognized Representative Rinaldi who introduced William Lovell, pastor, Christ Church Carrollton, Carrollton, who offered the invocation as follows:

Almighty God, ruler of heaven and earth, we come before you this morning to ask for your mercy on this gathering of the Texas State House of Representatives. We pray for the speaker and for each elected member: that you would be pleased to bestow upon them your gifts of wisdom and discernment, that you would make them mindful of the great responsibility they bear, and that you would stir up among them an attitude of care and compassion, generosity and frugality, judgment and justice that would be a blessing to all the people of Texas. Because they, like all of us, are sinners, keep them honest, strengthen their sense of integrity, and make them humble. Bless their deliberations, and grant that through their decisions, all Texans will know prosperity and be able to lead peaceful, quiet, and goodly lives.

Gracious God, the people who are here this morning are not just legislators, they are also men and women with spouses, families, and countless friends and associates. Many have children; some are expecting children; some are expecting children who are due in October. Some have grandchildren and great grandchildren. All have friends and loved ones. Many people here today have someone they love who is fighting illness or relational distress. Whatever they are going through, Lord, please bless them through it, direct them, give them rest, and draw each of them closer to yourself, that they may know the peace that only you can give. I pray it all in the name of Jesus Christ. Amen.

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

(Roberts in the chair)

CAPITOL PHYSICIAN

The speaker recognized Representative Workman who presented Dr. Nina Desai of Austin as the "Doctor for the Day."

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

LEAVE OF ABSENCE GRANTED

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

Gonzales on motion of Kacal.

RESOLUTIONS ADOPTED

Representative Kacal 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 2119 (by Wu), Congratulating Russell Maranan, valedictorian of the Class of 2017 at Margaret Long Wisdom High School in Houston.

HR 2120 (by Wu), Congratulating Kabita Adhikari, valedictorian of the Class of 2017 at Jane Long Academy.

HR 2121 (by Wu), Congratulating Kleyder Sanchez, salutatorian of the Class of 2017 at Jane Long Academy.

HR 2122 (by Wu), Congratulating Christian Ramos, valedictorian of the Class of 2017 at Liberty High School.

HR 2123 (by Wu), Congratulating Mardia Idris, salutatorian of the Class of 2017 at Liberty High School.

HR 2272 (by Neave), Honoring It's Going To Be Ok, Inc., for its work to eradicate human trafficking and sexual exploitation.

HR 2280 (by Rinaldi), Congratulating T. C. and Mary Jo Ellard of Coppell on their 60th wedding anniversary.

HR 2293 (by Wu), Congratulating Johanna Peralta Lopez, valedictorian of the Class of 2017 at Middle College High School.

HR 2310 (by Rose), Recognizing the eighth-grade class of Nova Academy on the occasion of its visit to the State Capitol.

HR 2351 (by J. Johnson), Commending Paul Teas for his service as a mental health policy analyst intern in the office of State Representative Jarvis Johnson.

HR 2361 (by Kacal), Honoring Deputy Joseph A. Cheatham for his 50 years of service in law enforcement.

The resolutions were adopted.

On motion of Representative Kacal, 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.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR
RULES SUSPENDED**

Representative Kacal moved to suspend all necessary rules to set a congratulatory and memorial calendar for 10 a.m. tomorrow.

The motion prevailed.

**HR 2361 - PREVIOUSLY ADOPTED
(by Kacal)**

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

HR 2361, Honoring Deputy Joseph A. Cheatham for his 50 years of service in law enforcement.

INTRODUCTION OF GUEST

The chair recognized Representative Kacal who introduced Deputy Joseph A. Cheatham.

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. 31).

(Wray now present)

(Kacal in the chair)

**HR 2272 - PREVIOUSLY ADOPTED
(by Neave)**

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

HR 2272, Honoring It's Going To Be Ok, Inc., for its work to eradicate human trafficking and sexual exploitation.

INTRODUCTION OF GUESTS

The chair recognized Representative Neave who introduced representatives of It's Going To Be Ok, Inc.

(Speaker in the chair)

CONSTITUTIONAL RULE SUSPENDED

Representatives Parker and Turner moved to suspend all necessary rules and the constitutional rule requiring bills to be read on three several days and to place the bills on the supplemental calendar on their third reading and final passage on this legislative day.

The motion prevailed by (Record 1710): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; 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; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Walle; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gonzales.

Absent — Arévalo; Burkett; Muñoz; Phelan; Schofield; Vo; White.

STATEMENTS OF VOTE

When Record No. 1710 was taken, I was in the house but away from my desk. I would have voted yes.

Arévalo

When Record No. 1710 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 1710 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1710 was taken, I was shown voting yes. I intended to vote present, not voting.

Guillen

When Record No. 1710 was taken, my vote failed to register. I would have voted yes.

Schofield

**HB 2950 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

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

HB 2950, A bill to be entitled An Act relating to the continuation and functions of the Texas Board of Nursing and to the regulation of the practice of nursing.

Representative Burkett moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 2950**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 2950**: Burkett, chair; Klick, Raymond, S. Thompson, and Oliverson.

**HB 501 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

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

HB 501, A bill to be entitled An Act relating to the disclosure of certain contracts, agreements, services, and compensation in personal financial statements filed by public officers and candidates.

Representative Capriglione moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 501**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 501**: Capriglione, chair; S. Davis, Clardy, Phillips, and Moody.

(Gonzales now present)

**HB 21 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS**

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

HB 21, A bill to be entitled An Act relating to the public school finance system.

Representative Huberty moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 21**.

The motion prevailed by (Record 1711): 134 Yeas, 15 Nays, 1 Present, not voting.

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

Nays — Biedermann; Cain; Isaac; Keough; Klick; Krause; Lang; Rinaldi; Schaefer; Schofield; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

STATEMENT OF VOTE

When Record No. 1711 was taken, I was shown voting yes. I intended to vote no.

Sanford

HB 21 - REMARKS

REPRESENTATIVE HUBERTY: I want to provide an update on **HB 21**. This was a top priority for the house coming into this session. Why? Because when our school finance system is broken, it's the legislature's job to fix it. When the supreme court ruled in the summer of 2016 that the school finance system was constitutional, they also said that it was fundamentally flawed. Or as we have said in this body, it's lawful, but it's awful. So it's the legislature's job to fix it. I have

had the pleasure of serving on the House Committee on Public Education for four sessions and have chaired it this session, and every session we have tried to address this issue.

Last session, when Chairman Aycock, my mentor and teacher, came to the floor with his solution, we were told the bill was dead in the senate. And instead of wasting our time killing members' bills with a long drawn-out debate, Chairman Aycock, always the gentleman, pulled his bill down. I think everyone in this body and in the education community regrets that today and wishes that we had stood up to the senate. As a result, the speaker asked the house committee to work during the interim collaboratively with the House Appropriations Committee to come up with recommendations, and we did. Once we started, the first item that the House Committee on Public Education addressed was school finance. Over the first month of the session, we tried to work with every interested party to craft a plan that helped nearly every school district.

Throughout that process, we were able to define the problems that we face. When the amount of money that the state recaptures is quickly approaching \$2.2 billion and it is not dedicated solely to the children which it is collected for, it is the legislature's job to fix it. When taxpayers are being taxed out of their homes because the state is now only funding 37 percent of the cost of education by keeping the property value growth—when in 2007, after the last lawsuit, the state was funding nearly 50 percent—it is the legislature's job to fix it. When nearly 350 school districts are at the maximum M&O rate of \$1.17 with no way to pay for additional support because the state will not fund them, it is the legislature's job to fix it. And when school districts are about to fall over the ASATR cliff, forcing them to close—yes, members, close—it is the legislature's job to fix it.

While not perfect, **HB 21** was a very good first step to this momentous overhaul of our system. That's why this body passed it out with 132 votes on April 20. More than a month later, what did the senate do? They brought it up for discussion late last Sunday night with one week left to go in the session. My entire staff and many of you watched the debate and waited for the explanation as to how this would be funded. For the record, **HB 21** as sent to the senate provided for a method of finance in the biennial budget. The new version contains no method of finance. Again, no method of finance, leaving no money to pay for the bill. Ladies and gentlemen, the budget is closed. There is no money in the budget for that bill. Contrary to what was stated in the floor debate, the senate failed to provide the \$500 million for **HB 21** that they set aside. They put in \$0. Ladies and gentlemen, I want to reiterate again, this version of the budget as passed on Sunday night contains no method of funding to pay for the school finance reform as passed out of the senate in the committee substitute for **HB 21**.

They gutted our update to the transportation allotment. They eliminated the additional way we put in for English language learners and the additional way for career and technical education. These changes could have helped everyone standing around me and sitting down and listening to us today—Chapter 41s, Chapter 42s, charter schools, IB programs, everyone. The senate, additionally, added facility funding charter schools for ISDs, something that was not in the

original bill as passed. And yes, I agree that we should do something for facility funding, but once again, there is no money in the budget to fund this. I do applaud the senate for at least leaving the dyslexia weight in **HB 21**. Many of you know our family struggles with this personally. But yet again, the senate provided no way to pay for this funding. Members, there's over 150,000 children that have been identified with this particular disability, and again, we have let these children down. But these are just further reflections of their lack of sincerity in their offer to offer school finance.

I appreciate the language that was added from **HB 23** that was put into **HB 21**. But members, **HB 23** was passed from the house unanimously with 144 votes on May 4, yet was not even referred to the Senate Education Committee. It was funded in the house's original budget, and yet this bill should have stood on its own merit, had a hearing, and been passed separately. **HB 23** would have helped students with special needs in a meaningful, respectful way that is very unique to their educational requirements. Instead, **HB 21** came back with private school education savings accounts, known as ESAs, even though 104 members of this body voted against using taxpayer dollars for any form of this.

I appreciate the efforts of a few senators to offer amendments to guard students from discrimination through the protections of IDEA. For those of you that don't know, that's the Individuals with Disabilities Education Act. For those of us with special needs children, we know it very well. Because these ESAs are intended to serve vulnerable populations only, strict and clear protection is needed for them. These amendments were voted down on the basis that the parent knows best, and the parent can vote with their feet to find better services for their children. Let me explain something to you as a parent who has a student with special needs. IDEA is not for the parent. It protects the child. And not all private schools are IDEA compliant. The senate proposal would have provided approximately \$8,300 per student while on average it costs over \$15,000 to put students in private education. Under these programs, these students with special needs would receive less funding because their value under the ESAs would be calculated based off of state average and not on the students' needs.

For the record, I am not opposed to a discussion on how to help this most vulnerable population. The House Public Education Committee even held public hearings in late April to discuss ESAs for students with special needs and alternatives to ESAs. And some of these ideas which were supported by the committee were placed onto **HB 23**, which again, was unanimously passed out of this body. We provided the senate several options including language that would provide additional services to students with special needs in both public and private settings. However, they delayed discussing this as well and prolonged addressing the school finance passed by this house. When they finally heard **HB 21**, they stripped the bill of all the solid policy work that would begin to create some equity in our system. Our committee worked very hard. We listened; we collaborated; and in some cases, in most cases, we made compromises.

I've been here for a while, members. I would never expect a bill to be passed through both chambers unchanged. That's not what this is about. But members, we had a chance to pass meaningful financial reform that school districts would feel across the state. When **HB 21** left the house, we appropriated \$5,300 for the basic allotment, and as it's come back to our chamber, that increase is gone. Not only would this increase be beneficial for students in school districts, but it also could have provided local property tax relief. We've heard all session about property tax relief. We're taxing people out of their homes, and it's the legislature's job to fix that. Instead, members, some of your schools will be forced to close within the next year based on the committee substitute to **HB 21**. What are you going to tell those districts? What are you going to tell those parents? What are you going to tell those children when you go home?

Now, we have one week left in this session, and it has made it virtually impossible for us to come to some meaningful financial reform on school finance. But I refuse to give up, and I will keep trying. Let's not go home and say we couldn't fix it. Let's at least attempt to rescue this bill and show our 5.3 million students and their parents that it's the legislature's job to fix it. With that, Mr. Speaker, members, I move that we go to a conference committee on **HB 21**.

REPRESENTATIVE ZERWAS: Chairman Huberty, it goes without saying, thank you so much for the really herculean effort that you have put in moving **HB 21** and just your commitment to public education for the next generation of Texans that are coming along. Your fingerprints are going to be all over what our public school system looks like. I'm proud to be on some of those bills with you, but most of all, I'm proud to be your friend and colleague. You've done a great job. You have touched on some of the things that I want to speak to, but as the Appropriations chair and on behalf of the Appropriations Committee, I do want to kind of revisit a few of those things, because it will be my intent to make a motion in terms of directing the conferees after we have this opportunity. Did I hear you mention what the vote was regarding an amendment that was put on the Appropriations Act with regard to vouchers and education savings accounts?

HUBERTY: There were 104 no votes.

ZERWAS: There were 104 votes. And as I recall, that was pretty early on in the budget night in the number of amendments we were hearing and so forth. Is that correct?

HUBERTY: Yes, sir.

ZERWAS: And then on April 19, did I hear you say that we passed **HB 21** on a vote of 134 to 16?

HUBERTY: Yes, sir.

ZERWAS: And in that bill and in conjunction with the Appropriations Act, did we provide for any kind of funding for that?

HUBERTY: Yes, sir, you did. There was a contingency rider that was in **HB 21** that was tied to the deferral of the payment that we placed that was passed out of this house and was tied into **HB 21** as tied to the budget. Yes, sir.

ZERWAS: And do you have a sense of how much money that would have been?

HUBERTY: Roughly about \$1.9 billion.

ZERWAS: And would that have been adequate to fund **HB 21** as it left this chamber?

HUBERTY: Yes, sir, it would have.

ZERWAS: And just for the record, have we ever done an FSP deferral before?

HUBERTY: Yes, sir, in 2011, my very first session I was here, and I know that we've done it in the past. You've been here a little bit longer than I have, but in 2011 we did that, yes, sir.

ZERWAS: It's been an accepted thing that we've done in terms of enhancing our cash flow?

HUBERTY: Yes, sir.

ZERWAS: And we've always been good stewards and always paid that back. Is that your understanding?

HUBERTY: That is correct, sir.

ZERWAS: The conference committee on **SB 1** did not adopt any contingent funding on the senate's version of **HB 21**. Is that your understanding?

HUBERTY: Yes, sir.

ZERWAS: Because I've heard some misunderstandings on that, but certainly, as the Appropriations chair and having just walked through the Appropriations Act to the way that it is now, I can say with certainty that I am not aware of any funding that would be there to actually fund **HB 21** in terms of the senate's version.

HUBERTY: That is correct, yes, sir.

ZERWAS: They removed the FSP deferral in the senate version, correct?

HUBERTY: That is correct, yes, sir.

ZERWAS: And so removing that then would remove any way to pay for what was originally their \$530 million fiscal note. And that fiscal note grew to what, is your best recall?

HUBERTY: The fiscal note as reported that the senate brought back? Or our fiscal note?

ZERWAS: As the senate brought it back.

HUBERTY: In the debate that we watched, it was said that it was between \$516 million to \$530 million, as I understand it. That's what was said on there—that's what the money was.

ZERWAS: And I see a note on some of the things that I've seen because, as you know, we follow these on a contingency basis and stuff—not that we had that magnitude of cash available to do anything like this with—but my notes would show that it's at \$564 million as a matter of fact.

HUBERTY: I believe the fiscal note came in very late last night. So yes, Dr. Zerwas, thank you.

ZERWAS: Well, again, thank you Chairman Huberty. Again, it's been a herculean effort, a very noble effort on your part. Sorry it hasn't gotten where we wanted it to be, but you know I'm with you on this in any way that I can be of help from the Appropriations point of view. We're with you there all the way, and thank you again for your service.

REMARKS ORDERED PRINTED

Representative Simmons moved to print all remarks on **HB 21**.

The motion prevailed.

REPRESENTATIVE SIMMONS: Chairman Huberty, you and I have had a lot of conversations about education, is that right?

HUBERTY: Yes, sir.

SIMMONS: And I really appreciate your leadership not only on general public education but also on education for our special needs children. You and I share in our hearts and in our minds goals, as a lot of these other members do, to make that better. So I really sincerely want to reach out and thank you for your work on that. As you discussed in your speech a few minutes ago, we did have a bill for special needs education choice.

HUBERTY: Yes, sir.

SIMMONS: It's a bill that I filed. Your committee heard it. You were gracious to hear it. It was a late night hearing. But we didn't get that voted out, and so the body on the floor didn't get a chance to have a decision on that particular very limited portion of special needs choice. Is that correct?

HUBERTY: The bill that you talk about is correct, but we did vote unanimously for **HB 23** that provided additional funding for special needs children with autism, cognitive learning disabilities, and things of that nature. And that was actually funded into the budget over a five-year period of time.

SIMMONS: And I think I was either a coauthor or joint author on that.

HUBERTY: You were a joint author on that bill. Yes, you were.

SIMMONS: I'm totally in support of that. As you well know, I think we can go a little bit further than that, but that's fine. **HB 21** as sent over back by the senate, as you mentioned, does have some provisions for limited special needs school choice. Is that correct?

HUBERTY: Well, it's actually not limited. It's at 13 different categories within the bill itself. And if you watched the debate, there were amendments offered by members of the senate to add in IDEA language, which as you know, is very important for the child having to have those protections. Those amendments were not offered. I believe there was also some discussion about limiting the amount that was there because in our testimony that we heard, 95 percent dealt with

autism and things of that nature that could be selective. So what came back was there was no cap on that; there was no income cap on it. So it actually wasn't limited.

SIMMONS: I'm just talking about limited special needs.

HUBERTY: Yes, sir. I just want to make sure the body is clear on this.

SIMMONS: But you're right, my bill had an income cap on it and what have you.

HUBERTY: It came back with no income cap.

SIMMONS: Now, I'm glad that you're going to conference on this, because even though, as you said, there's not funding for it, as I read the senate proposals, they talk about numbers in there that I think say it's somewhere around \$500 million. But obviously, you've got to have a method of finance to pay for that.

HUBERTY: That's correct.

SIMMONS: And so assuming that there was \$500 million real money available, do you believe that we could have a real potential conversation and potentially add some, even though it might be limited, choice for groups of special needs people?

HUBERTY: In the bill as it came back to us, **HB 23** was included. So there are some options for charter schools and for expansions and partnerships as was carefully crafted in **HB 23** that allowed for the protections under IDEA, which this body unanimously voted out. So that actually is inclusive of that. But let me go back to your earlier comment which is that the method of finance that we had was stripped out. So we're talking about something that doesn't exist. There is no method of finance. There is no money to pay for this.

SIMMONS: I understand that. I guess my question might be just a little bit more theoretical, and that if a magic fairy dropped the \$500 million down on our desk, do you think that we would be able to have a meaningful conversation even beyond what was in **HB 23** that might give some of these kids some of the additional choice that they need?

HUBERTY: Well, Representative Simmons, it is my intent as we are about to name the conferees that we are going to request to have a public meeting with all five conferees. As you know, many times when we do conference committees here in this house, we're negotiating with authors. But we are going to make ourselves available from today until we get done. To the very last minute, the conferees are going to be available to meet in any of the rooms that are available, anywhere, anytime, anyplace, to be able to discuss how to get finance. This was meant to be a school finance reform bill. Again, I want to remind everybody that the supreme court of the State of Texas came back and said, it's minimally constitutional; you have to do something to fix the school finance system.

SIMMONS: I agree with you on that. I do. And you know this issue that we've just been talking about is very important to me. Would you agree?

HUBERTY: Yes, sir.

SIMMONS: And I haven't seen the list of conferees, but I would respectfully request to be included on that list given that I'm probably one of the leading voices on this particular issue. So I thank you for answering my questions.

REPRESENTATIVE D. BONNEN: Mr. Huberty, is it accurate that we spend about \$11 billion every year on property tax relief and that the taxpayers of Texas only had an impact felt to them for one year at one time. Is that about right?

HUBERTY: That's about right. Yes, sir.

D. BONNEN: So I've got some dear friends who work closely in the same areas that we work, but they work on the other side of the hall, who say they want to lower property taxes. And you know I desperately want to lower property taxes. Could you help enlighten my dear friends on what's the most direct and clean way to lower someone's property taxes?

HUBERTY: It's the legislature's responsibility and job to equitably and adequately fund school finance in the State of Texas. We're funding school finance, or school education, at 37 percent. I had the pleasure of serving on the school board in the mid-2000s when this body compressed the tax rate from \$1.50 to \$1 and gave relief. It is now approaching 350 school districts that are at the maximum cap. And as a result of the fact that we have done nothing on school finance, my suspicion will be that we will see those over 500. And on top of that, we have continuous fast growth school districts that are being impacted by this. So the best way to answer your question, Mr. Speaker, is for us to properly fund education in this state to allow school districts the capacity to lower their taxes back home for maintenance and operation of their school taxes.

D. BONNEN: And my friends that I like so much don't always have the complexity that you have, so would a more simple way to say that is that every dollar we put toward that system could be a dollar that could bring down a property tax bill for a taxpayer?

HUBERTY: Absolutely. As an example, because I just happen to know the numbers, the school district that I represent and one of the big school districts, Humble ISD, as **HB 21** left the body—and I'm saying this because I know the numbers—the Chapter 42 school districts did not benefit as well as the 41s and the rurals and some of the other things that happened in **HB 21** as it left. But it meant somewhere in the vicinity of about \$12 million to them, which perhaps would have given them capacity to be able to lower their tax rate back home if they so chose. In our bill as **HB 21** left, we were now funding at about 37.8 percent, and it would have increased it to about 39.5 percent, meaning our share of that, which means they could have used that to lower taxes back home.

D. BONNEN: So can you think of any other way for my friends, as we work through these vital issues of lowering taxpayers' property taxes at home, can you think of any other way? I can't, except for what we just discussed as how the Texas Legislature can take an affirmative action and lower our local taxpayers' property taxes. Is the only way for us is to put those dollars directly into the school finance system and bring that down? Is that the only way that we have the authority to do it?

HUBERTY: Mr. Chairman, this is the largest expenditure that we spend in the State of Texas. If we do our jobs as we promised to fix this, and as I said, it's the legislature's job to fix this, if we can put those dollars back in, it's going to give property tax relief back home. People won't have to go for a tax election. We can do our jobs and do this.

D. BONNEN: And again, I'm not sure that there's any other way that this body has the authority, the power, or the success rate of lowering a local property tax other than doing it through school finance. I'm not aware of any other way. I'm aware of many other ways that have been tried and have failed, but that's the only direct way to do it, correct?

HUBERTY: If you look at a person's property tax bill, 70 percent of their taxes are related to their schools.

D. BONNEN: But that's the only way for this body to lower them?

HUBERTY: That's exactly right.

REPRESENTATIVE K. KING: Chairman Huberty, I bet you can guess what I want to talk about.

HUBERTY: Yes, sir.

K. KING: So with the ASATR going away in September 2017, we have approximately 160 schools left on that. Is that correct?

HUBERTY: That's correct, yes, sir.

K. KING: And if I have the number right, it was about \$400 million or less that would be needed to continue that program.

HUBERTY: That's correct, yes, sir.

K. KING: Okay, are you aware that the bulk or a large portion of recapture is paid by mineral-wealthy counties?

HUBERTY: That's correct, yes, sir.

K. KING: And are you also aware of the massive drop we had in oil and gas prices in the last couple of years?

HUBERTY: Yes, sir, I'm very well aware.

K. KING: And Chairman Huberty, I know you're also aware that it created what we're now calling outliers. And these are school districts, members, that are 50 percent funded on ASATR. They suffered percent loss on taxable value last year. They're going to lose that 50 percent funding. They're going to pay their recapture payment—it's the same payment—but they've had a loss in value. Chairman Huberty, are you aware that I have school districts that will actually send more money in recapture next year than they collect?

HUBERTY: Yes, sir, I am. We've had that debate, and Chairman King, I will commend you. You took the lead on stepping up and saying, I understand that ASATR is a problem, and we're going to make the effort to fix that. And the crafted plan that we came up with in **HB 21** is a direct result of the work that

you've done and working with your rural constituents to make sure that we don't have school districts that will close. When this bill left this body, we gave them a chance and an opportunity to continue to be successful.

K. KING: That's right. And Chairman Huberty, **HB 21** was not a perfect fit for any of us, especially me. As a member of the Public Education Committee, you know that I stood to lose more money than anybody under that bill. But I voted for it because it was the right thing to do for every kid in Texas not just a few, and I thank you for your work.

ZERWAS: I move to instruct the Conference Committee on **HB 21** to support the spirit of the house's vote on the floor amendment to the house committee substitute to **SB 1** prohibiting the use of appropriated money for private school education. Specifically, the Conference Committee on **HB 21** may not adopt any legislation that would require the state to pay for or support a school voucher education savings account or tax credit scholarship program or any other similar program through which state money will be used for private school education.

REPRESENTATIVE LEACH: The motion to instruct the conferees, just so I understand it and the body understands, will instruct the conferees on **HB 21** from the house to, can you clarify, to not allow there to be any public money to go to any school choice even including school choice for special needs children?

ZERWAS: I'll repeat it again. Specifically, the Conference Committee on **HB 21** may not adopt any legislation that would require the state to pay for or support a school voucher education savings account or tax credit scholarship program or any other similar program through which state money will be used for private school education.

LEACH: So Chairman Zerwas, by way of your motion to instruct, if it passes, the members that support the motion to instruct will be telling the conferees, directing, instructing the conferees to oppose and to fight vigorously against any school choice measures in the conference committee?

ZERWAS: That would be my interpretation of that.

LEACH: And Mr. Chairman, are motions to instruct binding on the conference committee?

ZERWAS: They are not.

LEACH: But they are instructions from this body, statements from this body as to what we expect and would hope that the conference committee from this house would fight for on **HB 21**?

ZERWAS: That's my understanding.

SIMMONS: Chairman Zerwas, the way I understand your motion to instruct is that you include—you're telling this body that you don't want the conference committee to even consider, to even consider having any type of special needs school choice. Is that what you're saying?

ZERWAS: I didn't mention special needs.

SIMMONS: Would you please exempt them? Would you please redo yours and exempt them from at least consideration?

ZERWAS: No, I will not.

SIMMONS: So what we're saying here, members, is that even on special needs school choice, a very small percentage of our overall population, that we are telling these conferees not to even consider additional options for them. I appreciate what Chairman Huberty has done and did in **HB 23**, but to take that—Chairman Zerwas, you know I respect you—that is beyond the pale, in my opinion.

ZERWAS: The instruction does not mention special needs children at all.

SIMMONS: But it's your understanding that it would include them, correct?

ZERWAS: That would be what I would read as I shared with the body, yes.

SIMMONS: So can we amend your instruction? Is it amendable?

ZERWAS: I don't think it's amendable, but if you wanted to offer your own motion to instruct, that's, I think, certainly within the—

SIMMONS: Mr. Speaker, can we amend the motion to instruct? Does that work that way?

SPEAKER STRAUS: Mr. Simmons, you can make your own motion.

LEACH: What is the vote threshold on a motion to instruct? It's just simple majority?

SPEAKER: Yes.

LEACH: And it's my understanding, just to clarify, we cannot amend the current motion to instruct, but a member can offer perhaps a contradictory motion to instruct to the conference committee?

SPEAKER: That's correct.

HB 21 - CONFERENCE COMMITTEE INSTRUCTED

Representative Zerwas moved to instruct the Conference Committee on **HB 21** to not adopt any legislation that would require the state to pay for or support a school voucher education savings account or tax credit scholarship program or any other similar program through which state money will be used for private school education.

The motion to instruct conferees prevailed by (Record 1712): 101 Yeas, 45 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bonnen, D.; Burns; Burrows; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospier; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Landgraf; Longoria; Lucio; Martinez;

Metcalf; Miller; Minjarez; Moody; Muñoz; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Biedermann; Bohac; Bonnen, G.; Burkett; Cain; Capriglione; Craddick; Dale; Dean; Elkins; Faircloth; Fallon; Frank; Frullo; Goldman; Gonzales; Isaac; Keough; King, P.; Klick; Krause; Lang; Larson; Laubenberg; Leach; Meyer; Morrison; Murphy; Parker; Paul; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Stickland; Swanson; Tinderholt; White; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent — Button; Lozano; Oliverson.

STATEMENTS OF VOTE

When Record No. 1712 was taken, I was shown voting no. I intended to vote yes.

Frullo

When Record No. 1712 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 1712 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 1712 was taken, I was shown voting no. I intended to vote yes.

White

HB 21 - REMARKS

SIMMONS: I would like to make a motion to instruct the conferees on **HB 21** to consider all methods of education choice for our special needs school students and the financing that goes along with that. Members, we're simply talking about a group of people that we should look at whatever avenues are possible for them. If the avenues that are possible come back to be the best choices of public schools and charter schools, that's totally fine with me. If there are other avenues that provide the best education choice for them, then our conferees ought to look at that and do everything that they can to provide for that service.

We talk about taxpayer dollars, but taxpayer dollars are nothing but Texans' dollars. They're not the government's dollars. They're not your dollars; they're not my dollars. They're the Texans' dollars, and they're every bit as much of the Texans' dollars for special needs children as they are for children that are neurotypical. So for this body to not be willing to just have the conference

committee investigate it—as I know, all of you have a place in your heart for these children. We know this is a long road. We know it's a long haul. But I would just plead with you to vote with me on the motion to instruct the conferees on **HB 21** to investigate all possible methods.

REPRESENTATIVE FALLON: Representative Simmons, did you file any legislation that would address the concerns that you just shared with us?

SIMMONS: Yes I did, **HB 1335**.

FALLON: And how many children or students would this possibly affect out of the pool of roughly 5.3 million students in the State of Texas?

SIMMONS: Probably 4,000 or 5,000 would take advantage of this.

FALLON: So 4,000 or 5,000 out of 5.3 million?

SIMMONS: Yes, 4,000 or 5,000, so I'm not even sure what that is, 1/100th of 1 percent, something like that.

FALLON: Do you think that would have a negligible effect on the overall bucket of dollars in the educational system in Texas?

SIMMONS: There's no question. In fact, these students would be coming out of public schools, so public schools wouldn't have the expense of teaching those students.

FALLON: And of these 5,000, there's, I'm sure, several of them that would be actually happy with their situation with the public school that they're in.

SIMMONS: In some cases they would be. But if the public school is doing a great job, they're not going to leave that public school. There's no question about it.

REPRESENTATIVE DUTTON: Now, you keep saying choice is what you want in this to instruct the conferees. But the reality of it is that people who want to do this have a choice now, don't they?

SIMMONS: Yes, they do.

DUTTON: And so the only change that you would be seeking to make is to have the state pay for their choice.

SIMMONS: It's not the state's money, Chairman Dutton.

DUTTON: I'm not asking that. That's not my point.

SIMMONS: Then my answer to you is no.

DUTTON: So you don't want the state to pay for it?

SIMMONS: In my opinion, it's not the state's money. It's as much those families' money as it is your money or my money.

DUTTON: Well, can they use it to buy bread?

SIMMONS: Do you agree that they pay taxes?

DUTTON: Well, yes, but the point I'm making is that they have the choice now. And if they want to send their kids someplace, they have the option to do that.

SIMMONS: But some of them cannot afford that, so they're stuck in a school that for whatever reason in some situations they don't provide the best education opportunity for their child. So the only way for them to do that is to take some of the money that the state is already spending for this special needs child and allow them another option.

DUTTON: Now, you're agreeing with me, then, that what you want is the state to pay for it. You don't want them to necessarily have a choice, because the choice already exists. What you want is the state to pay for that choice.

SIMMONS: Chairman Dutton, I think that you and many other people in here would agree with me that if there is not a financial means, having a false choice doesn't make any difference. And in my bill, I even limited it to a certain amount above the poverty level.

HUBERTY: I appreciate what Representative Simmons has brought up. Gentlemen and ladies, in **HB 21**—look, he and I have had wonderful conversations about this. I have a special needs child. I understand it. Don't for one second think that I'm not going to fight for special needs children in **HB 21**. We had \$120 million that we put in for dyslexia funding. **HB 23** as it was left into **HB 21** funds autism and the additional weights that go in for education. Chairman Anchia just asked me, "Dan, how many special needs students do you think the State of Texas has?" I said, "Well, I actually happen to know." There's 414,000 SPED children, and there's about another 200,000 504 status children. It costs about twice as much to educate those children. So round numbers, let's just say that we're spending \$7.5 billion to \$8 billion. I've done more in this body in my eight years of service to fix the problems that we've had with special education. Chairman Wu offered the amendment to make sure that we eliminated the cap at 8.5 percent for special education that the TEA arbitrarily put on special education children.

Ladies and gentlemen, the issue is very simple. The bill that left the house would help every child within that system. It had funding mechanisms in place. We separated the special education debate with **HB 23**. I offered language for additional tutoring for special needs children. I can tell you as a parent of a special needs child that if we didn't spend the additional money on a monthly basis, that my son would not be able to pass those STAAR and EOC exams that we all hate. However, because of the federal government guidelines, he doesn't get to not take those. He has to take those tests. So I have the ability to fund him and get him that additional support. We offered language, and I'm prepared to have that discussion, Representative Simmons. You've seen the language. I worked with you on that bill. You know exactly what I'm talking about. That's where that money went. I'm happy to be able to have that discussion and that debate. But when we have that language come back in the way that it was and not funded, what Chairman Zerwas did is we took a vote on it and said that we're going to be able to have a discussion and debate on that.

REPRESENTATIVE ISAAC: Chairman Huberty, are you aware that Representative Simmons' motion does not include any dollars figure whatsoever? Is that accurate?

HUBERTY: I listened to it, yes.

ISAAC: So just considering options, that may even be \$1—not \$5,500, not \$12,000—but it could be a motion that could be \$1.

HUBERTY: Don't for one second think that I don't think every single day about how to make my son's life better and the other children that suffer with these disabilities. And don't for one second think that I am not going to fight for those children. I've fought every single day for those children. So don't sit back there at that mic and start talking to me about how much money is going to go into this thing. I know how much money went into it. It was \$1.9 billion that we put in, and it would have helped every one of those children, including the parents, who have disabilities. And I am not dismissing for one second what Representative Simmons is trying to do.

HB 21 - MOTION TO INSTRUCT CONFEREES

Representative Simmons moved to instruct the Conference Committee on **HB 21** to consider all methods of education choice and financing for special needs students.

The motion to instruct conferees was lost by (Record 1713): 47 Yeas, 89 Nays, 2 Present, not voting.

Yeas — Anderson, R.; Biedermann; Bohac; Bonnen, G.; Button; Cain; Capriglione; Clardy; Craddick; Dale; Dean; Elkins; Faircloth; Fallon; Frank; Goldman; Gonzales; Guerra; Hefner; Isaac; King, P.; Klick; Krause; Landgraf; Lang; Larson; Laubenberg; Leach; Metcalf; Meyer; Morrison; Parker; Paul; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Stickland; Swanson; Thompson, E.; Tinderholt; Villalba; White; Wilson; Workman.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bonnen, D.; Burns; Burrows; Canales; Coleman; Collier; Cook; Cortez; Cospere; Cyrier; Darby; Davis, S.; Deshotel; Dukes; Dutton; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; Kuempel; Lambert; Longoria; Lozano; Lucio; Martinez; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Perez; Phelan; Phillips; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Shine; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, S.; Uresti; VanDeaver; Vo; Walle; Wray; Wu; Zerwas.

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

Absent — Anderson, C.; Burkett; Davis, Y.; Guillen; Hunter; King, T.; Koop; Oliverson; Pickett; Sheffield; Turner; Zedler.

STATEMENTS OF VOTE

When Record No. 1713 was taken, I was shown voting no. I intended to vote yes.

D. Bonnen

When Record No. 1713 was taken, my vote failed to register. I would have voted yes.

Burkett

When Record No. 1713 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1713 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 1713 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

When Record No. 1713 was taken, I was shown voting no. I intended to vote yes.

Lozano

When Record No. 1713 was taken, I was shown voting yes. I intended to vote no.

E. Thompson

When Record No. 1713 was taken, I was shown voting no. I intended to vote yes.

Uresti

When Record No. 1713 was taken, I was in the house but away from my desk. I would have voted yes.

Zedler

HB 21 - REMARKS

K. KING: My motion to instruct deals with the loss of ASATR in these school districts that lost, in some cases, 70 percent of their taxable values last year. These school districts don't mind paying recapture. That's the law of the land. School districts like my hometown have paid hundreds of millions of dollars since this thing happened in 1993. We don't mind paying our fair share, but by God, we shouldn't go broke doing it.

So I would ask the conferees to look for extra money. If ASATR is a hold harmless, I didn't create it. Most of you weren't here when it was created. We didn't create this problem. We need to fix it. It needs to go on a glide scope. It needs to go away. But if any of you were told you're going to lose 50 percent of your budget in September 2017, you wouldn't be able to budget for it. We are not going to get rid of football, and we're not going to get rid of band. We're going to stop teaching school. And then when we're worried about the bathroom bill?

We're not going to have a bathroom to go to. I would ask you to vote yes on my motion to instruct the committee to consider any funds that might be available for ASATR's continuation on a limited basis or the hardship grant.

REPRESENTATIVE SCHOFIELD: Where can we find these motions? Are these motions written? Are they on our computer screens, and if so, what do we have to pull up to get them?

SPEAKER: You can ask for them to be written.

SCHOFIELD: Are these just oral motions?

SPEAKER: Yes, sir.

REPRESENTATIVE SCHAEFER: Mr. Speaker, I think there is some confusion in the body. Could we respectfully ask Mr. King to succinctly restate his motion?

SPEAKER: Mr. King, could you restate your motion?

K. KING: Absolutely. My motion is for the conference committee to look for any extra dollars to support the hardship grant.

REPRESENTATIVE KRAUSE: So just to make sure, if you are a school district that needs to continue to have ASATR funds, you need to vote yes on this motion to instruct? Is that correct?

K. KING: Absolutely, with both hands.

HB 21 - CONFERENCE COMMITTEE INSTRUCTED

Representative K. King moved to instruct the Conference Committee on **HB 21** to consider any funds that might be available for ASATR's continuation on a limited basis or the hardship grant.

The motion to instruct conferees prevailed by (Record 1714): 132 Yeas, 12 Nays, 1 Present, not voting.

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

Nays — Cain; Dale; Isaac; Lang; Phillips; Rinaldi; Schofield; Shaheen; Simmons; Stickland; Swanson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent — Bernal; Davis, Y.; Frank; Israel; Springer.

STATEMENTS OF VOTE

When Record No. 1714 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 1714 was taken, I was shown voting no. I intended to vote yes.

Phillips

When Record No. 1714 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

HB 21 - CONFERENCE COMMITTEE APPOINTED

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 21**: Huberty, chair; K. King, VanDeaver, Bernal, and Ashby.

(Cyrier in the chair)

HB 555 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

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

HB 555, A bill to be entitled An Act relating to an additional fee for issuing a marriage license to applicants who are not residents of this state.

Representative Springer moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 555**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 555**: Springer, chair; Phillips, Roberts, T. King, and Clardy.

RESOLUTIONS ADOPTED

Representative Y. Davis 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 2238 (by Y. Davis), Commending Tera M. Coffey for her service in the office of State Representative Yvonne Davis.

HR 2239 (by Y. Davis), Commending Shannon Wissel for her service as an assistant in the office of State Representative Yvonne Davis.

HR 2373 (by Y. Davis), Congratulating the Reverend Christopher L. Taylor on his 25th anniversary as pastor of Morning Star Missionary Baptist Church in Grand Prairie.

The resolutions were adopted.

**EMERGENCY CALENDAR
SENATE BILLS
THIRD READING**

Pursuant to a previous motion to suspend all necessary rules and the constitutional rule, the following bills were laid before the house and read third time:

SB 5 ON THIRD READING

(P. King, Laubenberg, Geren, Parker, Sanford, et al. - House Sponsors)

SB 5, A bill to be entitled An Act relating to requiring a voter to present proof of identification; providing a criminal penalty.

SB 5 was passed by (Record 1715): 93 Yeas, 55 Nays, 2 Present, not voting.

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

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; 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.

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

SB 1944 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Gutierrez, Representatives Miller, Cortez, Cyrier, and Cain were authorized as house sponsors to **SB 1944**.

**MAJOR STATE CALENDAR
SENATE BILLS
THIRD READING**

Pursuant to a previous motion to suspend all necessary rules and the constitutional rule, the following bills were laid before the house and read third time:

**SB 314 ON THIRD READING
(Flynn - House Sponsor)**

SB 314, A bill to be entitled An Act relating to the continuation and functions of the Texas Optometry Board; authorizing a reduction in fees.

SB 314 was passed by (Record 1716): 144 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; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; 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; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; Schaefer; Sheffield; Swanson.

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

**SB 224 ON THIRD READING
(S. Davis, Zerwas, and Coleman - House Sponsors)**

SB 224, A bill to be entitled An Act relating to the sunset review date for the Cancer Prevention and Research Institute of Texas and the time for awarding cancer research and prevention grants.

SB 224 was passed by (Record 1717): 106 Yeas, 40 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins;

Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bell; Biedermann; Bohac; Bonnen, D.; Burrows; Cain; Dale; Dean; Elkins; Faircloth; Fallon; Frank; Goldman; Hefner; Isaac; Keough; King, P.; Klick; Krause; Landgraf; Lang; Leach; Metcalf; Miller; Murr; Oliverson; Paul; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Springer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent — Laubenberg; Simmons.

STATEMENTS OF VOTE

When Record No. 1717 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1717 was taken, I was shown voting yes. I intended to vote no.

Phillips

SB 1929 ON THIRD READING (Burkett, Walle, Coleman, and Howard - House Sponsors)

SB 1929, A bill to be entitled An Act relating to maternal mortality and morbidity and pregnancy-related deaths, including postpartum depression.

SB 1929 was passed by (Record 1718): 145 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; Cospere; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Farrar; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; 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; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Lang; Rinaldi; Schaefer.

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

STATEMENTS OF VOTE

When Record No. 1718 was taken, I was shown voting no. I intended to vote yes.

Lang

When Record No. 1718 was taken, I was shown voting no. I intended to vote yes.

Rinaldi

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

Pursuant to a previous motion to suspend all necessary rules and the constitutional rule, the following bills were laid before the house and read third time:

SB 762 ON THIRD READING (Moody - House Sponsor)

SB 762, A bill to be entitled An Act relating to the prosecution of offenses involving cruelty to animals; increasing a criminal penalty.

Amendment No. 1

Representatives Laubenberg, Moody, and Phelan offered the following amendment to **SB 762**:

Amend **SB 762** on third reading in SECTION 1 of the bill, in added Section 42.092(c-1), Penal Code, following "is a" by striking "state jail felony" and substituting the following:

felony of the third degree, except that the offense is a felony of the second degree if the person has previously been convicted under Subsection (b)(1), (2), (7), or (8) or under Section 42.09.

The vote of the house was taken on the adoption of Amendment No. 1 and the vote was announced yeas 96, nays 50.

A verification of the vote was requested.

SB 805 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Gutierrez, Representatives Neave and Gutierrez were authorized as house sponsors to **SB 805**.

SB 762 - (consideration continued)

A verification of the vote was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1719): 97 Yeas, 47 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Simmons; Springer; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wray; Wu; Zerwas.

Nays — Anderson, C.; Bell; Biedermann; Bohac; Burns; Burrows; Button; Cain; Cospers; Craddick; Dale; Elkins; Faircloth; Fallon; Frank; Gonzales; Hefner; Holland; Isaac; Keough; Klick; Krause; Landgraf; Lang; Leach; Metcalf; Miller; Murphy; Murr; Paul; Phillips; Rinaldi; Roberts; Sanford; Schaefer; Schubert; Shaheen; Smithee; Stephenson; Stickland; Swanson; Thompson, E.; Tinderholt; White; Wilson; Workman; Zedler.

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

Absent — Coleman; Dukes; King, P.; Oliveira.

The chair stated that Amendment No. 1 was adopted by the above vote. (The vote was erroneously announced. Amendment No. 1 failed of adoption (not receiving the necessary two-thirds vote). The vote was reconsidered later today and Amendment No. 1 failed of adoption (not receiving the necessary two-thirds vote) by Record No. 1805.)

STATEMENTS OF VOTE

When Record No. 1719 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1719 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1719 was taken, I was shown voting no. I intended to vote yes.

Isaac

SB 762, as amended, was passed by (Record 1720): 97 Yeas, 46 Nays, 2 Present, not voting. (The vote was reconsidered later today, and **SB 762** was passed by Record No. 1806.)

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Canales; Clardy; Collier; Cook; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Larson; Laubenberg; Longoria; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Shaheen; Sheffield; Shine; Smithee; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Capriglione; Cospers; Dale; Elkins; Faircloth; Fallon; Flynn; Gonzales; Hefner; Holland; Isaac; Keough; Klick; Krause; Landgraf; Lang; Leach; Metcalf; Miller; Murr; Paul; Phillips; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Simmons; Springer; Stephenson; Stickland; Swanson; Tinderholt; White; Wilson; Workman; Zedler.

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

Absent — Coleman; Dukes; King, P.; Lozano; Oliveira.

STATEMENT OF VOTE

When Record No. 1720 was taken, I was shown voting yes. I intended to vote no.

Kuempel

SB 15 ON THIRD READING

(Fallon, Button, Turner, Raymond, Geren, et al. - House Sponsors)

SB 15, A bill to be entitled An Act relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

SB 15 was passed by (Record 1721): 135 Yeas, 3 Nays, 2 Present, not voting.

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

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

Nays — Biedermann; Cain; Stickland.

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

Absent — Coleman; Dukes; Guerra; Huberty; King, P.; Oliveira; Pickett; Raney; Schofield; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1721 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 1721 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 1721 was taken, I was shown voting no. I intended to vote yes.

Stickland

When Record No. 1721 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

SB 1553 ON THIRD READING (Bernal - House Sponsor)

SB 1553, A bill to be entitled An Act relating to the refusal of entry to or ejection from school district property.

SB 1553 was passed by (Record 1722): 138 Yeas, 5 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; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang;

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

Nays — Rinaldi; Schaefer; Shaheen; Swanson; Tinderholt.

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

Absent — Dukes; Guerra; King, P.; Oliveira; Pickett.

SB 255 ON THIRD READING
(Simmons - House Sponsor)

SB 255, A bill to be entitled An Act relating to training for governmental entities and vendors, including purchasing and contract management training; authorizing fees.

Amendment No. 1

Representative S. Thompson offered the following amendment to **SB 255**:

Amend **SB 255** by adding an appropriately numbered section to read as follows:

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

SECTION 1. Section 2267.003, Government Code, is amended to read as follows:

Sec. 2267.003. APPLICABILITY. This chapter does not apply to:

(1) the financing, design, construction, maintenance, or operation of a highway in the state highway system;

(2) a transportation authority operating [created] under Chapter 451, 452, 453, or 460, Transportation Code, other than a metropolitan rapid transit authority operating under Chapter 451, Transportation Code, in which the principal municipality has a population of 1.9 million or more;

(3) any telecommunications, cable television, video service, or broadband infrastructure other than technology installed as part of a qualifying project that is essential to the project; or

(4) except as provided by Section 2165.259, a qualifying project located in the Capitol Complex, as defined by Section 443.0071.

Amendment No. 1 was adopted by (Record 1723): 124 Yeas, 19 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Dale; Darby; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero;

Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Biedermann; Bohac; Cain; Davis, S.; Fallon; Hefner; Keough; Krause; Lang; Rinaldi; Sanford; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent — Dukes; King, P.; Oliveira; Phillips; Rodriguez, J.

STATEMENTS OF VOTE

When Record No. 1723 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1723 was taken, I was in the house but away from my desk. I would have voted yes.

J. Rodriguez

SB 255, as amended, was passed by (Record 1724): 141 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Dale; Darby; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Fairecloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, 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; 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; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Davis, S.; Shaheen.

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

Absent — Button; Dukes; Giddings; King, P.; Oliveira.

SB 679 ON THIRD READING
(Dale and Huberty - House Sponsors)

SB 679, A bill to be entitled An Act relating to the authority of chiropractors to form certain business entities with certain other professions.

SB 679 was passed by (Record 1725): 140 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, 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; 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, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Dean; Thompson, E.

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

Absent — Dukes; Dutton; Giddings; King, K.; King, P.; Oliveira.

SB 801 ON THIRD READING
(K. King - House Sponsor)

SB 801, A bill to be entitled An Act relating to the instructional material list and supplemental instructional materials adopted by the State Board of Education.

SB 801 was passed by (Record 1726): 106 Yeas, 38 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Koop; Kuempel; Lambert;

Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Paddie; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Smithee; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Biedermann; Bonnen, D.; Bonnen, G.; Cain; Capriglione; Craddick; Faircloth; Fallon; Frank; Goldman; Gonzales; Hefner; Holland; Isaac; Klick; Krause; Landgraf; Lang; Leach; Miller; Murr; Parker; Paul; Rinaldi; Sanford; Schaefer; Shaheen; Shine; Simmons; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; Villalba; White; Wilson.

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

Absent — Bell; Dukes; King, P.; Oliveira.

STATEMENTS OF VOTE

When Record No. 1726 was taken, I was in the house but away from my desk. I would have voted yes.

Bell

When Record No. 1726 was taken, I was shown voting yes. I intended to vote no.

Burkett

SB 1566 ON THIRD READING (K. King - House Sponsor)

SB 1566, A bill to be entitled An Act relating to certain powers and duties of the board of trustees of an independent school district and the governing body of an open-enrollment charter school.

Amendment No. 1

Representative C. Anderson offered the following amendment to **SB 1566**:

Amend **SB 1566** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 25, Education Code, is amended by adding Section 25.0822 to read as follows:

Sec. 25.0822. PATRIOTIC SOCIETY ACCESS TO STUDENTS. (a) In this section, "patriotic society" means a youth membership organization listed in Title 36 of the United States Code with an educational purpose that promotes patriotism and civic involvement.

(b) At the beginning of each school year, the board of trustees of an independent school district shall adopt a policy to allow the principal of a public school campus to provide representatives of a patriotic society with the opportunity to speak to students during regular school hours about membership in the society and the ways in which membership may promote a student's

educational interest and level of civic involvement, leading to the student's increased potential for self-improvement and ability to contribute to improving the student's school and community.

(c) The board policy shall give a principal complete discretion over the specific date and time of the opportunity required to be provided under this section, except that the policy shall allow the principal to limit:

(1) the opportunity provided to a patriotic society to a single school day; and

(2) any presentation made to students as a result of the opportunity to 10 minutes in length.

SECTION _____. Section 25.0822, Education Code, as added by this Act, applies beginning with the 2017-2018 school year.

Amendment No. 1 was adopted.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Lucio requested permission for the Committee on Rules and Resolutions to meet while the house is in session, at 2 p.m. today, in 1W.14, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Rules and Resolutions, 2 p.m. today, 1W.14, for a formal meeting, to set a calendar.

LEAVE OF ABSENCE GRANTED

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

Oliveira on motion of Perez.

SB 1566 - (consideration continued)

Amendment No. 2

Representative Uresti offered the following amendment to **SB 1566**:

Amend **SB 1566** on third reading in added Section 37.0815, Education Code, by adding the following appropriately lettered subsection to that section:

() A handgun or other firearm transported or stored in a motor vehicle under this section must be:

(1) stored in a locked container; and

(2) rendered inoperable by a trigger lock or other means.

Representative K. King moved to table Amendment No. 2.

The motion to table prevailed by (Record 1727): 97 Yeas, 44 Nays, 2 Present, not voting.

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

Nays — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Gervin-Hawkins; González; Guerra; Gutierrez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

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

Absent, Excused — Oliveira.

Absent — Dukes; Frank; Giddings; Gonzales; King, P.; Villalba.

STATEMENTS OF VOTE

When Record No. 1727 was taken, I was shown voting yes. I intended to vote no.

Deshotel

When Record No. 1727 was taken, I was shown voting yes. I intended to vote no.

Farrar

When Record No. 1727 was taken, my vote failed to register. I would have voted yes.

Gonzales

When Record No. 1727 was taken, I was shown voting yes. I intended to vote no.

Rose

(Speaker in the chair)

Amendment No. 3

Representative Giddings offered the following amendment to **SB 1566**:

Amend **SB 1566** on third reading by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

Sec. 33.908. GRACE PERIOD POLICY FOR EXHAUSTED OR INSUFFICIENT MEAL CARD OR ACCOUNT BALANCE. The board of trustees of a [A] school district that allows students to use a prepaid meal card or account to purchase meals served at schools in the district [the school] shall adopt a grace period policy regarding the use of the cards or accounts. The policy:

(1) must allow a student whose meal card or account balance is exhausted or insufficient to continue, for a period determined by the board [district], to purchase meals by:

(A) accumulating a negative balance on the student's card or account; or

(B) otherwise receiving an extension of credit from the district;

(2) must require the district to notify the parent of or person standing in parental relation to the student that the student's meal card or account balance is exhausted;

(3) may not permit the district to charge a fee or interest in connection with meals purchased under Subdivision (1); and

(4) may permit the district to set a schedule for repayment on the account balance as part of the notice to the parent or person standing in parental relation to the student.

AMENDMENT NO. 3 - REMARKS

REPRESENTATIVE STICKLAND: Representative Giddings, this thing that you're working on here trying to put on has been pretty contentious so far this session, has it not?

REPRESENTATIVE GIDDINGS: It has been. Primarily by you, sir.

STICKLAND: And one of the things that you said that is incorrect, and I ask you to reconsider it, is you said it gives them the ability to create this policy. When in fact, Ms. Giddings, the way that your amendment is written, it's a mandate. They can't choose. You're telling them they have to. Is that not correct?

GIDDINGS: Let me answer that in two different ways. Number one, if I indicated that it was a "may," it is not a "may." What I said was up to them is how many days are in that grace period—it could be one day or it could be two weeks. I am asking every school district, with this amendment, to adopt a grace period. Now, it terms of the mandate, Mr. Stickland, that is a word we use here on this floor when we want to bring out red meat, red flags. It's kind of like somebody is saying "ghost"—everybody runs away. This is not about any of that. It's about hungry children and our taking care of the hungry children of Texas.

STICKLAND: Representative Giddings, is it not against the law right now to take a hot meal from someone that is on free and reduced lunch right now?

GIDDINGS: We are not talking about free and reduced lunch because—

STICKLAND: That's exactly my point. And Representative Giddings, I've been disappointed in all the media, all the stuff that's been going on here, because it's been represented that people who are opposed to your mandate on local schools

are somehow against kids who can't afford a lunch. This has nothing to do with free or reduced lunch kids at all. They already are given that grace period, and that's mandated in federal law, is it not?

GIDDINGS: I can't imagine who on this floor doesn't know that—

STICKLAND: And Representative Giddings, we're not talking about—

GIDDINGS: And, sir, you don't need to raise your voice with me, please, because I'm not afraid.

STICKLAND: Representative Giddings, the things that have been said in regard to this bill have blown my mind. Did we not work together the other day to bring attention to this and change it to a may which is the same language that you used just a few seconds ago? Did we not just do that the other day?

GIDDINGS: I am asking in this amendment that every school district shall adopt a grace period.

STICKLAND: Shall adopt?

GIDDINGS: Shall adopt.

STICKLAND: But I want to be clear about a couple of things. Not one kid goes today in Texas public schools without a lunch. Correct?

GIDDINGS: That's totally wrong.

STICKLAND: No, ma'am. They may not be a hot lunch like you are preferring in what you're dealing with here, but every single child is offered a lunch no matter what. True or false?

GIDDINGS: That is not the information I've been given, but even if that's—

STICKLAND: Representative Giddings, did you not bring up the cold lunch that they are offered with the apple and cheese and the milk and all the other stuff? Every single child in Texas gets a lunch, and you've tried to turn this bill, this amendment, and everything else into something else, but it's not. The only thing that your amendment actually does is require local schools to do something that you want them to do. They're not prohibited from doing that right now, but you want to make them required. Now, Representative Giddings, I am a little bit heated about this, because the words that you have chosen to use on this floor and in the media in regard to eternal salvation and a number of others things have been over the top.

GIDDINGS: Mr. Speaker? Mr. Speaker, is the back mic for questions or is the back mic for speeches?

STICKLAND: Representative Giddings, did I not come to your desk yesterday and commend you for your press conference that you had the other day where you announced the forming and the creation of a nonprofit that will help pay down the debt of this situation all across Texas? Did I not come to you and say that this was great and exactly the way that we should handle it?

GIDDINGS: You did not come to me and say—

STICKLAND: Did I not come to you yesterday and say that I was going to be personally making a donation to that fund and that I would help fundraise it for it personally? Did I not tell you that yesterday, Representative Giddings?

GIDDINGS: Mr. Stickland, the children I am trying to help are not looking for heroes. They're looking for some compassion and some food, and we have the ability to do that. And let me just say, let me completely answer your question, that in my mind, this was always a two-step deal. We were going to give a grace period at the schools, which I still want to do, and in addition to that, I was going to work with a nonprofit and set up an account for these kids. And by the way, they got at least \$10,000 into that account today. So it's a two-pronged approach. I see nothing wrong with us taking care of our children, because if we do not feed those children, hunger—hunger is the single greatest impediment to learning. And if we don't give those kids a lunch and it impedes their ability to learn, we are going to pay, but the price is going to be a lot higher not just for you and me, not just for us, but for those kids.

STICKLAND: But Representative Giddings, no one is talking about whether a kid should be fed or not. No one is talking about poor kids or economically-disadvantaged kids. That's not what your bill and amendment will do. It has nothing to do with anyone that is on free or reduced lunch. It's for the other kids, because that's already in statute. And what is in question today—

GIDDINGS: What is your question?

STICKLAND: Is it not true that what you're dealing with today has nothing to do with whether a kid gets a lunch or not? It has to do with the kind of lunch that you want them to have. But the way that this bill has been presented, the way that this amendment has been sold, I believe has not been true. And I will tell you that I'm very disappointed, as someone who has tried to work with you, as someone who has said I will take money out of my own wallet to help solve the situation, that you continue to try and score political points on this bill.

GIDDINGS: What is your other question?

STICKLAND: Will you bring this down right now?

GIDDINGS: I will not. What is your other question, please?

STICKLAND: My question is, why wasn't what we came up with yesterday good enough for you? Why do you want to use the heavy hand of government to make school districts do something that they can already do and many of them do? Why?

GIDDINGS: This is not the heavy hand of government—

STICKLAND: This is a mandate, Representative Giddings.

GIDDINGS: It's a little bit like ghost, and that's your opinion.

Amendment No. 3 was adopted by (Record 1728): 117 Yeas, 22 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Burns; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Kacal; 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; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Wu; Zerwas.

Nays — Biedermann; Bonnen, G.; Burrows; Button; Cain; Capriglione; Craddick; Dean; Frank; Frullo; Goldman; Hefner; Isaac; Keough; Kuempel; Schaefer; Simmons; Springer; Stickland; Swanson; Tinderholt; Workman.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira.

Absent — Anderson, R.; Bell; Bonnen, D.; Dukes; Johnson, J.; Schofield; Shaheen; Sheffield; Zedler.

STATEMENTS OF VOTE

When Record No. 1728 was taken, I was in the house but away from my desk. I would have voted no.

D. Bonnen

When Record No. 1728 was taken, I was in the house but away from my desk. I would have voted no.

Shaheen

When Record No. 1728 was taken, I was in the house but away from my desk. I would have voted no.

Zedler

LEAVE OF ABSENCE GRANTED

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

Sheffield on motion of Larson.

SB 1566 - (consideration continued)

Amendment No. 4

Representative Gooden offered the following amendment to **SB 1566**:

Amend **SB 1566** on third reading by amending Amendment No. 8 by Gooden in SECTION 8 of the bill, as added by the amendment, by inserting the following subsection:

(a-1) In an election held in a county under Subsection (a) of this section, the ballot shall be printed to permit voting for or against the proposition: "Authorizing the continued operation of the county board of education, board of county school trustees, and office of the county school superintendent in ____ County and the collection of the ____ County school equalization ad valorem tax."

SB 1566 - POINT OF ORDER

Representative Allen raised a point of order against further consideration of **SB 1566**.

The point of order was withdrawn.

Amendment No. 4 was adopted.

SB 1566, as amended, was passed by (Record 1729): 138 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; 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; Zerwas.

Nays — Dale; Isaac; Minjarez; Rose.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira.

Absent, Excused, Committee Meeting — Sheffield.

Absent — Canales; Coleman; Dukes; Laubenberg; Sanford.

STATEMENTS OF VOTE

When Record No. 1729 was taken, I was shown voting no. I intended to vote yes.

Dale

When Record No. 1729 was taken, I was shown voting no. I intended to vote yes.

Isaac

When Record No. 1729 was taken, I was shown voting no. I intended to vote yes.

Minjarez

When Record No. 1729 was taken, I was shown voting yes. I intended to vote no.

Ortega

When Record No. 1729 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

When Record No. 1729 was taken, I was shown voting yes. I intended to vote no.

Uresti

SB 807 ON THIRD READING (Workman - House Sponsor)

SB 807, A bill to be entitled An Act relating to choice of law and venue for certain construction contracts.

SB 807 was passed by (Record 1730): 135 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; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; 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; Oliverson; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, J.; Romero; Rose;

Sanford; Schaefer; Schofield; Schubert; Shine; Simmons; Smithee; Springer; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Ortega; Rinaldi; Rodriguez, E.; Shaheen; Stickland; Swanson; Tinderholt; Uresti.

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

Absent, Excused — Oliveira.

Absent, Excused, Committee Meeting — Sheffield.

Absent — Button; Cain; Dukes.

STATEMENT OF VOTE

When Record No. 1730 was taken, I was in the house but away from my desk. I would have voted no.

Cain

LEAVE OF ABSENCE GRANTED

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

Dukes on motion of Reynolds.

SB 1698 ON THIRD READING

(S. Thompson - House Sponsor)

SB 1698, A bill to be entitled An Act relating to outreach and awareness for women veterans in this state.

SB 1698 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **SB 1698** under Rule 11, Section 2 and Rule 11, Section 3 of the House Rules on the grounds that the amendment is not germane to the bill and the amendment would change the original purpose of the bill.

(Sheffield now present)

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

Rule 11, Section 2 of the House Rules states that "No motion or proposition on a subject different from the subject under consideration shall be admitted as an amendment or as a substitute for the motion or proposition under debate." Rule 11, Section 3 of the House Rules prohibits a bill from being "amended in its passage through either house so as to change its original purpose." The bill required the Texas Veterans Commission to perform several new duties in assisting women veterans, including compiling a report on women veterans that would, among other things, recommend policy proposals, and identify unique problems faced by women veterans. It also required the commission to conduct a community outreach campaign on the Veterans Commission's programs and benefits to women veterans. The amendment seeks to have the Sunset Advisory

Commission evaluate the availability of services provided to women veterans by the Texas Veterans Commission including programs described in the original bill and extends the agency for that purpose. Accordingly, the amendment was germane to the bill. The point of order is respectfully overruled.

SB 1698 was passed by (Record 1731): 109 Yeas, 30 Nays, 2 Present, not voting.

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

Nays — Bell; Biedermann; Bonnen, G.; Burrows; Cain; Capriglione; Dale; Faircloth; Fallon; Goldman; Hefner; Holland; Isaac; Keough; Klick; Krause; Lang; Leach; Metcalf; Rinaldi; Sanford; Schaefer; Simmons; Springer; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused — Dukes; Oliveira.

Absent — Arévalo; Burkett; Button; Canales; Cortez; Dean; Hinojosa.

STATEMENTS OF VOTE

When Record No. 1731 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 1731 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 1731 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1731 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

SB 132 ON THIRD READING
(Parker and Metcalf - House Sponsors)

SB 132, A bill to be entitled An Act relating to the savings incentive program for state agencies.

SB 132 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HERRERO: Representative, under this bill, state employees will be eligible to receive bonuses for identifying cost savings within their agency's budget. What type of cost savings does this bill seek to identify?

REPRESENTATIVE PARKER: Well, Representative, that's exactly correct. We're talking about cost savings associated with technological advances, procedural efficiencies, looking for opportunities to improve the procurement process—you know, all the purchasing decisions that are being made by these decisions. These are the kind of cost efficiencies that we're trying to achieve with this legislation.

HERRERO: Are there any safeguards within the bill to ensure that cost savings recommended by state employees will not have a negative impact on the delivery of state services? For example, if a CPS employee recommends a cost-saving measure that could potentially reduce services to children, who determines whether the cost-saving measure will not be detrimental to those services?

PARKER: Yes, Representative, those safeguards absolutely exist. The bill provides rulemaking authority to the agencies to make certain that they're making appropriate decisions that are going to be providing meaningful cost savings, certainly doing nothing that will ever harm or hurt children.

HERRERO: And isn't it true that the bill also would prohibit upper management or—

PARKER: That's correct. I was going to make that comment. That's exactly right, that it also specifically has a provision that excludes upper management from being eligible for the bonus performance. That's correct.

HERRERO: Right, so excluded from the bonus provisions are the upper management or executive-level employees. Is that correct?

PARKER: That's exactly—executive director and upper management at one of these agencies. That's correct, sir.

HERRERO: All right. Is it the intent of this bill to incentivize state employees to recommend privatization or reductions of force as a means to achieve cost savings within state agencies?

PARKER: No. The objective very simply is to provide real savings, if you will, for the taxpayers of Texas to achieve efficiencies, and that's all we're trying to do here. We're not trying to drive anything else other than providing efficiencies and savings wherever we can in the agencies.

HERRERO: So the incentive is to reward state employees for identifying practical cost efficiencies that ensure the best use of taxpayer dollars?

PARKER: Precisely. I mean that's the net. At the end of the day we're incentivizing, I think properly for the first time, employees of our agencies to do the right thing and to look for these kind of cost savings and when they find and achieve those kind of cost savings, be able to ultimately benefit themselves individually, and at the same time the agency will benefit. Today, as you know, Representative, there's a cap today at one percent or about a quarter of the savings that will be identified. What we're taking it up to now is half, and the way that it works, if you will, is that you've got to pay down general obligation bond debt and so forth for an agency first and foremost before the bonus program would ever be eligible for these employees. So it's very sound fiscal policy. It's great for the Texas taxpayer and great for Texas, so it's good legislation. I appreciate the questions.

REMARKS ORDERED PRINTED

Representative Herrero moved to print remarks between Representative Parker and Representative Herrero.

The motion prevailed.

SB 132 was passed by (Record 1732): 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; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; 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; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dukes; Oliveira.

Absent — Coleman.

SB 1138 ON THIRD READING

(Krause, Dean, Guillen, Villalba, Blanco, et al. - House Sponsors)

SB 1138, A bill to be entitled An Act relating to the creation of the blue alert system to aid in the apprehension of an individual suspected of killing or causing serious bodily injury to a law enforcement officer.

SB 1138 was passed by (Record 1733): 144 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Capriglione; Sanford; White.

STATEMENT OF VOTE

When Record No. 1733 was taken, I was in the house but away from my desk. I would have voted yes.

White

SB 1215 ON THIRD READING

(Shine, Oliveira, Workman, and Kacal - House Sponsors)

SB 1215, A bill to be entitled An Act relating to responsibility for the consequences of defects in the plans, specifications, or related documents for the construction or repair of an improvement to real property.

Amendment No. 1

Representative Alvarado offered the following amendment to **SB 1215**:

Amend **SB 1215** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Section 2269.361, Government Code, is amended by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) A governmental entity shall request proposals from design-build firms identified under Section 2269.359(c). A response to a request for detailed proposals must be submitted on or before the earlier of the time for submission as requested by the governmental entity or [firm must submit a proposal not later than] the 180th day after the date the governmental entity makes a public request for the proposals from the selected firms. The request for proposals must include:

- (1) a design criteria package;
- (2) if the project site is identified, a geotechnical baseline report or other information that provides the design-build firm minimum geotechnical design parameters to submit a proposal;
- (3) detailed instructions for preparing the technical proposal and the items to be included, including a description of the form and level of completeness of drawings expected; ~~and~~
- (4) the relative weighting of the technical and price proposals and the formula by which the proposals will be evaluated and ranked; and
- (5) a statement that the project is subject to Chapter 59, Business & Commerce Code.

(f) A governmental entity building a project for which a request for proposals is made under this section is subject to Chapter 59, Business & Commerce Code.

SECTION _____. Section 2269.361, Government Code, as amended by this Act, applies only to a contract awarded on or after the effective date of this Act in which solicitation responses were due after June 21, 2017.

Amendment No. 1 was withdrawn.

SB 1215 was passed by (Record 1734): 77 Yeas, 69 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Biedermann; Bohac; Bonnen, G.; Burkett; Burns; Clardy; Coleman; Cook; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Faircloth; Farrar; Flynn; Frank; Geren; Gervin-Hawkins; Giddings; Goldman; Gooden; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Koop; Lambert; Laubenberg; Lozano; Lucio; Martinez; Miller; Muñoz; Murphy; Neave; Oliverson; Paul; Phillips; Pickett; Raney; Reynolds; Roberts; Romero; Schubert; Sheffield; Shine; Simmons; Smithee; Stephenson; Thompson, E.; Turner; Villalba; Vo; Walle; Workman; Zedler; Zerwas.

Nays — Anderson, R.; Bell; Blanco; Bonnen, D.; Burrows; Button; Cain; Canales; Capriglione; Collier; Cortez; Cospere; Craddick; Dale; Dean; Elkins; Fallon; Frullo; Gonzales; González; Gutierrez; Hefner; Holland; Isaac; Kacal; Keough; King, K.; King, P.; Krause; Kuempel; Landgraf; Lang; Larson; Leach; Longoria; Metcalf; Meyer; Minjarez; Moody; Morrison; Murr; Nevárez; Ortega; Paddie; Parker; Perez; Phelan; Price; Raymond; Rinaldi; Rodriguez, E.;

Rodriguez, J.; Rose; Sanford; Schaefer; Schofield; Shaheen; Springer; Stickland; Stucky; Swanson; Thierry; Tinderholt; Uresti; VanDeaver; White; Wilson; Wray; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Thompson, S.

STATEMENTS OF VOTE

When Record No. 1734 was taken, I was shown voting yes. I intended to vote no.

Alonzo

When Record No. 1734 was taken, I was shown voting yes. I intended to vote no.

Bailes

When Record No. 1734 was taken, I was shown voting no. I intended to vote yes.

Cosper

When Record No. 1734 was taken, I was shown voting no. I intended to vote yes.

Hefner

When Record No. 1734 was taken, I was shown voting no. I intended to vote yes.

Holland

When Record No. 1734 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 1734 was taken, I was shown voting no. I intended to vote yes.

Parker

When Record No. 1734 was taken, I was shown voting no. I intended to vote yes.

Schofield

When Record No. 1734 was taken, I was shown voting no. I intended to vote yes.

White

SB 132 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Zerwas, Representatives Keough, Raney, Price, Zerwas, Darby, Stephenson, Craddick, and Krause were authorized as house sponsors to **SB 132**.

SB 1731 ON THIRD READING
(Meyer - House Sponsor)

SB 1731, A bill to be entitled An Act relating to the repeal of laws governing certain state entities, including the functions of those entities.

Amendment No. 1

Representative Paddie offered the following amendment to **SB 1731**:

Amend **SB 1731** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. AGRICULTURE POLICY BOARD. (a) The Agriculture Policy Board is abolished.

(b) Section 2.004, Agriculture Code, is repealed.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Landgraf offered the following amendment to **SB 1731**:

Amend **SB 1731** (house committee report printing) on third reading as follows:

(1) On page 2, strike lines 23 and 24 and substitute the following:

(a) The Texas Emissions Reduction Plan Advisory Board is abolished on the date that the programs described by Section 386.252(a), Health and Safety Code, and the funding for those programs are continued in effect.

(2) On page 2, line 25; page 3, line 17; page 4, lines 3 and 26; page 5, line 12; and page 6, line 1, insert the following language immediately preceding the first word of Subsections (b), (c), (d), (e), (f), and (g):

"Effective on the date that the Texas Emissions Reduction Plan Advisory Board is abolished under Subsection (a),"

(3) On page 6, between lines 5 and 6, insert the following new subsections:

(h) In effectuating the abolition of the Texas Emissions Reduction Plan Advisory Board, the Texas Commission on Environmental Quality shall complete any unfinished work of the abolished advisory board, including conducting the annual review of programs required under Section 386.057(a), Health and Safety Code; In conducting that review of unfinished work, the Texas Commission on Environmental Quality shall consider the feasibility and benefits of implementing a governmental alternative fuel fleet grant program. If the commission determines that implementation of such a program is feasible and would contribute to emissions reductions, the commission may adopt rules governing the program and the eligibility for entities to receive grants from the fund created under Section 386.251, Health and Safety Code.

(i) Notwithstanding any other provision of law, the programs described by Section 386.252(a), Health and Safety Code, and the funding for those programs are continued until the last day of the state fiscal biennium during which the United States Environmental Protection Agency publishes in the Federal Register certification that, with respect to each national ambient air quality standard for

ozone under 40 C.F.R. Section 81.344, the agency has, for each designated area under that section, designated the area as attainment or unclassifiable or approved a redesignation substitute making a finding of attainment for the area.

Amendment No. 2 was adopted.

SB 1731, as amended, was passed by (Record 1735): 145 Yeas, 0 Nays, 1 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; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; 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; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Giddings; Holland.

STATEMENT OF VOTE

When Record No. 1735 was taken, I was in the house but away from my desk. I would have voted yes.

Holland

SB 1963 ON THIRD READING (Phelan - House Sponsor)

SB 1963, A bill to be entitled An Act relating to requirements for educator preparation program support for certain candidates for certification.

SB 1963 was passed by (Record 1736): 137 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren;

Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; 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; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; 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 — Alonzo; Arévalo; Bernal; Collier; Israel; Minjarez; Ortega; Rodriguez, J.; Uresti.

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

Absent, Excused — Dukes; Oliveira.

STATEMENTS OF VOTE

When Record No. 1736 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 1736 was taken, I was shown voting yes. I intended to vote no.

Howard

SB 195 ON THIRD READING

(Allen - House Sponsor)

SB 195, A bill to be entitled An Act relating to funding under the transportation allotment for public school students subject to a high risk of violence while walking to school.

SB 195 was passed by (Record 1737): 90 Yeas, 55 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; 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, T.; Koop; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Paddie; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Stephenson; Stucky; Swanson; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Capriglione; Craddick; Cyrier; Dale; Elkins; Faircloth; Fallon; Flynn; Frank; Goldman; Hefner; Holland; Isaac; Keough; King, P.; Klick; Krause; Kuempel; Landgraf; Lang; Laubenberg; Leach; Metcalf; Miller; Murr; Oliverson; Parker; Paul; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stickland; Thompson, E.; Tinderholt; Villalba; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Dean; Phillips.

STATEMENTS OF VOTE

When Record No. 1737 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

When Record No. 1737 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1737 was taken, my vote failed to register. I would have voted no.

Phillips

SB 1148 ON THIRD READING

(G. Bonnen, Darby, et al. - House Sponsors)

SB 1148, A bill to be entitled An Act relating to maintenance of certification by a physician or an applicant for a license to practice medicine in this state.

SB 1148 was passed by (Record 1738): 140 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; 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.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; 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; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer;

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

Nays — Arévalo; Minjarez; Rodriguez, J.; Rose.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Davis, Y.; Giddings; González.

STATEMENT OF VOTE

When Record No. 1738 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

SB 248 ON THIRD READING (Shine and Wilson- House Sponsors)

SB 248, A bill to be entitled An Act relating to the dissolution of the Chisholm Trail Special Utility District.

SB 248 was passed by (Record 1739): 147 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

SB 261 ON THIRD READING
(Guillen - House Sponsor)

SB 261, A bill to be entitled An Act relating to the bulk purchase of information technology commodity items by the Department of Information Resources.

SB 261 was passed by (Record 1740): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; 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; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Canales; Geren.

SB 468 ON THIRD READING
(Oliveira - House Sponsor)

SB 468, A bill to be entitled An Act relating to the extraterritorial jurisdiction of certain municipalities in coastal border counties.

SB 468 was passed by (Record 1741): 146 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Murr.

SB 584 ON THIRD READING
(Rose - House Sponsor)

SB 584, A bill to be entitled An Act relating to guidelines for prescribing opioid antagonists.

SB 584 was passed by (Record 1742): 147 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

SB 490 ON THIRD READING
(Huberty and Lucio - House Sponsors)

SB 490, A bill to be entitled An Act relating to information regarding the number of school counselors in public schools.

SB 490 was passed by (Record 1743): 112 Yeas, 34 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; 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.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, D.; Burrows; Button; Cain; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Geren; Hefner; Isaac; Keough; Klick; Krause; Lang; Metcalf; Murr; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused — Dukes; Oliveira.

SB 491 ON THIRD READING
(Howard - House Sponsor)

SB 491, A bill to be entitled An Act relating to the statewide preceptorship program in family medicine.

SB 491 was passed by (Record 1744): 147 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

SB 262 ON THIRD READING
(Guillen - House Sponsor)

SB 262, A bill to be entitled An Act relating to certain purchasing by state agencies and local governments.

SB 262 was passed by (Record 1745): 146 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Perez.

SB 625 ON THIRD READING
(Stephenson and Rinaldi - House Sponsors)

SB 625, A bill to be entitled An Act relating to public access to financial and tax rate information of certain special purpose districts; imposing a civil penalty.

SB 625 was passed by (Record 1746): 144 Yeas, 0 Nays, 1 Present, not voting.

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

S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; 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; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Allen; Raney; Thompson, S.

SB 196 ON THIRD READING
(Coleman - House Sponsor)

SB 196, A bill to be entitled An Act relating to a notification requirement if a public school, including an open-enrollment charter school, does not have a nurse, school counselor, or librarian assigned to the school during all instructional hours.

SB 196 was passed by (Record 1747): 80 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, T.; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Paddie; Perez; Phillips; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Springer; Stephenson; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Cospers; Craddick; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Frank; Frullo; Goldman; Hefner; Holland; Hunter; Isaac; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Laubenberg; Leach; Metcalf; Miller; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Villalba; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Dean; Morrison; Raney; Zerwas.

STATEMENTS OF VOTE

When Record No. 1747 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 1747 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 1747 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1747 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

When Record No. 1747 was taken, I was in the house but away from my desk. I would have voted no.

Zerwas

SB 670 ON THIRD READING (Price - House Sponsor)

SB 670, A bill to be entitled An Act relating to the appointment of the commissioners of the health and human services agencies by the governor.

SB 670 was passed by (Record 1748): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; 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; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky;

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Fallon.

**SB 719 ON THIRD READING
(Raney - House Sponsor)**

SB 719, A bill to be entitled An Act relating to requiring the Texas Higher Education Coordinating Board to collect and study data on the participation of persons with intellectual disabilities in workforce education programs.

SB 719 was passed by (Record 1749): 137 Yeas, 8 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Allen; Zerwas.

STATEMENT OF VOTE

When Record No. 1749 was taken, I was in the house but away from my desk. I would have voted yes.

Zerwas

SB 810 ON THIRD READING
(Howard - House Sponsor)

SB 810, A bill to be entitled An Act relating to the use of open educational resources.

SB 810 was passed by (Record 1750): 133 Yeas, 13 Nays, 1 Present, not voting.

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

Nays — Anderson, R.; Biedermann; Bonnen, D.; Cain; Keough; Krause; Lang; Rinaldi; Schaefer; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Faircloth.

SB 919 ON THIRD READING
(Coleman - House Sponsor)

SB 919, A bill to be entitled An Act relating to the authority of an advanced practice registered nurse or physician assistant to sign a death certificate in limited situations.

SB 919 was passed by (Record 1751): 144 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; 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; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Anderson, C.; Murr.

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

Absent, Excused — Dukes; Oliveira.

SB 1016 ON THIRD READING
(Bell - House Sponsor)

SB 1016, A bill to be entitled An Act relating to the appointment and duties of court investigators for certain courts in guardianship proceedings.

SB 1016 was passed by (Record 1752): 145 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Canales; Phelan.

STATEMENT OF VOTE

When Record No. 1752 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

SB 1056 ON THIRD READING
(Murr - House Sponsor)

SB 1056, A bill to be entitled An Act relating to the transfer of certain probate proceedings to the county in which the executor or administrator of a decedent's estate resides.

Amendment No. 1

Representative Schofield offered the following amendment to **SB 1056**:

Amend **SB 1056** by amending Section 33.1011, Estates Code, by adding a new Subsection (e) to read as follows:

(e) Nothing in this chapter requires that an affidavit prescribed under SECTION 203, Estates Code, filed to establish adverse possession by a co-tenant be filed in the county in which the executor of a will with an affected property resides.

Amendment No. 1 was adopted.

SB 1056, as amended, was passed by (Record 1753): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; 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; 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; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Hinojosa; Rose; Smithee.

STATEMENTS OF VOTE

When Record No. 1753 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

When Record No. 1753 was taken, I was in the house but away from my desk. I would have voted yes.

Smithee

SB 1091 ON THIRD READING
(Howard and Morrison - House Sponsors)

SB 1091, A bill to be entitled An Act relating to limitations on courses that may be offered for dual credit by school districts and public institutions of higher education.

Amendment No. 1

Representative Howard offered the following amendment to **SB 1091**:

Amend **SB 1091** as follows:

(1) On page 1, line 7, strike "(a-4) and (a-5)" and substitute "(a-4), (a-5), and (b-1)".

(2) In each of the following places, between "earning" and "an", insert "a certificate or":

- (A) page 1, line 17;
- (B) page 3, line 10; and
- (C) page 3, line 24.

(3) On page 1, between lines 18 and 19, insert the following:

(b-1) The agency and the Texas Higher Education Coordinating Board shall coordinate as necessary to adopt rules for the implementation of Subsections (a-4) and (a-5). In adopting those rules, the agency and the coordinating board shall use the negotiated rulemaking procedures under Chapter 2008, Government Code, and consult with relevant stakeholders.

(4) On page 1, lines 20 and 21, strike "(d) and (d-1)" and substitute "(d), (d-1), and (d-2)".

(5) On page 3, between lines 11 and 12, insert the following:

(d-2) The coordinating board, in coordination with the Texas Education Agency, shall adopt rules to implement Subsections (d) and (d-1). In adopting those rules, the coordinating board shall use the negotiated rulemaking procedures under Chapter 2008, Government Code, and consult with relevant stakeholders.

(6) On page 3, line 13, strike "(a-1) and (a-2)" and substitute "(a-1), (a-2), and (a-3)".

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

(a-3) The Texas Higher Education Coordinating Board, in coordination with the Texas Education Agency, shall adopt rules to implement Subsections (a-1) and (a-2). In adopting those rules, the coordinating board shall use the negotiated rulemaking procedures under Chapter 2008, Government Code, and consult with relevant stakeholders.

Amendment No. 1 was adopted by (Record 1754): 137 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; 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; Zerwas.

Nays — Biedermann; Bonnen, D.; Cain; Keough; Lang; Rinaldi; Stickland; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Schofield.

SB 1091, as amended, was passed by (Record 1755): 135 Yeas, 11 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Hinojosa.

STATEMENT OF VOTE

When Record No. 1755 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

SB 1450 ON THIRD READING (G. Bonnen - House Sponsor)

SB 1450, A bill to be entitled An Act relating to the rulemaking authority of the commissioner of insurance with respect to certain agreements and the effect of those agreements on this state's authority to regulate insurance.

Amendment No. 1

Representative G. Bonnen offered the following amendment to **SB 1450**:

Amend **SB 1450** by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Section 36.004, Insurance Code, is amended to read as follows:

Sec. 36.004. COMPLIANCE WITH NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS REQUIREMENTS; INTERIM RULES; REPORT. (a) Except as provided by Subsection (b) or (c) or Section 36.005, the department may not require an insurer to comply with a rule, regulation, directive, or standard adopted by the National Association of Insurance Commissioners, including a rule, regulation, directive, or standard relating to policy reserves, unless:

(1) application of the rule, regulation, directive, or standard is expressly authorized by statute; or

(2) a statute authorizes the commissioner to adopt rules consistent with the rule, regulation, directive, or standard [and approved by the commissioner].

(b) Subsection (a) does not apply to:

(1) any statute that is based on or substantially similar to a National Association of Insurance Commissioners model law or regulation;

(2) financing reporting, including mortality tables, reserve tables, and other actuarial standards for reporting reserves, under Section 843.155 and Chapters 401, 421, 425, 426, 443, 802, 1105, and 2551;

(3) securities valuations by the Securities Valuation Office of the National Association of Insurance Commissioners under this code;

(4) risk-based capital reporting under Sections 822.210, 841.205, 843.404, 884.206, and 912.308;

(5) fraud reporting under Chapters 701 and 1111A;

(6) the Own Risk and Solvency Assessment Guidance Manual and confidentiality agreements under Chapter 830; or

(7) the Interstate Insurance Product Regulation Compact under Chapter 5001.

(c) The commissioner may adopt an interim rule to require compliance with a rule, regulation, directive, or standard adopted by the National Association of Insurance Commissioners if:

(1) the commissioner finds the rule is technical or nonsubstantive in nature or necessary to preserve the department's accreditation; and

(2) before the adoption of the rule, the commissioner provides the standing committees of the senate and house of representatives with primary jurisdiction over the department with written notice of the commissioner's intent to adopt the rule.

(d) A substantive rule adopted under Subsection (c) shall remain in effect only until 30 days following the end of the next session of the legislature unless a law is enacted that authorizes the subject matter of the rule. If a law is enacted that authorizes the subject matter of the rule, the rule will continue in effect.

(e) Not later than December 31 of each even-numbered year, the department shall submit to the standing committees of the senate and house of representatives with primary jurisdiction over the department a written report that includes:

(1) the specific statutes in this code and rules adopted by the commissioner that are based on National Association of Insurance Commissioners model laws or regulations;

(2) statutory changes that may be necessary to maintain the department's accreditation; and

(3) the most recent standards the National Association of Insurance Commissioners has adopted or published that are necessary to maintain the department's accreditation.

SECTION _____. Section 36.004, Insurance Code, as amended by this Act, applies only to a rule adopted or amended on or after the effective date of this Act. A rule in effect before the effective date of this Act continues in effect until amended or superseded, subject to Section 36.005, Insurance Code.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Murr offered the following amendment to **SB 1450**:

Amend **SB 1450** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill appropriately:

SECTION _____. Subchapter C, Chapter 551, Insurance Code, is amended by adding Section 551.1041 to read as follows:

Sec. 551.1041. RULEMAKING AUTHORITY RELATING TO NOTICE OF CANCELLATION OF CERTAIN PERSONAL AUTOMOBILE INSURANCE COVERAGES. The commissioner shall exercise the commissioner's rulemaking authority to adopt rules under which an insurer that cancels a personal automobile insurance policy that provides comprehensive or

collision physical damage coverage for an automobile that is subject to a purchase money lien is required to notify the lienholder, if known, that the coverage will be cancelled.

Amendment No. 2 was adopted by (Record 1756): 139 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; 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; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cook; Rinaldi; Schofield; Stickland; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Gutierrez; Rose; Stephenson.

STATEMENT OF VOTE

When Record No. 1756 was taken, I was shown voting yes. I intended to vote no.

Cain

Amendment No. 3

Representative Gooden offered the following amendment to **SB 1450**:

Amend **SB 1450** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 4101.060, Insurance Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding Section 4004.051, the department shall waive any continuing education requirement imposed under this chapter or Chapter 4004 for an adjuster who, during the license period for which the continuing education is required, receives a certificate of completion of a continuing education program issued by an interstate, national, or international agreement if:

(1) the number of hours required to complete the continuing education program is not less than the number of hours of continuing education that an adjuster is required to complete during the license period under Sections 4004.053 and 4004.054; and

(2) the content of the continuing education program includes the content required under Section 4004.105.

SECTION _____. (a) Not later than December 1, 2017, the commissioner of insurance shall adopt the rules necessary to implement Section 4101.060(d), Insurance Code, as added by this Act.

(b) The change in law made by Section 4101.060(d), as added by this Act, applies to continuing education requirements for an insurance adjuster's license period beginning on or after January 1, 2018.

Amendment No. 3 was adopted by (Record 1757): 141 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; 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; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Blanco; Isaac; Rose; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Cain; Schofield.

STATEMENT OF VOTE

When Record No. 1757 was taken, I was in the house but away from my desk. I would have voted yes.

Cain

SB 1450, as amended, was passed by (Record 1758): 132 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; 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, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Blanco; Bonnen, D.; Cook; Dutton; Frullo; King, K.; Kuempel; Rinaldi; Smithee; Stickland; Thompson, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Cain; Moody; Ortega.

STATEMENTS OF VOTE

When Record No. 1758 was taken, I was in the house but away from my desk. I would have voted no.

Cain

When Record No. 1758 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1758 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

SB 1511 ON THIRD READING (Price - House Sponsor)

SB 1511, A bill to be entitled An Act relating to the state and regional water planning process and the funding of projects included in the state water plan.

Amendment No. 1

Representative Isaac offered the following amendment to **SB 1511**:

Amend **SB 1511** by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Sections 27.0516(a)(1) and (3), Water Code, are amended to read as follows:

(1) "Edwards Aquifer" means that portion of an arcuate belt of porous, waterbearing limestones composed of the Edwards Formation, Georgetown Formation, Comanche Peak Formation, Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, and Edwards Group, together with the Upper Glen Rose Formation where there is a significant hydrological connection to the overlying Edwards Group ~~[trending from west to east to northeast through Kinney, Uvalde, Medina, Bexar, Kendall, Comal, Hays, Travis, and Williamson Counties]~~. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south~~[, overlie the less permeable Comanche Peak and Walnut Formations north of the Colorado River,]~~ and underlie the less-permeable Del Rio Clay regionally.

(3) "Fresh water" means surface water or groundwater, without regard to whether the water has been physically, chemically, or biologically altered, that:

(A) contains a total dissolved solids concentration of not more than 1,000 milligrams per liter; ~~and~~

(B) meets the water quality standards for public drinking water established by commission rule; and

(C) is otherwise suitable as a source of drinking water supply.

SECTION _____. Sections 27.0516(b), (f), (h), (k), and (n), Water Code, are amended to read as follows:

(b) This section applies only to the portion of the Edwards Aquifer that is within the geographic area circumscribed by the external boundaries of the Barton Springs-Edwards Aquifer Conservation District but is not in the jurisdiction ~~[that district's territory or the territory]~~ of the Edwards Aquifer Authority.

(f) The commission by general permit may authorize:

(1) an activity described by Subsection (e);

(2) an injection well that transects and isolates the saline portion of the Edwards Aquifer and terminates in a lower aquifer for the purpose of injecting:

(A) concentrate from a desalination facility; or

(B) fresh water as part of an engineered aquifer storage and recovery facility;

(3) an injection well that terminates in that part of the saline portion of the Edwards Aquifer that has a total dissolved solids concentration of more than 10,000 milligrams per liter for the purpose of injecting into the saline portion of the Edwards Aquifer:

(A) concentrate from a desalination facility, provided that the injection well must be at least three miles from the closest outlet of Barton Springs; or

(B) fresh water as part of an engineered aquifer and storage recovery facility, provided that each well used for injection or withdrawal from the facility must be at least three miles from the closest outlet of Barton Springs;

~~or~~

(4) an injection well that transects or terminates in the Edwards Aquifer for:

(A) aquifer remediation;

(B) the injection of a nontoxic tracer dye as part of a hydrologic study; or

(C) another beneficial activity that is designed and undertaken for the purpose of increasing protection of an underground source of drinking water from pollution or other deleterious effects; or

(5) the injection of fresh water into a well that transects the Edwards Aquifer provided that:

(A) the well isolates the Edwards Aquifer and meets the construction and completion standards adopted by the commission under Section 27.154;

(B) the well is part of an engineered aquifer storage and recovery facility;

(C) the injected water is sourced from a public water system, as defined by commission rule, that is permitted by the commission; and

(D) the injection complies with the provisions of Subchapter G that are not in conflict with this section.

(h) Rules adopted or a general permit issued under this section:

(1) must require that an injection well authorized by the rules or permit be monitored by means of:

(A) one or more ~~[a]~~ monitoring wells ~~[well]~~ operated by the injection well owner if the commission determines that there is an underground source of drinking water in the area of review that is potentially affected by the injection well; or

(B) if Paragraph (A) does not apply, one or more ~~[a]~~ monitoring wells ~~[well]~~ operated by a party other than the injection well owner, provided that all results of monitoring are promptly made available to the injection well owner;

(2) must ensure that an authorized activity will not result in the waste or pollution of native groundwater ~~[fresh water]~~;

(3) may not authorize an injection well under Subsection (f)(2), ~~[or]~~ (3), or (5) unless the well is initially associated with a small-scale research project designed to evaluate the long-term feasibility and safety of:

(A) the injection of concentrate from a desalination facility; or

(B) an aquifer storage and recovery project;

(4) must require any authorization granted to be renewed at least as frequently as every 10 years;

(5) must require that an injection well authorized under Subsection (f)(2)(A) or (3)(A) be monitored on an ongoing basis by or in coordination with the well owner and that the well owner file monitoring reports with the commission at least as frequently as every three months; ~~[and]~~

(6) must ensure that any injection well authorized for the purpose of injecting concentrate from a desalination facility does not transect the fresh water portion of the Edwards Aquifer; and

(7) must be consistent with the provisions of Subchapter G that are not in conflict with this section.

(k) Notwithstanding Subsection (h)(3), a general permit may authorize the owner of an injection well authorized under Subsection (f)(2), ~~[(e)]~~ (3), or (5) to continue operating the well for the purpose of implementing the desalination or engineered aquifer storage and recovery project following completion of the small-scale research project, provided that:

(1) the injection well owner timely submits the information collected as part of the research project, including monitoring reports and information regarding the environmental impact of the well, to the commission;

(2) the injection well owner, following the completion of studies and monitoring adequate to characterize risks to the fresh water portion of the Edwards Aquifer, the Trinity Aquifer, or ~~and~~ other native groundwater ~~[fresh water]~~ associated with the continued operation of the well, and at least 90 days before the date the owner initiates commercial well operations, files with the commission a notice of intent to continue operation of the well after completion of the research project; and

(3) the commission, based on the studies and monitoring, the report provided by Texas State University–San Marcos under Subsection (l)(2), and any other reasonably available information, determines that continued operation of the injection well as described in the notice of intent does not pose an unreasonable risk to the fresh water portion of the Edwards Aquifer, the Trinity Aquifer, or other native groundwater ~~[fresh water]~~ associated with the continued operation of the well.

(n) If the commission preliminarily determines that continued operation of the injection well would pose an unreasonable risk to the fresh water portion of the Edwards Aquifer, the Trinity Aquifer, or other native groundwater ~~[fresh water]~~ associated with the continued operation of the well, the commission shall notify the operator and specify, if possible, what well modifications or operational controls would be adequate to prevent that unreasonable risk. If the operator fails to modify the injection well as specified by the commission, the commission shall require the operator to cease operating the well.

Amendment No. 1 was adopted.

SB 1511 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE FAIRCLOTH: I appreciate your leadership when it comes to this issue, because I think no doubt there are very few people in here that understand it any better than you do. There is some concern that your **HB 3991**, which went on last night as an amendment to **SB 1511** dealt more with the Water Development Board than it did the Water Code. Would you mind explaining a little bit to us about what this is doing and kind of allay our concerns about the normal water flows down the rivers into the base system?

REPRESENTATIVE LARSON: Right. You know, that's something that we're going to have to reconcile. So from January 2015 to June 2016, we lost 150 million acre feet of water above the base flows in our basins. The base flow is the permitted water that they have with folks along the rivers and then the

environmental flows that keep the bays and estuaries healthy—that's how you count the base flow. This was an exceedance of the base flow. So when we see those rivers and they're in flood conditions, we're going to try to develop a regulatory permitting process to appropriate more water during those conditions. So if the river is six to eight feet above the base flow, we want to have folks develop aquifer storage and recovery units along the basins to pull the water out and store it underground when we are in exceedance of the base flow conditions.

So the threat that the folks in your area were concerned about was that we'd in any way diminish the amount of water that was agreed upon when we set up these environmental flow regimens along our coastline. This water is fractional because of the velocity of the water as the water traverses to the coastline. We're going to try and scalp some of that water off and store it. There are a lot of opportunities to use it for municipal use but also environmental use. So when those rivers drop below the base flow, and we are not meeting the requirements for the environmental flows in those basin estuaries, like we saw in 2011, there will be opportunities for folks to store water and then release it in the basin and try to create a more healthy environment in those basin estuaries during an extended drought.

This is being done all over the country. We're 20 years behind the other states in development of our ASR. A lot of it has to do with our planning and also the inability for us to access these flood flows. And so we are going to ask TCEQ to develop a set of rules sometime between the passage of this bill and October 2018, and then hopefully, folks will be developing ASR strategies and creating some kind of strategic reserve of water along our basins.

FAIRCLOTH: So you don't anticipate that this is something that is going to happen in the next six to eight months. It's going to take time to develop this.

LARSON: It will, and I invite all the environmental groups, along with the folks from Galveston Bay, Trinity Bay, along the coastlines to come in and participate in it. It's a non-threatening approach to harvesting water that we're losing it to the coastline with very little value. We're talking about an exceedance of the environmental flows that we've all agreed upon.

FAIRCLOTH: Absolutely, and I think one of the challenges you're addressing here is feast or famine. We tend to go from that, and we've come out of what I believe is the 10th year of a seven-year drought. And we've seen that have far-reaching consequences on the estuaries because of a lack of freshwater flow. And so as you said, this is being done around the country, and it's been proven effective. It's something that we, too, need to adopt and make it a part of our strategy for going forward with water.

LARSON: There are 26 aquifer storage recoveries in the State of Florida. They're building the largest one in the world. They'll store 1.3 billion gallons of water under the Everglades every day. They'll have 300 injection wells. We've got to do something similar to that because of the weather patterns and the changes of the El Niño and the La Niña. We understand that we're going to have the ebb and flow of climatic experiences that we have here, so we need to drought-proof it. One of the ways is grabbing the flood flows and those exceedance periods of time

like we've seen in the last two years. We just haven't accessed it because everybody was afraid to go in and try to appropriate new water using these flood flows. We will have the environmental folks involved in the discussion as we develop the rules.

FAIRCLOTH: Okay, and as you said, we're talking flood flows. We're talking very high above-normal flows and you're saying you're only going to be able to capture a fraction of that anyway.

LARSON: Right, just because of the velocity of the water—you can't slow it down. They might, if you want to divert some into an off channel reservoir and take that as a flood flow and then take that water and store it underground, this is all conditional of using it in an aquifer storage recovery so you mitigate the evaporative effect.

SB 1511, as amended, was passed by (Record 1759): 144 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; 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; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; 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; 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.

Nays — Anchia; Blanco; Israel.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

REMARKS ORDERED PRINTED

Representative Faircloth moved to print remarks between Representative Larson and Representative Faircloth.

The motion prevailed.

SB 1525 ON THIRD READING
(Larson - House Sponsor)

SB 1525, A bill to be entitled An Act relating to a study by the Texas Water Development Board of water needs and availability in this state.

SB 1525 was passed by (Record 1760): 144 Yeas, 2 Nays, 1 Present, not voting.

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

Nays — Cain; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Tinderholt.

SB 1557 ON THIRD READING
(Shine and Darby - House Sponsors)

SB 1557, A bill to be entitled An Act relating to the administration of gasoline and diesel fuel motor fuels taxes and the fee on the delivery of certain petroleum products.

SB 1557 was passed by (Record 1761): 141 Yeas, 5 Nays, 1 Present, not voting.

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

Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; 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 — Cain; Rinaldi; Schaefer; Stickland; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Oliveira.

Absent — Button.

SB 1633 ON THIRD READING
(Oliverson, et al. - House Sponsors)

SB 1633, A bill to be entitled An Act relating to the provision of pharmacy services through a telepharmacy system; establishing a remote dispensing site license.

(Kuempel in the chair)

SB 1633 was passed by (Record 1762): 132 Yeas, 13 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; Gooden; Guillen; Gutierrez; Hefner; Hernandez; 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; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Arévalo; Bernal; Collier; González; Guerra; Herrero; Murr; Perez; Rodriguez, J.; Schofield; Sheffield; Thierry; Thompson, E.

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

Absent, Excused — Dukes; Oliveira.

STATEMENTS OF VOTE

When Record No. 1762 was taken, I was shown voting yes. I intended to vote no.

Cook

When Record No. 1762 was taken, I was shown voting yes. I intended to vote no.

Hunter

**SB 1663 ON THIRD READING
(Flynn - House Sponsor)**

SB 1663, A bill to be entitled An Act relating to contributions to, benefits from, late fees imposed by, and the administration of systems and programs administered by the Teacher Retirement System of Texas.

Amendment No. 1

Representative Flynn offered the following amendment to **SB 1663**:

Amend **SB 1663** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION _____. SUNSET PROVISION. Section 825.006, Government Code, is amended to read as follows:

Sec. 825.006. SUNSET PROVISION. The board of trustees of the Teacher Retirement System of Texas is subject to review under Chapter 325 (Texas Sunset Act), but is not abolished under that chapter. The board shall be reviewed during the period in which state agencies abolished in 2025 [~~2019~~], and every 12th year after that year, are reviewed.

Amendment No. 1 was adopted.

SB 1663, as amended, was passed by (Record 1763): 144 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; 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; 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; Gervin-Hawkins; Kuempel(C).

Absent, Excused — Dukes; Oliveira.

Absent — Cain.

STATEMENTS OF VOTE

When Record No. 1763 was taken, I was in the house but away from my desk. I would have voted yes.

Cain

When Record No. 1763 was taken, I was shown voting present, not voting. I intended to vote yes.

Gervin-Hawkins

When Record No. 1763 was taken, I was shown voting yes. I intended to vote present, not voting.

Guillen

SB 1664 ON THIRD READING (Flynn - House Sponsor)

SB 1664, A bill to be entitled An Act relating to contributions to, benefits from, membership in, and the administration of systems and programs administered by the Teacher Retirement System of Texas.

SB 1664 was passed by (Record 1764): 144 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; 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; 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; Gervin-Hawkins; Kuempel(C).

Absent, Excused — Dukes; Oliveira.

Absent — Dean.

STATEMENT OF VOTE

When Record No. 1764 was taken, I was shown voting present, not voting. I intended to vote yes.

Gervin-Hawkins

SB 1665 ON THIRD READING (Flynn - House Sponsor)

SB 1665, A bill to be entitled An Act relating to the investment authority of the Teacher Retirement System of Texas.

SB 1665 was passed by (Record 1765): 143 Yeas, 0 Nays, 3 Present, not voting.

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

Absent, Excused — Dukes; Oliveira.

Absent — Bailes; Burns.

STATEMENTS OF VOTE

When Record No. 1765 was taken, my vote failed to register. I would have voted yes.

Burns

When Record No. 1765 was taken, I was shown voting present, not voting. I intended to vote yes.

Gervin-Hawkins

SB 1680 ON THIRD READING
(Raymond - House Sponsor)

SB 1680, A bill to be entitled An Act relating to a task force of border health officials.

SB 1680 was passed by (Record 1766): 73 Yeas, 70 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cook; Cortez; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Frank; Gervin-Hawkins; Giddings; Gonzales; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Larson; Longoria; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Simmons; Stephenson; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Cospier; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Fallon; Flynn; Frullo; Geren; Goldman; Hefner; Holland; Huberty; Isaac; Kacal; Keough; King, P.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused — Dukes; Oliveira.

Absent — Faircloth; Phillips.

STATEMENTS OF VOTE

When Record No. 1766 was taken, I was shown voting yes. I intended to vote no.

Cook

When Record No. 1766 was taken, I was in the house but away from my desk. I would have voted no.

Faircloth

When Record No. 1766 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1766 was taken, I was shown voting yes. I intended to vote no.

Larson

When Record No. 1766 was taken, my vote failed to register. I would have voted no.

Phillips

When Record No. 1766 was taken, I was shown voting yes. I intended to vote no.

Price

When Record No. 1766 was taken, I was shown voting yes. I intended to vote no.

Simmons

When Record No. 1766 was taken, I was shown voting yes. I intended to vote no.

Workman

SB 1780 ON THIRD READING
(Guillen - House Sponsor)

SB 1780, A bill to be entitled An Act relating to the amount of compensation and allowances of a county auditor in certain counties.

SB 1780 was passed by (Record 1767): 134 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Paddie; 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; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Biedermann; Bonnen, D.; Cain; Murr; Rinaldi; Schaefer; Stickland; Tinderholt.

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

Absent, Excused — Dukes; Oliveira.

Absent — Craddick; Parker; Wray.

STATEMENTS OF VOTE

When Record No. 1767 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

When Record No. 1767 was taken, I was shown voting yes. I intended to vote no.

Faircloth

When Record No. 1767 was taken, I was shown voting yes. I intended to vote no.

Metcalf

SB 1805 ON THIRD READING (Lucio - House Sponsor)

SB 1805, A bill to be entitled An Act relating to the multiuse training and operations center facility.

SB 1805 was passed by (Record 1768): 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; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; 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 — Dukes; Oliveira.

Absent — Cyrier.

STATEMENT OF VOTE

When Record No. 1768 was taken, I was shown voting yes. I intended to vote no.

Hunter

POSTPONED BUSINESS

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

SB 2144 ON THIRD READING (Huberty - House Sponsor)

SB 2144, A bill to be entitled An Act relating to the creation of a commission to recommend improvements to the public school finance system.

SB 2144 was read third time on May 23, postponed until 6 p.m. May 23, and was again postponed until this time.

Representative Huberty moved to postpone consideration of **SB 2144** until 7:18 a.m. Wednesday, June 21.

The motion prevailed.

RESOLUTIONS CALENDAR

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

SCR 26 (Darby - House Sponsor)

SCR 26, Urging Congress to review federal regulations on the oil and gas industry.

SCR 26 was adopted by (Record 1769): 141 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; 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, 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; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Collier; Dutton; Johnson, E.; Rodriguez, J.

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

Absent, Excused — Dukes; Oliveira.

Absent — Bernal.

STATEMENT OF VOTE

When Record No. 1769 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

REMARKS ORDERED PRINTED

Representative Hinojosa moved to print remarks between Representative Stickland and Representative Giddings on Amendment No. 3 to **SB 1566**.

The motion prevailed.

(Paddie in the chair)

HB 3976 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

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

Representative Ashby moved to concur in the senate amendments to **HB 3976**.

The motion to concur in the senate amendments to **HB 3976** prevailed by (Record 1770): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; 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; Paddie(C).

Absent, Excused — Dukes; Oliveira.

Absent — Burkett; Deshotel; Huberty; Hunter; King, P.; Morrison; Raney.

STATEMENTS OF VOTE

When Record No. 1770 was taken, my vote failed to register. I would have voted yes.

Burkett

When Record No. 1770 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1770 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

Senate Committee Substitute

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

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

SECTION 1. Section 1575.002, Insurance Code, is amended by amending Subdivision (5) and adding Subdivisions (5-a) and (5-b) to read as follows:

(5) "Health benefit plan" means ~~any [a group insurance policy, contract, or certificate, medical or hospital service agreement, membership or subscription contract, salary continuation plan, or similar]~~ any group arrangement to provide health care benefits ~~[services]~~ or to pay or reimburse expenses for ~~[of]~~ health care services.

(5-a) "Medicare Advantage plan" means a health benefit plan operated under Part C of the Medicare program.

(5-b) "Medicare prescription drug plan" means a health benefit plan operated under Part D of the Medicare program.

SECTION 2. Subchapter A, Chapter 1575, Insurance Code, is amended by adding Section 1575.0025 to read as follows:

Sec. 1575.0025. REFERENCES TO BASIC PLAN. A reference in this code to a "basic plan" under this chapter means a health benefit plan provided under this chapter other than a Medicare Advantage plan or a Medicare prescription drug plan.

SECTION 3. Section 1575.006(a), Insurance Code, is amended to read as follows:

(a) The following are exempt from execution, attachment, garnishment, or any other process:

(1) benefit payments, [~~including optional benefits payments,~~] active employee and state contributions, and retiree, surviving spouse, and surviving dependent child contributions;

(2) any rights, benefits, or payments accruing to any person under this chapter; and

(3) any money in the fund.

SECTION 4. Section 1575.052(a), Insurance Code, is amended to read as follows:

(a) The trustee may adopt rules, plans, procedures, and orders reasonably necessary to implement this chapter, including:

(1) minimum benefit and financing standards for group coverage for retirees, dependents, surviving spouses, and surviving dependent children;

(2) [~~basic and optional~~] group coverage for retirees, dependents, surviving spouses, and surviving dependent children;

(3) procedures for contributions and deductions;

(4) periods for enrollment and selection of [~~optional~~] coverage and procedures for enrolling and exercising options under the group program;

(5) procedures for claims administration;

(6) procedures to administer the fund; and

(7) a timetable for:

(A) developing minimum benefit and financial standards for group coverage;

(B) establishing health benefit plans offered under the group program [~~plans~~]; and

(C) taking bids and awarding contracts for health benefit plans offered under the group program [~~plans~~].

SECTION 5. Section 1575.152, Insurance Code, is amended to read as follows:

Sec. 1575.152. HEALTH BENEFIT [~~BASIC~~] PLAN MUST COVER PREEXISTING CONDITIONS. A health benefit [~~basic~~] plan offered under the group program, other than a Medicare Advantage plan or a Medicare prescription drug plan, must cover preexisting conditions.

SECTION 6. Section 1575.153, Insurance Code, is amended to read as follows:

Sec. 1575.153. HEALTH BENEFIT PLAN [~~BASIC~~] COVERAGE FOR RETIREES. (a) A retiree who applies for coverage during an enrollment period may not be denied coverage in a health benefit [~~basic~~] plan provided under this chapter for which the retiree is eligible unless the trustee finds under Subchapter K that the retiree defrauded or attempted to defraud the group program.

(b) A retiree who has coverage under a health benefit plan offered under the group program shall pay a monthly contribution, as determined by the trustee.

(c) As a condition of electing coverage under a health benefit plan, the retiree must, in writing, authorize the trustee to deduct the amount of the contribution from the retiree's monthly annuity payment. The trustee shall deduct the contribution in the manner and form determined by the trustee.

(d) Notwithstanding Subsection (b), a retiree is not required to pay a monthly contribution under this section until the 2022 plan year if the retiree:

(1) has taken a disability retirement under the Teacher Retirement System of Texas on or before January 1, 2017;

(2) is receiving disability retirement benefits from the Teacher Retirement System of Texas; and

(3) is not eligible to enroll in Medicare.

(e) This subsection and Subsection (d) expire at the end of the 2021 plan year on December 31, 2021.

SECTION 7. Section 1575.155(a), Insurance Code, is amended to read as follows:

(a) A retiree participating in the group program is entitled to secure for the retiree's dependents group coverage [provided for the retiree] under this chapter for which the dependents are eligible under this chapter or any other law, including requirements established~~[, as determined]~~ by the trustee.

SECTION 8. Section 1575.156, Insurance Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) A surviving spouse who is entitled to group coverage under this chapter may elect to retain or obtain coverage for which the surviving spouse or dependents of the surviving spouse are eligible ~~[at the applicable rate for the deceased participant]~~.

(c) A surviving spouse who elects under this section to retain or obtain coverage under a health benefit plan offered under the group program for the surviving spouse or dependents of the surviving spouse shall pay a monthly contribution, as determined by the trustee.

(d) As a condition of electing coverage under a health benefit plan, the surviving spouse must, in writing, authorize the trustee to deduct the amount of the contribution from the surviving spouse's monthly annuity payment. The trustee shall deduct the contribution in the manner and form determined by the trustee.

SECTION 9. Section 1575.157, Insurance Code, is amended to read as follows:

Sec. 1575.157. **COVERAGE FOR SURVIVING DEPENDENT CHILD.**

(a) A surviving dependent child, the guardian of the child's estate, or the person having custody of the child may elect to retain or obtain group coverage for which the surviving dependent child is eligible at the applicable rate for a dependent.

(b) A surviving dependent child who has coverage under a health benefit plan offered under the group program shall pay a monthly contribution, as determined by the trustee. The applicable contributions must be provided by the surviving dependent child ~~[by Section 1575.205 and]~~ by the trustee.

SECTION 10. The heading to Section 1575.158, Insurance Code, is amended to read as follows:

Sec. 1575.158. **[OPTIONAL] GROUP HEALTH BENEFIT PLANS [PLAN].**

SECTION 11. Section 1575.158, Insurance Code, is amended by amending Subsection (a) and adding Subsections (c), (d), and (e) to read as follows:

(a) ~~The [Subject to Section 1575.1581, the] trustee shall establish or [may, in addition to providing a basic plan,] contract for and make available under the group program a high deductible [an optional group] health [benefit] plan for retirees, dependents, surviving spouses, or surviving dependent children who are eligible under Section 1575.1582.~~

(c) The trustee shall establish or contract for and make available under the group program a Medicare Advantage plan and a Medicare prescription drug plan for retirees, dependents, surviving spouses, and surviving dependent children who are eligible under Section 1575.1582.

(d) Notwithstanding Subsection (c), if the trustee determines that a Medicare Advantage plan or a Medicare prescription drug plan is no longer appropriate for the group program, the trustee may establish or contract for and make available under the group program other health benefit plans to provide medical or pharmacy benefits.

(e) To the extent the group program has available funds, the trustee shall consider implementing a plan design for non-Medicare eligible enrollees in the high deductible health plan established or made available under Subsection (a) that provides assistance in the payment of preventive care, including generic preventive maintenance medications, in a manner that is consistent with federal law.

SECTION 12. Subchapter D, Chapter 1575, Insurance Code, is amended by adding Section 1575.1582 to read as follows:

Sec. 1575.1582. ELIGIBILITY FOR GROUP HEALTH BENEFIT PLANS. (a) A retiree, dependent, surviving spouse, or surviving dependent child who is not eligible to enroll in Medicare is eligible to enroll in a high deductible health plan offered under the group program, subject to any other applicable eligibility requirements, including requirements established by the trustee, but is not eligible to enroll in another health benefit plan offered under the group program.

(b) A retiree, dependent, surviving spouse, or surviving dependent child who is eligible to enroll in Medicare is eligible to enroll in a Medicare Advantage plan or a Medicare prescription drug plan offered under the group program, subject to any other applicable eligibility requirements, including requirements established by the trustee, but is not eligible to enroll in another health benefit plan offered under the group program unless authorized by Subsection (c).

(c) If the trustee makes another health benefit plan available under Section 1575.158(d), any individual otherwise eligible under this section to enroll in a Medicare Advantage plan or Medicare prescription drug plan is eligible to enroll in that health benefit plan.

SECTION 13. Section 1575.159, Insurance Code, is amended to read as follows:

Sec. 1575.159. COVERAGE FOR PROSTATE-SPECIFIC ANTIGEN TEST. A health benefit plan offered under the group program, other than a Medicare Advantage plan or a Medicare prescription drug plan, must provide coverage for a medically accepted prostate-specific antigen test used for the detection of prostate cancer for each male enrolled in the health benefit plan who:

- (1) is at least 50 years of age; or
- (2) is at least 40 years of age and:
 - (A) has a family history of prostate cancer; or
 - (B) exhibits another cancer risk factor.

SECTION 14. The heading to Section 1575.161, Insurance Code, is amended to read as follows:

Sec. 1575.161. [~~OPEN ENROLLMENT; ADDITIONAL~~] ENROLLMENT PERIODS.

SECTION 15. Section 1575.161, Insurance Code, is amended by amending Subsection (a) and adding Subsection (f) to read as follows:

(a) A retiree eligible for coverage under the group program may select for the retiree and the retiree's eligible dependents any coverage provided under this chapter for which each of those individuals [~~the person~~] is otherwise eligible:

- (1) on any date that is on or after the date the retiree [~~person~~] retires and on or before the 90th day after that date;
- (2) during a period beginning on the date the retiree reaches 65 years of age and ending on a date set by the trustee by rule; and
- (3) [~~(2)~~] during any other open enrollment periods for retirees set by the trustee by rule.

(f) An individual enrolled in a health benefit plan offered under the group program may remain enrolled in that health benefit plan as long as the individual remains eligible for that health benefit plan. If an individual becomes ineligible for a health benefit plan in which the individual is enrolled, the trustee shall enroll the individual in a health benefit plan for which the individual is eligible, if any, in accordance with procedures established by the trustee.

SECTION 16. Section 1575.164(b), Insurance Code, is amended to read as follows:

(b) A health benefit plan provided under this chapter, other than a Medicare Advantage plan or a Medicare prescription drug plan, must provide disease management services or coverage for disease management services in the manner required by the Teacher Retirement System of Texas, including:

- (1) patient self-management education;
- (2) provider education;
- (3) evidence-based models and minimum standards of care;
- (4) standardized protocols and participation criteria; and
- (5) physician-directed or physician-supervised care.

SECTION 17. Section 1575.170(b), Insurance Code, is amended to read as follows:

(b) A health benefit plan provided under this chapter, other than a Medicare Advantage plan or a Medicare prescription drug plan, that uses a drug formulary in providing a prescription drug benefit must require prior authorization for coverage of the following categories of prescribed drugs if the specific drug prescribed is not included in the formulary:

- (1) a gastrointestinal drug;
- (2) a cholesterol-lowering drug;
- (3) an anti-inflammatory drug;
- (4) an antihistamine; and
- (5) an antidepressant drug.

SECTION 18. Section 1575.201, Insurance Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The state through the trustee shall contribute from money in the fund ~~an~~†:

~~[(1) the total cost of the basic plan covering each participating retiree; and~~

~~[(2) for each participating dependent, surviving spouse, and surviving dependent child, the]~~ amount prescribed by the General Appropriations Act to cover all or part of the cost for each retiree [of the basic plan covering the dependent], surviving spouse, and surviving dependent child enrolled in a health benefit plan offered under the group program.

(c) The trustee may spend a part of the money received for the group program to offset a part of the costs for dependent coverage if the group program is projected to remain financially solvent during the currently funded biennium.

SECTION 19. Section 1575.202(a), Insurance Code, is amended to read as follows:

(a) Each state fiscal year, the state shall contribute to the fund an amount equal to 1.25 ~~[one]~~ percent of the salary of each active employee.

SECTION 20. Section 1575.210(a), Insurance Code, is amended to read as follows:

(a) Contributions allocated and appropriated under this subchapter for a state fiscal year shall be:

- (1) paid ~~[from the general revenue fund]~~ in equal monthly installments;
- (2) based on the estimated amount certified by the trustee to the comptroller for that year; and
- (3) subject to any express limitations specified in the Act making the appropriation.

SECTION 21. Section 1575.211(a), Insurance Code, is amended to read as follows:

(a) The total costs for the operation of the group program shall be shared among the state, the public schools, the active employees, ~~[and]~~ the retirees, the surviving spouses, and the surviving dependent children in the manner prescribed by the General Appropriations Act.

SECTION 22. Section 1575.212, Insurance Code, is amended by adding Subsection (a-1) and amending Subsection (b) to read as follows:

(a-1) The trustee shall establish and collect payments for the share of total costs allocated under Section 1575.211 to retirees, surviving spouses, and surviving dependent children.

(b) In establishing the payments under Subsection (a-1) [~~ranges for payment of the share of total costs allocated under Section 1575.211 to retirees~~], the trustee may consider various factors, including an enrollee's Medicare status, health benefit plan election, and dependent coverage [~~the years of service credit accrued by a retiree and may reward those retirees with more years of service credit~~].

SECTION 23. Section 1575.302, Insurance Code, is amended to read as follows:

Sec. 1575.302. PAYMENTS INTO FUND. The following shall be paid into the fund:

(1) contributions from active employees and the state [~~, including contributions for optional coverages~~];

(2) investment income;

(3) appropriations for implementation of the group program; and

(4) other money required or authorized to be paid into the fund.

SECTION 24. The following provisions of the Insurance Code are repealed:

(1) Section 1575.103;

(2) Section 1575.156(b);

(3) Section 1575.158(b);

(4) Section 1575.1581;

(5) Sections 1575.161(b), (c), (d), and (e);

(6) Section 1575.201(b);

(7) Section 1575.205;

(8) Section 1575.211(b); and

(9) Section 1575.212(a).

SECTION 25. The changes in law made by this Act apply only to health benefits provided under Chapter 1575, Insurance Code, as amended by this Act, beginning with the 2018 plan year. A plan year before the 2018 plan year is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 26. This Act takes effect September 1, 2017.

HB 1934 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

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

Representative Minjarez moved to concur in the senate amendments to **HB 1934**.

The motion to concur in the senate amendments to **HB 1934** prevailed by (Record 1771): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; 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; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dukes; Oliveira.

Absent — Larson; Pickett.

Senate Amendment No. 1 (Senate Committee Amendment No. 1)

Amend **HB 1934** (house engrossed version) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. The State Board for Educator Certification is required to implement this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the board may, but is not required to, implement this Act using other appropriations available for the purpose.

HB 136 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 136, A bill to be entitled An Act relating to inclusion of career and technology education and workforce training in the mission of public education.

Representative Bell moved to concur in the senate amendments to **HB 136**.

The motion to concur in the senate amendments to **HB 136** prevailed by (Record 1772): 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; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; 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.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dukes; Oliveira.

Absent — Goldman; Pickett; Tinderholt.

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

Amend **HB 136** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in amended Section 4.001(b), Education Code (page 1, line 37), strike "workforce training".

(2) In SECTION 1 of the bill, in amended Section 4.001(b), Education Code (page 1, lines 59-60), strike "and effective workforce training opportunities".

HB 2004 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative C. Anderson called up with senate amendments for consideration at this time,

HB 2004, A bill to be entitled An Act relating to the Texas economic development fund for the Department of Agriculture.

Representative C. Anderson moved to concur in the senate amendments to **HB 2004**.

The motion to concur in the senate amendments to **HB 2004** prevailed by (Record 1773): 126 Yeas, 19 Nays, 2 Present, not voting.

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

Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Bonnen, G.; Burrows; Cain; Fallon; Goldman; Hefner; Krause; Leach; Phillips; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused — Dukes; Oliveira.

Absent — Pickett.

STATEMENTS OF VOTE

When Record No. 1773 was taken, I was shown voting yes. I intended to vote no.

Keough

When Record No. 1773 was taken, I was shown voting yes. I intended to vote no.

Wilson

Senate Committee Substitute

CSHB 2004, A bill to be entitled An Act relating to the Texas economic development fund for the Department of Agriculture.

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

SECTION 1. Sections 12.0272(a) and (b), Agriculture Code, are amended to read as follows:

(a) The Texas economic development fund is a fund in the state treasury. The fund consists of:

(1) all interest, income, revenue, and other assets associated with economic development programs established using money allocated and paid to the department under the August 15, 2011, allocation agreement between the department and the United States Department of the Treasury, as amended, to implement the State Small Business Credit Initiative Act of 2010 (12 U.S.C. Section 5701 et seq.);

(2) all money, deposits, distributions, dividends, earnings, gain, income, interest, proceeds, profits, program income, rents, returns of capital, returns on investments, royalties, revenue, or yields received or realized by the

department as a result of an investment made by or on behalf of the department pursuant to the August 15, 2011, allocation agreement between the department and the United States Department of the Treasury, as amended;

(3) gifts, loans, donations, aid, appropriations, guaranties, allocations, subsidies, grants, or contributions received under Sections 12.022 and [Section] 12.027(g);

(4) interest and income earned on the investment of money in the fund; and

(5) other money required by law to be deposited in the fund.

(b) Money in the Texas economic development fund is dedicated to and may be appropriated only to the department for the purposes ~~[purpose]~~ of administering, continuing [establishing], implementing, or maintaining:

(1) an economic development program originally established as part of the department's implementation of the State Small Business Credit Initiative; and

~~(2) [under this section and is dedicated to and may be used only for the administration, establishment, implementation, or maintenance of]~~ one or more of the department's economic development programs:

(A) established to encourage the export of Texas agricultural products or products manufactured in rural Texas; or

(B) established through an agreement with a federal agency, foreign governmental entity, local governmental entity, nonprofit organization, private entity, public university, or state governmental entity to encourage rural economic development in this state.

SECTION 2. Chapter 12, Agriculture Code, is amended by adding Section 12.0273 to read as follows:

Sec. 12.0273. LIMITATIONS ON LOANS AND GRANTS FROM TEXAS ECONOMIC DEVELOPMENT FUND. (a) The department may use money in the Texas economic development fund only to make loans and grants in the manner provided by this section for the purposes provided by Section 12.0272(b).

(b) The recipient of a grant using money from the fund must provide matching funds in an amount equal to 25 percent of the amount of the grant.

(c) The term of a loan made using money from the fund may not exceed 20 years. A loan must require monthly payments of principal and interest beginning not later than the 90th day after the date the loan is made.

(d) The department shall administer the fund as a perpetual source of financing for loans and grants under this section. The department shall use payments of principal and interest to make additional loans and grants.

(e) The cumulative amount of loans and grants to any person using money from the fund may not exceed \$1 million.

(f) The department shall retain in the fund in the state treasury an amount of money equal to at least 25 percent of the amount of money in the fund on January 1, 2017.

(g) Not later than December 1 of each even-numbered year, the department shall submit a report on the status of the fund, including loans and grants made using money from the fund, to the governor, lieutenant governor, speaker of the house of representatives, and chairs of the house and senate committees with primary jurisdiction over the department.

SECTION 3. 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 2825 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 2825, A bill to be entitled An Act relating to the dissolution of a levee improvement district by a commissioners court.

Representative Gooden moved to concur in the senate amendments to **HB 2825**.

The motion to concur in the senate amendments to **HB 2825** prevailed by (Record 1774): 143 Yeas, 1 Nays, 3 Present, not voting.

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

Nays — Raney.

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

Absent, Excused — Dukes; Oliveira.

Absent — Bernal.

Senate Committee Substitute

CSHB 2825, A bill to be entitled An Act relating to the dissolution of a levee improvement district by a commissioners court.

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

SECTION 1. Subchapter I, Chapter 57, Water Code, is amended by adding Section 57.3295 to read as follows:

Sec. 57.3295. DISSOLUTION OF DISTRICT BY COMMISSIONERS COURT WITHOUT PETITION. (a) The commissioners court of a county that contains a portion of the Trinity River may dissolve a district at any time if the court finds the following:

(1) the district has been dormant for more than five years;
(2) the physical boundaries of the district cannot be determined;
(3) the board of directors of the district is not active, or cannot be determined;

(4) property owners of the district cannot be determined; or
(5) a levee partially or completely inside the boundaries of the district has received a rating of unacceptable from the United States Army Corps of Engineers and the district has not undertaken, attempted to undertake, or made plans to undertake reasonable efforts to address the concerns of the United States Army Corps of Engineers.

(b) The commissioners court shall hold a public hearing before voting on a dissolution order. The hearing must be held not later than the seventh day before the date the dissolution order is subject to a vote by the commissioners court.

(c) Notice of the public hearing must be published in a regularly circulated newspaper within the county not later than the seventh day before the date the public hearing is scheduled to occur.

(d) If the commissioners court votes to dissolve the district, the commissioners court shall appoint the chairman of the board or some other suitable person as trustee to close the affairs of the district without delay, and shall determine the length of the term and the amount of compensation for the trustee.

(e) A district may not be dissolved under this section if the district:

(1) has any outstanding bonds or other indebtedness until that indebtedness has been repaid or defeased in accordance with the order or resolution authorizing the issuance of the bonds; or

(2) has a contractual obligation to pay money until that obligation has been paid fully in accordance with the contract.

(f) This section applies only to a commissioners court of a county that:

(1) has a population of not less than 2.2 million and that is adjacent to a county with a population of not less than 1.8 million;

(2) has a population of not more than 200,000 and that contains a portion of Joe Pool Lake;

(3) has a population of not less than 47,000 and that contains a portion of the Richland Chambers Reservoir; or

(4) has a population of not less than 100,000 and that contains a portion of the Cedar Creek Reservoir.

SECTION 2. The heading to Section 57.322, Water Code, is amended to read as follows:

Sec. 57.322. REQUIREMENTS FOR DISSOLVING A DISTRICT BY PETITION.

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

**HB 3647 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 3647, A bill to be entitled An Act relating to the Texas Peace Officers' Memorial Monument.

Representative Dale moved to concur in the senate amendments to **HB 3647**.

The motion to concur in the senate amendments to **HB 3647** prevailed by (Record 1775): 144 Yeas, 0 Nays, 2 Present, not voting.

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

Absent, Excused — Dukes; Oliveira.

Absent — Ashby; Israel.

Senate Committee Substitute

CSHB 3647, A bill to be entitled An Act relating to the Texas Peace Officers' Memorial Monument and Ceremony.

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

SECTION 1. The heading to Chapter 3105, Government Code, is amended to read as follows:

CHAPTER 3105. TEXAS PEACE OFFICERS' MEMORIAL MONUMENT
AND CEREMONY

SECTION 2. Section 3105.002, Government Code, is amended by adding Subdivision (2-a) to read as follows:

(2-a) "Committee" means the Texas Peace Officers' Memorial Ceremony Committee.

SECTION 3. Section 3105.003, Government Code, is amended to read as follows:

Sec. 3105.003. ELIGIBILITY FOR MONUMENT. (a) A person is eligible to have the person's name on the monument if the person was killed in the line of duty and was:

(1) a law enforcement officer or peace officer for this state or a political subdivision of this state under Article 2.12, Code of Criminal Procedure, or other law;

(2) a federal law enforcement officer or special agent performing duties in this state, including those officers under Article 2.122, Code of Criminal Procedure; or

(3) a corrections or detention officer or county or municipal jailer employed or appointed by a municipal, county, or state penal institution in this state.

(b) A person described by Subsection (a) is presumed to have been killed in the line of duty if the Employees Retirement System of Texas makes payments and provides benefits to the eligible survivors of the person as provided by Chapter 615.

SECTION 4. Chapter 3105, Government Code, is amended by adding Section 3105.0035 to read as follows:

Sec. 3105.0035. NOMINATIONS; ADDITION OF NAMES TO MONUMENT. (a) A peace officer, law enforcement agency, independent researcher, or organization that advocates on behalf of the survivors of persons described by Section 3105.003 may submit to the commission a nomination to have a person's name added to the monument.

(b) The executive director of the commission shall make a preliminary recommendation to the commission on whether a person nominated under Subsection (a) is eligible under Section 3105.003.

(c) The commission shall place each nomination, including the executive director's preliminary recommendation, on the agenda of a scheduled meeting of the commission for consideration by the commission. The commission shall allow public testimony and consider any evidence presented regarding the eligibility of the person nominated. After hearing testimony and considering evidence, the commission shall determine by a public vote whether the person meets the eligibility requirements under Section 3105.003.

(d) The commission shall add a person's name to the monument if the commission determines that the person meets the eligibility requirements.

SECTION 5. Section 3105.004(b), Government Code, is amended to read as follows:

(b) The commission shall:

(1) establish and maintain historical and archival records of the inducted officers and jailers that must be accessible to family members and independent researchers; and

(2) adopt rules and establish procedures for adding names to the monument in accordance with Sections [Section] 3105.003 and 3105.0035.

SECTION 6. Section 3105.005(c), Government Code, is amended to read as follows:

(c) Money in the account may be used only for the purposes prescribed by Section 3105.004 [this chapter].

SECTION 7. Chapter 3105, Government Code, is amended by adding Sections 3105.006 and 3105.007 to read as follows:

Sec. 3105.006. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY COMMITTEE. (a) The committee is established to plan, oversee, and facilitate annual ceremonies recognizing and honoring peace officers of this state who were killed in the line of duty.

(b) The committee consists of the following members:

(1) a president, or the president's designee, of any law enforcement organization that:

(A) provides full service legal and political representation to law enforcement officers of this state;

(B) has at least 10,000 members paying dues, as provided by the organization's Internal Revenue Service Form 990 for the previous reporting period;

(C) has complied with all filing requirements of the Internal Revenue Service, the United States Department of Labor, and the secretary of state; and

(D) has an elected board of directors;

(2) a surviving spouse of a peace officer killed in the line of duty selected by the chapters of the Concerns of Police Survivors of this state; and

(3) the following nonvoting members or designees of the members:

(A) the governor;

(B) the lieutenant governor;

(C) the speaker of the house of representatives;

(D) the attorney general;

(E) the director of the Department of Public Safety;

(F) the executive director of the board; and

(G) the executive director of the commission.

Sec. 3105.007. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY. (a) The committee shall meet as necessary to plan and coordinate an annual memorial ceremony on the Capitol grounds to honor Texas peace officers who were killed in the line of duty.

(b) The committee shall hold the ceremony on a date selected by the committee during the week in which May 8 occurs.

(c) The ceremony may be funded by public or private money.

(d) Each odd-numbered year, the ceremony must include:

(1) a parade of law enforcement color guards and personnel ending at the Capitol; and

(2) a ceremony held during a joint session of the legislature on the floor of the house of representatives, if possible.

(e) During the ceremony under this section, the name of each peace officer who is being added to the monument that year must be read and the surviving family members of the peace officer must be recognized.

SECTION 8. 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 284 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

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

HB 284, A bill to be entitled An Act relating to authorization for certain health care facilities to secure residents with wheelchair self-release seat belts.

Representative Springer moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 284**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 284**: Springer, chair; Coleman, Frank, Keough, and Goldman.

**HB 2848 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 2848, A bill to be entitled An Act relating to consultations with contracted physician networks and physician systems during certain investigations of child abuse and neglect.

Representative Burkett moved to concur in the senate amendments to **HB 2848**.

The motion to concur in the senate amendments to **HB 2848** prevailed by (Record 1776): 145 Yeas, 0 Nays, 2 Present, not voting.

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

González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; 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; Oliverson; Ortega; 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; Paddie(C).

Absent, Excused — Dukes; Oliveira.

Absent — King, T.

Senate Committee Substitute

CSHB 2848, A bill to be entitled An Act relating to consultations with contracted physician networks and physician systems during certain investigations of child abuse and neglect.

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

SECTION 1. Subchapter D, Chapter 261, Family Code, is amended by adding Section 261.3017 to read as follows:

Sec. 261.3017. CONSULTATION WITH PHYSICIAN NETWORKS AND SYSTEMS REGARDING CERTAIN MEDICAL CONDITIONS. (a) In this section:

(1) "Network" means the Forensic Assessment Center Network.

(2) "System" means the entities that receive grants under the Texas Medical Child Abuse Resources and Education System (MEDCARES) authorized by Chapter 1001, Health and Safety Code.

(b) Any agreement between the department and the network or between the Department of State Health Services and the system to provide assistance in connection with abuse and neglect investigations conducted by the department must require the network and the system to have the ability to obtain consultations with physicians, including radiologists, geneticists, and endocrinologists, who specialize in identifying unique health conditions, including:

(1) rickets;

(2) Ehlers-Danlos Syndrome;

(3) osteogenesis imperfecta;

(4) vitamin D deficiency; and

(5) other similar metabolic bone diseases or connective tissue disorders.

(c) If, during an abuse or neglect investigation or an assessment provided under Subsection (b), the department or a physician in the network determines that a child requires a specialty consultation with a physician, the department or the physician shall refer the child's case to the system for the consultation, if the system has available capacity to take the child's case.

(d) In providing assessments to the department as provided by Subsection (b), the network and the system must use a blind peer review process to resolve cases where physicians in the network or system disagree in the assessment of the causes of a child's injuries or in the presence of a condition listed under Subsection (b).

SECTION 2. The changes in law made by this Act apply only to an agreement entered into or renewed on or after the effective date of this Act.

SECTION 3. This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 85th Legislature. If the legislature does not appropriate money specifically for the purpose of implementing this Act, this Act has no effect.

SECTION 4. This Act takes effect September 1, 2017.

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

Amend **CSHB 2848** (senate committee printing) by striking SECTION 3 of the bill (page 2, lines 6-10) and renumbering subsequent SECTIONS of the bill accordingly.

HB 3198 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 3198, A bill to be entitled An Act relating to liability for the additional tax imposed on land appraised for ad valorem tax purposes as qualified open-space land in the event of a change of use of the land as a result of oil and gas operations.

Representative Darby moved to concur in the senate amendments to **HB 3198**.

The motion to concur in the senate amendments to **HB 3198** prevailed by (Record 1777): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; 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.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez;

Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; 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; Paddie(C).

Absent, Excused — Dukes; Oliveira.

Absent — Coleman; Gervin-Hawkins; King, T.; Laubenberg.

Senate Committee Substitute

CSHB 3198, A bill to be entitled An Act relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land if the land begins to be used for oil and gas operations.

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

SECTION 1. Subchapter D, Chapter 23, Tax Code, is amended by adding Section 23.524 to read as follows:

Sec. 23.524. OIL AND GAS OPERATIONS ON LAND. The eligibility of land for appraisal under this subchapter does not end because a lessee under an oil and gas lease begins conducting oil and gas operations over which the Railroad Commission of Texas has jurisdiction on the land if the portion of the land on which oil and gas operations are not being conducted otherwise continues to qualify for appraisal under this subchapter.

SECTION 2. The change in law made by this Act does not affect an additional tax imposed as a result of a change of use of land appraised under Subchapter D, Chapter 23, Tax Code, that occurred before the effective date of this Act.

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

HB 2533 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 2533, A bill to be entitled An Act relating to civil suits brought by local governments or certain other persons for violations of certain laws under the jurisdiction of, or rules adopted or orders or permits issued by, the Texas Commission on Environmental Quality.

Representative Geren moved to concur in the senate amendments to **HB 2533**.

The motion to concur in the senate amendments to **HB 2533** prevailed by (Record 1778): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martínez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; 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; Paddie(C).

Absent, Excused — Dukes; Oliveira.

Senate Committee Substitute

CSHB 2533, A bill to be entitled An Act relating to civil suits brought by local governments or certain other persons for violations of certain laws under the jurisdiction of, or rules adopted or orders or permits issued by, the Texas Commission on Environmental Quality.

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

SECTION 1. Section 7.351, Water Code, is amended to read as follows:

Sec. 7.351. CIVIL SUITS. (a) Subject to Section 7.3511, if [H] it appears that a violation or threat of violation of Chapter 16, 26, or 28 of this code, Chapter 361, 371, 372, or 382, Health and Safety Code, a provision of Chapter 401, Health and Safety Code, under the commission's jurisdiction, or Chapter 1903, Occupations Code, or a rule adopted or an order or a permit issued under those chapters or provisions has occurred or is occurring in the jurisdiction of a local government, the local government or, in the case of a violation of Chapter 401, Health and Safety Code, a person affected as defined in that chapter, may institute a civil suit under Subchapter D in the same manner as the commission in a district court by its own attorney for the injunctive relief or civil penalty, or both, as authorized by this chapter against the person who committed, is committing, or is threatening to commit the violation.

(b) Subject to Section 7.3511, if [H] it appears that a violation or threat of violation of Chapter 366, Health and Safety Code, under the commission's jurisdiction or a rule adopted or an order or a permit issued under that chapter has occurred or is occurring in the jurisdiction of a local government, an authorized agent as defined in that chapter may institute a civil suit under Subchapter D in

the same manner as the commission in a district court by its own attorney for the injunctive relief or civil penalty, or both, as authorized by this chapter against the person who committed, is committing, or is threatening to commit the violation.

SECTION 2. Subchapter H, Chapter 7, Water Code, is amended by adding Section 7.3511 to read as follows:

Sec. 7.3511. PROCEDURE FOR CIVIL PENALTY; REQUIRED NOTICE. (a) In this section:

(1) "Authorized agent" has the meaning assigned by Section 366.002, Health and Safety Code.

(2) "Person affected" has the meaning assigned by Section 401.003, Health and Safety Code.

(b) This section applies only to a civil suit under this subchapter that seeks a civil penalty for a violation of a statute, rule, order, or permit described by Section 7.351.

(c) Before instituting any claim in a suit described by Subsection (b), a local government, a person affected, or an authorized agent shall provide to the attorney general and the executive director of the commission written notice of each alleged violation, the facts in support of the claim, and the specific relief sought.

(d) A local government, a person affected, or an authorized agent may institute a suit described by Subsection (b) on or after the 90th day after the date the attorney general and the executive director of the commission receive the notice required by Subsection (c) unless before the 90th day after the date the notice is received the commission has commenced a proceeding under Subchapter C or the attorney general has commenced a civil suit under Subchapter D concerning at least one of the alleged violations set forth in the notice.

(e) If a local government, a person affected, or an authorized agent discovers a violation that is within 120 days of the expiration of the limitations period described in Section 7.360, the local government, person affected, or authorized agent may institute a suit described by Subsection (b) on or after the 45th day after the date the attorney general and the executive director of the commission receive the notice required by Subsection (c) unless before the 45th day after the date the notice is received the commission has commenced a proceeding under Subchapter C or the attorney general has commenced a civil suit under Subchapter D concerning at least one of the alleged violations set forth in the notice. In the circumstances described by this subsection, in addition to providing the notice required by Subsection (c), the local government, person affected, or authorized agent must:

(1) provide a copy of the notice by certified mail or hand delivery to the chief of the division of the attorney general's office responsible for handling environmental enforcement claims; and

(2) include with the copy of the notice under Subdivision (1) a statement providing that the copy of the notice is being provided pursuant to this subsection.

SECTION 3. Section 7.357, Water Code, is repealed.

SECTION 4. The changes in law made by this Act apply only to a violation that occurs on or after the effective date of this Act. A violation that occurs before the effective date of this Act is governed by the law in effect on the date the violation occurred, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2017.

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

Amend **CSHB 2533** (senate committee printing) in SECTION 2 of the bill as follows:

(1) In added Section 7.3511(b), Water Code (page 2, line 4), between "only to" and "a civil", insert "a claim for a civil penalty in".

(2) In added Section 7.3511(b), Water Code (page 2, line 5), strike "that seeks a civil penalty".

(3) In added Section 7.3511(c), Water Code (page 2, line 7), strike "in a suit".

(4) In added Section 7.3511(d), Water Code (page 2, line 14), strike "suit" and substitute "claim".

(5) In added Section 7.3511(e), Water Code (page 2, line 26), strike "suit" and substitute "claim".

**HB 1608 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 1608, A bill to be entitled An Act relating to creating a pilot program to provide summer internships for foster children.

Representative Minjarez moved to concur in the senate amendments to **HB 1608**.

The motion to concur in the senate amendments to **HB 1608** prevailed by (Record 1779): 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; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; 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; Oliverson; Ortega; 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; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dukes; Oliveira.

Absent — Darby; Flynn; Pickett.

Senate Committee Substitute

CSHB 1608, A bill to be entitled An Act relating to creating a pilot program to provide summer internships for foster youth.

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

SECTION 1. Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.1251 to read as follows:

Sec. 264.1251. SUMMER INTERNSHIP PILOT PROGRAM. (a) The department shall establish a summer internship pilot program that provides foster youth with the opportunity to develop marketable job skills and obtain professional work experience through a summer internship with a participating business, nonprofit organization, or governmental entity.

(b) The department may collaborate with other state agencies, as appropriate, to establish the pilot program. The pilot program may be implemented in more than one department region.

(c) The department may enter into an agreement with one or more entities described by Subsection (a) to allow the entity to award internships to youth who participate in the pilot program. Internships provided under the pilot program may be paid or unpaid.

(d) Not later than April 1 of each year, the department shall select foster youth or former foster youth who are 15 years of age or older to participate in the pilot program. Each youth participating in the pilot program shall enter into an agreement with the organization awarding the internship and the department relating to the terms of the youth's internship.

(e) The department shall complete an evaluation of the pilot program not later than the second anniversary of the date the program begins.

(f) The department shall submit a report on the evaluation of the pilot program to the governor, the lieutenant governor, and the speaker of the house of representatives. The report must include:

(1) the number of youth who participated in the pilot program;

(2) the location and type of internships provided under the pilot program; and

(3) details of the department's efforts to recruit eligible youth to participate in the pilot program.

(g) The executive commissioner may adopt rules necessary to implement this section.

(h) This section expires September 1, 2021.

SECTION 2. Not later than January 1, 2018, the Department of Family and Protective Services shall establish the pilot program required by Section 264.1251, Family Code, as added by this Act.

SECTION 3. 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 51 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 51, A bill to be entitled An Act relating to regulation of the commercial oyster industry in this state; increasing criminal penalties; authorizing a fee.

Representative Guillen moved to concur in the senate amendments to **HB 51**.

The motion to concur in the senate amendments to **HB 51** prevailed by (Record 1780): 119 Yeas, 25 Nays, 2 Present, not voting.

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

Nays — Biedermann; Bonnen, G.; Burrows; Cain; Capriglione; Goldman; Hefner; Isaac; Klick; Krause; Lang; Metcalf; Price; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused — Dukes; Oliveira.

Absent — Flynn; Schofield.

STATEMENT OF VOTE

When Record No. 1780 was taken, I was in the house but away from my desk. I would have voted yes.

Schofield

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

Amend **HB 51** (senate committee report) as follows:

(1) In the recital to SECTION 3 of the bill (page 2, lines 9-10), strike "(e-2) and (e-3)" and substitute "(e-2), (e-3), (e-4), and (e-5)".

(2) In SECTION 3 of the bill, strike added Sections 76.118(e-2) and (e-3), Parks and Wildlife Code (page 2, line 16 through page 2, line 35), and substitute the following:

(e-2) The punishment for an offense otherwise punishable under Subsection (a) is a Class B Parks and Wildlife misdemeanor if it is shown on the trial of the offense that:

(1) the defendant is the captain of a commercial oyster boat or a member of the crew of a commercial oyster boat;

(2) the provision or regulation violated relates to oyster size; and

(3) the defendant has previously been convicted at least twice for a violation of a provision or regulation relating to oyster size.

(e-3) The punishment for an offense otherwise punishable under Subsection (a) is a Class C Parks and Wildlife misdemeanor, with an attendant license suspension under Section 76.1181, if it is shown on the trial of the offense that:

(1) the defendant is the captain of a commercial oyster boat or a member of the crew of a commercial oyster boat;

(2) the provision or regulation violated relates to oyster size and the defendant was in possession of a cargo of oysters in which 30 percent or more of the oysters measured less than three inches in length along an imaginary straight line through the long axis of the shell; and

(3) the defendant has previously been convicted one time for a violation of a provision or regulation relating to oyster size and the defendant was in possession of a cargo of oysters in which 30 percent or more of the oysters measured less than three inches in length along an imaginary straight line through the long axis of the shell.

(e-4) The punishment for an offense otherwise punishable under Subsection (a) is a Class B Parks and Wildlife misdemeanor, with an attendant license suspension under Section 76.1181, if it is shown on the trial of the offense that:

(1) the defendant is the captain of a commercial oyster boat or a member of the crew of a commercial oyster boat;

(2) the provision or regulation violated relates to oyster size and the defendant was in possession of a cargo of oysters in which 30 percent or more of the oysters measured less than three inches in length along an imaginary straight line through the long axis of the shell; and

(3) the defendant has previously been convicted at least two times for a violation of a provision or regulation relating to oyster size and the defendant during both offenses was in possession of a cargo of oysters in which 30 percent or more of the oysters measured less than three inches in length along an imaginary straight line through the long axis of the shell.

(e-5) It is a defense to prosecution under Subsection (a) for a violation of a statute or regulation adopted relating to oyster size that the defendant is a person who purchased oysters from the captain or a member of the crew of a commercial oyster boat and the purchaser was in possession of a cargo of oysters in which less than 30 percent of the oysters were less than three inches in length along an imaginary straight line through the long axis of the shell.

(3) In SECTION 4 of the bill, in added Section 76.1181(e), Parks and Wildlife Code (page 2, line 62), between "for" and "an", insert "the third offense within five years of the commission of".

(4) In SECTION 4 of the bill, in added Section 76.1181(b), Parks and Wildlife Code (page 2, line 43), between "(e-3)" and the underlined comma, insert "or (e-4)".

(5) In SECTION 4 of the bill, in added Section 76.1181(c), Parks and Wildlife Code (page 2, line 46), between "(e-3)" and the underlined comma, insert "or (e-4)".

(6) In SECTION 4 of the bill, in added Section 76.1181(d), Parks and Wildlife Code (page 2, line 53), between "(e-3)" and the underlined comma, insert "or (e-4)".

(7) In SECTION 4 of the bill, in added Section 76.1181(d-1), Parks and Wildlife Code (page 2, line 59), between "(e-3)" and the underlined comma, insert "or (e-4)".

(8) In SECTION 4 of the bill, in added Section 76.1181(e), Parks and Wildlife Code (page 2, line 63), strike "(e-3)" and substitute ", for a violation of a provision or regulation relating to oyster size in which the conviction was for possession of a cargo of oysters in which 30 percent or more of the oysters measured less than three inches in length along an imaginary straight line through the long axis of the shell".

(9) In SECTION 5 of the bill, in added Section 76.119(d), Parks and Wildlife Code (page 3, lines 24 and 25), strike ", 76.112, or 76.116" and substitute "or 76.112".

HB 1884 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative C. Anderson called up with senate amendments for consideration at this time,

HB 1884, A bill to be entitled An Act relating to the penalties for certain littering offenses.

Representative C. Anderson moved to concur in the senate amendments to **HB 1884**.

The motion to concur in the senate amendments to **HB 1884** prevailed by (Record 1781): 136 Yeas, 7 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; 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; Zedler; Zerwas.

Nays — Cain; Keough; Lang; Rinaldi; Schaefer; Stickland; Swanson.

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

Absent, Excused — Dukes; Oliveira.

Absent — Bonnen, D.; Geren.

STATEMENT OF VOTE

When Record No. 1781 was taken, I was in the house but away from my desk. I would have voted no.

D. Bonnen

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

Amend **HB 1884** (senate committee printing) in SECTION 1 of the bill, in amended Article 42A.304(e), Code of Criminal Procedure (page 1, line 32), following "is located.", by adding the following:

A court may credit the amount of community service performed by a defendant under this subsection toward any amount of community service the defendant is ordered to perform under another provision of this code as a result of the defendant's inability to pay a fine or cost imposed in the judgment for the applicable offense.

HB 658 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 658. A bill to be entitled An Act relating to priority voting for voters with certain disabilities substantially impairing mobility.

Representative Bernal moved to concur in the senate amendments to **HB 658**.

The motion to concur in the senate amendments to **HB 658** prevailed by (Record 1782): 130 Yeas, 14 Nays, 3 Present, not voting.

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

Nays — Cain; Capriglione; Goldman; Klick; Krause; Rinaldi; Schaefer; Simmons; Springer; Stickland; Stucky; Swanson; Tinderholt; Wilson.

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

Absent, Excused — Dukes; Oliveira.

Absent — Pickett.

STATEMENT OF VOTE

When Record No. 1782 was taken, I was shown voting yes. I intended to vote no.

White

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

Amend **HB 658** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 86.003, Election Code, is amended by amending Subsections (a) and (b) and adding Subsection (e) to read as follows:

(a) The balloting materials for voting by mail shall be provided to the voter by mail, unless the ballot is delivered to a voter for early voting under Chapter 107. A ballot provided by any other method may not be counted.

(b) Subject to Subsection (c), the balloting materials shall be addressed to the applicable address specified in the voter's application. The election officer providing the ballot may not knowingly deliver ~~mail~~ the materials to an address other than that prescribed by this section.

(e) A voter who makes an application to vote early by mail on the grounds of age or disability requesting that the ballot be sent to the address of a residential care facility, as defined by Chapter 107, is required to vote as provided by that chapter if five or more applications for ballots to be voted by mail are made by residents of the same facility who request that the ballots be sent to that facility.

SECTION _____. Section 86.004, Election Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsection (b) or (c), the balloting materials for voting by mail shall be mailed to a voter entitled to vote by mail not later than the seventh calendar day after the later of the date the clerk accepts the voter's application for a ballot to be voted by mail or the date the ballots become available for mailing, except that if that mailing date is earlier than the 45th day before election day, the balloting materials shall be mailed not later than the 38th day before election day.

(c) An application to vote early by mail on the grounds of age or disability requesting that the ballot be sent to the address of a residential care facility, as defined by Chapter 107, shall be held until the earlier of:

(1) the date on which five or more applications for ballots to be voted by mail made by residents of the same facility who request that the ballots be sent to that facility have been received, in which case ballots may not be mailed to the voters and voting shall be conducted under Chapter 107; or

(2) the last day on which an application for a ballot to be voted by mail may be received, after which the ballot shall promptly be mailed to the voter.

SECTION _____. Subtitle B, Title 7, Election Code, is amended by adding Chapter 107 to read as follows:

CHAPTER 107. EARLY VOTING AT A RESIDENTIAL CARE FACILITY

Sec. 107.001. PURPOSE. This chapter is enacted to facilitate voting in a nursing home, other long-term care facility, or retirement center in which a significant number of occupants, patients, or residents lack adequate transportation to an appropriate polling place, need assistance in voting, are 65 years of age or older or are disabled, or are indefinitely confined.

Sec. 107.002. DEFINITION. In this chapter, "residential care facility" means a facility licensed and regulated under Chapter 242 or 247, Health and Safety Code, with more than 10 beds.

Sec. 107.003. APPLICABILITY OF EARLY VOTING BY PERSONAL APPEARANCE PROVISIONS. To the extent applicable and not in conflict with this chapter, Chapter 85 applies to voting at a residential care facility under this chapter.

Sec. 107.004. EARLY VOTING AT RESIDENTIAL CARE FACILITY REQUIRED. (a) A voter residing in a residential care facility who has applied to vote early by mail on the grounds of age or disability and who requested that the ballot be sent to the address of the facility, must vote as provided by this chapter if five or more applications for ballots to be voted by mail were made by residents of the same facility who requested that the ballots be sent to the facility.

(b) If a residential care facility has fewer than five residents qualified to vote under this chapter on January 1 of each calendar year, the secretary of state may exempt a residential care facility from the requirements of this chapter. For this exemption to apply, the Department of State Health Services and the facility director must provide written confirmation that the exemption applies to the residential care facility. The secretary of state shall adopt rules to implement this subsection.

Sec. 107.005. ELECTION JUDGES; QUALIFICATIONS; OATH.

(a) Additional election judges shall be selected to serve at a residential care facility in the same manner as election judges are selected to serve at a polling place for early voting by personal appearance under Chapter 32. The county chair of a political party shall indicate on the list of names of persons whether a person is willing to serve as an election judge under this chapter.

(b) An election judge serving at a residential care facility may be a volunteer, an employee of the authority conducting the election, or compensated by the authority conducting the election in the same manner as an election judge for a polling place for early voting by personal appearance.

(c) A person may not serve as an election judge for a residential care facility if at any time during the two years preceding the election, the person has been employed at a residential care facility in the county where the person seeks to serve as an election judge.

(d) Before beginning the duties of an election judge under this chapter, each individual appointed to serve as an election judge at a residential care facility shall sign and date this oath:

I swear (or affirm) that I will not in any manner request or seek to persuade or induce any voter to vote for or against any candidate or measure to be voted on, and that I will faithfully perform my duty as an officer of the election and guard the purity of the election.

I have read the statutes and training materials provided and will conduct this election accordingly.

I understand that failing to follow procedures exactly may result in invalidation of the voter's ballot.

I will not unduly influence or pressure a person to participate or cast a ballot in the election.

I will not influence the choice of a voter to choose a particular primary ballot, vote in a particular race or election, or vote on a particular proposition.

Signed this ___ day of ___, 20__.

Date: _____

(e) The secretary of state shall provide training for an election judge serving under this section.

Sec. 107.006. VOTING LOCATION. (a) The administrator of the residential care facility shall make available an area located in a common area of the facility for the purposes of voting under this chapter. The area shall allow a voter to cast a secret ballot.

(b) The facility administrator shall allow posting of required notices during the period that voting is conducted under this chapter.

(c) An election judge may enter the private room of a voter who requests that balloting materials be brought to the voter.

Sec. 107.007. NOTICE OF ELECTION IN RESIDENTIAL CARE FACILITY; DETERMINATION OF TIME FOR VOTING. (a) If early voting at a residential care facility is required under this chapter, the early voting clerk shall give notice that early voting will occur at the facility and appoint election judges for the purpose of conducting voting under this chapter.

(b) Not later than 5 p.m. on the sixth business day before election day, the election judges shall, with the input of the administrator of the residential care facility, designate one or more times for voting to be conducted. Voting may be conducted not earlier than the 29th day before election day and not later than the fourth day preceding election day.

(c) Notice of the time or times for conducting the election shall be posted at the residential care facility by the election judge and on the appropriate county's Internet website as soon as practicable after determining the time and not later than the fifth day before the first day on which voting will be conducted at the facility.

(d) The early voting clerk shall maintain a public list of all residential care facilities in the clerk's jurisdiction at which voting is conducted under this chapter. The list must be available on the website of the authority conducting the election or posted at the location where public notices are posted in the county courthouse or authority public building, as applicable, and for each facility state:

- (1) the name of the facility;
- (2) the address of the facility;
- (3) the dates and times for voting at the facility; and
- (4) the names of the election judges for the facility.

(e) The secretary of state with the assistance of the Department of State Health Services shall create a list of all residential care facilities eligible under this chapter on January 1 of each calendar year in an early voting clerk's jurisdiction. The secretary of state shall provide the list to the early voting clerk.

(f) At any time during the year and regardless of whether five or more voters at a residential care facility have requested ballots to be voted by mail, the early voting clerk may post notice of the dates on which voting will be conducted at the facility under this chapter for each election. If the early voting clerk posts notice under this subsection, the names of the election judges and the hours during which voting will be conducted must be posted at least 48 hours before voting is conducted at the facility, notwithstanding Subsection (c).

Sec. 107.008. CONDUCT OF ELECTION. (a) In an election conducted under this chapter, the early voting clerk shall deliver to the election judges for a residential care facility the balloting materials for any qualified voters who have requested a mail ballot for an election that would have been otherwise mailed to the voter at the facility under Chapter 86.

(b) The election judges for a residential care facility shall deliver the balloting materials to the voter at the facility.

(c) The voter shall mark and seal the ballot in the same manner as a voter voting under Chapter 86.

(d) Both election judges for the residential care facility shall sign the carrier envelope as witnesses. In the space for the address of the witness, each election judge shall write in "Residential Care Facility Election Judge."

(e) The election judges shall accept the carrier envelope and place the envelope in a secure bag or ballot container for transport to the early voting clerk's office.

(f) Ballots voted at a residential care facility shall be processed for counting in the manner provided by Chapter 86 for a ballot voted by mail.

Sec. 107.009. VOTING BY ADDITIONAL QUALIFIED VOTERS.

(a) The early voting clerk shall produce a list of all additional qualified voters who reside and are registered to vote at a residential care facility where voting is conducted under this chapter.

(b) The clerk shall supply the election judges for the residential care facility with sufficient additional ballots and voting materials to allow any additional qualified voter who resides at the facility to vote under this chapter. During the voting period, any registered voter who resides at the facility may complete an application to request a mail ballot as if they were voting by mail. An election judge for the facility shall serve as a witness for any person who is unable to sign their name and may witness multiple applications.

(c) An election judge for the residential care facility must accept a properly completed application for a ballot made under this section, and shall provide a ballot to the voter. The election judge shall make a notation on an application that it was made under this section.

(d) A voter who applies for a ballot under this section shall vote in the manner provided by Section 107.008, except that the voter's ballot must be stored with the voter's application, and the voter's ballot may not be counted if the voter was not a qualified voter for the election as demonstrated from the information contained in the voter's application.

(e) An election judge at the residential care facility may assist and witness a ballot received by a voter who resides at the facility and is not registered to vote at the facility while the election judge is present at the facility.

(f) The secretary of state may prescribe an application for a voter to request a ballot under Subsection (b).

Sec. 107.010. RETENTION OF RECORDS. (a) The election judges for the residential care facility shall record the number of ballots voted. Both of the election judges for each facility and the early voting clerk shall sign and attest to the number of ballots issued.

(b) On completion of voting under this chapter, the election judges must record the number of:

- (1) completed ballots;
- (2) spoiled ballots; and
- (3) unused returned ballots.

Sec. 107.011. PROOF OF IDENTIFICATION PRESENTED AT RESIDENTIAL CARE FACILITY. (a) Notwithstanding Section 63.0101 or any other law, a voter voting under this chapter may submit a statement as proof of identification signed by both election judges for the residential care facility that:

(1) contains the name and address of the voter; and
(2) verifies that the voter is a resident of the facility and appears on the list of registered voters.

(b) The election judges shall enclose the statement in the carrier envelope.

Sec. 107.012. ASSISTING VOTER; NOTICE. (a) On written request to the early voting clerk by a relative of a registered voter in a residential care facility, the clerk may notify the relative of the time or times at which election judges will conduct voting at the facility. The relative may be present at the facility while voting is conducted.

(b) A voter may receive assistance in the same manner as provided by Subchapter B, Chapter 64.

(c) An election judge shall seal a ballot if the voter receives assistance from a person who is not an election judge.

Sec. 107.013. SECURITY OF BALLOTS AND MATERIALS. (a) On completion of the voting each day on which voting is conducted at a residential care facility under this chapter, the election judges for the facility shall seal the ballot envelopes and any absentee ballot applications inside a secure envelope and shall seal the envelope and sign the seal. The election judges shall place the envelope inside a ballot bag or container.

(b) As soon as possible after conducting voting at a residential care facility, but not later than 18 hours after leaving the facility, the election judges shall deliver the ballot bag or container to the early voting clerk.

Sec. 107.014. PROVISION OF MAIL BALLOT TO CERTAIN VOTERS.

(a) If a qualified voter residing at a residential care facility and seeking to vote at the facility under this chapter is not able to cast a ballot during any time when voting is conducted at the facility, the election judges for the facility shall inform the early voting clerk not later than the fourth day before election day. The clerk shall mail the ballot to the voter not later than the fourth day before election day.

(b) Any registered voter who did not cast a ballot at the residential care facility may cast a ballot by:

(1) voting in person on election day; or

(2) voting by mail.

(c) An election judge shall leave a ballot package for a voter who:

(1) requested a ballot to be voted by mail and was not present during the scheduled time for early voting at the residential care facility; and

(2) is expected to return to the residential care facility before the deadline for returning a ballot by mail.

(d) If a voter who requested a ballot to be voted by mail under this chapter is temporarily located at another location, including by hospitalization:

(1) the early voting clerk may mail the ballot to the voter's temporary address, if known; or

(2) the election judge may personally deliver the ballot package to the voter's temporary address, if known.

(e) If an election judge personally delivers a ballot package under Subsection (d), the election judge may:

(1) allow the ballot to be returned by mail; or

(2) accept the marked ballot personally.

Sec. 107.015. WATCHERS. (a) In an election held under this chapter, a watcher may observe the process of ballot distribution in the common areas of a residential care facility in a manner consistent with Chapter 33.

(b) A political party entitled to have the names of its nominees placed on the general election ballot may appoint a watcher to accompany the election judges to a residential care facility.

(c) A political party seeking to appoint a watcher to serve at a residential care facility shall submit the name of the watcher to the county election officer of the county in which the facility is located, not later than the close of business on the last business day before the date the watcher seeks to observe the conduct of the election under this chapter.

(d) A watcher must present the watcher's certificate of appointment to an election judge for the residential care facility on arrival at the facility.

(e) A watcher has access to the same areas of the residential care facility as an election judge.

Sec. 107.016. LIMITATIONS ON APPLICABILITY OF CHAPTER.

(a) The early voting clerk is not required to send election judges to conduct an election at a residential care facility unless there are at least five registered voters who are residents of the facility.

(b) This chapter does not prevent a registered voter from:

(1) voting early by personal appearance;

(2) voting on election day; or

(3) voting by mail from an address other than the residential care facility, including from the address of a family member designated under Section 84.002.

Sec. 107.017. RULES. The secretary of state shall adopt rules and prescribe procedures for voting at a residential care facility in accordance with this chapter.

SECTION _____. Subchapter A, Chapter 242, Health and Safety Code, is amended by adding Section 242.0181 to read as follows:

Sec. 242.0181. COMPLIANCE WITH CERTAIN REQUIREMENTS REGARDING EARLY VOTING. An institution must comply with Chapter 107, Election Code.

SECTION _____. Subchapter A, Chapter 247, Health and Safety Code, is amended by adding Section 247.008 to read as follows:

Sec. 247.008. COMPLIANCE WITH CERTAIN REQUIREMENTS REGARDING EARLY VOTING. An assisted living facility must comply with Chapter 107, Election Code.

SECTION _____. Sections 242.0181 and 247.008, Health and Safety Code, as added by this Act, apply only to a license issued or renewed on or after the effective date of this Act. A license issued or renewed before that date is governed by the law in effect on the date the license was issued or renewed, and the former law is continued in effect for that purpose.

**HB 2552 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative S. Thompson called up with senate amendments for consideration at this time,

HB 2552, A bill to be entitled An Act relating to measures to address and deter certain criminal or other unlawful activity, including trafficking of persons, sexual offenses, prostitution, and activity that may constitute a public nuisance; increasing criminal penalties; creating a criminal offense.

Representative S. Thompson moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 2552**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 2552**: S. Thompson, chair; Schofield, Paddie, Farrar, and Collier.

**HB 3496 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 3496, A bill to be entitled An Act relating to voting procedures for policyholders of farm mutual insurance companies.

Representative Shine moved to concur in the senate amendments to **HB 3496**.

The motion to concur in the senate amendments to **HB 3496** prevailed by (Record 1783): 138 Yeas, 7 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; 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 — Bonnen, D.; Burrows; Cyrier; Murr; Rinaldi; Schaefer; Schubert.

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

Absent, Excused — Dukes; Oliveira.

Absent — Walle.

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

Amend **HB 3496** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Section 221.001, Insurance Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) This chapter does not apply to:

(1) a fraternal benefit society, including a fraternal benefit society operating under Chapter 885;

(2) a group hospital service corporation operating under Chapter 842;

(3) a stipulated premium company operating under Chapter 884;

(4) a mutual assessment association, company, or corporation regulated under Chapter 887; ~~or~~

(5) a purely cooperative or mutual fire insurance company carried on by its members solely for the protection of their own property and not for profit, except as provided by Section 221.002(b)(13); or

(6) a farm mutual insurance company operating under Chapter 911, unless the company is acting as a fronting insurer.

(c) In this section, "fronting insurer" means a farm mutual insurance company:

(1) issuing an insurance policy that is the result of:

(A) marketing by an insurer not affiliated with the farm mutual insurance company;

(B) an application submitted by a consumer to an insurer not affiliated with the farm mutual insurance company; or

(C) an agreement with an insurer that is not a farm mutual insurance company solely for the purpose of being regulated under Chapter 911;

or

(2) that cedes 85 percent or more of the farm mutual insurance company's direct written premium to one or more nonaffiliated reinsurers.

SECTION _____. Section 252.005, Insurance Code, is amended to read as follows:

Sec. 252.005. EXCEPTION. This chapter does not apply to:

(1) a farm mutual insurance company operating under Chapter 911, unless the company is acting as a fronting insurer as defined by Section 221.001(c); or

(2) a mutual insurance company engaged in business under Chapter 12, Title 78, Revised Statutes, before that chapter's repeal by Section 18, Chapter 40, Acts of the 41st Legislature, 1st Called Session, 1929, as amended by Section 1, Chapter 60, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, that retains the rights and privileges under the repealed law to the extent provided by those sections.

SECTION _____. Section 2210.006(b), Insurance Code, is amended to read as follows:

(b) This chapter does not apply to:

(1) a farm mutual insurance company operating under Chapter 911, unless the company is acting as a fronting insurer, as defined by Section 221.001(c);

(2) a nonaffiliated county mutual fire insurance company described by Section 912.310 that is writing exclusively industrial fire insurance policies as described by Section 912.310(a)(2); or

(3) a mutual insurance company or a statewide mutual assessment company engaged in business under Chapter 12 or 13, Title 78, Revised Statutes, respectively, before those chapters' repeal by Section 18, Chapter 40, Acts of the 41st Legislature, 1st Called Session, 1929, as amended by Section 1, Chapter 60, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, that retains the rights and privileges under the repealed law to the extent provided by those sections.

SECTION _____. (a) Sections 221.001 and 252.005, Insurance Code, as amended by this Act, do not affect tax liability accruing before the 2017 calendar year. That liability continues in effect as if this Act had not been enacted, and the former law is continued in effect for the collection of taxes due and for civil and criminal enforcement of the liability for those taxes.

(b) Section 2210.006(b), Insurance Code, as amended by this Act, applies only to participation in the Texas Windstorm Insurance Association on or after the effective date of this Act, including the payment of assessments the liability for which accrues on or after that date. Participation in the Texas Windstorm Insurance Association before the effective date of this Act, including the payment of assessments the liability for which accrued before that date, is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

HB 3016 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative S. Thompson called up with senate amendments for consideration at this time,

HB 3016, A bill to be entitled An Act relating to the eligibility of a criminal defendant for an order of nondisclosure of criminal history record information.

Representative S. Thompson moved to concur in the senate amendments to **HB 3016**.

The motion to concur in the senate amendments to **HB 3016** prevailed by (Record 1784): 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; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Murr; Phillips; Wu.

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

Absent, Excused — Dukes; Oliveira.

Senate Committee Substitute

CSHB 3016, A bill to be entitled An Act relating to the eligibility of a criminal defendant for an order of nondisclosure of criminal history record information.

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

SECTION 1. Subchapter E-1, Chapter 411, Government Code, is amended by adding Section 411.0716 to read as follows:

Sec. 411.0716. APPLICABILITY OF SUBCHAPTER. (a) Except as provided by Subsection (b), this subchapter applies to the issuance of an order of nondisclosure of criminal history record information for an offense committed before, on, or after September 1, 2017.

(b) Section 411.072 applies only to a person described by Subsection (a) of that section who receives a discharge and dismissal under Article 42A.111, Code of Criminal Procedure, on or after September 1, 2017.

SECTION 2. Section 411.072, Government Code, is amended by amending Subsections (a) and (b) and adding Subsection (d) to read as follows:

(a) This section applies only to a person who:

(1) was placed on deferred adjudication community supervision under Subchapter C [~~Section 5~~], Chapter 42A [~~Article 42.12~~], Code of Criminal Procedure, for a misdemeanor other than a misdemeanor:

(A) under Chapter 20, 21, 22, 25, 42, 43, 46, or 71, Penal Code; or

(B) with respect to which an affirmative finding under Article 42A.105(f), Code of Criminal Procedure, or former Section 5(k), Article 42.12, Code of Criminal Procedure, was filed in the papers of the case; and

(2) has never been previously convicted of or placed on deferred adjudication community supervision for another offense other than a traffic ~~an~~ offense ~~[under the Transportation Code]~~ that is punishable by fine only.

(b) Notwithstanding any other provision of this subchapter or Subchapter F, if a person described by Subsection (a) receives a discharge and dismissal under ~~[Section 5(e),]~~ Article 42A.111 [42.12], Code of Criminal Procedure, and satisfies the requirements of Section 411.074, the court that placed the person on deferred adjudication community supervision shall issue an order of nondisclosure of criminal history record information under this subchapter prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense giving rise to the deferred adjudication community supervision. The court shall determine whether the person satisfies the requirements of Section 411.074, and if the court makes a finding that the requirements of that section are satisfied, the court shall issue the order of nondisclosure of criminal history record information:

(1) at the time the court discharges and dismisses the proceedings against the person, if the discharge and dismissal occurs on or after the 180th day after the date the court placed the person on deferred adjudication community supervision; or

(2) as soon as practicable on or after the 180th day after the date the court placed the person on deferred adjudication community supervision, if the discharge and dismissal occurred before that date.

(d) A person who is not eligible to receive an order of nondisclosure of criminal history record information under this section solely because an affirmative finding under Article 42A.105(f), Code of Criminal Procedure, or former Section 5(k), Article 42.12, Code of Criminal Procedure, was filed in the papers of the case may file a petition for an order of nondisclosure of criminal history record information under Section 411.0725 if the person otherwise satisfies the requirements of that section.

SECTION 3. Sections 411.073(a) and (b), Government Code, are amended to read as follows:

(a) This section applies only to a person placed on community supervision under Chapter 42A ~~[Article 42.12]~~, Code of Criminal Procedure:

(1) following a conviction of a misdemeanor other than a misdemeanor under Section 106.041, Alcoholic Beverage Code, Section 49.04, 49.05, 49.06, or 49.065, Penal Code, or Chapter 71, Penal Code; and

(2) under a provision of Chapter 42A ~~[Article 42.12]~~, Code of Criminal Procedure, other than Subchapter C [Section 5], including:

(A) a provision that requires the person to serve a term of confinement as a condition of community supervision; or

(B) another provision that authorizes placing a person on community supervision after the person has served part of a term of confinement imposed for the offense.

(b) Notwithstanding any other provision of this subchapter or Subchapter F, a person described by Subsection (a) whose community supervision is not revoked and who completes the period of community supervision, including any term of confinement imposed and payment of all fines, costs, and restitution imposed, may petition the court that placed the person on community supervision for an order of nondisclosure of criminal history record information under this section if the person:

(1) satisfies the requirements of this section and Section 411.074; and

(2) has never been previously convicted of or placed on deferred adjudication community supervision for another offense other than a traffic ~~off~~ offense ~~under the Transportation Code~~ that is punishable by fine only.

SECTION 4. Subchapter E-1, Chapter 411, Government Code, is amended by adding Section 411.0731 to read as follows:

Sec. 411.0731. PROCEDURE FOR COMMUNITY SUPERVISION FOLLOWING CONVICTION; CERTAIN DRIVING WHILE INTOXICATED CONVICTIONS. (a) This section applies only to a person placed on community supervision under Chapter 42A, Code of Criminal Procedure:

(1) following a conviction of an offense under Section 49.04, Penal Code, other than an offense punishable under Subsection (d) of that section; and

(2) under a provision of Chapter 42A, Code of Criminal Procedure, other than Subchapter C, including:

(A) a provision that requires the person to serve a term of confinement as a condition of community supervision; or

(B) another provision that authorizes placing a person on community supervision after the person has served part of a term of confinement imposed for the offense.

(b) Notwithstanding any other provision of this subchapter or Subchapter F, a person described by Subsection (a) whose community supervision is not revoked and who completes the period of community supervision, including any term of confinement imposed and payment of all fines, costs, and restitution imposed, may petition the court that placed the person on community supervision for an order of nondisclosure of criminal history record information under this section if the person:

(1) satisfies the requirements of this section and Section 411.074; and

(2) has never been previously convicted of or placed on deferred adjudication community supervision for another offense other than a traffic offense that is punishable by fine only.

(c) A petition for an order of nondisclosure of criminal history record information filed under this section must include evidence that the person is entitled to file the petition.

(d) Except as provided by Subsection (e), after notice to the state, an opportunity for a hearing, and a determination that the person is entitled to file the petition and issuance of an order of nondisclosure of criminal history record information is in the best interest of justice, the court shall issue an order

prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense giving rise to the community supervision.

(e) A court may not issue an order of nondisclosure of criminal history record information under this section if the attorney representing the state presents evidence sufficient to the court demonstrating that the commission of the offense for which the order is sought resulted in a motor vehicle accident involving another person, including a passenger in a motor vehicle operated by the person seeking the order of nondisclosure.

(f) A person may petition the court that placed the person on community supervision for an order of nondisclosure of criminal history record information under this section only on or after:

(1) the second anniversary of the date of completion of the community supervision, if the person successfully complied with a condition of community supervision that, for a period of not less than six months, restricted the person's operation of a motor vehicle to a motor vehicle equipped with an ignition interlock device; or

(2) the fifth anniversary of the date of completion of the community supervision, if the court that placed the person on community supervision did not order the person to comply with a condition of community supervision described by Subdivision (1) for the period described by that subdivision.

SECTION 5. Section 411.0735, Government Code, is amended to read as follows:

Sec. 411.0735. PROCEDURE FOR CONVICTION [~~AND CONFINEMENT~~]; CERTAIN MISDEMEANORS. (a) This section applies only to a person who:

(1) is convicted of a misdemeanor other than a misdemeanor under Section 106.041, Alcoholic Beverage Code, Section 49.04, 49.05, 49.06, or 49.065, Penal Code, or Chapter 71, Penal Code; and

(2) ~~is sentenced to and serves a period of confinement; and~~
~~(3)~~ is not eligible for an order of nondisclosure of criminal history record information under Section 411.073.

(b) Notwithstanding any other provision of this subchapter or Subchapter F, a person described by Subsection (a) who completes the person's sentence, including any term of confinement imposed and payment of all fines, costs, and restitution imposed, [period of confinement and is released] may petition the court that imposed the sentence for an order of nondisclosure of criminal history record information under this section if the person:

(1) satisfies the requirements of this section and Section 411.074; and

(2) has never been previously convicted of or placed on deferred adjudication community supervision for another offense other than a traffic [an] offense that is [under the Transportation Code] punishable by fine only.

(c) Except as provided by Subsection (c-1), after [After] notice to the state, an opportunity for a hearing, and a determination that the person is entitled to file the petition and issuance of the order is in the best interest of justice, the court

shall issue an order prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense for which the person was convicted [~~giving rise to the confinement~~].

(c-1) A court may not issue an order of nondisclosure of criminal history record information under this section if the offense for which the order is sought is a misdemeanor punishable by fine only and the court determines that the offense was violent or sexual in nature.

(d) A person may petition the court that imposed the sentence for an order of nondisclosure of criminal history record information under this section only on or after:

(1) the date of completion of the person's sentence, if the offense of which the person was convicted was a misdemeanor punishable by fine only; or

(2) the second anniversary of the date of completion of the person's sentence, if the offense of which the person was convicted was a misdemeanor other than a misdemeanor described by Subdivision (1) [~~period of confinement~~].

SECTION 6. Subchapter E-1, Chapter 411, Government Code, is amended by adding Section 411.0736 to read as follows:

Sec. 411.0736. PROCEDURE FOR CONVICTION; CERTAIN DRIVING WHILE INTOXICATED CONVICTIONS. (a) This section applies only to a person who:

(1) is convicted of an offense under Section 49.04, Penal Code, other than an offense punishable under Subsection (d) of that section; and

(2) is not eligible for an order of nondisclosure of criminal history record information under Section 411.0731.

(b) Notwithstanding any other provision of this subchapter or Subchapter F, a person described by Subsection (a) who completes the person's sentence, including any term of confinement imposed and payment of all fines, costs, and restitution imposed, may petition the court that imposed the sentence for an order of nondisclosure of criminal history record information under this section if the person:

(1) satisfies the requirements of this section and Section 411.074; and

(2) has never been previously convicted of or placed on deferred adjudication community supervision for another offense other than a traffic offense that is punishable by fine only.

(c) A petition for an order of nondisclosure of criminal history record information filed under this section must include evidence that the person is entitled to file the petition.

(d) Except as provided by Subsection (e), after notice to the state, an opportunity for a hearing, and a determination that the person is entitled to file the petition and issuance of an order of nondisclosure of criminal history record information is in the best interest of justice, the court shall issue an order prohibiting criminal justice agencies from disclosing to the public criminal history record information related to the offense for which the person was convicted.

(e) A court may not issue an order of nondisclosure of criminal history record information under this section if the attorney representing the state presents evidence sufficient to the court demonstrating that the commission of the offense for which the order is sought resulted in a motor vehicle accident involving another person, including a passenger in a motor vehicle operated by the person seeking the order of nondisclosure.

(f) A person may petition the court that imposed the sentence for an order of nondisclosure of criminal history record information under this section on or after:

(1) the third anniversary of the date of completion of the person's sentence, if the person successfully complied with a condition of the sentence that, for a period of not less than six months, restricted the person's operation of a motor vehicle to a motor vehicle equipped with an ignition interlock device; or

(2) the fifth anniversary of the date of completion of the person's sentence, if the court that imposed the sentence did not order the person to comply with a condition described by Subdivision (1) for the period described by that subdivision.

SECTION 7. Section 411.074, Government Code, is amended to read as follows:

Sec. 411.074. REQUIRED CONDITIONS FOR RECEIVING AN ORDER OF NONDISCLOSURE. (a) A person may be granted an order of nondisclosure of criminal history record information under this subchapter and, when applicable, is entitled to petition the court to receive an order under this subchapter only if, during the period after the court pronounced the sentence or placed the person on community supervision, including deferred adjudication community supervision, for the offense for which the order of nondisclosure is requested, and during any applicable waiting period for the person under this subchapter following [after] completion of the person's sentence or community supervision, including deferred adjudication community supervision ~~[required by this subchapter]~~, the person is not convicted of or placed on deferred adjudication community supervision ~~[under Subchapter C, Chapter 42A, Code of Criminal Procedure,]~~ for any offense other than a traffic ~~[an]~~ offense that is ~~[under the Transportation Code]~~ punishable by fine only.

(b) A person may not be granted an order of nondisclosure of criminal history record information under this subchapter and is not entitled to petition the court for an order of nondisclosure under this subchapter if:

(1) the person requests the order of nondisclosure ~~[was convicted or placed on deferred adjudication community supervision]~~ for, or the person has been previously convicted of or placed on ~~[any other]~~ deferred adjudication community supervision for:

(A) an offense requiring registration as a sex offender under Chapter 62, Code of Criminal Procedure;

(B) an offense under Section 20.04, Penal Code, regardless of whether the offense is a reportable conviction or adjudication for purposes of Chapter 62, Code of Criminal Procedure;

(C) an offense under Section 19.02, 19.03, 20A.02, 20A.03, 22.04, 22.041, 25.07, 25.072, or 42.072, Penal Code; or

(D) any other offense involving family violence, as defined by Section 71.004, Family Code; or

(2) the court makes an affirmative finding that the offense for which the order of nondisclosure [~~of criminal history record information~~] is requested involved family violence, as defined by Section 71.004, Family Code.

SECTION 8. Section 411.0765(a), Government Code, is amended to read as follows:

(a) A criminal justice agency may disclose criminal history record information that is the subject of an order of nondisclosure of criminal history record information under this subchapter only:

(1) to other criminal justice agencies;

(2) [;] for criminal justice or regulatory licensing purposes;

(3) to [;] an agency or entity listed in Subsection (b);

(4) to [~~or~~] the person who is the subject of the order; or

(5) for the purpose of complying with a requirement under federal law or if federal law requires the disclosure as a condition of receiving federal highway funds.

SECTION 9. Subchapter A, Chapter 42A, Code of Criminal Procedure, is amended by adding Article 42A.002 to read as follows:

Art. 42A.002. REFERENCE IN LAW. A reference in a law to a statute or a part of a statute revised in this chapter by Chapter 770 (HB 2299), Acts of the 84th Legislature, Regular Session, 2015, is considered to be a reference to the part of this chapter that revises that statute or part of that statute.

SECTION 10. Article 42A.105, Code of Criminal Procedure, is amended to conform to Chapter 1279 (SB 1902), Acts of the 84th Legislature, Regular Session, 2015, by adding Subsection (f) to read as follows:

(f) If a judge places on deferred adjudication community supervision a defendant charged with a misdemeanor other than a misdemeanor under Chapter 20, 21, 22, 25, 42, 43, 46, or 71, Penal Code, the judge shall make an affirmative finding of fact and file a statement of that affirmative finding with the papers in the case if the judge determines that it is not in the best interest of justice that the defendant receive an automatic order of nondisclosure under Section 411.072, Government Code.

SECTION 11. (a) Section 16, Chapter 1279 (SB 1902), Acts of the 84th Legislature, Regular Session, 2015, which amended Section 5, Article 42.12, Code of Criminal Procedure, is repealed.

(b) Section 32, Chapter 1279 (SB 1902), Acts of the 84th Legislature, Regular Session, 2015, is repealed.

SECTION 12. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 13. This Act takes effect September 1, 2017.

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

Amend **CSHB 3016** (senate committee printing) in SECTION 5 of the bill, in added Section 411.0735(c-1), Government Code (page 4, lines 14-16), by striking "the offense for which the order is sought is a misdemeanor punishable by fine only and the court determines that the offense" and substituting "the court determines that the offense for which the order is sought, other than an offense under Section 22.01, Penal Code,".

**HB 2762 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 2762, A bill to be entitled An Act relating to broker agreements for the sale of certain surplus property by a county.

Representative Workman moved to concur in the senate amendments to **HB 2762**.

The motion to concur in the senate amendments to **HB 2762** prevailed by (Record 1785): 141 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, G.; Burkett; Burns; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; 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; Oliverson; Ortega; 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; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Bonnen, D.; Burrows; Goldman; Springer.

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

Absent, Excused — Dukes; Oliveira.

Absent — Thierry.

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

Amend **HB 2762** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In the heading to added Section 263.1545, Local Government Code (page 1, line 23), between "PROPERTY" and the underlined period, insert "BY CERTAIN COUNTIES".

(2) In added Section 263.1545(a)(1), Local Government Code (page 1, line 25), between "county" and the underlined semicolon, insert "with a population of more than 1 million and less than 1.5 million".

Senate Amendment No. 2 (Senate Floor Amendment No. 2)

Amend **HB 2762** (senate committee printing) in SECTION 1 of the bill, between added Sections 263.1545(b) and (c), Local Government Code (page 1, between lines 36 and 37), by adding the following appropriately lettered subsection and relettering subsections of that section accordingly:

() Notwithstanding any other law, including Section 262.024, a broker agreement under this section is subject to the competitive procurement procedures for services under Subchapter C, Chapter 262, regardless of the amount of the proposed broker's fee.

**HB 3287 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 3287, A bill to be entitled An Act relating to the sale of ale and beer by certain brewers and manufacturers.

Representative Goldman moved to concur in the senate amendments to **HB 3287**.

The motion to concur in the senate amendments to **HB 3287** prevailed by (Record 1786): 115 Yeas, 30 Nays, 2 Present, not voting.

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

Nays — Anderson, R.; Bell; Bernal; Biedermann; Bonnen, D.; Cain; Dean; Fallon; Isaac; Israel; Keough; Klick; Krause; Lang; Leach; Metcalf; Morrison; Phillips; Rinaldi; Rodriguez, E.; Romero; Sanford; Schaefer; Schofield; Shaheen; Stickland; Swanson; Tinderholt; Uresti; Zedler.

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

Absent, Excused — Dukes; Oliveira.

Absent — Thierry.

STATEMENTS OF VOTE

When Record No. 1786 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1786 was taken, I was shown voting no. I intended to vote yes.

Uresti

When Record No. 1786 was taken, I was shown voting yes. I intended to vote no.

Wilson

Senate Committee Substitute

CSHB 3287, A bill to be entitled An Act relating to the sale of ale and beer by certain brewers and manufacturers.

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

SECTION 1. The legislature finds that:

(1) the state is authorized under the Twenty-first Amendment of the United States Constitution to promote the public's interest in the fair, efficient, and competitive marketing of ale and beer in this state;

(2) the United States Supreme Court in *Granholm v. Heald*, 544 U.S. 460 (2005), has recognized that the three-tier system of regulating the alcoholic beverage industry is unquestionably legitimate;

(3) in *Granholm*, the United States Supreme Court further recognized that while the states are entitled to regulate the production and sales of liquor within their borders, the right is nonetheless subject to the provisions of the Constitution of the United States, including the Interstate Commerce Clause, and laws regulating the alcoholic beverage industry may not discriminate against out-of-state participants or give undue deference to local participants and may not ignore other provisions of the Constitution, including the Supremacy Clause, Commerce Clause, and the Privileges and Immunities Clause with its nondiscriminatory principles;

(4) the state is authorized to promote, market, and educate consumers about the emerging small brewing industry;

(5) it is the state's interest that nothing in this Act be construed to conflict with Article 1, Sections 16 and 17 of the Texas Constitution, with regard to the impairment of contract, retroactive application of law, or taking of property;

(6) it is in the state's interest to encourage entrepreneurial and small business development opportunities in the state that will lead to new capital investment in the state, create new jobs in the state, and expand the state and local tax base; and

(7) it is the public policy of the state to exercise the police power of the state to protect the welfare, health, peace, temperance, and safety of the people of Texas.

SECTION 2. Section 12.052, Alcoholic Beverage Code, is amended to read as follows:

Sec. 12.052. SALES BY CERTAIN BREWERS TO CONSUMERS. (a) In addition to the activities authorized by Section 12.01, the holder of a brewer's permit whose annual production of ale, together with the annual production of beer by the holder of a manufacturer's license at all [the same] premises wholly or partly owned, directly or indirectly, by the permit holder or an affiliate or subsidiary of the permit holder, does not exceed a total of 225,000 barrels may sell ale produced on the brewer's premises under the permit to ultimate consumers on the brewer's premises for responsible consumption on the brewer's premises.

(b) The total combined sales of ale to ultimate consumers under this section, together with the sales of beer to ultimate consumers by the holder of a manufacturer's license under Section 62.122 at the same premises, may not exceed 5,000 barrels annually.

(c) Subject to Subsections (b), (d), and (e), the holder of a brewer's permit may sell ale produced on the brewer's premises under the permit to ultimate consumers on the brewer's premises for responsible consumption on the brewer's premises even if the annual production limit prescribed by Subsection (a) is exceeded if:

(1) the permit holder:

(A) was legally operating a manufacturing facility with on-premise sales under Subsection (a) on February 1, 2017; or

(B) purchased an ownership interest in, or was purchased by the holder of, a permit or license issued under Chapter 12, 13, 62, or 63; and

(2) the permit holder has annual production that does not exceed 175,000 barrels at the brewer's premises.

(d) For purposes of Subsection (c)(1)(B), a permit holder may not sell to a permit or license holder whose annual production exceeds the limit prescribed by Subsection (a) an ownership interest:

(1) of more than 25 percent in the permitted location; or

(2) that provides the purchaser with the ability to control the operations at the permitted location.

(e) A holder of a brewer's permit who under Subsection (c) sells ale produced on the brewer's premises under the permit to ultimate consumers on the brewer's premises for responsible consumption on the brewer's premises:

(1) shall file a territorial agreement with the commission under Subchapters C and D, Chapter 102;

(2) must purchase any ale the permit holder sells on the brewer's premises from the holder of a permit issued under Chapter 19, 20, or 21; and

(3) with respect to those purchases, must comply with the requirements of this code governing dealings between a distributor or wholesaler and a member of the retail tier, including Section 102.31.

(f) The commission by rule or order shall annually adjust the production limit prescribed by Subsection (c)(2) in an amount that is equal to the percentage of the state's population growth for the previous year as determined by the state demographer under Chapter 468, Government Code.

SECTION 3. Sections 12A.02(a) and (b), Alcoholic Beverage Code, are amended to read as follows:

(a) A holder of a brewer's self-distribution permit whose annual production of ale under the brewer's or nonresident brewer's permit, together with the annual production of beer by the holder of a manufacturer's or nonresident manufacturer's license at all ~~[the same]~~ premises owned directly or indirectly by the permit holder or an affiliate or subsidiary of the permit holder, does not exceed 125,000 barrels may sell ale produced under the brewer's or nonresident brewer's permit to those persons to whom the holder of a general class B wholesaler's permit may sell ale under Section 20.01(3).

(b) The total combined sales of ale under this section, together with the sales of beer by the holder of a manufacturer's self-distribution license under Section 62A.02 at all ~~[the same]~~ premises owned directly or indirectly by the permit holder or an affiliate or subsidiary of the permit holder, may not exceed 40,000 barrels annually.

SECTION 4. Section 62.122, Alcoholic Beverage Code, is amended to read as follows:

Sec. 62.122. SALES BY CERTAIN MANUFACTURERS TO CONSUMERS. (a) A manufacturer's licensee whose annual production of beer, together with the annual production of ale by the holder of a brewer's permit at all ~~[the same]~~ premises wholly or partly owned, directly or indirectly, by the license holder or an affiliate or subsidiary of the license holder, does not exceed 225,000 barrels may sell beer produced on the manufacturer's premises under the license to ultimate consumers on the manufacturer's premises for responsible consumption on the manufacturer's premises.

(b) The total combined sales of beer to ultimate consumers under this section, together with the sales of ale to ultimate consumers by the holder of a brewer's permit under Section 12.052 at the same premises, may not exceed 5,000 barrels annually.

(c) Subject to Subsections (b), (d), and (e), the holder of a manufacturer's license may sell beer produced on the manufacturer's premises under the license to ultimate consumers on the manufacturer's premises for responsible consumption on the manufacturer's premises even if the annual production limit prescribed by Subsection (a) is exceeded if:

(1) the license holder:

(A) was legally operating a manufacturing facility with on-premise sales under Subsection (a) on February 1, 2017; or

(B) purchased an ownership interest in, or was purchased by the holder of, a permit or license issued under Chapter 12, 13, 62, or 63; and

(2) the license holder has annual production that does not exceed 175,000 barrels at the manufacturer's premises.

(d) For purposes of Subsection (c)(1)(B), a license holder may not sell to a permit or license holder whose annual production exceeds the limit prescribed by Subsection (a) an ownership interest:

(1) of more than 25 percent in the permitted location; or

(2) that provides the purchaser with the ability to control the operations at the permitted location.

(e) A holder of a manufacturer's license who under Subsection (c) sells beer produced on the manufacturer's premises under the license to ultimate consumers on the manufacturer's premises for responsible consumption on the manufacturer's premises:

(1) shall file a territorial agreement with the commission under Subchapters C and D, Chapter 102;

(2) must purchase any beer the license holder sells on the manufacturer's premises from the holder of a license issued under Chapter 64, 65, or 66; and

(3) with respect to those purchases, must comply with the requirements of this code governing dealings between a distributor or wholesaler and a member of the retail tier, including Sections 61.73 and 102.31.

(f) The commission by rule or order shall annually adjust the production limit prescribed by Subsection (c)(2) in an amount that is equal to the percentage of the state's population growth for the previous year as determined by the state demographer under Chapter 468, Government Code.

SECTION 5. Sections 62A.02(a) and (b), Alcoholic Beverage Code, are amended to read as follows:

(a) A holder of a manufacturer's self-distribution license whose annual production of beer under the manufacturer's or nonresident manufacturer's license, together with the annual production of ale by the holder of a brewer's or nonresident brewer's permit at all ~~[the same]~~ premises owned directly or indirectly by the license holder or an affiliate or subsidiary of the license holder, does not exceed 125,000 barrels may sell beer produced under the manufacturer's or nonresident manufacturer's license to those persons to whom the holder of a general distributor's license may sell beer under Section 64.01(a)(2).

(b) The total combined sales of beer under this section, together with the sales of ale by the holder of a brewer's self-distribution permit under Section 12A.02 at all ~~[the same]~~ premises owned directly or indirectly by the license holder or an affiliate or subsidiary of the license holder, may not exceed 40,000 barrels annually.

SECTION 6. APPLICABILITY. (a) Notwithstanding any provision under Chapters 12 and 62, any manufacturer's licensee or a holder of a brewer's permit, whose combined annual production exceeds the 225,000 barrel threshold in sections 12.052(a) or 62.122(a) by the license or permit holder or an affiliate or subsidiary of the license or permit holder as revised by this Act, that operates a

premise purchased on or before February 1, 2017 that is licensed or permitted to manufacture or brew beer or ale purchased and on which the total production of beer and ale is less than 225,000 barrels, shall be granted the right to sell beer and ale to the ultimate consumer at the purchased premise under the law as it existed prior to the passage of this Act.

(b) Notwithstanding any provision under Chapters 12 and 62, a manufacturer's licensee or a holder of a brewer's permit, whose combined annual production exceeds the 225,000 barrel threshold in sections 12.052(a) or 62.122(a) as revised by this Act who operates a premise which legally sells beer or ale to the ultimate consumer at a premise purchased prior to February 1, 2017 pursuant to subsection (a) may establish no more than two additional facilities which sell beer or ale to the ultimate consumer provided those facilities each produce less than 225,000 barrels of beer and ale and comply with the provisions in Sections 12.052 (b) and (e) and 62.122 (b) and (e).

SECTION 7. 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.

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

Amend **CSHB 3287** (senate committee report) as follows:

In SECTION 6 of the bill, strike the word "purchased" (page 4, line 17).

HB 1207 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 1207, A bill to be entitled An Act relating to the powers and duties of the Kaufman County Fresh Water Supply District No. 1-A; providing authority to issue bonds, impose a tax, and levy assessments.

Representative Gooden moved to concur in the senate amendments to **HB 1207**.

The motion to concur in the senate amendments to **HB 1207** prevailed by (Record 1787): 135 Yeas, 10 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson;

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

Nays — Biedermann; Bonnen, D.; Cain; Krause; Lang; Rinaldi; Shaheen; Stickland; Swanson; Tinderholt.

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

Absent, Excused — Dukes; Oliveira.

Senate Committee Substitute

CSHB 1207, A bill to be entitled An Act relating to the powers and duties of the Kaufman County Fresh Water Supply District No. 1-A; providing authority to issue bonds and levy assessments.

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

SECTION 1. Subtitle B, Title 6, Special District Local Laws Code, is amended by adding Chapter 6916 to read as follows:

CHAPTER 6916. KAUFMAN COUNTY FRESH WATER SUPPLY DISTRICT

NO. 1-A

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6916.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Director" means a board member.

(3) "District" means the Kaufman County Fresh Water Supply District

No. 1-A.

Sec. 6916.002. NATURE OF DISTRICT. The district is a fresh water supply district created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 6916.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

(1) developing and diversifying the economy of the state;

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center; and

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, vehicle parking, and street art objects are parts of and necessary components of a street and are considered to be an improvement project that includes a street or road improvement.

Sec. 6916.004. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, the following laws apply to the district:

(1) Chapters 49, 51, and 53, Water Code;

(2) Chapters 372 and 375, Local Government Code; and

(3) Chapter 257, Transportation Code, and other general laws applicable to road districts created under Section 52, Article III, Texas Constitution, to the extent those provisions can apply to the district.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 6916.051. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, concreted, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 6916.052. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Sec. 6916.053. JOINT ROAD PROJECTS. (a) A district may contract with a state agency, political subdivision, or corporation created under Chapter 431, Transportation Code, for a joint road project.

(b) The contract may:

(1) provide for joint payment of project costs; and

(2) require the state agency, political subdivision, or corporation to design, construct, or improve a project, including landscaping, as provided by the contract.

Sec. 6916.054. EXEMPTION FROM CERTAIN SUPERVISION AND APPROVAL REQUIREMENTS. (a) The district may reimburse expenditures as provided by Sections 257.003(a) and (b), Transportation Code, without the approval required by Section 257.003(c), Transportation Code.

(b) The district may reimburse expenditures for a project constructed or acquired under Section 6916.051 or 6916.053 without the approval required by Section 49.107(f), Water Code.

(c) Sections 49.181 and 49.182, Water Code, and Section 375.208, Local Government Code, do not apply to:

(1) a project authorized by Section 6916.051 or 6916.053;

(2) bonds issued for a project described by Subdivision (1); or

(3) bonds issued under Chapter 372, Local Government Code, as authorized by Section 6916.151(b).

Sec. 6916.055. ROAD CONTRACTS. The district may enter into a contract for a road project in the same manner as a road district under Chapter 257, Transportation Code, except that competitive bidding for a road project contract is governed by Subchapter I, Chapter 49, Water Code.

Sec. 6916.056. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

(b) This chapter applies to any new district created by the division of the district, and a new district has all the powers and duties of the district.

(c) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the boundaries of the district as the boundaries exist on the effective date of the Act enacting this chapter.

(d) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.

(e) An order dividing the district must:

(1) name each new district;

(2) include the metes and bounds description of the territory of each new district;

(3) appoint temporary directors for each new district; and

(4) provide for the division of assets and liabilities between or among the new districts.

(f) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

(g) Any new district created by the division of the district shall hold a confirmation and directors' election as required by Chapter 49, Water Code.

(h) If the creation of the new district is confirmed, the new district shall provide the election date and results to the Texas Commission on Environmental Quality.

(i) Any new district created by the division of the district must hold an election as required by this chapter to obtain voter approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes.

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 6916.101. ASSESSMENTS. (a) The district may impose an assessment on property in the district to pay for an improvement project or an obligation described by Section 6916.151 in the manner provided for:

(1) a district under Subchapters A, E, and F, Chapter 375, Local Government Code; or

(2) a municipality or county under Subchapter A, Chapter 372, Local Government Code.

(b) The district may impose an assessment for any district operation and maintenance or authorized improvement or supplemental service, including public safety services, in the manner provided for:

(1) a district under Subchapters A, E, and F, Chapter 375, Local Government Code; or

(2) a municipality or county under Subchapter A, Chapter 372, Local Government Code.

(c) The district may not impose an assessment on a municipality, county, or other political subdivision.

Sec. 6916.102. RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to the district.

SUBCHAPTER D. BONDS

Sec. 6916.151. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) Subject to Subsections (e) and (f), the district may issue bonds or other obligations to finance the construction, maintenance, or operation of road projects authorized by Section 6916.051 or 6916.053.

(b) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from assessments in the manner provided by:

(1) Subchapter J, Chapter 375, Local Government Code; or

(2) Subchapter A, Chapter 372, Local Government Code, if an improvement project financed by an obligation issued under this subsection will be conveyed to or operated and maintained by a municipality or retail utility provider under an agreement between the district and the municipality or retail utility provider entered into before the issuance of the obligation.

(c) The district may issue by competitive bidding or negotiated sale bonds or other obligations, payable wholly or partly from any available revenue of the district, to pay for an improvement project.

(d) The district may issue by competitive bidding or negotiated sale bonds or other obligations, payable wholly or partly from any available revenue of the district or contract revenue from another district that is secured by ad valorem taxes imposed by or other revenue from the other district, to pay for a joint utility or road project.

(e) The district may not issue bonds or other obligations payable wholly or partly from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

(f) At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. (a) The following are validated and confirmed in all respects:

(1) the creation of the Kaufman County Fresh Water Supply District No. 1-A; and

(2) any act or proceeding of the district, including an election, not excepted by this section and taken not more than three years before the effective date of this Act, effective as of the date on which the act or proceeding occurred.

(b) This section does not apply to:

(1) an act, proceeding, director, other official, bond, or other obligation the validity of which or of whom is the subject of litigation that is pending on the effective date of this Act; or

(2) an act or proceeding that, under a statute of this state or the United States, was a misdemeanor or felony at the time the act or proceeding occurred.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. 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 1978 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 1978, A bill to be entitled An Act relating to physician assistant services performed as volunteer care.

Representative Sheffield moved to concur in the senate amendments to **HB 1978**.

The motion to concur in the senate amendments to **HB 1978** prevailed by (Record 1788): 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; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; 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; Oliverson; Ortega; 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; Paddie(C).

Absent, Excused — Dukes; Oliveira.

Absent — Cortez.

STATEMENT OF VOTE

When Record No. 1788 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

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

Amend **HB 1978** (senate committee report) in SECTION 1 of the bill, in Subsection (d) of amended Section 204.2045, Occupations Code (page 1, line 53), by striking "Subsection (a)" and substituting "Subsection (a)(1) or (2) [Subsection (a)]".

HB 2565 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 2565, A bill to be entitled An Act relating to the powers and duties of the Big Sky Municipal Utility District of Denton County; providing authority to issue bonds and impose fees and taxes.

Representative Stucky moved to concur in the senate amendments to **HB 2565**.

The motion to concur in the senate amendments to **HB 2565** prevailed by (Record 1789): 130 Yeas, 15 Nays, 3 Present, not voting.

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

Nays — Biedermann; Bonnen, D.; Bonnen, G.; Burrows; Cain; Goldman; Krause; Rinaldi; Sanford; Schaefer; Simmons; Stickland; Tinderholt; White; Zedler.

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

Absent, Excused — Dukes; Oliveira.

STATEMENTS OF VOTE

When Record No. 1789 was taken, I was shown voting yes. I intended to vote no.

Shaheen

When Record No. 1789 was taken, I was shown voting yes. I intended to vote no.

Wilson

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

Amend **HB 2565** (senate committee printing) by striking all below the enacting clause and substituting the following:

ARTICLE 1. POWERS AND DUTIES OF THE BIG SKY MUNICIPAL UTILITY DISTRICT OF DENTON COUNTY

SECTION 1.01. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7973 to read as follows:

CHAPTER 7973. BIG SKY MUNICIPAL UTILITY DISTRICT OF DENTON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7973.001. DEFINITION. In this chapter, "district" means the Big Sky Municipal Utility District of Denton County.

Sec. 7973.002. NATURE AND PURPOSES OF DISTRICT. (a) The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

(b) The district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7973.051. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7973.052. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7973.053. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7973.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Sec. 7973.055. FIREFIGHTING SERVICES. Notwithstanding Section 49.351(a), Water Code, the district may, as authorized by Section 59(f), Article XVI, Texas Constitution, and Section 49.351, Water Code:

(1) establish, operate, and maintain a fire department;

(2) contract with another political subdivision for the joint operation of a fire department; or

(3) contract with any other person to perform firefighting services in the district and may issue bonds and impose taxes to pay for the department and the activities.

Sec. 7973.056. FEES AND CHARGES. (a) The district may adopt and enforce all necessary charges, mandatory fees, or rentals, in addition to taxes, for providing or making available any district facility or service, including firefighting activities provided under Section 7973.055.

(b) To enforce payment of an unpaid fee or charge due to the district, on the request of the district, a retail public utility, as defined by Section 13.002, Water Code, providing water or sewer service to a customer in the district shall terminate the service.

SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

Sec. 7973.101. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS FOR ROAD PROJECTS. (a) In addition to the district's authority to issue bonds for other purposes, the district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for a road project authorized by Section 7973.053.

(b) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

(c) At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

Sec. 7973.102. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the district shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding.

SECTION 1.02. The Big Sky Municipal Utility District of Denton County retains all rights, powers, privileges, authority, duties, and functions that it had before the effective date of this article of this Act.

SECTION 1.03. (a) The legal notice of the intention to introduce a bill relating to the powers and duties of the Big Sky Municipal Utility District, setting forth the general substance of this article of this Act, has been published as provided by law, and the notice and a copy of a bill relating to the powers and duties of the Big Sky Municipal Utility District have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and a bill relating to the powers and duties of the Big Sky Municipal Utility District to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this article of this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this article of this Act are fulfilled and accomplished.

ARTICLE 2. POWERS AND DUTIES OF THE SMILEY ROAD WATER CONTROL AND IMPROVEMENT DISTRICT

SECTION 2.01. Section 9001.104, Special District Local Laws Code, is amended to read as follows:

Sec. 9001.104. ~~[PROHIBITION ON]~~ DIVISION OF DISTRICT. (a) The district may be divided into two or more districts only if the district:

- (1) has no outstanding bonded debt; and
- (2) is not imposing ad valorem taxes.

(b) This chapter applies to any new district created by the division of the district, and a new district has all the powers and duties of the district.

(c) A new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 9001.004.

(d) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.

(e) An order dividing the district shall:

- (1) name each new district;
- (2) include the metes and bounds of each new district;
- (3) appoint temporary directors for each new district; and
- (4) provide for the division of assets and liabilities between the district

and each new district.

(f) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

(g) A new district may be created by the division of the district only if approved by the voters of the new district in a confirmation and directors' election held for that purpose.

(h) If the district is located wholly or partly in the corporate limits or the extraterritorial jurisdiction of a municipality, the district may not divide under this section unless the municipality by resolution or ordinance consents to the division of the district.

(i) Any new district created by the division of the district must hold an election to obtain voter approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes. ~~[The district may not divide into two or more districts in the manner specified by Section 51.748 or 53.029, Water Code.]~~

SECTION 2.02. (a) The following are validated and confirmed in all respects:

(1) the creation of the Smiley Road Water Control and Improvement District; and

(2) any act or proceeding of the district, including an election, not excepted by this section and taken not more than three years before the effective date of this Act, effective as of the date on which the act or proceeding occurred.

(b) This section does not apply to:

(1) an act, proceeding, director, other official, bond, or other obligation the validity of which or of whom is the subject of litigation that is pending on the effective date of this Act; or

(2) an act or proceeding that, under a statute of this state or the United States, was a misdemeanor or felony at the time the act or proceeding occurred.

ARTICLE 3. EFFECTIVE DATE

SECTION 3.01. 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 478 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 478, A bill to be entitled An Act relating to civil liability for removing certain individuals or animals from a motor vehicle.

Representative Israel moved to concur in the senate amendments to **HB 478**.

The motion to concur in the senate amendments to **HB 478** prevailed by (Record 1790): 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; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; 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; Zerwas.

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

Absent, Excused — Dukes; Oliveira.

Absent — Zedler.

Senate Committee Substitute

CSHB 478, A bill to be entitled An Act relating to civil liability for removing certain individuals from a motor vehicle.

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

SECTION 1. Title 4, Civil Practice and Remedies Code, is amended by adding Chapter 92A to read as follows:

CHAPTER 92A. LIMITATION OF LIABILITY FOR REMOVING CERTAIN INDIVIDUALS FROM MOTOR VEHICLE

Sec. 92A.001. DEFINITIONS. In this chapter:

(1) "Motor vehicle" means a vehicle that is self-propelled or a trailer or semitrailer designed for use with a self-propelled vehicle.

(2) "Vulnerable individual" means:

(A) a child younger than seven years of age; or

(B) an individual who by reason of age or physical or mental disease, defect, or injury is substantially unable to protect the individual's self from harm.

Sec. 92A.002. LIMITATION OF LIABILITY. A person who, by force or otherwise, enters a motor vehicle for the purpose of removing a vulnerable individual from the vehicle is immune from civil liability for damages resulting from that entry or removal if the person:

(1) determines that:

(A) the motor vehicle is locked; or

(B) there is no reasonable method for the individual to exit the motor vehicle without assistance;

(2) has a good faith and reasonable belief, based on known circumstances, that entry into the motor vehicle is necessary to avoid imminent harm to the individual;

(3) before entering the motor vehicle, ensures that law enforcement is notified or 911 is called if the person is not a law enforcement officer or other first responder;

(4) uses no more force to enter the motor vehicle and remove the individual than is necessary; and

(5) remains with the individual in a safe location that is in reasonable proximity to the motor vehicle until a law enforcement officer or other first responder arrives.

Sec. 92A.003. EFFECT ON OTHER LAWS. This chapter does not affect limitation under Section 74.151 or 74.152 of a person's liability for good faith administration of emergency care.

SECTION 2. Chapter 92A, Civil Practice and Remedies Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

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

**HB 2776 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 2776, A bill to be entitled An Act relating to the right of certain appellants to supersede a judgment or order on appeal.

Representative Smithee moved to concur in the senate amendments to **HB 2766**.

The motion to concur in the senate amendments to **HB 2776** prevailed by (Record 1791): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gerwin-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; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; 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; Paddie(C).

Absent, Excused — Dukes; Oliveira.

Absent — Faircloth; Laubenberg.

Senate Committee Substitute

CSHB 2776, A bill to be entitled An Act relating to the right of certain appellants to supersede a judgment or order on appeal.

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

SECTION 1. Section 22.004, Government Code, is amended by adding Subsection (i) to read as follows:

(i) The supreme court shall adopt rules to provide that the right of an appellant under Section 6.001(b)(1), (2), or (3), Civil Practice and Remedies Code, to supersede a judgment or order on appeal is not subject to being counter-superseded under Rule 24.2(a)(3), Texas Rules of Appellate Procedure, or any other rule. Counter-supersedeas shall remain available to parties in a lawsuit concerning a matter that was the basis of a contested case in an administrative enforcement action.

SECTION 2. The Texas Supreme Court shall adopt the rules required by Section 22.004(i), Government Code, as added by this Act, before May 1, 2018.

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

**HB 298 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

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

Representative Larson moved to concur in the senate amendments to **HB 298**.

The motion to concur in the senate amendments to **HB 298** prevailed by (Record 1792): 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; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; 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; Paddie(C).

Absent, Excused — Dukes; Oliveira.

Senate Committee Substitute

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

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

SECTION 1. Chapter 49, Code of Criminal Procedure, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PARENTAL RIGHT TO VIEW DECEASED CHILD

Art. 49.51. DEFINITIONS. In this subchapter:

(1) "Child" means a person younger than 18 years of age.

(2) "Parent" has the meaning assigned by Section 160.102(11), Family Code.

Art. 49.52. PARENTAL RIGHT TO VIEW DECEASED CHILD.

(a) Except as provided by Subsection (b) or (c), a parent of a deceased child is entitled to view the child's body before a justice of the peace or the medical examiner, as applicable, for the county in which the death occurred assumes control over the body under Subchapter A or B, as applicable. If the child's death occurred at a hospital or other health care facility, the viewing may be conducted at the hospital or facility.

(b) A parent of a deceased child may not view the child's body after a justice of the peace or medical examiner described by Subsection (a) assumes control over the body under Subchapter A or B, as applicable, unless the parent first obtains the consent of the justice of the peace or medical examiner or a person acting on behalf of the justice of the peace or medical examiner.

(c) A viewing of the body of a deceased child whose death is determined to be subject to an inquest under Article 49.04 or 49.25, as applicable, must be conducted in compliance with the following conditions:

(1) the viewing must be supervised by:

(A) if law enforcement has assumed control over the body at the time of the viewing, an appropriate peace officer or, with the officer's consent, a person described by Paragraph (B); or

(B) a physician, registered nurse, or licensed vocational nurse or the justice of the peace or the medical examiner or a person acting on behalf of the justice of the peace or medical examiner;

(2) a parent of the deceased child may not have contact with the child's body unless the parent first obtains the consent of the justice of the peace or medical examiner or a person acting on behalf of the justice of the peace or medical examiner; and

(3) a person may not remove a medical device from the child's body or otherwise alter the condition of the body for purposes of conducting the viewing unless the person first obtains the consent of the justice of the peace or medical examiner or a person acting on behalf of the justice of the peace or medical examiner.

(d) A person is not entitled to compensation for performing duties on behalf of a justice of the peace or medical examiner under this article unless the commissioners court of the applicable county approves the compensation.

SECTION 2. This Act takes effect September 1, 2017.

HB 2662 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 2662, A bill to be entitled An Act relating to the Texas Low-Level Radioactive Waste Disposal Compact waste disposal facility.

Representative Landgraf moved to concur in the senate amendments to **HB 2662**.

The motion to concur in the senate amendments to **HB 2662** prevailed by (Record 1793): 137 Yeas, 5 Nays, 2 Present, not voting.

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

Nays — Biedermann; Bonnen, D.; Cain; Stickland; Tinderholt.

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

Absent, Excused — Dukes; Oliveira.

Absent — Faircloth; Hinojosa; Shaheen; Walle.

STATEMENTS OF VOTE

When Record No. 1793 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

When Record No. 1793 was taken, I was in the house but away from my desk. I would have voted yes.

Shaheen

Senate Committee Substitute

CSHB 2662, A bill to be entitled An Act relating to the Texas Low-Level Radioactive Waste Disposal Compact waste disposal facility; reducing a surcharge; eliminating a fee.

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

SECTION 1. (a) Section 401.207(g), Health and Safety Code, is amended to read as follows:

(g) The commission shall assess a surcharge for the disposal of nonparty compact waste at the compact waste disposal facility. The surcharge is 10 [~~20~~] percent of the total contracted rate under Section 401.2456 and must be assessed in addition to the total contracted rate under that section.

(b) Effective September 1, 2019, Section 401.207(g), Health and Safety Code, is amended to read as follows:

(g) The commission shall assess a surcharge for the disposal of nonparty compact waste at the compact waste disposal facility. The surcharge is 20 percent of the total contracted rate under Section 401.2456 and must be assessed in addition to the total contracted rate under that section.

SECTION 2. Section 401.208, Health and Safety Code, is amended by amending Subsections (a), (c), and (e) and adding Subsection (a-1) to read as follows:

(a) At least once every four years, the [The] commission shall conduct a study on the available volume and curie capacity of the compact waste disposal facility for the disposal of party state compact waste and nonparty compact waste.

(a-1) In order to conduct the study under this section, the commission may require a generator of low-level radioactive waste to provide annually:

(1) information reasonably necessary to evaluate the adequacy of the capacity of the compact waste disposal facility as accurately as possible, including the amount in volume and curies that the generator intends to export or dispose of at a facility other than the compact waste disposal facility;

(2) the amount in volume and curies of low-level radioactive waste that was stored on-site at the generator's facility in the preceding year; and

(3) the length of time waste was stored at the generator's facility.

(c) ~~The [Not later than December 1, 2016, the] commission shall submit a final report of the results of the study to the standing committees of the senate and the house of representatives with jurisdiction over the disposal of low-level radioactive waste.~~

(e) The commission may conduct a study described by Subsection (a) at any time ~~[after December 1, 2012,]~~ if the commission determines that a study is necessary.

SECTION 3. (a) Section 401.2445, Health and Safety Code, is repealed.

(b) Effective September 1, 2019, Subchapter F, Chapter 401, Health and Safety Code, is amended by adding Section 401.2445 to read as follows:

Sec. 401.2445. STATE FEE. The compact waste disposal facility license holder each quarter shall transfer to the state general revenue fund five percent of the gross receipts from:

(1) compact waste received at the compact waste disposal facility; and

(2) any federal facility waste received at a federal facility waste disposal facility licensed under Section 401.216.

SECTION 4. Chapter 403, Health and Safety Code, is amended by adding Section 403.0056 to read as follows:

Sec. 403.0056. ASSESSMENT OF COMPACT FACILITY BY LEGISLATIVE OVERSIGHT COMMITTEE. (a) In this section, "compact facility" has the meaning assigned by the Texas Low-Level Radioactive Waste Disposal Compact.

(b) A legislative oversight committee is created for the purpose of assessing the compact facility.

(c) The committee is composed of the following members:

- (1) the chair of the House Committee on Environmental Regulation;
(2) a member of the house of representatives who represents the county in which the compact facility is located;
(3) a member of the house of representatives appointed by the speaker of the house of representatives;
(4) the chair of the Senate Committee on Natural Resources and Economic Development;
(5) a member of the senate who represents the county in which the compact facility is located;
(6) a member of the senate appointed by the lieutenant governor;
(7) the chair of the commission; and
(8) a person appointed by each nonhost party state as provided by the laws of that state.
- (d) The chair of the House Committee on Environmental Regulation and the chair of the Senate Committee on Natural Resources and Economic Development shall serve as co-chairs.
- (e) An appointed member of the committee serves at the pleasure of the appointing official.
- (f) The committee shall consider and make recommendations regarding:
- (1) the annual fixed costs incurred by the operator of the compact facility;
(2) the party state compact waste disposal fees established in rule by the Texas Commission on Environmental Quality in accordance with Section 401.245;
(3) the contract review process as carried out by the Texas Commission on Environmental Quality;
(4) the relationship between the state, party state generators, and operator as it relates to the operation of the compact facility;
(5) the contingency plan required under the Texas Low-Level Radioactive Waste Disposal Compact;
(6) the need for and effects of fees and surcharges assessed for disposal of waste in the compact facility, including the fees and surcharges assessed under the following sections:
- (A) Section 401.052(b)(5);
(B) Section 401.207(g);
(C) Section 401.245; and
(D) Section 401.246(a)(6);
- (7) the cost of a state-run compact facility and the effect a state-run facility would have on rates and generators in compact states; and
(8) any other matters the committee determines are relevant to the compact facility and oversight of the compact facility.
- (g) The committee may request reports and other information from the commission and the Texas Commission on Environmental Quality as necessary to carry out this section.

(h) Not later than December 1, 2018, the committee shall submit a final report of the results of the assessment to the committees of the senate and the house of representatives with jurisdiction over the disposal of low-level radioactive waste.

(i) The committee is abolished and this section expires December 31, 2018.

SECTION 5. The Texas Commission on Environmental Quality shall submit the first report required under Section 401.208, Health and Safety Code, as amended by this Act, not later than December 1, 2020.

SECTION 6. 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 3784 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 3784, A bill to be entitled An Act relating to persons approved by the Department of Public Safety to administer online the classroom instruction part of the handgun proficiency course.

Representative Holland moved to concur in the senate amendments to **HB 3784**.

The motion to concur in the senate amendments to **HB 3784** prevailed by (Record 1794): 140 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Dukes; Oliveira.

Absent — Anderson, C.; Bernal; Faircloth; Pickett; Roberts; Workman.

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

Amend **HB 3784** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 411.1881(a), Government Code, is amended to read as follows:

(a) Notwithstanding any other provision of this subchapter, a person may not be required to complete the range instruction portion of a handgun proficiency course to obtain a license issued under this subchapter if the person:

(1) is currently serving in or is honorably discharged from:

(A) the army, navy, air force, coast guard, or marine corps of the United States or an auxiliary service or reserve unit of one of those branches of the armed forces; or

(B) the Texas military forces, as defined by Section 437.001; and

(2) has, within the 10 ~~five~~ years preceding the date of the person's application for the license, completed as part of the person's service with the armed forces or Texas military forces:

(A) a course of training in firearm [handgun] proficiency or familiarization; or

(B) a range qualification process for firearm usage [as part of the person's service with the armed forces or Texas military forces].

SECTION _____. Not later than December 1, 2017, the public safety director of the Department of Public Safety shall adopt the forms and procedures required by Section 411.1881, Government Code, as amended by this Act.

SECTION _____. The change in law made by this Act in amending Section 411.1881, Government Code, applies only to an application to obtain a license to carry a handgun submitted on or after December 1, 2017. An application submitted before December 1, 2017, is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

Senate Amendment No. 2 (Senate Floor Amendment No. 2)

Amend **HB 3784** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 411.1991, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) An applicant under this section who is a peace officer and who complies with Subsection (a-1) and the other requirements of this subchapter is not required to complete the handgun proficiency course described by Section 411.188 to obtain a license under this subchapter.

SECTION _____. Subchapter H, Chapter 411, Government Code, is amended by adding Sections 411.1993 and 411.1994 to read as follows:

Sec. 411.1993. COUNTY JAILERS. (a) In this section, "county jailer" has the meaning assigned by Section 1701.001, Occupations Code.

(b) A county jailer who holds a county jailer license issued under Chapter 1701, Occupations Code, may apply for a license under this subchapter.

(c) An applicant under this section who is a county jailer shall submit to the department:

(1) the name and job title of the applicant;

(2) a current copy of the applicant's county jailer license and evidence of employment as a county jailer; and

(3) evidence that the applicant has satisfactorily completed the preparatory training program required under Section 1701.310, Occupations Code, including the demonstration of weapons proficiency required as part of the training program under Section 1701.307 of that code.

(d) The department may issue a license under this subchapter to an applicant under this section if the applicant complies with Subsection (c) and meets all other requirements of this subchapter, except that the applicant is not required to complete the range instruction part of the handgun proficiency course described by Section 411.188 if the department is satisfied, on the basis of the evidence provided under Subsection (c)(3), that the applicant is proficient in the use of handguns.

(e) The department shall waive any fee required for a license issued under this subchapter to an applicant under this section.

(f) A license issued to an applicant under this section expires as provided by Section 411.183.

Sec. 411.1994. STATE CORRECTIONAL OFFICERS. (a) A correctional officer of the Texas Department of Criminal Justice may apply for a license under this subchapter.

(b) An applicant under this section shall submit to the department:

(1) the name and job title of the applicant;

(2) evidence of employment as a correctional officer of the Texas Department of Criminal Justice; and

(3) evidence that the applicant has satisfactorily completed the correctional officer training program offered by the Texas Department of Criminal Justice, including a demonstration of weapons proficiency.

(c) The department may issue a license under this subchapter to an applicant under this section if the applicant complies with Subsection (b) and meets all other requirements of this subchapter, except that the applicant is not required to complete the range instruction part of the handgun proficiency course described by Section 411.188 if the department is satisfied, on the basis of the evidence provided under Subsection (b)(3), that the applicant is proficient in the use of handguns.

(d) The department shall waive any fee required for a license issued under this subchapter to an applicant under this section.

(e) A license issued to an applicant under this section expires as provided by Section 411.183.

SECTION ____ . Section 411.1952, Government Code, is repealed.

SECTION _____. The changes in law made by this Act in amending Section 411.1991, Government Code, adding Sections 411.1993 and 411.1994, Government Code, and repealing Section 411.1952, Government Code, apply only to a license issued on or after the effective date of this Act.

**HB 2774 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 2774, A bill to be entitled An Act relating to the installation of unsafe motor vehicle tires; creating a criminal offense.

Representative Phelan moved to concur in the senate amendments to **HB 2774**.

The motion to concur in the senate amendments to **HB 2774** prevailed by (Record 1795): 121 Yeas, 18 Nays, 2 Present, not voting.

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

Nays — Biedermann; Bonnen, D.; Bonnen, G.; Burrows; Cain; Hefner; Krause; Lang; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Stickland; Swanson; Tinderholt; White; Wilson.

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

Absent, Excused — Dukes; Oliveira.

Absent — Burkett; Faircloth; Herrero; Muñoz; Raney; Roberts; Workman.

STATEMENT OF VOTE

When Record No. 1795 was taken, I was shown voting yes. I intended to vote no.

Keough

Senate Committee Substitute

CSHB 2774, A bill to be entitled An Act relating to the installation of unsafe motor vehicle tires; creating a criminal offense.

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

SECTION 1. Chapter 727, Transportation Code, is amended by adding Section 727.005 to read as follows:

Sec. 727.005. INSTALLATION OF UNSAFE TIRES; OFFENSE. (a) A person commits an offense if:

(1) the person owns or operates a business that installs tires on motor vehicles;

(2) the person or an employee of the person installs a tire on a motor vehicle to be used on a public street or highway;

(3) the tire is or will be subject to inspection under Section 548.051;
and

(4) the person knows that the tire:

(A) has tire tread less than one-sixteenth of an inch deep;

(B) has a localized worn spot that exposes the ply or cord through the tread;

(C) has a tread or sidewall crack, cut, or snag as measured on the outside of the tire that is more than one inch long and deep enough to expose the body cords;

(D) has any visible bump, bulge, or knot apparently related to tread or sidewall separation or partial failure of the tire structure, including bead area;

(E) has been regrooved or recut below the original groove depth, except for a special regroovable tire that has extra undertread rubber for that purpose and is identified as a regroovable tire;

(F) has been repaired temporarily by the use of a blowout patch or boot;

(G) has worn tread wear indicators that contact the road in any two adjacent major grooves in the center or middle of the tire; or

(H) does not otherwise meet applicable Department of Public Safety safety standards for the tire adopted under Section 547.101.

(b) This section does not apply to the reinstallation of a tire on a motor vehicle that had been removed from the motor vehicle.

(c) An offense under this section is a misdemeanor punishable by a fine of not less than \$100 or more than \$500.

SECTION 2. This Act takes effect September 1, 2017.

**HB 1486 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 1486, A bill to be entitled An Act relating to peer specialists, peer services, and the provision of those services under the medical assistance program.

Representative Price moved to concur in the senate amendments to **HB 1486**.

The motion to concur in the senate amendments to **HB 1486** prevailed by (Record 1796): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Fairecloth; 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; 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; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Rinaldi; 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; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Dukes; Oliveira.

Absent — Burkett; Israel; Raney; Roberts; Rodriguez, E.; Workman.

Senate Committee Substitute

CSHB 1486, A bill to be entitled An Act relating to peer specialists, peer services, and the provision of those services under the medical assistance program.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0999 to read as follows:

Sec. 531.0999. PEER SPECIALISTS. (a) With input from mental health and substance use peer specialists and the work group described by Subsection (b), the commission shall develop and the executive commissioner shall adopt:

(1) rules that establish training requirements for peer specialists so that they are able to provide services to persons with mental illness or services to persons with substance use conditions;

(2) rules that establish certification and supervision requirements for peer specialists;

(3) rules that define the scope of services that peer specialists may provide;

(4) rules that distinguish peer services from other services that a person must hold a license to provide; and

(5) any other rules necessary to protect the health and safety of persons receiving peer services.

(b) The commission shall establish a stakeholder work group to provide input for the adoption of rules under Subsection (a). The work group is composed of the following stakeholders appointed by the executive commissioner:

(1) one representative of each organization that certifies mental health and substance use peer specialists in this state;

(2) three representatives of organizations that employ mental health and substance use peer specialists;

(3) one mental health peer specialist who works in an urban area;

(4) one mental health peer specialist who works in a rural area;

(5) one substance use peer specialist who works in an urban area;

(6) one substance use peer specialist who works in a rural area;

(7) one person who trains mental health peer specialists;

(8) one person who trains substance use peer specialists;

(9) three representatives of mental health and addiction licensed health care professional groups who supervise mental health and substance use peer specialists;

(10) to the extent possible, not more than three persons with personal experience recovering from mental illness, substance use conditions, or co-occurring mental illness and substance use conditions; and

(11) any other persons considered appropriate by the executive commissioner.

(c) The executive commissioner shall appoint one member of the work group to serve as presiding officer.

(d) The work group shall meet once every month.

(e) The work group is automatically abolished on the adoption of rules under Subsection (a).

(f) The executive commissioner may not adopt rules under Subsection (a) that preclude the provision of mental health rehabilitative services under 25 T.A.C. Chapter 416, Subchapter A, as that subchapter existed on January 1, 2017.

(g) If the executive commissioner has not adopted rules by September 1, 2018, the executive commissioner shall submit on that date a written report to the governor, the lieutenant governor, the speaker of the house of representatives, the chair of the Senate Health and Human Services Committee, and the chair of the House Public Health Committee explaining why the rules have not yet been adopted. This subsection expires September 1, 2019.

SECTION 2. Section 32.024, Human Resources Code, is amended by adding Subsection (kk) to read as follows:

(kk) The commission in its rules and standards governing the scope of services provided under the medical assistance program shall include peer services provided by certified peer specialists to the extent permitted by federal law.

SECTION 3. As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human Services Commission shall:

(1) adopt the rules required by Section 531.0999(a), Government Code, as added by this Act; and

(2) appoint the members of the stakeholder work group established by Section 531.0999(b), Government Code, as added by this Act.

SECTION 4. 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 5. (a) Except as provided by Subsection (b) of this section, 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.

(b) This Act takes effect only if the 85th Legislature appropriates money specifically for the purpose of implementing this Act. If the legislature does not appropriate money specifically for that purpose, this Act does not take effect.

SB 670 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Price, Representatives Anchia, Rose, and Holland were authorized as house sponsors to **SB 670**.

HB 4007 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 4007, A bill to be entitled An Act relating to the licensing and regulation of health-related occupations transferred to the Texas Department of Licensing and Regulation.

Representative Kuempel moved to concur in the senate amendments to **HB 4007**.

The motion to concur in the senate amendments to **HB 4007** prevailed by (Record 1797): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; 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; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Price;

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

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

Absent, Excused — Dukes; Oliveira.

Absent — Burkett; Frullo; Pickett; Raney; Roberts.

Senate Committee Substitute

CSHB 4007, A bill to be entitled An Act relating to the licensing and regulation of health-related occupations transferred to the Texas Department of Licensing and Regulation.

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

ARTICLE 1. MIDWIFERY

SECTION 1.001. Section 203.157(c), Occupations Code, is amended to read as follows:

(c) The department shall post a list of licensed midwives on the department's Internet website ~~[provide each county clerk and each local registrar of births in a county with the name of each midwife practicing in the county].~~

SECTION 1.002. Section 203.353, Occupations Code, is amended to read as follows:

Sec. 203.353. PREVENTION OF OPHTHALMIA NEONATORUM. (a) Subject to Subsection (b), unless ~~[Unless]~~ the newborn child is immediately transferred to a hospital because of an emergency, a midwife who attends the birth of the child shall comply with Section 81.091, Health and Safety Code.

(b) A midwife in attendance at childbirth who is unable to apply prophylaxis as required by Section 81.091, Health and Safety Code, due to the objection of the parent, managing conservator, or guardian of the newborn child does not commit an offense under that section and is not subject to any criminal, civil, or administrative liability or any professional disciplinary action for failure to administer the prophylaxis. The midwife in attendance at childbirth shall ensure that the objection of the parent, managing conservator, or guardian is entered into the medical record of the child.

SECTION 1.003. The heading to Subchapter K, Chapter 203, Occupations Code, is amended to read as follows:

SUBCHAPTER K. ~~[OTHER PENALTIES AND]~~ ENFORCEMENT PROVISIONS

SECTION 1.004. The following provisions of the Occupations Code are repealed:

- (1) Section 203.501; and
- (2) Section 203.504.

ARTICLE 2. SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

SECTION 2.001. Section 401.102(b), Occupations Code, is amended to read as follows:

(b) Advisory board members must:

(1) ~~have been a resident of this state for the two years preceding the date of appointment;~~

~~[(2)]~~ be from the various geographic regions of the state; and

(2) ~~[(2)]~~ be from varying employment settings.

SECTION 2.002. Section 401.305(b), Occupations Code, is amended to read as follows:

(b) The department shall administer or provide for the administration of an examination at least twice each year.

SECTION 2.003. Section 401.402(b), Occupations Code, is amended to read as follows:

(b) A person licensed as a speech-language pathologist under this chapter may not fit or~~[s]~~ dispense~~[or sell]~~ hearing instruments unless the person meets the specific requirements for fitting and dispensing hearing instruments under this chapter or Chapter 402.

SECTION 2.004. The following provisions of the Occupations Code are repealed:

(1) Section 401.253;

(2) Section 401.307;

(3) Section 401.310;

(4) Section 401.453;

(5) Section 401.503; and

(6) Subchapter L, Chapter 401.

SECTION 2.005. (a) A temporary certificate of registration issued under former Section 401.310, Occupations Code, that is in effect on the effective date of this Act continues to be valid until the certificate expires and former Section 401.310, Occupations Code, is continued in effect for that purpose. Chapter 401, Occupations Code, as amended by this Act, continues to apply to a holder of an unexpired temporary certificate of registration.

(b) On or after the effective date of this Act, the Texas Department of Licensing and Regulation may not renew or extend a temporary certificate of registration.

(c) A proceeding under Chapter 401, Occupations Code, that is pending against a holder of a temporary certificate of registration on the date the certificate expires is terminated on that date.

ARTICLE 3. HEARING INSTRUMENT FITTERS AND DISPENSERS

SECTION 3.001. Section 402.003, Occupations Code, is amended by amending Subsections (a) and (b) and adding Subsection (a-1) to read as follows:

(a) Except as provided by Subsections (a-1) and (b) and Section 402.451(a), this chapter applies only to a person who engages or offers to engage in fitting and dispensing hearing instruments.

(a-1) This chapter does not apply to:

(1) a person engaged in the practice of measuring human hearing as a part of the academic curriculum of an accredited institution of higher learning if the person or the person's employees do not sell hearing instruments;

(2) a physician licensed by the Texas Medical Board;

(3) a person with a master's degree or doctorate in audiology from an accredited college or university who does not sell hearing instruments, to the extent the person engages in the measurement of human hearing by the use of an audiometer or by any other means to make selections and adaptations of or recommendations for a hearing instrument and to make impressions for earmolds to be used as part of a hearing instrument;

(4) an audiologist or an audiology intern licensed under Chapter 401, except as may otherwise be provided by the following provisions, which refer to Chapter 401:

(A) Section 402.051(a)(1);

(B) Section 402.202(b);

(C) Section 402.252; and

(D) Section 402.255(a);

~~(E) Section 402.406(a); and~~

~~(F) Section 402.451(a)(6);~~ and

(5) a student of audiology in an accredited college or university program, if the student's activities and services are part of the student's supervised course of study or practicum experience.

(b) A student described by Subsection (a-1)(5) ~~[(a)(5)]~~ is subject to Chapter 401.

SECTION 3.002. Section 402.051(a), Occupations Code, is amended to read as follows:

(a) The advisory board consists of nine members appointed by the presiding officer of the commission with the approval of the commission as follows:

(1) six members licensed under this chapter who have been ~~[residents of this state actually]~~ engaged in fitting and dispensing hearing instruments for at least five years preceding appointment, not more than one of whom may be licensed under Chapter 401;

(2) one member who is actively practicing as a physician licensed by the Texas Medical Board and who:

(A) ~~[has been a resident of this state for at least two years preceding appointment;~~

~~(B)]~~ is a citizen of the United States; and

(B) ~~[(C)]~~ specializes in the practice of otolaryngology; and

(3) two members of the public.

SECTION 3.003. Section 402.209(c), Occupations Code, is amended to read as follows:

(c) An applicant for a license under this section shall provide as part of the application:

(1) written verification that the applicant is licensed in good standing as a fitter and dispenser of hearing instruments in another state ~~[and has held the license for at least three years preceding the date of application];~~

(2) written verification that:

(A) the requirements to obtain a license to fit and dispense hearing instruments in the state in which the applicant is licensed include passing an examination approved by the commission by rule; or

(B) the applicant holds a certification from a professional organization approved by the commission by rule;

(3) a written statement from the licensing entity in the state in which the applicant is licensed that details any disciplinary action taken by the entity against the applicant; and

(4) a statement of the applicant's criminal history acceptable to the department.

SECTION 3.004. Section 402.251, Occupations Code, is amended to read as follows:

Sec. 402.251. TEMPORARY TRAINING PERMIT QUALIFICATIONS.

(a) The department shall issue a temporary training permit to a person who:

(1) ~~has never taken the examination administered under this chapter;~~

~~(2)~~ possesses the qualifications required under Section 402.203(a);

~~(2)~~ ~~(3)~~ submits a written application on a form prescribed by the department furnishing documentation that the applicant satisfies the requirements of Subdivision ~~[Subdivisions]~~ (1) ~~and (2)~~; and

~~(3)~~ ~~(4)~~ pays any required fee.

(b) ~~The commission by rule may provide for the issuance of [department may issue] a new temporary training permit under this section [to a person on or after the 365th day] after a [the] person's [previous] temporary training permit expires [expired].~~

SECTION 3.005. Section 402.255(d), Occupations Code, is amended to read as follows:

(d) The supervisor shall maintain a log of the contact hours by practicum category on a form prescribed by the department. After the temporary training permit holder has completed 150 contact hours, the supervisor and the permit holder shall submit verification of compliance ~~[sign the form, and the form shall be notarized and mailed]~~ to the department.

SECTION 3.006. Section 402.304, Occupations Code, is amended to read as follows:

Sec. 402.304. ALTERNATIVE [ALTERNATIVES] TO CONTINUING EDUCATION REQUIREMENT. ~~[(a) On written request to the department, a license holder may take the state examination. A license holder who pays the examination fee and passes the examination is exempt from the continuing education requirement for the reporting period in which the test is taken.~~

~~(b)~~ A license holder may be credited with continuing education credit hours for a published book or article written by the license holder that contributes to the license holder's professional competence. The department may grant credit hours based on the degree to which the published book or article advances knowledge regarding the fitting and dispensing of hearing instruments. A license holder may claim in a reporting period not more than five credit hours for preparation of a publication.

SECTION 3.007. Section 402.305, Occupations Code, is amended to read as follows:

Sec. 402.305. CONTINUING EDUCATION EXEMPTIONS. The department may renew the license of a license holder who does not comply with the continuing education requirements of Section 402.303 or 402.304 if the license holder:

(1) was licensed for the first time during the 24 months before the reporting date; or

(2) ~~has served in the regular armed forces of the United States during part of the 24 months before the reporting date; or~~

~~(3)~~ submits proof from an attending physician that the license holder suffered a serious or disabling illness or physical disability that prevented compliance with the continuing education requirements during the 24 months before the reporting date.

SECTION 3.008. Section 402.451(a), Occupations Code, is amended to read as follows:

(a) A person may not:

(1) buy, sell, or fraudulently obtain a license or aid another person to do so;

(2) alter a license with the intent to defraud;

(3) wilfully make a false statement in an application to the department for a license, a temporary training permit, or the renewal of a license;

(4) falsely impersonate a license holder; or

(5) engage in the fitting and dispensing of hearing instruments when the person's license is suspended or revoked [;

~~(6) dispense or fit a hearing instrument on a person who has ordered the hearing instrument or device by mail unless the person dispensing or fitting is a license holder under this chapter or under Chapter 401; or~~

~~(7) sell a hearing instrument by mail].~~

SECTION 3.009. The heading to Subchapter L, Chapter 402, Occupations Code, is amended to read as follows:

SUBCHAPTER L. ~~[PENALTIES AND OTHER]~~ ENFORCEMENT PROVISIONS

SECTION 3.010. The following provisions of the Occupations Code are repealed:

(1) Section 402.209(h);

(2) Section 402.406;

(3) Section 402.551; and

(4) Section 402.553.

SECTION 3.011. Section 402.209, Occupations Code, as amended by this Act, applies only to an application submitted on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

ARTICLE 4. DYSLEXIA PRACTITIONERS AND DYSLEXIA THERAPISTS

SECTION 4.001. Section 403.106(c), Occupations Code, is amended to read as follows:

(c) The department~~[, in consultation with the advisory committee,]~~ shall determine whether a training program meets the requirements of this section.

SECTION 4.002. Section 403.107(b), Occupations Code, is amended to read as follows:

(b) The department shall~~[, in consultation with the advisory committee,]~~:

(1) identify and designate a competency examination that is related to multisensory structured language education and that will be administered at least twice each year by a professional organization that issues national certifications; and

(2) maintain a record of all examinations for at least two years after the date of examination.

SECTION 4.003. Section 403.108, Occupations Code, is amended to read as follows:

Sec. 403.108. WAIVER OF EXAMINATION REQUIREMENT. The department~~[, in consultation with the advisory committee,]~~ may waive the examination requirement and issue a license to an applicant who holds an appropriate certificate or other accreditation from a nationally accredited multisensory structured language education organization recognized by the department.

SECTION 4.004. Section 403.152(b), Occupations Code, is amended to read as follows:

(b) The commission~~[, in consultation with the advisory committee,]~~ shall establish the continuing education requirements in consultation with the advisory committee ~~[a manner that allows a license holder to comply without an extended absence from the license holder's county of residence].~~

SECTION 4.005. The following provisions of the Occupations Code are repealed:

- (1) Section 403.204;
- (2) Section 403.207;
- (3) Section 403.212; and
- (4) Subchapter F, Chapter 403.

ARTICLE 5. ATHLETIC TRAINERS

SECTION 5.001. Section 451.156, Occupations Code, is amended to read as follows:

Sec. 451.156. REQUIREMENTS FOR LICENSE ISSUANCE. An applicant for an athletic trainer license is entitled to receive the license if the applicant:

- (1) satisfies the requirements of Section 451.153 or 451.154;
- (2) passes the examination required by the department; and
- (3) pays the required license fee~~;~~ and
- ~~[(4) has not committed an act that constitutes grounds for refusal of a license under Section 451.251].~~

SECTION 5.002. The following provisions of the Occupations Code are repealed:

- (1) Section 451.051(c);
- (2) Section 451.101(a-2); and

(3) Subchapters F, G, and H, Chapter 451.

ARTICLE 6. MASSAGE THERAPY

SECTION 6.001. Section 455.001, Occupations Code, is amended by adding Subdivisions (12) and (13) to read as follows:

(12) "Advisory board" means the Massage Therapy Advisory Board.

(13) "Peace officer" means a person who is a peace officer under Article 2.12, Code of Criminal Procedure.

SECTION 6.002. Subchapter B, Chapter 455, Occupations Code, is amended by adding Section 455.0511 to read as follows:

Sec. 455.0511. GENERAL POWERS AND DUTIES. (a) The executive director shall administer and enforce this chapter.

(b) The department shall:

(1) investigate a person who may be engaging in or offering to engage in a practice that violates this chapter;

(2) regulate the number of school hours and the content of the coursework provided by a massage school or a massage therapy instructor; and

(3) prepare, recognize, administer, or arrange for the administration of an examination under this chapter.

SECTION 6.003. Subchapter B, Chapter 455, Occupations Code, is amended by adding Section 455.0571 to read as follows:

Sec. 455.0571. CONTINUING EDUCATION. (a) The commission by rule shall establish the minimum number of hours of continuing education required for a person licensed under this chapter to renew the person's license.

(b) The commission by rule shall provide for the recognition, preparation, or administration of continuing education programs for persons licensed under this chapter.

(c) The department may develop and establish processes to:

(1) evaluate and approve continuing education providers and programs;
and

(2) assess a license holder's participation in continuing education programs.

SECTION 6.004. Subchapter B, Chapter 455, Occupations Code, is amended by adding Section 455.059 to read as follows:

Sec. 455.059. INSPECTIONS; INVESTIGATIONS. The department, the department's authorized representative, or a peace officer may enter the premises of a massage establishment or massage school at:

(1) reasonable times to conduct an inspection incidental to the issuance of a license; and

(2) other times that the department, the department's authorized representative, or a peace officer considers necessary to ensure compliance with this chapter and the rules adopted under this chapter.

SECTION 6.005. Subchapter C, Chapter 455, Occupations Code, as effective September 1, 2017, is amended to read as follows:

SUBCHAPTER C. MASSAGE THERAPY ADVISORY BOARD ~~[POWERS AND DUTIES]~~

Sec. 455.101. ADVISORY BOARD MEMBERSHIP. (a) The advisory board consists of nine members appointed by the presiding officer of the commission with the approval of the commission as follows:

(1) two members who are licensed massage therapists;
(2) two members who represent licensed massage schools;
(3) two members who represent licensed massage establishments;
(4) one member who is a peace officer with expertise in the enforcement of Chapter 20A, Penal Code, and Subchapter A, Chapter 43, Penal Code; and

(5) two members of the public.

(b) Appointments to the advisory board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee ~~[GENERAL POWERS AND DUTIES. (a) The executive director shall administer and enforce this chapter.~~

~~[(b) The department shall:~~

~~[(1) investigate a person who may be engaging in a practice that violates this chapter;~~

~~[(2) regulate the number and content of school hours provided by a massage school or a massage therapy instructor; and~~

~~[(3) prepare and administer a state examination under this chapter].~~

Sec. 455.102. DUTIES OF ADVISORY BOARD. The advisory board shall provide advice and recommendations to the department on technical matters relevant to the administration of this chapter.

Sec. 455.103. TERMS; VACANCIES. (a) Members of the advisory board are appointed for staggered six-year terms. The terms of three members expire September 1 of each odd-numbered year.

(b) If a vacancy occurs on the advisory board during a member's term, the presiding officer of the commission, with the commission's approval, shall appoint a replacement who meets the qualifications for the vacant position to serve for the remainder of the term ~~[MEMORANDUM OF UNDERSTANDING REGARDING MASSAGE SCHOOLS. (a) The commission may enter into a memorandum of understanding with the Texas Education Agency to regulate massage schools.~~

~~[(b) A memorandum must:~~

~~[(1) be adopted by the commission by rule; and~~

~~[(2) limit the total amount of the fees charged by the department and the Texas Education Agency for licensing a massage school to an amount equal to the amount of the fees the department would charge for licensing the massage school in the absence of the memorandum].~~

Sec. 455.104. PRESIDING OFFICER. (a) The presiding officer of the commission shall designate a member of the advisory board to serve as the presiding officer of the advisory board for a term of one year.

(b) The presiding officer of the advisory board may vote on any matter before the advisory board ~~[INSPECTIONS; INVESTIGATIONS. (a) The department, its authorized representative, or a peace officer may enter the premises of an applicant for a license or a license holder at:~~

~~[(1) reasonable times to conduct an inspection incidental to the issuance of a license; and~~

~~[(2) other times that the department or peace officer considers necessary to ensure compliance with this chapter and the rules adopted under this chapter.~~

~~[(b) A peace officer appointed or employed by a law enforcement agency of a political subdivision of this state may enter the premises of a massage establishment to ensure compliance with this chapter and rules adopted under this chapter].~~

Sec. 455.105. MEETINGS. The advisory board shall meet at the call of the executive director or the presiding officer of the commission ~~[REGISTRY. (a) The department shall annually prepare a registry of licensed massage therapists.~~

~~[(b) The department shall make the registry available to the public, license holders, other state agencies, and peace officers].~~

SECTION 6.006. Section 455.152(a), Occupations Code, is amended to read as follows:

(a) A person is not eligible for a license as a massage establishment, massage school, massage therapist, or massage therapy instructor if the person is an individual and has been convicted of, entered a plea of nolo contendere or guilty to, or received deferred adjudication for an offense under Chapter 20A, Penal Code, or Subchapter A, Chapter 43, Penal Code, [involving prostitution] or another sexual offense.

SECTION 6.007. Section 455.1525, Occupations Code, is amended to read as follows:

Sec. 455.1525. CRIMINAL BACKGROUND CHECKS. ~~[(a)]~~ On receipt of an application for a license under this chapter, the department shall conduct a criminal background check on the applicant.

~~[(b) An applicant is not eligible for a license under this chapter if the applicant, in the five years preceding the date of the application, has been finally convicted of a misdemeanor involving moral turpitude or a felony.]~~

SECTION 6.008. Section 455.153, Occupations Code, as effective September 1, 2017, is amended to read as follows:

Sec. 455.153. APPLICATION FOR LICENSE. An applicant for a license under this chapter must:

(1) submit an application in the manner and on a form prescribed by the executive director; ~~[and]~~

(2) pass any required examination; and

(3) include with the application the application fee set by the commission by rule.

SECTION 6.009. Section 455.156(b), Occupations Code, is amended to read as follows:

(b) An applicant for a license under this section must be an individual and:

(1) present evidence satisfactory to the department that the person has satisfactorily completed massage therapy studies in a 500-hour minimum, supervised course of instruction provided by a massage therapy instructor at a massage school, a licensed massage school, a state-approved educational institution, or any combination of instructors or schools, in which at least:

(A) 200 hours are taught by a licensed massage therapy instructor and dedicated to the study of massage therapy techniques and theory and the practice of manipulation of soft tissue, with at least 125 hours dedicated to the study of Swedish massage therapy techniques;

(B) 50 hours are dedicated to the study of anatomy;

(C) 25 hours are dedicated to the study of physiology;

(D) 50 hours are dedicated to the study of kinesiology;

(E) 40 hours are dedicated to the study of pathology;

(F) 20 hours are dedicated to the study of hydrotherapy;

(G) 45 hours are dedicated to the study of massage therapy laws and rules, business practices, and professional ethics standards;

(H) 20 hours are dedicated to the study of health, hygiene, first aid, universal precautions, and cardiopulmonary resuscitation (CPR); and

(I) 50 hours are spent in an internship program;

(2) pass the required examinations [~~written state examination~~]; and

(3) be at least 18 years of age.

SECTION 6.010. The following provisions of the Occupations Code are repealed:

(1) Section 455.1572; and

(2) Subchapter G, Chapter 455.

SECTION 6.011. As soon as practicable after the effective date of this Act, the presiding officer of the Texas Commission of Licensing and Regulation shall appoint the members of the Massage Therapy Advisory Board created by Subchapter C, Chapter 455, Occupations Code, as amended by this Act.

SECTION 6.012. Section 455.152(a), Occupations Code, as amended by this Act, applies only to a person who files an initial application for or an application for renewal of a license as a massage establishment, massage school, massage therapist, or massage therapy instructor on or after the effective date of this Act.

ARTICLE 7. ORTHOTISTS AND PROSTHETISTS

SECTION 7.001. Section 605.056, Occupations Code, is amended to read as follows:

Sec. 605.056. PRESIDING OFFICER. The presiding officer of the commission, with the commission's approval, shall designate a member [~~members~~] of the advisory board to serve as the [~~shall elect from the advisory board's membership a~~] presiding officer of the advisory board [~~to serve~~] for a term of one year. The presiding officer of the advisory board may vote on any matter before the advisory board.

SECTION 7.002. Section 605.252(a), Occupations Code, is amended to read as follows:

(a) To be eligible for a license to practice orthotics or prosthetics in this state, a person must:

(1) submit an application in the manner and on the form prescribed by the executive director;

(2) pay the nonrefundable application fee;

(3) ~~be a resident of this state;~~

~~(4)~~ have completed formal training, including the required hours of classroom education and clinical practice, in an area of study the commission by rule determines to be necessary and appropriate;

~~(4)~~ ~~(5)~~ have completed a clinical residency in the professional area for which a license is sought that complies with the standards, guidelines, or procedures established by the department for a clinical residency that is offered in this state or another state; and

~~(5)~~ ~~(6)~~ have passed each written and practical examination approved and required by the department.

SECTION 7.003. Section 605.254(a), Occupations Code, is amended to read as follows:

(a) A person is entitled to an exemption from the license requirements established under Section 605.252 if the person ~~[is a resident of this state who]~~ presents evidence satisfactory to the department that the person possesses unique qualifications to practice orthotics, prosthetics, or orthotics and prosthetics.

SECTION 7.004. Section 605.257(a), Occupations Code, is amended to read as follows:

(a) The department may issue a temporary license to an individual who:

(1) ~~has recently become a resident of this state;~~

~~(2)~~ has applied for a license as an orthotist, prosthetist, or both; ~~and~~

~~(2)~~ ~~(3)~~ has regularly ~~±~~

~~(A)~~ practiced orthotics, prosthetics, or both for the five years preceding the date of the application ~~[regularly since January 1, 1996]; and [or]~~

~~(3)~~ has ~~(B)~~ been licensed by a ~~[the]~~ state ~~[in which the person formerly resided if]~~ that ~~[state]~~ has license requirements that are equal to or exceed the requirements of this chapter.

SECTION 7.005. The heading to Subchapter H, Chapter 605, Occupations Code, is amended to read as follows:

SUBCHAPTER H. PROHIBITED PRACTICES, ~~DISCIPLINARY~~
~~PROCEDURES, AND PENALTIES~~

SECTION 7.006. The following provisions of the Occupations Code are repealed:

(1) Section 605.252(d);

(2) Section 605.261(c);

(3) Section 605.353;

(4) Section 605.354;

(5) Section 605.356; and

(6) Subchapter I, Chapter 605.

SECTION 7.007. The presiding officer of the Orthotists and Prosthetists Advisory Board who is serving on the effective date of this Act shall continue to serve as the presiding officer until the presiding officer of the Texas Commission of Licensing and Regulation, with the commission's approval, designates a member of the advisory board to serve as the presiding officer of the advisory board as required by Section 605.056, Occupations Code, as amended by this Act.

SECTION 7.008. Sections 605.252, 605.254, and 605.257, Occupations Code, as amended by this Act, apply only to an application submitted on or after the effective date of this Act. An application submitted under Section 605.252, 605.254, or 605.257, Occupations Code, before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

ARTICLE 8. DIETITIANS

SECTION 8.001. The following provisions of the Occupations Code are repealed:

- (1) Section 701.154;
- (2) Section 701.255;
- (3) Section 701.257;
- (4) Section 701.259;
- (5) Section 701.260;
- (6) Subchapter J, Chapter 701; and
- (7) Section 701.502.

SECTION 8.002. (a) A provisional or temporary license issued under former Section 701.259 or 701.260, Occupations Code, that is in effect on the effective date of this Act continues to be valid until the license expires, and former Sections 701.259 and 701.260, Occupations Code, are continued in effect for that purpose. Chapter 701, Occupations Code, as amended by this Act, continues to apply to a holder of an unexpired provisional or temporary license.

(b) On or after the effective date of this Act, the Texas Department of Licensing and Regulation may not renew or extend a provisional or temporary license issued under former Section 701.259 or 701.260, Occupations Code.

(c) A proceeding under Chapter 701, Occupations Code, that is pending against a holder of a provisional or temporary license on the date the license expires is terminated on that date.

ARTICLE 9. CODE ENFORCEMENT OFFICERS

SECTION 9.001. The following provisions of the Occupations Code are repealed:

- (1) Section 1952.053, as effective September 1, 2017;
- (2) Subchapter E, Chapter 1952; and
- (3) Subchapter F, Chapter 1952, as effective September 1, 2017.

ARTICLE 10. SANITARIANS

SECTION 10.001. The following provisions of the Occupations Code are repealed:

- (1) Section 1953.053;
- (2) Subchapter F, Chapter 1953; and

(3) Subchapter G, Chapter 1953, as effective September 1, 2017.

ARTICLE 11. MOLD ASSESSORS AND REMEDIATORS

SECTION 11.001. Subchapter B, Chapter 1958, Occupations Code, is amended by adding Section 1958.0531 to read as follows:

Sec. 1958.0531. RULES. The commission shall adopt rules as necessary to administer this chapter.

SECTION 11.002. Section 1958.105, Occupations Code, is amended to read as follows:

Sec. 1958.105. EXAMINATION. ~~[(a)]~~ The department may require that an applicant for a license pass a competency examination to qualify for the license.

~~[(b) If the department requires an examination, the applicant must pass the examination with a score of 70 percent or more.]~~

SECTION 11.003. Section 1958.153, Occupations Code, as effective September 1, 2017, is amended to read as follows:

Sec. 1958.153. NOTICE OF PROJECT. (a) Except as provided by Subsection (b), not later than the fifth day before the date on which a license holder starts mold remediation at a property, the license holder shall notify the department in a manner prescribed by the department ~~[in writing]~~ about the project.

(b) In an emergency, notice to the department under Subsection (a) ~~[may be made verbally but]~~ must be made not later than the next business day after the license holder identifies the emergency. For purposes of this subsection, an emergency exists if a delay in mold remediation services in response to a water damage occurrence would increase mold contamination.

(c) The commission shall adopt rules to implement this section, including rules~~[-~~

~~[(1)]~~ describing the information that must be provided in the notice~~[-~~ and

~~[(2) authorizing verbal notification to the department in an emergency].~~

(d) The department shall develop a mechanism by which a license holder may notify the department of an emergency as required by Subsection (b).

SECTION 11.004. Section 1958.156(d), Occupations Code, is amended to read as follows:

(d) Not later than the 10th day ~~[one week]~~ after the date of completion of a mold remediation, the mold remediator license holder shall provide the property owner with copies of all photographs required by this section.

SECTION 11.005. Subchapter D, Chapter 1958, Occupations Code, is amended by adding Section 1958.158 to read as follows:

Sec. 1958.158. SERVICE OF PROCESS ON LICENSE HOLDER. The department may serve any notice that law requires the department to serve on a license holder by:

(1) personal service on the license holder;

(2) certified mail, return receipt requested, to the license holder at the last known address the license holder provided to the department; or

(3) certified electronic mail to the license holder at the last known electronic mail address the license holder provided to the department.

SECTION 11.006. The following provisions of the Occupations Code are repealed:

- (1) Section 1958.055;
- (2) Subchapter E, Chapter 1958, as effective September 1, 2017;
- (3) Subchapter F, Chapter 1958, as effective September 1, 2017; and
- (4) Section 1958.301.

SECTION 11.007. Section 1958.153, Occupations Code, as amended by this Act, applies only to notice of a mold remediation project that is provided on or after the effective date of this Act. Notice of a mold remediation project that is provided before that date is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

ARTICLE 12. TRANSITION PROVISIONS FOR CERTAIN PROCEEDINGS; EFFECTIVE DATE

SECTION 12.001. (a) Except as provided by this Act, the changes in law made by this Act do not apply to an administrative proceeding pending on the effective date of this Act. An administrative proceeding pending on the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(b) Except as provided by this Act, a civil or criminal proceeding based on a provision repealed by this Act that is pending on the effective date of this Act is terminated on that date.

SECTION 12.002. This Act takes effect September 1, 2017.

HB 3178 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 3178, A bill to be entitled An Act relating to the use of a broker for the exchange of land by certain political subdivisions.

Representative Anchia moved to concur in the senate amendments to **HB 3178**.

The motion to concur in the senate amendments to **HB 3178** prevailed by (Record 1798): 138 Yeas, 0 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Clardy; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; 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; Neave; Nevárez; Oliverson;

Ortega; 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, S.; Tinderholt; Turner; Uresti; Villalba; Vo; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Holland; Murr; Paddie(C).

Absent, Excused — Dukes; Oliveira.

Absent — Capriglione; Coleman; Parker; Thompson, E.; VanDeaver; Walle.

STATEMENTS OF VOTE

When Record No. 1798 was taken, I was in the house but away from my desk. I would have voted yes.

Parker

When Record No. 1798 was taken, I was in the house but away from my desk. I would have voted yes.

E. Thompson

Senate Committee Substitute

CSHB 3178, A bill to be entitled An Act relating to the use of a broker for the sale or lease of real property by the Dallas County Hospital District.

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

SECTION 1. Subchapter C, Chapter 281, Health and Safety Code, is amended by adding Section 281.059 to read as follows:

Sec. 281.059. DALLAS COUNTY HOSPITAL DISTRICT; BROKER AGREEMENTS AND FEES FOR SALE OF REAL PROPERTY. (a) In this section:

(1) "Broker" means a person licensed as a broker under Chapter 1101, Occupations Code.

(2) "District" means the Dallas County Hospital District.

(b) Except as provided by Subsection (c), the Dallas County Hospital District may contract with a broker to lease or sell a tract of real property that is owned by the district.

(c) The district may not contract with a broker who is related within the third degree of consanguinity, as determined under Chapter 573, Government Code, to:

(1) a member of the board of hospital managers of the district; or

(2) a public official who serves on the Dallas County Commissioners

Court.

(d) The district may pay a fee if a broker produces a ready, willing, and able buyer to purchase a tract of real property.

(e) If a contract made under Subsection (b) requires a broker to list the tract of real property for sale for at least 30 days with a multiple-listing service used by other brokers in the county in which the real property is located, the district, on or after the 30th day after the date the property is listed, may sell the tract of real

property to a ready, willing, and able buyer who is produced by any broker, including a broker described by Subsection (c), using the multiple-listing service and who submits the most advantageous offer.

(f) The district must post a notice of intent to sell the real property in a newspaper of general circulation, not less than once, at least 14 days before the date the district accepts an offer produced by a broker.

(g) The district may sell a tract of real property under this section without complying with the requirements of Section 272.001, Local Government Code.

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

HB 1208 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 1208, A bill to be entitled An Act relating to the powers and duties of the Kaufman County Fresh Water Supply District No. 1-D; providing authority to issue bonds, impose a tax, and levy assessments.

Representative Gooden moved to concur in the senate amendments to **HB 1208**.

The motion to concur in the senate amendments to **HB 1208** prevailed by (Record 1799): 119 Yeas, 22 Nays, 3 Present, not voting.

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

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

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

Absent, Excused — Dukes; Oliveira.

Absent — Bohac; Laubenberg; Parker; Price.

STATEMENTS OF VOTE

When Record No. 1799 was taken, I was in the house but away from my desk. I would have voted no.

Parker

When Record No. 1799 was taken, I was shown voting yes. I intended to vote no.

Wilson

Senate Committee Substitute

CSHB 1208, A bill to be entitled An Act relating to the powers and duties of the Kaufman County Fresh Water Supply District No. 1-D; providing authority to issue bonds and levy assessments.

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

SECTION 1. Subtitle B, Title 6, Special District Local Laws Code, is amended by adding Chapter 6917 to read as follows:

CHAPTER 6917. KAUFMAN COUNTY FRESH WATER SUPPLY DISTRICT

NO. 1-D

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6917.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Director" means a board member.

(3) "District" means the Kaufman County Fresh Water Supply District

No. 1-D.

Sec. 6917.002. NATURE OF DISTRICT. The district is a fresh water supply district created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 6917.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

(1) developing and diversifying the economy of the state;

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center; and

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, vehicle parking, and street art objects are parts of and necessary components of a street and are considered to be an improvement project that includes a street or road improvement.

Sec. 6917.004. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, the following laws apply to the district:

(1) Chapters 49, 51, and 53, Water Code;

(2) Chapters 372 and 375, Local Government Code; and

(3) Chapter 257, Transportation Code, and other general laws applicable to road districts created under Section 52, Article III, Texas Constitution, to the extent those provisions can apply to the district.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 6917.051. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, concreted, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 6917.052. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Sec. 6917.053. JOINT ROAD PROJECTS. (a) A district may contract with a state agency, political subdivision, or corporation created under Chapter 431, Transportation Code, for a joint road project.

(b) The contract may:

(1) provide for joint payment of project costs; and

(2) require the state agency, political subdivision, or corporation to design, construct, or improve a project, including landscaping, as provided by the contract.

Sec. 6917.054. EXEMPTION FROM CERTAIN SUPERVISION AND APPROVAL REQUIREMENTS. (a) The district may reimburse expenditures as provided by Sections 257.003(a) and (b), Transportation Code, without the approval required by Section 257.003(c), Transportation Code.

(b) The district may reimburse expenditures for a project constructed or acquired under Section 6917.051 or 6917.053 without the approval required by Section 49.107(f), Water Code.

(c) Sections 49.181 and 49.182, Water Code, and Section 375.208, Local Government Code, do not apply to:

(1) a project authorized by Section 6917.051 or 6917.053;

(2) bonds issued for a project described by Subdivision (1); or

(3) bonds issued under Chapter 372, Local Government Code, as authorized by Section 6917.151(b).

Sec. 6917.055. ROAD CONTRACTS. The district may enter into a contract for a road project in the same manner as a road district under Chapter 257, Transportation Code, except that competitive bidding for a road project contract is governed by Subchapter I, Chapter 49, Water Code.

Sec. 6917.056. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

(b) This chapter applies to any new district created by the division of the district, and a new district has all the powers and duties of the district.

(c) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the boundaries of the district as the boundaries exist on the effective date of the Act enacting this chapter.

(d) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.

(e) An order dividing the district must:

(1) name each new district;

(2) include the metes and bounds description of the territory of each

new district;

(3) appoint temporary directors for each new district; and

(4) provide for the division of assets and liabilities between or among the new districts.

(f) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

(g) Any new district created by the division of the district shall hold a confirmation and directors' election as required by Chapter 49, Water Code.

(h) If the creation of the new district is confirmed, the new district shall provide the election date and results to the Texas Commission on Environmental Quality.

(i) Any new district created by the division of the district must hold an election as required by this chapter to obtain voter approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes.

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 6917.101. ASSESSMENTS. (a) The district may impose an assessment on property in the district to pay for an improvement project or an obligation described by Section 6917.151 in the manner provided for:

(1) a district under Subchapters A, E, and F, Chapter 375, Local Government Code; or

(2) a municipality or county under Subchapter A, Chapter 372, Local Government Code.

(b) The district may impose an assessment for any district operation and maintenance or authorized improvement or supplemental service, including public safety services, in the manner provided for:

(1) a district under Subchapters A, E, and F, Chapter 375, Local Government Code; or

(2) a municipality or county under Subchapter A, Chapter 372, Local Government Code.

(c) The district may not impose an assessment on a municipality, county, or other political subdivision.

Sec. 6917.102. RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to the district.

SUBCHAPTER D. BONDS

Sec. 6917.151. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) Subject to Subsections (e) and (f), the district may issue bonds or other obligations to finance the construction, maintenance, or operation of road projects authorized by Section 6917.051 or 6917.053.

(b) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from assessments in the manner provided by:

(1) Subchapter J, Chapter 375, Local Government Code; or

(2) Subchapter A, Chapter 372, Local Government Code, if an improvement project financed by an obligation issued under this subsection will be conveyed to or operated and maintained by a municipality or retail utility provider under an agreement between the district and the municipality or retail utility provider entered into before the issuance of the obligation.

(c) The district may issue by competitive bidding or negotiated sale bonds or other obligations, payable wholly or partly from any available revenue of the district, to pay for an improvement project.

(d) The district may issue by competitive bidding or negotiated sale bonds or other obligations, payable wholly or partly from any available revenue of the district or contract revenue from another district that is secured by ad valorem taxes imposed by or other revenue from the other district, to pay for a joint utility or road project.

(e) The district may not issue bonds or other obligations payable wholly or partly from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

(f) At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. (a) The following are validated and confirmed in all respects:

(1) the creation of the Kaufman County Fresh Water Supply District No. 1-D; and

(2) any act or proceeding of the district, including an election, not excepted by this section and taken not more than three years before the effective date of this Act, effective as of the date on which the act or proceeding occurred.

(b) This section does not apply to:

(1) an act, proceeding, director, other official, bond, or other obligation the validity of which or of whom is the subject of litigation that is pending on the effective date of this Act; or

(2) an act or proceeding that, under a statute of this state or the United States, was a misdemeanor or felony at the time the act or proceeding occurred.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. 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 674 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative E. Johnson called up with senate amendments for consideration at this time,

HB 674, A bill to be entitled An Act relating to the suspension of a student enrolled in a grade level below grade three from public school.

Representative E. Johnson moved to concur in the senate amendments to **HB 674**.

The motion to concur in the senate amendments to **HB 674** prevailed by (Record 1800): 104 Yeas, 40 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dutton; Elkins; Farrar; Flynn; 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, P.; King, T.; Koop; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Capriglione; Cospers; Dean; Faircloth; Fallon; Frank; Goldman; Hefner; Holland; Keough; Klick; Krause; Landgraf; Lang; Laubenberg; Leach; Miller; Murr; Oliverson; Parker; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Smithee; Springer; Stickland; Swanson; Tinderholt; Villalba; Zedler.

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

Absent, Excused — Dukes; Oliveira.

Absent — Deshotel.

STATEMENTS OF VOTE

When Record No. 1800 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1800 was taken, I was shown voting yes. I intended to vote no.

Phelan

When Record No. 1800 was taken, I was shown voting yes. I intended to vote no.

Price

When Record No. 1800 was taken, I was shown voting yes. I intended to vote no.

Wilson

Senate Committee Substitute

CSHB 674, A bill to be entitled An Act relating to the suspension of a student enrolled in a grade level below grade three from public school and to a positive behavior program for public schools.

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

SECTION 1. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.0013 to read as follows:

Sec. 37.0013. POSITIVE BEHAVIOR PROGRAM. (a) Each school district and open-enrollment charter school may develop and implement a program, in consultation with campus behavior coordinators employed by the district or school and representatives of a regional education service center, that provides a disciplinary alternative for a student enrolled in a grade level below grade three who engages in conduct described by Section 37.005(a) and is not subject to Section 37.005(c). The program must:

- (1) be age-appropriate and research-based;
- (2) provide models for positive behavior;
- (3) promote a positive school environment;
- (4) provide alternative disciplinary courses of action that do not rely on the use of in-school suspension, out-of-school suspension, or placement in a disciplinary alternative education program to manage student behavior; and
- (5) provide behavior management strategies, including:
 - (A) positive behavioral intervention and support;
 - (B) trauma-informed practices;
 - (C) social and emotional learning;
 - (D) a referral for services, as necessary; and
 - (E) restorative practices.

(b) Each school district and open-enrollment charter school may annually conduct training for staff employed by the district or school on the program adopted under Subsection (a).

SECTION 2. Section 37.005, Education Code, is amended by adding Subsection (c) to read as follows:

(c) A student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless while on school property or while attending a school-sponsored or school-related activity on or off of school property, the student engages in:

- (1) conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code;
- (2) conduct that contains the elements of a violent offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code; or
- (3) selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of:
 - (A) marihuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;
 - (B) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or
 - (C) an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code.

SECTION 3. This Act applies beginning with the 2017-2018 school year.

SECTION 4. 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 1764 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 1764, A bill to be entitled An Act relating to the operation of metropolitan rapid transit authorities.

Representative Israel moved to concur in the senate amendments to **HB 1764**.

The motion to concur in the senate amendments to **HB 1764** prevailed by (Record 1801): 116 Yeas, 26 Nays, 2 Present, not voting.

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

Nays — Anderson, R.; Bonnen, D.; Bonnen, G.; Burrows; Faircloth; Fallon; Goldman; Hefner; Hunter; Keough; Klick; Krause; Landgraf; Lang; Leach; Murr; Rinaldi; Sanford; Schaefer; Simmons; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused — Dukes; Oliveira.

Absent — Coleman; Deshotel; Pickett; VanDeaver.

STATEMENT OF VOTE

When Record No. 1801 was taken, I was shown voting yes. I intended to vote no.

Parker

Senate Committee Substitute

CSHB 1764, A bill to be entitled An Act relating to the operation of metropolitan rapid transit authorities.

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

SECTION 1. Section 451.110(c), Transportation Code, is amended to read as follows:

(c) Subsection (a) does not apply to a contract for:

- (1) an amount less than or equal to the simplified acquisition threshold as defined by the Federal Acquisition Regulation (48 C.F.R. Section 2.101) or a successor regulation [\$50,000 or less];
- (2) the purchase of real property;
- (3) personal or professional services; or
- (4) the acquisition of an existing transit system.

SECTION 2. Section 451.111(a), Transportation Code, is amended to read as follows:

(a) Except as provided by Subchapter Q, unless the posting requirement in Subsection (b) is satisfied, a board may not let a contract that is:

- (1) for more than the simplified acquisition threshold as defined by the Federal Acquisition Regulation (48 C.F.R. Section 2.101) or a successor regulation [\$50,000]; and
- (2) for:
 - (A) the purchase of real property; or
 - (B) consulting or professional services.

SECTION 3. Section 451.133(a), Transportation Code, is amended to read as follows:

(a) An authority may not spend for capital improvements money in excess of the total amounts [amount] allocated for major capital expenditures in the current and preceding annual budgets of the authority [budget].

SECTION 4. Section 451.362, Transportation Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) Notwithstanding other provisions of this chapter and except as provided by Subsections (c), ~~and~~ (d), and (e), the board, by order or resolution, may issue bonds that are secured by revenue or taxes of the authority if the bonds:

- (1) have a term of not more than 12 months; and
- (2) are payable only from revenue or taxes received on or after the date of their issuance and before the end of the fiscal year following the fiscal year in which the bonds are issued.

(e) In an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than one million, bonds may have a term of not more than 15 years. The bonds are payable only from revenue received on or after the date the bonds are issued.

SECTION 5. Sections 451.455(h) and (i), Transportation Code, are amended to read as follows:

(h) The number of accidents per 100,000 miles is computed by multiplying the annual number of accidents by 100,000 and dividing the product by the number of miles for all service, including charter and nonrevenue service, [directly operated by the authority] for the same period. In this subsection, "accident" includes:

- (1) a collision that involves an authority's revenue vehicle, other than a lawfully parked revenue vehicle, and that results in property damage, injury, or death; and

(2) an incident that results in the injury or death of a person on board or boarding or alighting from an authority's revenue vehicle.

(i) The number of miles between mechanical road calls is computed by dividing the annual number of miles for all service [~~directly operated by an authority~~], including charter and nonrevenue service, by the number of mechanical road calls for the same period. In this subsection, "mechanical road call" means an interruption in revenue service that is caused by revenue vehicle equipment failure that requires assistance from a person other than the vehicle operator before the vehicle can be operated normally.

SECTION 6. This Act takes effect September 1, 2017.

HB 2671 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 2671, A bill to be entitled An Act relating to the placement of certain substances in Penalty Groups 1 and 3 of the Texas Controlled Substances Act for the purposes of prosecution of criminal offenses involving those substances.

Representative Dean moved to concur in the senate amendments to **HB 2671**.

The motion to concur in the senate amendments to **HB 2671** prevailed by (Record 1802): 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; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; 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; Paddie(C).

Absent, Excused — Dukes; Oliveira.

Senate Committee Substitute

CSHB 2671, A bill to be entitled An Act relating to the placement of certain substances in Penalty Groups 1 and 3 of the Texas Controlled Substances Act for the purposes of prosecution of criminal offenses involving those substances.

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

SECTION 1. Section 481.102, Health and Safety Code, is amended to read as follows:

Sec. 481.102. PENALTY GROUP 1. Penalty Group 1 consists of:

(1) the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

- Alfentanil;
- Allylprodine;
- Alphacetylmethadol;
- Benzethidine;
- Betaprodine;
- Clonitazene;
- Diampromide;
- Diethylthiambutene;
- Difenoxin not listed in Penalty Group 3 or 4;
- Dimenoxadol;
- Dimethylthiambutene;
- Dioxaphetyl butyrate;
- Dipipanone;
- Ethylmethylthiambutene;
- Etonitazene;
- Etoxeridine;
- Furethidine;
- Hydroxypethidine;
- Ketobemidone;
- Levophenacetylmorphan;
- Meprodine;
- Methadol;
- Moramide;
- Morpheridine;
- Noracymethadol;
- Norlevorphanol;
- Normethadone;
- Norpipanone;
- Phenadoxone;
- Phenampromide;
- Phenomorphane;
- Phenoperidine;
- Piritramide;
- Proheptazine;

Properidine;
Propiram;
Sufentanil;
Tilidine; and
Trimeperidine;

(2) the following opium derivatives, their salts, isomers, and salts of isomers, unless specifically excepted, if the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

Acetorphine;
Acetyldihydrocodeine;
Benzylmorphine;
Codeine methylbromide;
Codeine-N-Oxide;
Cyprenorphine;
Desomorphine;
Dihydromorphine;
Drotebanol;
Etorphine, except hydrochloride salt;
Heroin;
Hydromorphenol;
Methyldesorphine;
Methyldihydromorphine;
Monoacetylmorphine;
Morphine methylbromide;
Morphine methylsulfonate;
Morphine-N-Oxide;
Myrophine;
Nicocodeine;
Nicomorphine;
Normorphine;
Pholcodine; and
Thebacon;

(3) the following substances, however produced, except those narcotic drugs listed in another group:

(A) Opium and opiate not listed in Penalty Group 3 or 4, and a salt, compound, derivative, or preparation of opium or opiate, other than thebaine derived butorphanol, nalmefene and its salts, naloxone and its salts, and naltrexone and its salts, but including:

Codeine not listed in Penalty Group 3 or 4;
Dihydroetorphine;
Ethylmorphine not listed in Penalty Group 3 or 4;
Granulated opium;
Hydrocodone not listed in Penalty Group 3;
Hydromorphone;
Metopon;
Morphine not listed in Penalty Group 3;

Opium extracts;
Opium fluid extracts;
Oripavine;
Oxycodone;
Oxymorphone;
Powdered opium;
Raw opium;
Thebaine; and
Tincture of opium;

(B) a salt, compound, isomer, derivative, or preparation of a substance that is chemically equivalent or identical to a substance described by Paragraph (A), other than the isoquinoline alkaloids of opium;

(C) Opium poppy and poppy straw;

(D) Cocaine, including:

(i) its salts, its optical, position, and geometric isomers, and the salts of those isomers;

(ii) coca leaves and a salt, compound, derivative, or preparation of coca leaves; and

(iii) a salt, compound, derivative, or preparation of a salt, compound, or derivative that is chemically equivalent or identical to a substance described by Subparagraph (i) or (ii), other than decocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine; and

(E) concentrate of poppy straw, meaning the crude extract of poppy straw in liquid, solid, or powder form that contains the phenanthrine alkaloids of the opium poppy;

(4) the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

Alphaprodine;

Anileridine;

Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenylpropanamide);

Beta-hydroxy-3-methylfentanyl;

Bezitramide;

Carfentanil;

Dihydrocodeine not listed in Penalty Group 3 or 4;

Diphenoxylate not listed in Penalty Group 3 or 4;

Fentanyl or alpha-methylfentanyl, or any other derivative of Fentanyl;

Isomethadone;

Levomethorphan;

Levorphanol;

- Metazocine;
 Methadone;
 Methadone-Intermediate, 4-cyano-2-dimethylamino- 4, 4-diphenyl
 butane;
 3-methylfentanyl(N-[3-methyl-1-(2-phenylethyl)-
 4-piperidyl]-N-phenylpropanamide);
 3-methylthiofentanyl(N-[3-methyl-1-(2-thienyl)
 ethyl-4-piperidyl]-N-phenylpropanamide);
 Moramide-Intermediate, 2-methyl-3-morpholino-1,
 1-diphenyl-propane-carboxylic acid;
 Para-fluorofentanyl(N-(4-fluorophenyl)-N-1-(2-
 phenylethyl)-4-piperidylpropanamide);
 PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
 Pethidine (Meperidine);
 Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
 Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
 Pethidine-Intermediate-C, 1-methyl-4-
 phenylpiperidine-4-carboxylic acid;
 Phenazocine;
 Piminodine;
 Racemethorphan;
 Racemorphan;
 Remifentanyl; and
 Thiofentanyl(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidyl]-propa
 namide);
- (5) Flunitrazepam (trade or other name: Rohypnol);
 - (6) Methamphetamine, including its salts, optical isomers, and salts of
 optical isomers;
 - (7) Phenylacetone and methylamine, if possessed together with intent
 to manufacture methamphetamine;
 - (8) Phencyclidine, including its salts;
 - (9) Gamma hydroxybutyric acid (some trade or other names: gamma
 hydroxybutyrate, GHB), including its salts; ~~and~~
 - (10) Ketamine;
 - (11) Phenazepam;
 - (12) U-47700;
 - (13) AH-7921;
 - (14) ADB-FUBINACA;
 - (15) AMB-FUBINACA; and
 - (16) MDMB-CHMICA.

SECTION 2. Section 481.104(a), Health and Safety Code, is amended to
 read as follows:

(a) Penalty Group 3 consists of:

(1) a material, compound, mixture, or preparation that contains any
 quantity of the following substances having a potential for abuse associated with
 a stimulant effect on the central nervous system:

Methylphenidate and its salts; and
Phenmetrazine and its salts;

(2) a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

a substance that contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid not otherwise described by this subsection;

a compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any salt of any of these, and one or more active medicinal ingredients that are not listed in any penalty group;

a suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs, and approved by the United States Food and Drug Administration for marketing only as a suppository;

Alprazolam;
Amobarbital;
Bromazepam;
Camazepam;
Carisoprodol;
Chlordiazepoxide;
Chlorhexadol;
Clobazam;
Clonazepam;
Clorazepate;
Clotiazepam;
Cloxazolam;
Delorazepam;
Diazepam;
Estazolam;
Ethyl loflazepate;
Etizolam;
Fludiazepam;
Flurazepam;
Glutethimide;
Halazepam;
Haloxzolam;
Ketazolam;
Loprazolam;
Lorazepam;
Lormetazepam;
Lysergic acid, including its salts, isomers, and salts of isomers;
Lysergic acid amide, including its salts, isomers, and salts of

isomers;

Mebutamate;
Medazepam;
Methyprylon;

Midazolam;
 Nimetazepam;
 Nitrazepam;
 Nordiazepam;
 Oxazepam;
 Oxazolam;
 Pentazocine, its salts, derivatives, or compounds or mixtures
 thereof;

Pentobarbital;
 Pinazepam;
 Prazepam;
 Quazepam;
 Secobarbital;
 Sulfondiethylmethane;
 Sulfonethylmethane;
 Sulfonmethane;
 Temazepam;
 Tetrazepam;

Tiletamine and zolazepam in combination, and its salts. (some trade or other names for a tiletamine-zolazepam combination product: Telazol, for tiletamine: 2-(ethylamino)- 2-(2-thienyl)-cyclohexanone, and for zolazepam: 4-(2- fluorophenyl)-6, 8-dihydro-1,3,8,-trimethylpyrazolo-[3,4- e](1,4)-d diazepin-7(1H)-one, flupyrzapon);

Tramadol;
 Triazolam;
 Zaleplon;
 Zolpidem; and
 Zopiclone;

(3) Nalorphine;

(4) a material, compound, mixture, or preparation containing limited quantities of the following narcotic drugs, or any of their salts:

not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

not more than 1.8 grams of codeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

not more than 300 milligrams of dihydrocodeinone (hydrocodone), or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

not more than 1.8 grams of dihydrocodeine, or any of its salts, per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

not more than 300 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

not more than 50 milligrams of morphine, or any of its salts, per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts; and

not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

(5) a material, compound, mixture, or preparation that contains any quantity of the following substances:

Barbital;

Chloral betaine;

Chloral hydrate;

Ethchlorvynol;

Ethinamate;

Meprobamate;

Methohexital;

Methylphenobarbital (Mephobarbital);

Paraldehyde;

Petrichloral; and

Phenobarbital;

(6) Peyote, unless unharvested and growing in its natural state, meaning all parts of the plant classified botanically as *Lophophora*, whether growing or not, the seeds of the plant, an extract from a part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts;

(7) unless listed in another penalty group, a material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including the substance's salts, optical, position, or geometric isomers, and salts of the substance's isomers, if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation:

Benzphetamine;

Cathine [(+)-norpseudoephedrine];

Chlorphentermine;

Clortermine;

Diethylpropion;

Fencamfamin;

Fenfluramine;

Fenproporex;

Mazindol;
 Mefenorex;
 Modafinil;
 Pemoline (including organometallic complexes and their chelates);
 Phendimetrazine;
 Phentermine;
 Pipradrol;
 Sibutramine; and
 SPA [(-)-1-dimethylamino-1,2-diphenylethane];

(8) unless specifically excepted or unless listed in another penalty group, a material, compound, mixture, or preparation that contains any quantity of the following substance, including its salts:

Dextropropoxyphene (Alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane);

(9) an anabolic steroid, including any drug or hormonal substance, or any substance that is chemically or pharmacologically related to testosterone, other than an estrogen, progestin, dehydroepiandrosterone, or corticosteroid, and promotes muscle growth, including the following drugs and substances and any salt, ester, or ether of the following drugs and substances:

Androstenediol;
 Androstenedione;
 Androstenediol;
 Androstenedione;
 Bolasterone;
 Boldenone;
 Calusterone;
 Clostebol;
 Dehydrochlormethyltestosterone;
 Delta-1-dihydrotestosterone;
 Dihydrotestosterone (4-dihydrotestosterone);
 Drostanolone;
 Ethylestrenol;
 Fluoxymesterone;
 Formebolone;
 Furazabol;
 13beta-ethyl-17beta-hydroxygon-4-en-3-one;
 4-hydroxytestosterone;
 4-hydroxy-19-nortestosterone;
 Mestanolone;
 Mesterolone;
 Methandienone;
 Methandriol;
 Methenolone;
 17alpha-methyl-3beta, 17 beta-dihydroxy-5alpha- androstane;
 17alpha-methyl-3alpha, 17 beta-dihydroxy-5alpha- androstane;
 17alpha-methyl-3beta, 17beta-dihydroxyandrost-4- ene;

17alpha-methyl-4-hydroxynandrolone;
Methyldienolone;
Methyltestosterone;
Methyltrienolone;
17alpha-methyl-delta-1-dihydrotestosterone;
Mibolerone;
Nandrolone;
Norandrostenediol;
Norandrostenedione;
Norbolethone;
Norclostebol;
Norethandrolone;
Normethandrolone;
Oxandrolone;
Oxymesterone;
Oxymetholone;
Stanozolol;
Stenbolone;
Testolactone;
Testosterone;
Tetrahydrogestrinone; and
Trenbolone; and

(10) *Salvia divinorum*, unless unharvested and growing in its natural state, meaning all parts of that plant, whether growing or not, the seeds of that plant, an extract from a part of that plant, and every compound, manufacture, salt, derivative, mixture, or preparation of that plant, its seeds, or extracts, including Salvinorin A.

SECTION 3. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 4. This Act takes effect September 1, 2017.

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

Amend **CSHB 2671** (senate committee report), by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 481.103(d), Health and Safety Code, is repealed.

**SB 312 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Gonzales, the house granted the request of the senate for the appointment of a Conference Committee on **SB 312**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 312**: Gonzales, chair; Morrison, Burkett, S. Thompson, and Raymond.

HOUSE AT EASE

At 4:33 p.m., the chair announced that the house would stand at ease.

(Oliveira now present)

(Speaker pro tempore in the chair)

The chair called the house to order at 5:25 p.m.

SB 2190 - CONFERENCE COMMITTEE REPORT ADOPTED

Representative Flynn submitted the conference committee report on **SB 2190**.

(Dukes now present)

Representative Flynn moved to adopt the conference committee report on **SB 2190**.

The motion to adopt the conference committee report on **SB 2190** prevailed by (Record 1803): 103 Yeas, 43 Nays, 3 Present, not voting.

Yeas — Allen; Anchia; Anderson, C.; Anderson, R.; Bernal; Blanco; Bohac; Bonnen, D.(C); Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; King, K.; King, P.; Klick; Koop; Krause; Lambert; Laubenberg; Leach; Lucio; Meyer; Miller; Minjarez; Moody; Morrison; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schofield; Sheffield; Shine; Simmons; Smithee; Springer; Stickland; Stucky; Thierry; Thompson, S.; Turner; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Alonzo; Arévalo; Ashby; Bailes; Bell; Biedermann; Cain; Canales; Collier; Cortez; Faircloth; Farrar; González; Gooden; Guerra; Guillen; Holland; Kacal; Keough; King, T.; Kuempel; Landgraf; Lang; Larson; Longoria; Martinez; Metcalf; Muñoz; Murr; Perez; Raymond; Rinaldi; Romero; Schaefer; Schubert; Shaheen; Stephenson; Swanson; Thompson, E.; Tinderholt; Uresti; White; Wilson.

Present, not voting — Mr. Speaker; Alvarado; Johnson, J.

Absent — Lozano.

STATEMENTS OF VOTE

When Record No. 1803 was taken, I was shown voting yes. I intended to vote no.

R. Anderson

When Record No. 1803 was taken, I was shown voting yes. I intended to vote no.

Krause

When Record No. 1803 was taken, I was shown voting yes. I intended to vote no.

Raney

SB 762 - VOTE RECONSIDERED

Representative Moody moved to reconsider the vote by which **SB 762**, as amended, was passed by Record No. 1720 earlier today.

The motion to reconsider prevailed by (Record 1804): 112 Yeas, 34 Nays, 2 Present, not voting.

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

Nays — Bell; Bohac; Burns; Burrows; Cain; Dale; Elkins; Faircloth; Fallon; Frank; Gonzales; Hefner; Holland; Isaac; Krause; Kuempel; Landgraf; Lang; Leach; Metcalf; Miller; Murphy; Murr; Rinaldi; Schaefer; Shaheen; Stephenson; Stickland; Swanson; Thompson, E.; Tinderholt; Villalba; Workman; Zedler.

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

Absent — Simmons; Wilson.

SB 762 ON THIRD READING (Moody - House Sponsor)

The chair laid before the house, on its third reading and final passage,

SB 762, A bill to be entitled An Act relating to the prosecution of offenses involving cruelty to animals; increasing a criminal penalty.

SB 762 was read third time earlier today and was passed, as amended, by Record No. 1720.

SB 762 - POINT OF ORDER

Representative Tinderholt raised a point of order against further consideration of **SB 762** under Rule 5, Section 58 of the House Rules on the grounds that the vote was erroneously announced.

The point of order was withdrawn.

Amendment No. 1 - Vote Reconsidered

Representative Roberts moved to reconsider Amendment No. 1.

The motion to reconsider prevailed.

AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE TINDERHOLT: You know, I was sitting at my desk writing down, because I kind of figured this is where we would be. I came up with three words for people that do these things to animals: reprehensible, shameful, and deplorable. It's absolutely disgusting that people would ever consider doing these things to animals. A lot of you may not know, and to you it might not matter, but we've got a lot of people out there that are hating us on social media because of what we did yesterday. I have three dogs. They're like family to me. We had two cats, and one of them recently died. Our house is kind of like a barn—we've got all these animals running around in there. I love these things just like family. Simply put, they are family to me, but I can never place the same exact value on their life that I place on a human being.

So I'm only going to say this once, and I mean it in a most respectful way. You have to go back to your district, and you're going to have to run campaigns. I understand the intent of this bill is absolutely with great heart and meaningful. I struggle with the comparison of what we did last week by making it a state jail felony for those two types of abortion, which I am not going to go through in detail like I did yesterday, and then we come here and we are going to create a felony that is one level higher than doing things that we made a state jail felony last time. The reason I brought up going home and talking to your constituents is that you go door to door and you tell them you are pro-life. You still get to tell them you are pro-life and pro-animal life, because a state jail felony—two years in a state jail, no air conditioning—and I was wrong yesterday, you don't get three for one, you don't get two for one good time. God forbid that somebody run against you and does a mailer that—and we don't vote because we are afraid of mailers, but I want you to think about this—a mailer with a gerbil, a cat, a dog, or a horse and a baby on the other side. It says that you place a higher value of life for that animal than you did a human. I'm just trying to be as realistic as possible. I'm trying to be very calm and mild mannered when I tell you this is what is going to happen when you go back to your district.

You can vote no on this amendment and still be pro-life and pro-animal life. Two years in state jail is horrible. It truly is. So I'm going to ask you—I'm reaching out on both sides of the aisle—for people to consider voting no on this

amendment, and you're still pro-life on both sides. You're supporting what is ethically and morally right. So thank you very much. I would respectfully request that you vote no on the Laubenberg amendment.

The vote of the house was taken on the adoption of Amendment No. 1 and the vote was announced yeas 92, nays 47.

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 1805): 95 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bernal; Blanco; Bonnen, D.(C); Bonnen, G.; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Neave; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Simmons; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; Wray; Wu; Zerwas.

Nays — Anderson, C.; Bailes; Bell; Biedermann; Bohac; Burns; Burrows; Cain; Coper; Craddick; Dean; Elkins; Faircloth; Fallon; Frank; Gonzales; Hefner; Holland; Huberty; Isaac; Keough; King, P.; Klick; Krause; Kuempel; Lang; Lozano; Metcalf; Miller; Murphy; Murr; Paul; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Smithee; Springer; Stephenson; Stickland; Swanson; Thompson, E.; Tinderholt; White; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker.

Absent — Anderson, R.; Dale; Farrar; Leach; Nevárez; Villalba.

The chair stated that Amendment No. 1 failed of adoption (not receiving the necessary two-thirds vote) by the above vote.

STATEMENTS OF VOTE

When Record No. 1805 was taken, my vote failed to register. I would have voted yes.

Farrar

When Record No. 1805 was taken, I was shown voting no. I intended to vote yes.

Isaac

SB 762 was passed by (Record 1806): 126 Yeas, 20 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.(C); Bonnen, G.; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; 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; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Burns; Burrows; Cain; Cospers; Davis, S.; Hefner; Israel; Krause; Lang; Murr; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Stickland; Swanson; White; Wilson; Zedler.

Present, not voting — Mr. Speaker.

Absent — Dale; Gutierrez; Leach.

STATEMENT OF VOTE

When Record No. 1806 was taken, I was shown voting yes. I intended to vote no.

Paul

(Paddie in the chair)

LEAVES OF ABSENCE GRANTED

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

Leach on motion of Fallon.

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

Villalba on motion of Frank.

REMARKS ORDERED PRINTED

Representative Wu moved to print remarks by Representative Tinderholt on Amendment No. 1 to **SB 762**.

The motion prevailed.

**HB 550 - RETURNED TO SENATE
BY THE SPEAKER**

Pursuant to Rule 13, Section 5A of the House Rules, the speaker returned **HB 550** 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 to the Texas Senate for further action because the amendments the senate adopted to the bill are not germane for the following reasons:

As **HB 550** left the house, the sole subject of the bill dealt with requiring vessels to have an efficient whistle or other sound-producing device. Amendment No. 1 added in the senate is not germane to the subject of boat whistles. Instead, the senate amendment requires motorboats to have an "engine cutoff switch." The senate's proposed cutoff switch can either be a lanyard attachment or a wireless attachment. The senate amendment is not germane and adds an impermissible second subject.

HOUSE AT EASE

At 6:46 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 6:58 p.m.

SB 1633 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Price, Representatives K. King, Burkett, Nevárez, Biedermann, Cosper, Guillen, Lambert, Stephenson, and Darby were authorized as house sponsors to **SB 1633**.

(Speaker pro tempore in the chair)

**LOCAL, CONSENT, AND RESOLUTIONS CALENDAR
SECOND READING**

The following bills were laid before the house, read second time, and passed to third reading (members registering votes are shown following the caption), and the following resolutions were laid before the house on committee report:

SB 40 (Murr - House Sponsor), A bill to be entitled An Act relating to the bond required and the bond insurance obtained for certain judges.

SB 43 (Murr - House Sponsor), A bill to be entitled An Act relating to the Judicial Branch Certification Commission; authorizing fees; providing penalties.

SB 49 (Guillen - House Sponsor), A bill to be entitled An Act relating to the appointment by certain elected officials of students to receive a Texas Armed Services Scholarship. (Tinderholt recorded voting no.)

SB 55 (Sheffield - House Sponsor), A bill to be entitled An Act relating to a study of the use of a patient-reported outcomes registry in conjunction with health coverage for certain governmental employees. (Rinaldi and Zedler recorded voting no.)

SB 79 (Capriglione - House Sponsor), A bill to be entitled An Act relating to the production of public information available on a publicly accessible website.

SB 82 (Capriglione - House Sponsor), A bill to be entitled An Act relating to prohibiting the temporary closure of segments of the state highway system on days that certain scheduled events are being held in certain municipalities.

SB 102 (White - House Sponsor), A bill to be entitled An Act relating to general officers within the state military department.

SB 227 (Clardy - House Sponsor), A bill to be entitled An Act relating to certain substances listed in Penalty Group 2 of the Texas Controlled Substances Act. (Cain, Schaefer, Stickland, and Tinderholt recorded voting no.)

SB 239 (Larson - House Sponsor), A bill to be entitled An Act relating to a parent's right to view the body of a deceased child before an autopsy is performed.

SB 263 (Springer, White, Shaheen, Oliverson, Bell, et al. - House Sponsors), A bill to be entitled An Act relating to the handgun proficiency required to obtain or renew a license to carry a handgun.

SB 323 (Burkett - House Sponsor), A bill to be entitled An Act relating to the offense of female genital mutilation.

SB 341 (Goldman - House Sponsor), A bill to be entitled An Act relating to the consequences of the possession of illegal synthetic cannabinoids on a holder of or applicant for certain alcoholic beverage licenses and liability of a person who provides, sells, or serves a synthetic cannabinoid to another person. (Cain, Stickland, and Tinderholt recorded voting no.)

SB 343 (Moody, White, Herrero, P. King, and Hefner - House Sponsors), A bill to be entitled An Act relating to the prosecution of the offense of improper sexual activity with a person under supervision.

SB 344 (Sheffield - House Sponsor), A bill to be entitled An Act relating to the authority of emergency medical services personnel of certain emergency medical services providers to transport a person for emergency detention.

SB 364 (Schubert - House Sponsor), A bill to be entitled An Act relating to the designation of a portion of Alternate United States Highway 90 in Lavaca County as the Sheriff Ronnie Dodds Memorial Highway.

SB 365 (Schubert - House Sponsor), A bill to be entitled An Act relating to the designation of a portion of State Highway 95 in Lavaca County as the Sergeant David M. Furrh Memorial Highway.

SB 371 (Cyrier - House Sponsor), A bill to be entitled An Act relating to the grounds for refusal, cancellation, or suspension of certain alcoholic beverage licenses.

SB 402 (Allen - House Sponsor), A bill to be entitled An Act relating to notice provided to persons with disabilities regarding the eligibility of persons with disabilities to use certain public transportation services.

SB 413 (Laubenberg - House Sponsor), A bill to be entitled An Act relating to the maintenance of information entered into a fee record in certain counties.

SB 436 was deferred until the end of today's local, consent, and resolutions calendar.

SB 441 (Blanco - House Sponsor), A bill to be entitled An Act relating to eligibility of surviving spouses of disabled veterans for specialty license plates. (Cain and Stickland recorded voting no.)

CSSB 526 (Capriglione and Shaheen - House Sponsors), A bill to be entitled An Act relating to the abolishment of certain advisory committees and other state entities.

SB 544 (Guillen - House Sponsor), A bill to be entitled An Act relating to required training for veterans county service officers and assistant veterans county service officers.

SB 546 (Collier - House Sponsor), A bill to be entitled An Act relating to the quality of water provided by public drinking water supply systems to state supported living centers.

SB 554 (Metcalf - House Sponsor), A bill to be entitled An Act relating to notice requirements for certain special districts that hold board meetings outside the district.

SB 563 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

SB 564 (Capriglione - House Sponsor), A bill to be entitled An Act relating to the applicability of open meetings requirements to certain meetings of a governing body relating to information technology security practices.

SB 585 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

SB 588 (Blanco - House Sponsor), A bill to be entitled An Act relating to information regarding private employers who have veteran's employment preference policies. (Cain and Stickland recorded voting no.)

SB 591 (Blanco - House Sponsor), A bill to be entitled An Act relating to a community outreach campaign to increase awareness of veterans benefits and services.

SB 593 (Blanco and Moody - House Sponsors), A bill to be entitled An Act relating to the governance of certain housing authorities. (Shaheen recorded voting no.)

SB 631 (Wilson - House Sponsor), A bill to be entitled An Act relating to venue for the disposition of stolen property.

SB 731 (Bohac - House Sponsor), A bill to be entitled An Act relating to the appeal through binding arbitration of certain appraisal review board orders.

CSSB 736 (Clardy - House Sponsor), A bill to be entitled An Act relating to a report on the sale of retail electric power by the General Land Office.

CSSB 736 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HERRERO: Representative Clardy, this is a topic that has been greatly discussed in the Land and Resource Management committee. Is that correct?

REPRESENTATIVE CLARDY: That is correct.

HERRERO: Both you, myself, and other members of the committee have worked diligently in trying to work on something that we could bring to the floor for consideration. Is that correct as well?

CLARDY: That's right, Mr. Chairman. I appreciate your efforts and those of your committee in that regard.

HERRERO: I thank you for your patience as well. So what we have before us is a report that the General Land Office will provide information regarding the program that they have where they sell power to governmental entities including public school districts. Is that correct as well?

CLARDY: Yes, that's exactly right. That's the program.

HERRERO: And the agreement that was reached among the stakeholders and those involved was that this would be reduced to a report, and that we would continue to look at those issues in the program related to that in the interim. Is that correct as well?

CLARDY: That's right, Chairman. I think, as you know, as we went back and forth on these issues, we were provided information and data, and we just couldn't get it to match up. We need good reliable data to make good sound policy. I think this is exactly the right thing to do. So our intention is that with the current bill in its state, we will go to conference, but it will stay in this form as a study only, so in two years we can come back and make quality decisions.

HERRERO: Right, so that we can gather information and make better informed decisions other than what we had available to us in this legislative session. Is that correct?

CLARDY: Yes, that's right, Mr. Chairman.

HERRERO: All right, and we'll work with you in the interim on an interim study so that we can learn as much as we can between now and the next legislative session. I thank you for your held and your efforts.

CLARDY: Very good. I look forward to working with you in the interim.

HERRERO: Likewise.

SB 738 (Schofield - House Sponsor), A bill to be entitled An Act relating to the transfer of certain suits affecting the parent-child relationship.

SB 745 (Murphy - House Sponsor), A bill to be entitled An Act relating to the exemption of certain services performed by certain employees from the sales and use tax.

SB 748 (Allen - House Sponsor), A bill to be entitled An Act relating to transition planning for a public school student enrolled in a special education program. (Rinaldi, Tinderholt, and Zedler recorded voting no.)

SB 749 (Cyrier - House Sponsor), A bill to be entitled An Act relating to certain charges by the Bastrop County Water Control and Improvement District No. 2; authorizing an increase in a fee. (Cain, Rinaldi, Shaheen, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 751 (Wilson - House Sponsor), A bill to be entitled An Act relating to the confidentiality of certain information of and the abolishment date of the military base realignment and closure task force.

SB 769 (Israel - House Sponsor), A bill to be entitled An Act relating to the issuance of specialty license plates for recipients of the Combat Medical Badge. (Cain and Stickland recorded voting no.)

SB 805 (S. Thompson - House Sponsor), A bill to be entitled An Act relating to the duties of the Texas Women Veterans Program.

Amendment No. 1

Representative Neave offered the following amendment to **SB 805**:

Amend **SB 805** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 662, Government Code, is amended by adding Section 662.065 to read as follows:

Sec. 662.065. WOMEN VETERANS DAY. (a) June 12 is Women Veterans Day to recognize the role of women in the military forces and to commemorate the sacrifices of and valor displayed by Texas women veterans.

(b) Women Veterans Day shall be regularly observed by appropriate programs and activities.

REMARKS ORDERED PRINTED

Representative Herrero moved to print remarks between Representative Clardy and Representative Herrero on **CSSB 736**.

The motion prevailed.

SB 805 - (consideration continued)

Amendment No. 1 was adopted.

Amendment No. 2

Representative S. Thompson offered the following amendment to **SB 805**:

Amend **SB 805** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter E, Chapter 434, Government Code, is amended by adding Sections 434.212, 434.213, and 434.214 to read as follows:

Sec. 434.212. WOMEN VETERANS REPORT. Not later than November 1 of each even-numbered year, the commission shall submit to the governor, lieutenant governor, and legislature a report on women veterans in this state. The report may be delivered electronically and must:

- (1) estimate the:
 - (A) number of women veterans in this state;
 - (B) number of women veterans who contact the commission for assistance; and
 - (C) number of women veterans who receive assistance from the commission, the Texas Workforce Commission, the Department of State Health Services, and other state agencies;
- (2) identify the unique problems faced by women veterans; and
- (3) recommend policy proposals, initiatives, and funding levels to address the problems identified in Subdivision (2).

Sec. 434.213. WOMEN VETERANS COMMUNITY OUTREACH CAMPAIGN. The women veterans coordinator designated under Section 434.203, in consultation with the Governor's Commission for Women, the United States Department of Veterans Affairs, and any other appropriate agency, shall conduct a community outreach campaign to:

- (1) provide information relating to and increase awareness of benefits and services available to women veterans;
- (2) improve access to benefits and services for women veterans;
- (3) increase participation of women veterans in programs that provide benefits and services;
- (4) provide information on the significant contributions of women veterans in this state; and
- (5) provide information relating to and increase awareness of support groups and other organizations relating to family services, including services for women veterans who are single parents.

Sec. 434.214. APPLICATION FOR STATE AGENCY PROGRAMS, SERVICES, OR ASSISTANCE. (a) This section applies to a state agency in the executive branch of state government, including a health and human services agency, that provides to adult women in this state a program, a service, or assistance, including the Temporary Assistance for Needy Families program, the supplemental nutrition assistance program, the women's health program, Medicaid, the Special Supplemental Nutrition Program for Women, Infants, and Children, and a housing program or service or housing assistance.

(b) A state agency shall include in each application for a program, a service, or assistance provided by the agency to adult women:

- (1) a space to indicate whether the applicant is a veteran; and
- (2) model language informing the applicant that she may be entitled to additional services because of her veteran status.

(c) The commission shall develop the model language required on an application under Subsection (b)(2). The language must include a link to the veterans website established under Section 434.102 or, for an online application, a hyperlink to that website.

SECTION _____. Not later than November 1, 2018, the women veterans coordinator shall establish the women veterans community outreach campaign as required under Section 434.213, Government Code, as added by this Act, and the Texas Veterans Commission shall adopt any rules necessary to implement the campaign.

SECTION _____. (a) Not later than December 1, 2017, the Texas Veterans Commission shall develop the model application language required by Section 434.214, Government Code, as added by this Act, and post that information on the commission's Internet website.

(b) Not later than March 1, 2018, each state agency subject to Section 434.214, Government Code, as added by this Act, shall modify the agency's application for programs, services, or assistance as necessary to implement that section.

Amendment No. 2 was adopted.

SB 814 (Canales - House Sponsor), A bill to be entitled An Act relating to the board of directors of the Agua Special Utility District. (Cain, Shaheen, Stickland, and Tinderholt recorded voting no; Longoria and Lucio recorded voting present, not voting.)

Amendment No. 1

Representative Canales offered the following amendment to **SB 814**:

Amend **SB 814** (house committee report) as follows:

(1) Strike page 2, line 25, through page 3, line 4, and substitute the following:

(m) If a director is an employee of another taxing entity within the district, the board may not employ as an employee, as a consultant, or on a contract basis:

(1) an elected official of the other taxing entity that employs the director; or

(2) a person related to that elected official in the third degree of consanguinity or affinity as determined under Chapter 573, Government Code.

(2) Strike SECTION 2 of the bill (page 3, lines 5 through 11) and renumber subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

SB 825 (Huberty - House Sponsor), A bill to be entitled An Act relating to school district discretion to administer college preparation assessment instruments to public school students at state cost. (Fallon, Simmons, and Springer recorded voting no.)

CSSB 848 (Romero and Frullo - House Sponsors), A bill to be entitled An Act relating to the licensing and regulation of providers of driver and traffic safety education.

SB 865 (Burns - House Sponsor), A bill to be entitled An Act relating to a groundwater conservation district's use of electronic fund transfers.

SB 905 (Burns - House Sponsor), A bill to be entitled An Act relating to the creation of the Cresson Crossroads Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 914 (Kuempel - House Sponsor), A bill to be entitled An Act relating to the creation of the Kendall County Water Control and Improvement District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 928 (Pickett, Landgraf, Moody, C. Anderson, et al. - House Sponsors), A bill to be entitled An Act relating to the establishment of the Tom Lea Trail.

SB 942 (Paddie - House Sponsor), A bill to be entitled An Act relating to the use of municipal hotel occupancy tax revenue in certain municipalities. (Burns, Cain, Keough, Murr, Rinaldi, Schaefer, Shaheen, Simmons, Stickland, Tinderholt, Wilson, and Zedler recorded voting no.) (Springer requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 948 (Morrison - House Sponsor), A bill to be entitled An Act relating to certain information provided to prospective adoptive parents by the Department of Family and Protective Services.

SB 989 (Isaac - House Sponsor), A bill to be entitled An Act relating to the maximum loan amount made to persons under the owner-builder loan program. (The vote was reconsidered later today, and **SB 989** was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.)

(Klick in the chair)

SB 990 was deferred until the end of today's local, consent, and resolutions calendar.

(Speaker pro tempore in the chair)

SB 1006 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

CSSB 1014 (Keough - House Sponsor), A bill to be entitled An Act relating to The Woodlands Township.

SB 1015 (Keough - House Sponsor), A bill to be entitled An Act relating to procedures for incorporation or establishment of another form of local government for certain areas subject to a regional participation agreement.

CSSB 1024 (Y. Davis - House Sponsor), A bill to be entitled An Act relating to the use of certain lighting equipment on airport security vehicles. (Springer recorded voting no.)

SB 1037 (Lang - House Sponsor), A bill to be entitled An Act relating to the designation of the structure on State Highway 6 in Eastland County adjacent to Lake Cisco connecting the north and south banks of Sandy Creek as the Bedford-Carmichael Bridge.

SB 1047 (Faircloth - House Sponsor), A bill to be entitled An Act relating to installment payments of ad valorem taxes.

SB 1063 (Klick - House Sponsor), A bill to be entitled An Act relating to the investigation of an anonymous report of suspected abuse or neglect of a child.

SB 1088 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars. (Pursuant to Rule 6, Section 14(3) of the House Rules, the following five members gave notice of their objection: Neave, Cortez, Anchia, Turner, and Hinojosa.)

SB 1095 (Cook - House Sponsor), A bill to be entitled An Act relating to certain procedures for tax redeterminations and refund claims.

SB 1098 (R. Anderson - House Sponsor), A bill to be entitled An Act relating to recordings, acknowledgments, and proofs of certain written instruments.

SB 1099 (Springer - House Sponsor), A bill to be entitled An Act relating to the designation of a portion of U.S. Highway 84 as the Trooper Jonathan Thomas McDonald Memorial Highway.

Amendment No. 1

Representative Springer offered the following amendment to **SB 1099**:

Amend **SB 1099** as follows:

(1) On page 1, line 10, strike "The designation is in addition to any other designation.".

(2) On page 1, lines 12 and 13, strike "the highway number.".

(3) On page 1, line 14, strike the underlined comma.

Amendment No. 1 was adopted.

SB 1109 (Burns - House Sponsor), A bill to be entitled An Act relating to the authority of certain municipalities to change the date of the general election for officers.

Amendment No. 1

Representative Lambert offered the following amendment to **SB 1109**:

Amend **SB 1109** (house committee printing) as follows:

(1) On page 1, line 6, strike "Subsection (a-1)" and substitute "Subsections (a-1) and (a-2)".

(2) On page 1, between lines 12 and 13, insert the following:

(a-2) The governing body of a political subdivision, other than a county, located in a county that contains an intersection of U.S. Highway 277 and U.S. Highway 180 and that holds its general election for officers on the November

uniform election date may, not later than December 31, 2018, change the date on which it holds its general election for officers to the May uniform election date. This subsection expires January 1, 2019.

Amendment No. 1 was adopted.

SB 1118 (Bell - House Sponsor), A bill to be entitled An Act relating to the creation of the Blaketree Municipal Utility District No. 2 of Montgomery County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Rinaldi, Shaheen, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 1123 (Clardy - House Sponsor), A bill to be entitled An Act relating to conditions on the receipt of tuition and fee exemptions at public institutions of higher education for adopted students formerly in foster or other residential care.

SB 1158 (Allen - House Sponsor), A bill to be entitled An Act relating to food managers in food establishments in certain counties. (Shaheen and Springer recorded voting no.)

SB 1177 (Koop - House Sponsor), A bill to be entitled An Act relating to requirements for charter schools established for the benefit of certain juvenile offenders. (Uresti requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

CSSB 1198 (Isaac - House Sponsor), A bill to be entitled An Act relating to the conversion of the Hays Caldwell Public Utility Agency to the Alliance Regional Water Authority; providing authority to issue bonds; granting the power of eminent domain; providing authority to impose fees. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 1205 (Holland - House Sponsor), A bill to be entitled An Act relating to the sharing of death record information between the Department of State Health Services and the Department of Public Safety.

SB 1214 (Frullo - House Sponsor), A bill to be entitled An Act relating to a succession plan for a regional public defender's office that primarily handles capital cases.

SB 1223 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars. (Pursuant to Rule 6, Section 14(3) of the House Rules, the following five members gave notice of their objection: Neave, Anchia, Cortez, Arévalo, and Gutierrez.)

SB 1249 (Schofield - House Sponsor), A bill to be entitled An Act relating to adverse possession of real property by a cotenant heir against other cotenant heirs.

SB 1250 (Moody - House Sponsor), A bill to be entitled An Act relating to the admissibility of certain evidence in the prosecution of certain offenses involving family violence.

SB 1261 (Bell - House Sponsor), A bill to be entitled An Act relating to the creation of the Montgomery County Municipal Utility District No. 157; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 1286 was deferred until the end of today's local, consent, and resolutions calendar.

SB 1298 (E. Thompson - House Sponsor), A bill to be entitled An Act relating to the selection and summons of prospective grand jurors.

Amendment No. 1

Representative Landgraf offered the following amendment to **SB 1298**:

Amend **SB 1298** by striking SECTIONS 1 and 2 (page 1, lines 4-21), adding the following appropriately numbered SECTIONS, and renumbering existing SECTIONS accordingly:

SECTION _____. Article 19.01, Code of Criminal Procedure, is amended to read as follows:

Art. 19.01. SELECTION AND SUMMONS OF PROSPECTIVE GRAND JURORS. The district judge shall direct that the number of [20 to 125] prospective grand jurors the judge considers necessary to ensure an adequate number of jurors under Article 19.26 be selected and summoned, with return on summons, in the same manner as for the selection and summons of panels for the trial of civil cases in the district courts. The judge shall try the qualifications for and excuses from service as a grand juror and impanel the completed grand jury as provided by this chapter.

SECTION _____. Article 19.08, Code of Criminal Procedure, is amended to read as follows:

Art. 19.08. QUALIFICATIONS. A [No] person may [shall] be selected or serve as a grand juror only if the person [who does not possess the following qualifications]:

- (1) is at least 18 years of age;
- (2) is [1. The person must be] a citizen of the United States;
- (3) is a resident of this state, and of the county in which the person is to serve;
- (4) is [~~and be~~] qualified under the Constitution and laws to vote in the [said] county in which the grand jury is sitting, regardless of whether the person is registered [provided that the person's failure to register] to vote [shall not be held to disqualify the person in this instance];
- (5) [2. The person must be] of sound mind and good moral character;
- (6) is [3. The person must be] able to read and write;
- (7) has not [4. The person must not have] been convicted of misdemeanor theft or a felony;
- (8) is not [5. The person must not be] under indictment or other legal accusation for misdemeanor theft or a felony;

(9) is [~~6. The person must~~] not [~~be~~] related within the third degree of consanguinity or second degree of affinity, as determined under Chapter 573, Government Code, to any person selected to serve or serving on the same grand jury;

(10) has [~~7. The person must~~] not [~~have~~] served as grand juror in the year before the date on which the term of court for which the person has been selected as grand juror begins; and

(11) is [~~8. The person must~~] not [~~be~~] a complainant in any matter to be heard by the grand jury during the term of court for which the person has been selected as a grand juror.

SECTION _____. The changes in law made by this Act apply to a grand jury impaneled on or after the effective date of this Act. A grand jury impaneled before the effective date of this Act is governed by the law in effect on the date the grand jury was impaneled, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

SB 1314 (Moody and Wu - House Sponsors), A bill to be entitled An Act relating to the regulation of substance abuse facilities and programs for juveniles.

SB 1327 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars. (Pursuant to Rule 6, Section 14(3) of the House Rules, the following five members gave notice of their objection: Cain, Tinderholt, Swanson, Biedermann, and Stickland.)

SB 1345 (Darby - House Sponsor), A bill to be entitled An Act relating to the exemption from ad valorem taxation of property owned by a charitable organization and used to provide tax return preparation and other financial services without regard to the beneficiaries' ability to pay.

SB 1371 (Arévalo - House Sponsor), A bill to be entitled An Act relating to the issuance of specialty license plates to honor recipients of the Commendation Medal with Valor and Military Outstanding Volunteer Service Medal. (Stickland recorded voting no.)

SB 1384 (Burrows - House Sponsor), A bill to be entitled An Act relating to the designation of certain legislation on contract carriers as the Justin Little Act.

CSSB 1398 (S. Thompson - House Sponsor), A bill to be entitled An Act relating to the placement and use of video cameras in certain self-contained classrooms or other settings providing special education services.

Amendment No. 1

Representative S. Thompson offered the following amendment to **CSSB 1398**:

Amend **CSSB 1398** (house committee report) as follows:

- (1) On page 1, line 9, strike "and (t)" and substitute "(t), and (u)".
- (2) On page 10, between lines 17 and 18, insert the following:

(t) A video camera placed under this section is not required to be in operation for the time during which students are not present in the classroom or other special education setting.

(3) On page 10, line 18, strike "(t)" and substitute "(u)".

Amendment No. 1 was adopted.

SB 1399 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

SB 1400 (Holland - House Sponsor), A bill to be entitled An Act relating to state banks, state bank holding companies, and branches of foreign banks.

SB 1440 (Larson - House Sponsor), A bill to be entitled An Act relating to the attendance by a quorum of a governmental body at certain candidate events under the open meetings law.

SB 1483 was deferred until the end of today's local, consent, and resolutions calendar.

SB 1484 was deferred until the end of today's local, consent, and resolutions calendar.

SB 1489 (Faircloth - House Sponsor), A bill to be entitled An Act relating to the Gulf Coast Waste Disposal Authority. (Cain and Stickland recorded voting no.)

SB 1522 (E. Thompson - House Sponsor), A bill to be entitled An Act relating to the composition of the aviation advisory committee.

SB 1526 (Bell - House Sponsor), A bill to be entitled An Act relating to the creation of the Montgomery County Municipal Utility District No. 158; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 1659 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars. (Pursuant to Rule 6, Section 14(3) of the House Rules, the following five members gave notice of their objection: Turner, Israel, Stickland, Uresti, and Howard.)

CSSB 1666 (Laubenberg - House Sponsor), A bill to be entitled An Act relating to the conduct of primary elections and certain other election practices; increasing a criminal penalty; creating criminal offenses. (Murphy, Schaefer, Stickland, and Tinderholt recorded voting no.) (Romero requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1676 (Gutierrez - House Sponsor), A bill to be entitled An Act relating to the veterans county service office.

SB 1693 (Raymond - House Sponsor), A bill to be entitled An Act relating to a study of seniors with a visual impairment by the Aging Texas Well Advisory Committee. (Schaefer and Tinderholt recorded voting no.)

SB 1727 (Cook - House Sponsor), A bill to be entitled An Act relating to the procedure for an election to adopt a sales and use tax or to change the tax rate in an emergency services district. (Murphy and Schaefer recorded voting no.)

SB 1735 (Springer - House Sponsor), A bill to be entitled An Act relating to the repeal of certain obsolete laws governing state pensions and other similar benefits.

SB 1764 (Burkett - House Sponsor), A bill to be entitled An Act relating to the investment of funds in, and operation of guardianships of the estate in relation to, accounts established under the Texas Achieving a Better Life Experience (ABLE) Program.

SB 1767 (Darby - House Sponsor), A bill to be entitled An Act relating to hearings and protests before appraisal review boards involving ad valorem tax determinations.

SB 1799 (Clardy - House Sponsor), A bill to be entitled An Act relating to the student loan default prevention and financial aid literacy pilot program. (Cain, Murphy, Schaefer, Stickland, and Tinderholt recorded voting no.)

SB 1843 (Blanco - House Sponsor), A bill to be entitled An Act relating to providing an opportunity for public high school students in grades 10 through 12 to take the Armed Services Vocational Aptitude Battery test or an alternative vocational aptitude test.

SB 1878 (Gutierrez - House Sponsor), A bill to be entitled An Act relating to the service plan for the annexation by certain municipalities of territory included in an emergency services district. (Cain recorded voting no.)

SB 1936 (Hefner - House Sponsor), A bill to be entitled An Act relating to the issuance of specially marked driver's licenses and personal identification certificates to disabled veterans. (Murphy, Schaefer, and Stickland recorded voting no.)

SB 1944 (Price - House Sponsor), A bill to be entitled An Act relating to the issuance of specialty plates to honor recipients of the Distinguished Flying Cross medal with Valor. (Stickland recorded voting no.)

SB 1968 (Gutierrez - House Sponsor), A bill to be entitled An Act relating to the state flag code.

SB 1969 (Cyrier - House Sponsor), A bill to be entitled An Act relating to the nonsubstantive revision of the Texas Racing Act, including conforming amendments.

CSSB 1987 (Murphy - House Sponsor), A bill to be entitled An Act relating to the notice requirements for bills proposing the creation of or annexation of land to certain special purpose districts.

SB 1991 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

CSSB 1992 (Isaac - House Sponsor), A bill to be entitled An Act relating to the allocation of housing tax credits to developments within proximate geographical areas. (Rinaldi, Schaefer, Stickland, Tinderholt, and Zedler recorded voting no.)

CSSB 2014 (Schubert - House Sponsor), A bill to be entitled An Act relating to the administration of certain water districts.

SB 2039 (S. Thompson - House Sponsor), A bill to be entitled An Act relating to the development of instructional modules and training for public schools on the prevention of sexual abuse and sex trafficking and participation by the human trafficking prevention task force in that development. (Rinaldi, Schaefer, Stickland, Tinderholt, and Zedler recorded voting no.)

Amendment No. 1

Representative S. Thompson offered the following amendment to **SB 2039**:

Amend **SB 2039** on page 2, between lines 12 and 13, by inserting the following:

(c) Before the beginning of each school year, a school district that elects to use a module developed under Subsection (a) in the district's health curriculum shall provide written notice to the parent of each student enrolled in the district that includes the following:

(1) a statement that the district will provide instruction relating to sexual abuse and sex trafficking awareness to students enrolled in the district;

(2) a description of the material that will be used in providing instruction to students; and

(3) a statement that the parent has the right to review the material and remove the parent's student from the instruction.

(d) If a school district does not comply with the requirements of Subsection (c), a parent of a student enrolled in the district may file a complaint in accordance with the district's grievance procedure developed under Section 26.011.

Amendment No. 1 was adopted.

SB 2056 (Burrows - House Sponsor), A bill to be entitled An Act relating to the use of municipal hotel occupancy tax revenue by certain municipalities. (Burns, Cain, Keough, Murr, Rinaldi, Schaefer, Shaheen, Tinderholt, Wilson, and Zedler recorded voting no.) (Springer requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 2068 (Murr - House Sponsor), A bill to be entitled An Act relating to the plugging or capping of abandoned, deteriorated, open, or uncovered water wells in the Bandera County River Authority and Groundwater District.

SB 2075 (Pickett - House Sponsor), A bill to be entitled An Act relating to vehicle registration.

SB 2084 (Bohac and Workman - House Sponsors), A bill to be entitled An Act relating to calculation of average daily attendance for public school students in blended learning programs.

SB 2141 (Howard - House Sponsor), A bill to be entitled An Act relating to requirements for a representative for a student in a special education due process hearing.

SB 2166 (Keough - House Sponsor), A bill to be entitled An Act relating to the use of municipal hotel occupancy tax revenues in certain municipalities. (Burns, Cain, Murphy, Murr, Rinaldi, Schaefer, Shaheen, Stickland, Tinderholt, Wilson, and Zedler recorded voting no.) (Simmons and Springer requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

REASON FOR VOTE

While I generally disagree with the expansion and use of HOT taxes, this particular bill addresses a unique situation within my district. The City of Shenandoah has for years had more hotel rooms than houses within their small city. Because of the current restrictions on the use of HOT taxes, the city has amassed millions of unspent dollars in their HOT tax fund. Simultaneously, the city has become a major host for the NCAA and UIL championship events and would like to expand their ability to host additional events by constructing a multi-use sports complex. The use of their HOT taxes will limit bond indebtedness on the property owners and residents of the city for such a project. The city is in exceptional financial condition with strong transparent governance.

Keough

SB 2174 (VanDeaver - House Sponsor), A bill to be entitled An Act relating to the appointment of a bailiff by district courts and county courts at law in Bowie County. (Cain and Stickland recorded voting no.)

SB 2186 (Guillen - House Sponsor), A bill to be entitled An Act relating to the Live Oak Underground Water Conservation District. (Cain and Stickland recorded voting no.)

CSSB 2244 (Giddings - House Sponsor), A bill to be entitled An Act relating to the creation of the University Hills Municipal Management District; providing authority to issue bonds; providing authority to impose assessments or fees. (Cain, Shaheen, Springer, Stickland, and Tinderholt recorded voting no.)

SB 2252 (Metcalf - House Sponsor), A bill to be entitled An Act relating to granting road powers to the Montgomery County Municipal Utility District No. 100; providing authority to issue bonds. (Cain, Shaheen, Stickland, and Tinderholt recorded voting no.)

SB 2253 (Metcalf - House Sponsor), A bill to be entitled An Act relating to providing road powers to the Montgomery County Municipal Utility District No. 101; providing authority to issue bonds. (Cain, Shaheen, Stickland, and Tinderholt recorded voting no.)

SB 2262 (Burns - House Sponsor), A bill to be entitled An Act relating to the dissolution of the Central Colorado River Authority. (Cain, Shaheen, Stickland, and Tinderholt recorded voting no.)

SB 2263 (Kuempel - House Sponsor), A bill to be entitled An Act relating to the powers and duties of the Lerin Hills Municipal Utility District of Kendall County; providing authority to issue bonds and impose fees and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2267 (Perez - House Sponsor), A bill to be entitled An Act relating to the creation of the Harris County Municipal Utility District No. 555; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Rinaldi, Shaheen, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2273 (Kuempel - House Sponsor), A bill to be entitled An Act relating to the creation of the Kendall County Water Control and Improvement District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2274 (Perez - House Sponsor), A bill to be entitled An Act relating to the creation of the Lakewood Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2275 (Perez - House Sponsor), A bill to be entitled An Act relating to the creation of the Lakewood Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Fallon, Frullo, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

CSSB 2276 (Perez - House Sponsor), A bill to be entitled An Act relating to the creation of Lakewood Improvement District of Harris County; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler recorded voting no.)

SB 2277 (Perez - House Sponsor), A bill to be entitled An Act relating to the creation of the Lakewood Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2280 (Wilson - House Sponsor), A bill to be entitled An Act relating to the name of the Burnet County Municipal Utility District No. 1. (Cain, Shaheen, and Stickland recorded voting no.)

SB 2283 (Springer - House Sponsor), A bill to be entitled An Act relating to the regulation of dangerous dogs and dogs that attack persons in certain municipalities.

SB 2284 (Huberty - House Sponsor), A bill to be entitled An Act relating to the creation of the Harris County Municipal Utility District No. 544; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2285 (Huberty - House Sponsor), A bill to be entitled An Act relating to the boundaries of the Harris County Fresh Water Supply District No. 58. (Cain, Fallon, Shaheen, Simmons, Springer, Stickland, and Tinderholt recorded voting no.)

SB 2287 (Perez - House Sponsor), A bill to be entitled An Act relating to the powers and duties of the Harris County Municipal Utility District No. 525. (Cain, Shaheen, and Stickland recorded voting no.)

SB 2290 (Bell - House Sponsor), A bill to be entitled An Act relating to the creation of the Harris County Municipal Utility District No. 557; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2292 (Kuempel - House Sponsor), A bill to be entitled An Act relating to the powers and duties of the Meyer Ranch Municipal Utility District of Comal County; affecting an existing limited power of eminent domain; providing authority to issue bonds; providing authority to impose fees and taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

CSSB 2293 (Bell - House Sponsor), A bill to be entitled An Act relating to the creation of Montgomery County Improvement District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler recorded voting no.)

SB 2295 (Isaac - House Sponsor), A bill to be entitled An Act relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 1; providing authority to impose an assessment. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2296 (Isaac - House Sponsor), A bill to be entitled An Act relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 2; providing authority to impose an assessment. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2297 (Isaac - House Sponsor), A bill to be entitled An Act relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 3; providing authority to impose an assessment. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2298 (Isaac - House Sponsor), A bill to be entitled An Act relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 4; providing authority to impose an assessment. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SB 2299 (Isaac - House Sponsor), A bill to be entitled An Act relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 5; providing authority to impose an assessment. (Cain, Fallon, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler recorded voting no.)

SCR 37 (Martinez - House Sponsor), Urging Congress to increase appropriations from the Harbor Maintenance Trust Fund to properly maintain ship channels.

SCR 37 was adopted by (Record 1807): 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, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; 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.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; 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; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Leach; Villalba.

Absent — Farrar; King, T.

SCR 41 (Paul - House Sponsor), Urging Congress to direct the Department of Defense to relocate the United States Africa Command to Ellington Field Joint Reserve Base in Houston.

SCR 41 was adopted by (Record 1808): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier;

Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; 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; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Leach; Villalba.

Absent — Blanco; Deshotel; King, T.

SCR 51 (Metcalf - House Sponsor), Urging appropriate state agencies to support the establishment of a veterans memorial in Conroe.

SCR 51 was adopted by (Record 1809): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; 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; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Leach; Villalba.

Absent — Clardy; Keough; Klick; Thierry; Thompson, E.

HCR 140 (by Hunter), Requesting the lieutenant governor and the speaker of the house of representatives to provide for a joint interim legislative study regarding the confidentiality of emergency calls.

HCR 140 was adopted by (Record 1810): 144 Yeas, 0 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; 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; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused — Leach; Villalba.

STATEMENT OF VOTE

When Record No. 1810 was taken, I was shown voting present, not voting. I intended to vote yes.

Murr

HR 1833 (by Craddick), Urging Congress to enact legislation to expand and extend the current federal tax credit for carbon capture, utilization, and storage under Section 45Q of the Internal Revenue Code.

HR 1833 was adopted by (Record 1811): 135 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, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; 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; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; Workman; Wray; Wu; Zedler; Zerwas.

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

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

Absent, Excused — Leach; Villalba.

Absent — Oliveira; Stickland; Wilson.

HR 2042 (by T. King), Requesting the speaker to direct the House Agriculture and Livestock Committee to conduct an interim study reviewing the rules, regulations, and enforcement authority of the Texas Department of Agriculture's Structural Pest Control Service.

HR 2042 was adopted by (Record 1812): 143 Yeas, 2 Nays, 2 Present, not voting.

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

Nays — Cain; Stickland.

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

Absent, Excused — Leach; Villalba.

Absent — Oliveira.

SB 990 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars. (Pursuant to Rule 6, Section 14(3) of the House Rules, the following five members gave notice of their objection: Tinderholt, Swanson, Stickland, Cain, and Oliverson.)

SB 1286 (Murphy - House Sponsor), A bill to be entitled An Act relating to the system for protesting or appealing certain ad valorem tax determinations.

SB 1483 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

SB 1484 was deferred until the end of today's local, consent, and resolutions calendar.

SB 436 (Uresti - House Sponsor), A bill to be entitled An Act relating to the operation of the special education continuing advisory committee.

SB 989 - VOTE RECONSIDERED

Representative Isaac moved to reconsider the vote by which **SB 989** was passed to third reading earlier today.

The motion to reconsider prevailed.

SB 989 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

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. 26).

SB 1666 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Laubenberg, Representatives R. Anderson, Arévalo, Bernal, Blanco, G. Bonnen, Burkett, Burns, Burrows, Cain, Capriglione, Collier, Cook, Craddick, Dale, Darby, Frank, Gervin-Hawkins, Giddings, Goldman, Gonzales, González, Hinojosa, Howard, Huberty, Israel, P. King, Larson, Moody, Morrison, Oliverson, Schofield, Simmons, Stickland, Stucky, Swanson, E. Thompson, Turner, VanDeaver, Villalba, Walle, White, Wilson, Workman, Wray, and Wu were authorized as house sponsors to **SB 1666**.

SB 1484 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

(Holland in the chair)

ADJOURNMENT

Representative Laubenberg moved that the house adjourn until 9:27 p.m. today.

The motion prevailed.

The house accordingly, at 9:24 p.m., adjourned until 9:27 p.m. today.

ADDENDUM

SIGNED BY THE SPEAKER

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

House List No. 31

HB 53, HB 62, HB 264, HB 355, HB 448, HB 1043, HB 1076, HB 1573, HB 1630, HB 1646, HB 1896, HB 1930, HB 1946, HB 2007, HB 2008, HB 2124, HB 2215, HB 2223, HB 2228, HB 2277, HB 2285, HB 2378, HB 2431, HB 2475, HB 2501, HB 2567, HB 2647, HB 2654, HB 2798, HB 2849, HB 2895, HB 2928, HB 3063, HB 3078, HB 3130, HB 3157, HB 3167, HB 3257, HB 3283, HB 3398, HB 3484, HB 3537, HB 3563, HB 3618, HB 3917, HB 4002, HB 4181, HB 4279, HB 4284, HCR 136

Senate List No. 26

SB 59, SB 802, SB 854, SB 869, SB 1318, SB 1446, SB 1465, SB 1480, SB 1559, SB 1599, SB 1677, SB 1679, SB 1709, SB 1710, SB 1912, SJR 1, SJR 6, SJR 34