

# HOUSE JOURNAL

---

---

EIGHTY-SIXTH LEGISLATURE, REGULAR SESSION

---

---

## PROCEEDINGS

FIFTY-FIFTH DAY — TUESDAY, APRIL 30, 2019

The house met at 10:06 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 784).

Present — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

The invocation was offered by Bruce Gregory, pastor, Church of God, Dallas, as follows:

Father, we come to you in prayer because prayer is the key that opens heaven's door. So we thank you, Father, for access to your presence today. We come because prayer is the vehicle that connects people of faith to their God. We come in prayer because prayer is the conduit of God to mankind, prayer provides God's divine energy and strength to those who ask. So we ask, Father, energize and bear witness through your spirit today. We come in prayer because you, Father, are the resource for our wisdom, our understanding, and the grace that we need in order to accomplish the tasks before us today.

We acknowledge you, God, as sovereign, and in all things we are subject to you. We confess that our wisdom, our knowledge, and our understanding is limited and inadequate to represent and lead a free people so diverse and deserving as those created in your image. We acknowledge you, God. We request your help in our lives and in the business that may come before this body today.

We come in faith believing, as promised by you, prayers prayed in faith will be heard, and you will respond to all prayers prayed within the context of holy scripture. We come expecting your help today, Father, to make the right decisions. We receive your strength to do the right things because we pray in faith within the context of your promised word. Today, we trust you to give us wisdom in every matter that presents itself before this leadership body.

So with a humble heart we are asking these things from you, heavenly Father, knowing that your counsel will bring good to all who seek it. We are asking for your help today so that the trust placed in us by others and the confidence ordered by you through governmental structure in scripture would honor you and bless the constituents of the State of Texas. So Father, we come to you humbly asking for your guidance and grace, acknowledging the authority that you have placed within this body, the house of representatives, for the people of Texas. In closing, we thank you for the privilege to come before such a mighty God with such requests as we have, and we thank you for the assurance that you have heard our requests. We receive the promise of your response to prayers prayed in faith. We ask you to work in our hearts and minds and resonate in our spirits. To you be the honor and glory, Father. We are asking all these things in the name of Jesus your son. Amen.

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

#### **CAPITOL PHYSICIAN**

The chair recognized Representative Morales who presented Dr. Linda Porter-Tucci of Houston as the "Doctor for the Day."

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

#### **REGULAR ORDER OF BUSINESS SUSPENDED**

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

#### **MESSAGE FROM THE SENATE**

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

#### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 21).

#### **HR 1286 - ADOPTED (by Coleman and Hunter)**

Representative Coleman moved to suspend all necessary rules to take up and consider at this time **HR 1286**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1286**, Recognizing April 30, 2019, as County Government Day at the State Capitol.

**HR 1286** was adopted.

#### **INTRODUCTION OF GUEST**

The chair recognized Representative Coleman who introduced Larry Gallardo, president of the Texas Association of Counties Board of Directors.

#### **LEAVE OF ABSENCE GRANTED**

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

S. Davis on motion of Wu.

(Goldman in the chair)

#### **HR 997 - INTRODUCTION OF GUESTS**

The chair recognized Representative Phelan who introduced representatives of Patient AirLift Services.

#### **LEAVE OF ABSENCE GRANTED**

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

Walle on motion of Wu.

#### **FIVE-DAY POSTING RULE SUSPENDED**

Representative Bohac moved to suspend the five-day posting rule to allow the Committee on County Affairs to consider **SB 1950** at 9 a.m. Thursday, May 2 in E2.028.

The motion prevailed.

#### **HR 1142 - INTRODUCTION OF GUEST**

The chair recognized Representative Zerwas who introduced Ace Berry, 2019 Texas Floral Designer of the Year.

#### **INTRODUCTION OF GUESTS**

The chair recognized Representative Wu who introduced participants of Asian American and Pacific Islander Heritage Month.

#### **HCR 152 - INTRODUCTION OF GUESTS**

The chair recognized Representative Israel who introduced representatives of the Bluebonnet Girls State Program.

**HR 1299 - ADOPTED**  
**(by Zwiener)**

Representative Zwiener moved to suspend all necessary rules to take up and consider at this time **HR 1299**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1299**, In memory of Mountain City mayor Phillip Lee Taylor.

**HR 1299** was unanimously adopted by a rising vote.

On motion of Representative Goodwin, the names of all the members of the house were added to **HR 1299** as signers thereof.

**MAJOR STATE CALENDAR**  
**HOUSE BILLS**  
**THIRD READING**

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

**HB 2730 ON THIRD READING**  
**(by Leach, Price, Moody, Burrows, and Meyer)**

**HB 2730**, A bill to be entitled An Act relating to civil actions involving the exercise of certain constitutional rights.

**Amendment No. 1**

Representative Leach offered the following amendment to **HB 2730**:

Amend **HB 2730** on third reading, by striking added Section 27.010(a)(10), Civil Practice and Remedies Code, and substituting the following:

(10) a disciplinary action or disciplinary proceeding brought under Chapter 81, Government Code, or the Texas Rules of Disciplinary Procedure;

Amendment No. 1 was adopted.

**HB 2730**, as amended, was passed by (Record 785): 143 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond;

Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Stickland.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Lopez; Martinez Fischer.

### STATEMENTS OF VOTE

When Record No. 785 was taken, I was in the house but away from my desk. I would have voted yes.

Lopez

When Record No. 785 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

#### HB 2387 ON THIRD READING (by G. Bonnen)

**HB 2387**, A bill to be entitled An Act relating to the regulation of utilization review, independent review, and peer review for health benefit plan and workers' compensation coverage.

#### Amendment No. 1

Representative G. Bonnen offered the following amendment to **HB 2387**:

Amend **HB 2387** on third reading as follows:

(1) In added Section 533.005(e), Government Code (page 1, line 12), as added by Amendment No. 2 on second reading, strike "541.062" and substitute "4201.156".

(2) In the SECTION of the bill adding transition language for a federal waiver (page 23, line 9), as added by Amendment No. 2 on second reading, strike "under" and substitute "until".

Amendment No. 1 was adopted.

**HB 2387**, as amended, was passed by (Record 786): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Beckley; Biedermann; Craddick; González, M.; Swanson.

#### STATEMENTS OF VOTE

When Record No. 786 was taken, I was in the house but away from my desk. I would have voted yes.

M. González

When Record No. 786 was taken, I was in the house but away from my desk. I would have voted yes.

Swanson

(Speaker in the chair)

#### HB 70 ON THIRD READING

(by M. González, Zwiener, Fierro, and Guillen)

**HB 70**, A bill to be entitled An Act relating to a strategic plan goal by the Department of Agriculture to prevent crop diseases and plant pests in this state.

**HB 70** was passed by (Record 787): 144 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King,

P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Stickland; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

### **HB 2899 ON THIRD READING**

**(by Leach, Cyrier, Deshotel, and Gervin-Hawkins)**

**HB 2899**, A bill to be entitled An Act relating to civil liability and responsibility for defects in the plans, specifications, or other documents for the construction or repair of roads, highways, and related improvements.

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

Representative Leach offered the following amendment to **HB 2899**:

Amend **HB 2899** on third reading, in the transition language (second reading engrossment, page 4, line 1), between "the" and "purchase", by inserting "subcontract or".

Amendment No. 1 was adopted.

**HB 2899**, as amended, was passed by (Record 788): 115 Yeas, 31 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Coleman; Cortez; Craddick; Cyrier; Darby; Dean; Deshotel; Dutton; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Herrero; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Noble; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Rodriguez; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Zedler; Zerwas.

Nays — Anchia; Biedermann; Blanco; Bowers; Bucy; Calanni; Canales; Collier; Davis, Y.; Dominguez; Fierro; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Johnson, J.E.; Lopez; Morales; Neave; Nevárez; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Stickland; Talarico; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Oliverson.

### STATEMENTS OF VOTE

When Record No. 788 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 788 was taken, I was shown voting no. I intended to vote yes.

Lopez

When Record No. 788 was taken, my vote failed to register. I would have voted yes.

Oliverson

### HB 823 ON THIRD READING (by Y. Davis, Clardy, and Ramos)

**HB 823**, A bill to be entitled An Act relating to an expedited on-site health inspection process for assisted living facility license applicants.

**HB 823** was passed by (Record 789): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.



Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Coleman; Raymond.

### **HB 3224 ON THIRD READING**

**(by Lozano)**

**HB 3224**, A bill to be entitled An Act relating to the creation of a defense under the Solid Waste Disposal Act for persons engaged in certain recycling transactions.

(Speaker pro tempore in the chair)

**HB 3224** was passed by (Record 790): 143 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Canales; Ramos; Stickland.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

### **HB 1542 ON THIRD READING**

**(by Martinez)**

**HB 1542**, A bill to be entitled An Act relating to changes made by certain design-build contractors to the design-build team for transportation projects.

**HB 1542** was passed by (Record 791): 140 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton;

Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Biedermann; Cain; Krause; Middleton; Schaefer; Stickland.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

#### STATEMENTS OF VOTE

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

Swanson

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

Tinderholt

#### HB 2439 ON THIRD READING (by Phelan, Rodriguez, Collier, and Schaefer)

**HB 2439**, A bill to be entitled An Act relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction or renovation of residential or commercial buildings.

**HB 2439** was passed by (Record 792): 124 Yeas, 21 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Dean; Deshotel; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, M.; Guerra; Guillen; Gutierrez; Harless; Hefner; Hernandez; Herrero; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Rodriguez; Rose; Rosenthal; Sanford; Schaefer; Shaheen;

Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas.

Nays — Anchia; Bucy; Davis, Y.; Dominguez; González, J.; Goodwin; Hinojosa; Holland; Johnson, J.E.; Morales; Neave; Nevárez; Ramos; Reynolds; Romero; Sherman; Stickland; Talarico; Thompson, S.; Toth; Zwiener.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Harris.

### STATEMENTS OF VOTE

When Record No. 792 was taken, I was shown voting yes. I intended to vote no.

Allen

When Record No. 792 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 792 was taken, I was shown voting yes. I intended to vote no.

Farrar

When Record No. 792 was taken, I was in the house but away from my desk. I would have voted yes.

Harris

### HB 808 ON THIRD READING

(by Dutton)

**HB 808**, A bill to be entitled An Act relating to the consideration of certain student differentials based on sex under the public school accountability system.

**HB 808** was passed by (Record 793): 106 Yeas, 40 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Paddie; Parker; Perez; Phelan;

Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Smithee; Stephenson; Talarico; Thierry; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wray; Wu; Zwiener.

Nays — Ashby; Bell, C.; Biedermann; Bonnen; Cain; Clardy; Cyrier; Darby; Dean; Flynn; Frank; Goldman; Hefner; Holland; Krause; Lang; Leman; Metcalf; Middleton; Miller; Murr; Noble; Oliverson; Patterson; Paul; Price; Sanford; Schaefer; Shaheen; Shine; Smith; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Wilson; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

### STATEMENTS OF VOTE

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

Anderson

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

Burrows

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

Harris

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

Leach

### HB 3106 ON THIRD READING

(by Goldman, Krause, Tinderholt, Howard, Neave, et al.)

**HB 3106**, A bill to be entitled An Act relating to a requirement that law enforcement agencies enter into the Texas Data Exchange information related to investigations of sexual assault or other sex offenses.

**HB 3106** was passed by (Record 794): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio;

Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Nevárez.

**HB 1307 ON THIRD READING**  
**(by Hinojosa, Huberty, Deshotel, and Phelan)**

**HB 1307**, A bill to be entitled An Act relating to the creation of a disaster case management system by the Texas Division of Emergency Management.

**HB 1307** was passed by (Record 795): 142 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Stickland.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Collier; Geren; Lopez.

### STATEMENT OF VOTE

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

Collier

(Goldman in the chair)

#### HB 3006 ON THIRD READING (by Burrows)

**HB 3006**, A bill to be entitled An Act relating to the administration of the mixed beverage sales tax.

**HB 3006** was passed by (Record 796): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Nevárez.

#### HB 914 ON THIRD READING (by S. Thompson, et al.)

**HB 914**, A bill to be entitled An Act relating to the regulation of bingo games.

##### Amendment No. 1

Representative S. Thompson offered the following amendment to **HB 914**:

Amend **HB 914** on third reading as follows:

(1) On page 3, strike lines 12-13 and substitute the following:

SECTION 4. Section 2001.451(b), Occupations Code, is amended to

(2) Strike page 3, line 22, through page 4, line 7.

Amendment No. 1 was adopted.

**HB 914**, as amended, was passed by (Record 797): 137 Yeas, 8 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Krause; Middleton; Noble; Patterson; Shaheen; Stickland; Tinderholt.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Cortez.

#### STATEMENTS OF VOTE

When Record No. 797 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

When Record No. 797 was taken, I was shown voting yes. I intended to vote no.

Lang

#### HB 1806 ON THIRD READING (by T. King)

**HB 1806**, A bill to be entitled An Act relating to the use of water withdrawn from the Edwards Aquifer by certain entities.

Representative T. King moved to postpone consideration of **HB 1806** until the end of the third reading calendar.

The motion prevailed.

**HB 1619 ON THIRD READING****(by Leach)**

**HB 1619**, A bill to be entitled An Act relating to court reporters and shorthand reporting firms; imposing a fee; creating a criminal offense.

**HB 1619** was passed by (Record 798): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Stickland; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Bernal.

**HB 2169 ON THIRD READING****(by Allen, Rosenthal, Wu, Ramos, and Neave)**

**HB 2169**, A bill to be entitled An Act relating to reporting concerning female prisoners who are confined in county jails and to the provision of feminine hygiene products to female prisoners.

**HB 2169** was passed by (Record 799): 131 Yeas, 13 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza;



Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Bell, C.; Biedermann; Bonnen; Clardy; Harris; Hefner; Holland; Krause; Metcalf; Murr; Noble; Oliverson; Stickland.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Bernal; Cain.

### STATEMENTS OF VOTE

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

Bernal

When Record No. 799 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 799 was taken, I was shown voting yes. I intended to vote no.

Springer

(Speaker in the chair)

### HB 2100 ON THIRD READING

(by Cain, Oliverson, Goldman, Phelan, Wilson, et al.)

**HB 2100**, A bill to be entitled An Act relating to the protection of expressive activities at public institutions of higher education.

**HB 2100** was passed by (Record 800): 85 Yeas, 58 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Dean; Flynn; Frank; Frullo; Geren; Goldman; Guillen; Gutierrez; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lozano; Martinez Fischer; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Rodriguez; Sanford; Schaefer; Shaheen; Sheffield; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vo; White; Wilson; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Wray; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Darby; Dominguez; Paddie; Shine.

### STATEMENTS OF VOTE

When Record No. 800 was taken, I was shown voting yes. I intended to vote no.

Bernal

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

Paddie

When Record No. 800 was taken, I was shown voting yes. I intended to vote no.

Rodriguez

When Record No. 800 was taken, I was shown voting no. I intended to vote yes.

Wray

### HB 63 ON THIRD READING

(by Moody, Collier, White, Dutton, Phelan, et al.)

**HB 63**, A bill to be entitled An Act relating to the civil and criminal penalties for possession of certain small amounts of marihuana and an exception to prosecution for possession of associated drug paraphernalia; creating a criminal offense.

The chair recognized Representative Moody who addressed the house, speaking as follows:

Members, I'm going to take a couple of minutes. I appreciate it. It's been a long journey to get to this point. Marihuana was flat out 100 percent legal here before we became a state and for 70 years after that. Criminalizing it started in my hometown, El Paso, in 1915. Police at the time said it was something used by Mexicans, and state law soon followed what El Paso did. Possession of marihuana was a felony carrying up to a life sentence until the legislature made most possession a misdemeanor in 1973. That was the last debate on marihuana

in this body. And 45 years ago, the same things were being said: It's a slippery slope. Members, I am 38 years old. That was a slippery slope no one slid down in my entire life. It's no different now.

Like our predecessors in 1973, we're looking at whether the system we have now is good policy, not whether we endorse marihuana. We're asking whether the punishment is proportionate and our investment in it makes fiscal sense. From 45 years ago, we're in a place where the answer to those questions is once again no. What we're doing isn't smart and isn't fair. Members, 22 states and the District of Columbia have passed bills like this, and the sky hasn't fallen there. Whatever you think about Colorado-style legalization, this isn't it. It's not even a step toward it. This is a better way of handling this in our criminal system. It's going to help tens of thousands of Texans every year. And on a day we're talking about how to ease the burden on ordinary Texas taxpayers but leave our local governments room to work, we should keep in mind that this does that to the tune of three-quarters of a billion dollars every single year. So with that, thank you all.

After 45 years, we have 28 days left to see another watershed moment on this policy, and all of you about to vote aye have my gratitude and the thanks of countless Texans from across the state and across the political spectrum. Mr. Patrick has been tweeting about this bill this morning . . . . I want every one here and every Texas voter who cares about personal freedom, fiscal responsibility, and limited government to know—and I'm glad Governor Abbott is on the floor today—to know that he and his staff worked diligently on the bill that is front of you today to make sure the policy worked for Texas. I appreciate that. This bill is backed by an overwhelming majority of those in this body and an overwhelming majority of the folks back home that you represent. Mr. Patrick is the odd man out here, and the ball is in his court. Let's vote this across the hall so they can get to work on the house's priorities . . . .

**HB 63** was passed by (Record 801): 103 Yeas, 42 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bailes; Beckley; Bernal; Biedermann; Blanco; Bowers; Bucy; Button; Cain; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Cyrier; Darby; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Frank; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; King, T.; Krause; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Parker; Patterson; Perez; Phelan; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sheffield; Sherman; Stephenson; Stickland; Talarico; Thierry; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Allison; Anderson; Ashby; Bell, C.; Bell, K.; Bohac; Bonnen; Buckley; Burns; Burrows; Capriglione; Craddick; Dean; Flynn; Frullo; Harless; Harris; Hefner; Holland; Kacal; King, K.; King, P.; Kuempel; Lang; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Paddie; Paul; Price; Shaheen; Shine; Smith; Smithee; Springer; Stucky; Swanson; Thompson, E.; VanDeaver.

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

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Sanford.

### STATEMENT OF VOTE

When Record No. 801 was taken, I was shown voting no. I intended to vote yes.

Springer

### REMARKS ORDERED PRINTED

Representative Leach moved to print remarks by Representative Moody on **HB 63**.

The motion prevailed.

### HB 1543 ON THIRD READING (by Springer, Flynn, Schaefer, and Paddie)

**HB 1543**, A bill to be entitled An Act relating to methods to enhance the enforcement of the collection of the use tax due on certain off-highway vehicles purchased outside this state; providing a civil penalty.

**HB 1543** was passed by (Record 802): 129 Yeas, 14 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wray; Wu; Zerwas; Zwiener.

Nays — Bell, C.; Biedermann; Cain; King, P.; Krause; Lang; Middleton; Patterson; Shaheen; Stickland; Tinderholt; Toth; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — King, T.; Murphy; Nevárez; Thompson, S.

### STATEMENTS OF VOTE

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

T. King

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

White

### HB 2668 ON THIRD READING (by C. Turner)

**HB 2668**, A bill to be entitled An Act relating to the dissolution of a direct-support organization established by the Prepaid Higher Education Tuition Board and the transfer of funds related to prepaid higher education tuition scholarships to the Texas Match the Promise Foundation or a successor entity.

**HB 2668** was passed by (Record 803): 138 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bonnen; Bowers; Buckley; Bucy; Burns; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Flynn; Frank; Frullo; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Dean; Nevárez; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Bohac; Burrows; Fierro; Gervin-Hawkins; King, P.; Wilson.

### STATEMENT OF VOTE

When Record No. 803 was taken, my vote failed to register. I would have voted yes.

Fierro

#### **HB 2188 ON THIRD READING** **(by Frullo and Larson)**

**HB 2188**, A bill to be entitled An Act relating to the operation of electric and nonelectric bicycles.

**HB 2188** was passed by (Record 804): 145 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Schaefer; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

### STATEMENT OF VOTE

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

Hefner

#### **HB 1865 ON THIRD READING** **(by Landgraf, S. Thompson, Meyer, Ortega, Harless, et al.)**

**HB 1865**, A bill to be entitled An Act relating to the licensing and regulation of massage therapy; requiring a student permit; authorizing fees.

**HB 1865** was passed by (Record 805): 121 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Guerra; Guillen; Gutierrez; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Stephenson; Stickland; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Wray; Wu; Zerwas; Zwiener.

Nays — Ashby; Bell, C.; Biedermann; Bonnen; Cain; Clardy; Goldman; Hefner; King, P.; Krause; Lang; Metcalf; Middleton; Oliverson; Patterson; Sanford; Schaefer; Shaheen; Springer; Swanson; Tinderholt; Toth; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Goodwin.

**HB 2845 ON THIRD READING**  
**(by Canales, Darby, Clardy, Phelan, Burrows, et al.)**

**HB 2845**, A bill to be entitled An Act relating to the removal of wind power facilities.

**HB 2845** was passed by (Record 806): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson;

Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Rose; Sanford.

### **HB 2623 ON THIRD READING**

**(by White)**

**HB 2623**, A bill to be entitled An Act relating to the requirements for a change of name for a person with a final felony conviction or a person required to register as a sex offender.

**HB 2623** was passed by (Record 807): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

### **HB 3842 ON THIRD READING**

**(by T. King)**

**HB 3842**, A bill to be entitled An Act relating to the requirement that a motor vehicle dealer obtain a general distinguishing number for a consignment location.

**HB 3842** was passed by (Record 808): 131 Yeas, 15 Nays, 1 Present, not voting.



Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Stephenson; Stickland; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Cain; Clardy; Hefner; Krause; Lang; Middleton; Patterson; Schaefer; Springer; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Sanford.

### **HB 985 ON THIRD READING** **(by Parker, et al.)**

**HB 985**, A bill to be entitled An Act relating to the effect of certain agreements with a collective bargaining organization on certain state-funded public work contracts.

**HB 985** was passed by (Record 809): 93 Yeas, 54 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Craddick; Cyrier; Darby; Dean; Deshotel; Dutton; Flynn; Frank; Frullo; Geren; Goldman; González, J.; González, M.; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Nevárez; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bucy; Calanni; Cole; Coleman; Cortez; Davis, Y.; Dominguez; Farrar; Fierro; Gervin-Hawkins; Goodwin; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; King, T.; Leman; Martinez; Martinez

Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

### STATEMENTS OF VOTE

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

Canales

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

Deshotel

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

J. González

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

M. González

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

Guillen

When Record No. 809 was taken, I was shown voting no. I intended to vote yes.

Leman

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

Longoria

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

Lopez

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

Lucio

When Record No. 809 was taken, I was shown voting yes. I intended to vote no.

Thierry

### **HB 1139 ON THIRD READING**

**(by S. Thompson, Leach, Moody, White, Walle, et al.)**

**HB 1139**, A bill to be entitled An Act relating to the applicability of the death penalty to a capital offense committed by a person with an intellectual disability.

**HB 1139** was passed by (Record 810): 102 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Clardy; Cole; Coleman; Collier; Cortez; Darby; Davis, Y.; Dominguez; Dutton; Farrar; Fierro; Flynn; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Krause; Landgraf; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Moody; Morales; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Pacheco; Parker; Perez; Phelan; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Sherman; Stephenson; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wu; Zedler; Zerwas; Zwiener.

Nays — Allison; Bell, C.; Bonnen; Capriglione; Craddick; Cyrier; Dean; Frank; Frullo; Goldman; Hefner; Holland; King, P.; Kuempel; Lambert; Lang; Larson; Leman; Metcalf; Middleton; Murr; Noble; Paddie; Patterson; Paul; Price; Schaefer; Shaheen; Shine; Smithee; Springer; Stickland; Swanson; Talarico; Tinderholt; Toth; Wray.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Anderson; Canales; Deshotel; Gervin-Hawkins; Klick; Morrison; Smith; Stucky.

### **STATEMENTS OF VOTE**

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

Anderson

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

Deshotel

When Record No. 810 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 810 was taken, I was shown voting yes. I intended to vote no.

Harris

When Record No. 810 was taken, I was shown voting yes. I intended to vote no.

Hunter

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

Stucky

When Record No. 810 was taken, I was shown voting no. I intended to vote yes.

Talarico

### **HB 3143 ON THIRD READING**

**(by Murphy, Button, Sanford, Noble, Shaheen, et al.)**

**HB 3143**, A bill to be entitled An Act relating to the Property Redevelopment and Tax Abatement Act.

**HB 3143** was passed by (Record 811): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer;

Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Morrison.

**HB 2611 ON THIRD READING**  
**(by Morrison)**

**HB 2611**, A bill to be entitled An Act relating to the treatment of certain limited liability companies as passive entities for purposes of the franchise tax.

**HB 2611** was passed by (Record 812): 116 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Dean; Dominguez; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Herrero; Holland; Howard; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morrison; Muñoz; Murr; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Rodriguez; Rose; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vo; White; Wilson; Wray; Zedler; Zerwas; Zwiener.

Nays — Anchia; Beckley; Bernal; Blanco; Bucy; Dutton; Fierro; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Morales; Neave; Ramos; Romero; Rosenthal; Talarico; Turner, C.; Turner, J.; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Bowers; Davis, Y.; Deshotel; Huberty; Lozano; Murphy; Nevárez; Ortega; Sanford; Stephenson.

**STATEMENTS OF VOTE**

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

Deshotel

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

Lozano

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

Sanford

When Record No. 812 was taken, I was temporarily out of the house chamber. I would have voted yes.

Stephenson

**HB 4429 ON THIRD READING**  
**(by Blanco)**

**HB 4429**, A bill to be entitled An Act relating to the inclusion of mental health first aid training in the mental health program for veterans.

**HB 4429** was passed by (Record 813): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stickland; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wu; Zedler; Zerwas; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Bowers; Huberty; Lozano; Murphy; Nevárez; Stephenson; Thierry; Wray.

**STATEMENTS OF VOTE**

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

Lozano

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

Nevárez

When Record No. 813 was taken, I was temporarily out of the house chamber. I would have voted yes.

Stephenson

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

Wray

### **HB 1111 ON THIRD READING**

**(by S. Davis, Springer, Guerra, S. Thompson, C. Turner, et al.)**

**HB 1111**, A bill to be entitled An Act relating to maternal and newborn health care.

**HB 1111** was passed by (Record 814): 142 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Biedermann; Cain; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Bowers; White.

### **HB 2282 ON THIRD READING**

**(by Parker)**

**HB 2282**, A bill to be entitled An Act relating to the applicability of certain limitations on the capture and use of biometric identifiers to financial institutions.

**HB 2282** was passed by (Record 815): 132 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Biedermann; Cain; González, J.; Hefner; Middleton; Schaefer; Swanson; Tinderholt; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Bowers; Deshotel; Dominguez; King, T.; Lang; Reynolds.

### STATEMENTS OF VOTE

When Record No. 815 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 815 was taken, I was in the house but away from my desk. I would have voted yes.

Lang

### GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

#### SB 753 ON THIRD READING

**(Raney, Stucky, Anchia, Harless, Lambert, et al. - House Sponsors)**

**SB 753**, A bill to be entitled An Act relating to wage requirements for community rehabilitation programs participating in the purchasing from people with disabilities program.

**SB 753** was passed by (Record 816): 107 Yeas, 28 Nays, 1 Present, not voting.



Yeas — Allen; Allison; Anchia; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bohac; Buckley; Bucy; Burns; Burrows; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wray; Wu; Zerwas; Zwiener.

Nays — Anderson; Bell, C.; Biedermann; Bonnen; Cain; Frank; Harris; Hefner; King, P.; Klick; Krause; Lang; Leach; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Patterson; Schaefer; Shaheen; Springer; Stickland; Swanson; Tinderholt; Toth; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Ashby; Bowers; Button; Collier; Dean; Frullo; Goodwin; Gutierrez; King, T.; Landgraf; Sanford; Wilson.

### STATEMENTS OF VOTE

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

Anderson

When Record No. 816 was taken, I was in the house but away from my desk. I would have voted yes.

Ashby

When Record No. 816 was taken, I was in the house but away from my desk. I would have voted yes.

Button

When Record No. 816 was taken, I was in the house but away from my desk. I would have voted yes.

Collier

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

Cyrier

When Record No. 816 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 816 was taken, I was in the house but away from my desk. I would have voted yes.

Goodwin

When Record No. 816 was taken, I was in the house but away from my desk. I would have voted yes.

T. King

When Record No. 816 was taken, I was in the house but away from my desk. I would have voted no.

Landgraf

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

Miller

**SB 319 ON THIRD READING**  
**(Frullo - House Sponsor)**

**SB 319**, A bill to be entitled An Act relating to the authority of the Lubbock County Hospital District of Lubbock County, Texas, to employ and commission peace officers.

**SB 319** was passed by (Record 817): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Dominguez; Wilson.

**POSTPONED BUSINESS**

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

**HB 1806 ON THIRD READING  
(by T. King)**

**HB 1806**, A bill to be entitled An Act relating to the use of water withdrawn from the Edwards Aquifer by certain entities.

**HB 1806** was read third time earlier today and was postponed until this time.

**HB 1806** was passed by (Record 818): 143 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Howard; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Hinojosa; Nevárez.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Huberty; Murphy.

**SB 2100 ON SECOND READING  
(Smithee, Geren, and Tinderholt - House Sponsors)**

**SB 2100**, A bill to be entitled An Act relating to the transfer of a retired law enforcement animal.

**SB 2100** was considered in lieu of **CSHB 3063**.

A record vote was requested.

**SB 2100** was passed to third reading by (Record 819): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Shine.

### **CSHB 3063 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Smithee moved to lay **CSHB 3063** on the table subject to call.

The motion prevailed.

### **CSSB 2 ON SECOND READING (Burrows, et al. - House Sponsors)**

**CSSB 2**, A bill to be entitled An Act relating to ad valorem taxation; authorizing fees.

**CSSB 2** was considered in lieu of **CSHB 2**.

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

Representative Geren offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 1.111, Tax Code, is amended by amending Subsection (a) and adding Subsection (a-2) to read as follows:

(a) Except as provided by Subsection (a-2), a ~~TA~~ property owner may designate a lessee or other person to act as the agent of the owner for any purpose under this title in connection with the property or the property owner.

(a-2) Notwithstanding any other law, a person who enters into a contingency fee agreement to act as the agent of a property owner for any purpose under this title must be an attorney licensed in this state.

Amendment No. 1 was adopted. (Holland recorded voting no.)

### **Amendment No. 2**

Representative Krause offered the following amendment to **CSSB 2**:

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

(1) On page 117, line 5, between "22.23(c)," and "and", insert "25.19(b-2)."

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

SECTION \_\_\_\_\_. Section 1.07(a), Tax Code, is amended to read as follows:

(a) An official or agency required by this title to deliver a notice to a property owner may deliver the notice by regular first-class mail, with postage prepaid, unless this section or another provision of this title requires or authorizes a different method of delivery or the parties agree that the notice must be delivered as provided by Section 1.085 or 1.086.

SECTION \_\_\_\_\_. Chapter 1, Tax Code, is amended by adding Section 1.086 to read as follows:

Sec. 1.086. DELIVERY OF CERTAIN NOTICES BY E-MAIL. (a) On the written request of the owner of a residential property that is occupied by the owner as the owner's principal residence, the chief appraiser of the appraisal district in which the property is located shall send each notice required by this title related to the following to the e-mail address of the owner:

(1) a change in value of the property;

(2) the eligibility of the property for an exemption; or

(3) the grant, denial, cancellation, or other change in the status of an exemption or exemption application applicable to the property.

(b) A property owner must provide the e-mail address to which the chief appraiser must send the notices described by Subsection (a) in a request made under that subsection.

(c) A chief appraiser who delivers a notice electronically under this section is not required to mail the same notice to the property owner.

(d) A request made under this section remains in effect until revoked by the property owner in a written revocation filed with the chief appraiser.

(e) After a property owner makes a request under this section and before a chief appraiser may deliver a notice electronically under this section, the chief appraiser must send an e-mail to the address provided by the property owner confirming the owner's request to receive notices electronically.

(f) The chief appraiser of an appraisal district that maintains an Internet website shall provide a form on the website that a property owner may use to electronically make a request under this section.

SECTION \_\_\_\_\_. Subchapter A, Chapter 6, Tax Code, is amended by adding Section 6.054 to read as follows:

Sec. 6.054. RESTRICTION ON EMPLOYMENT BY APPRAISAL DISTRICT. An individual may not be employed by an appraisal district if the individual is:

- (1) an officer of a taxing unit that participates in the appraisal district;
- or
- (2) an employee of a taxing unit that participates in the appraisal district.

SECTION \_\_\_\_\_. Subchapter A, Chapter 6, Tax Code, is amended by adding Section 6.16 to read as follows:

Sec. 6.16. RESIDENTIAL PROPERTY OWNER ASSISTANCE. (a) The chief appraiser of each appraisal district shall maintain a list of the following individuals who have designated themselves as an individual who will provide free assistance to an owner of residential property that is occupied by the owner as the owner's principal residence:

- (1) a real estate broker or sales agent licensed under Chapter 1101, Occupations Code;
- (2) a real estate appraiser licensed or certified under Chapter 1103, Occupations Code; or
- (3) a property tax consultant registered under Chapter 1152, Occupations Code.

(b) On the request of an owner described by Subsection (a), the chief appraiser shall provide to the owner a copy of the list maintained under this section.

(c) The list must:

- (1) be organized by county;
- (2) be available on the appraisal district's Internet website, if the appraisal district maintains a website; and
- (3) provide the name, contact information, and job title of each individual who will provide free assistance.

(d) A person must designate himself or herself as an individual who will provide free assistance by completing a form prescribed by the chief appraiser and submitting the form to the chief appraiser.

SECTION \_\_\_\_\_. Chapter 25, Tax Code, is amended by adding Sections 25.192 and 25.193 to read as follows:

Sec. 25.192. NOTICE OF RESIDENCE HOMESTEAD EXEMPTION ELIGIBILITY. (a) This section applies only to residential property that has not qualified for a residence homestead exemption in the current tax year.

(b) If the records of the appraisal district indicate that the address of the property is also the address of the owner of the property, the chief appraiser must send to the property owner a notice that contains:

- (1) the following statement in boldfaced 18-point type at the top of the first page of the notice: "NOTICE: A residence homestead exemption from ad valorem taxation is NOT currently being allowed on the property listed below. However, our records show that this property may qualify for a residence homestead exemption, which will reduce your taxes.";

(2) following the statement described by Subdivision (1), the following statement in 12-point type: "According to the records of the appraisal district, the property described in this notice may be your primary residence and may qualify for a residence homestead exemption from ad valorem taxation. If the property is your home and you occupy it as your primary residence, the property likely qualifies for one or more residence homestead exemptions, which will reduce the amount of taxes imposed on the property. The form needed to apply for a residence homestead exemption is enclosed. Although the form may state that the deadline for filing an application for a residence homestead exemption is April 30, a late application for a residence homestead exemption will be accepted if filed before February 1, (insert year application must be filed). There is no fee or charge for filing an application or a late application for a residence homestead exemption."; and

(3) following the statement described by Subdivision (2), the address to which the notice is sent.

(c) The notice required by this section must be accompanied by an application form for a residence homestead exemption.

(d) If a property owner has elected to receive notices by e-mail as provided by Section 1.086, the notice required by this section must be sent in that manner separately from any other notice sent to the property owner by the chief appraiser.

Sec. 25.193. NOTICE OF CERTAIN CANCELED OR REDUCED EXEMPTIONS. (a) By April 1 or as soon thereafter as practicable if the property is a single-family residence that qualifies for an exemption under Section 11.13, or by May 1 or as soon thereafter as practicable in connection with residential property that does not qualify for an exemption under Section 11.13, the chief appraiser shall deliver a clear and understandable written notice to a property owner if an exemption or partial exemption that was approved for the preceding year was canceled or reduced for the current year.

(b) If a property owner has elected to receive notices by e-mail as provided by Section 1.086, for property described by that section, the notice required by this section must be sent in that manner regardless of whether the information was also included in a notice under Section 25.19 and must be sent separately from any other notice sent to the property owner by the chief appraiser.

SECTION \_\_\_\_\_. Sections 25.192 and 25.193, Tax Code, as added by this Act, apply only to a notice for a tax year beginning on or after January 1, 2020. A notice for a tax year beginning before January 1, 2020, is governed by the law in effect immediately before January 1, 2020, and that law is continued in effect for that purpose.

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Martinez Fischer offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) on page 2, line 6, between "system," and "best practices," by inserting "ways to better ensure the equal and uniform appraisal of property, in accordance with Section 1, Article VIII of the Texas Constitution,".

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Ramos offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) on page 8, line 16, by striking "not".

Representative Burrows moved to table Amendment No. 4.

The motion to table prevailed.

**Amendment No. 5**

Representative Cain offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) Strike page 14, line 24, through page 15, line 4, and substitute the following:

SECTION 13. Section 6.035, Tax Code, is amended by amending Subsection (a-1) and adding Subsection (a-2) to read as follows:

(a-1) An individual is ineligible to serve on an appraisal district board of directors if:

(1) the individual has engaged in the business of appraising property for compensation for use in proceedings under this title or of representing property owners for compensation in proceedings under this title in the appraisal district at any time during the preceding ~~three~~ five years;

(2) the individual or the individual's spouse is an employee of the comptroller;

(3) except as provided by Section 6.03(a), the individual is a member of the governing body, an officer, or an employee of a taxing unit; or

(4) the individual's spouse is a member of the governing body or an officer of a taxing unit that participates in the appraisal district.

(a-2) An individual is ineligible to serve on an appraisal district board of directors and is disqualified from employment as chief appraiser if the individual is required to register as a lobbyist under Chapter 305, Government Code.

(2) On page 16, line 12, strike "Sections 6.412(a) and (d)" and substitute "Sections 6.412(a), (c), and (d)".

(3) On page 17, between lines 9 and 10, insert the following:

(c) A person is ineligible to serve on the appraisal review board if the person is:

(1) a member of the board of directors, ~~an~~ officer, or employee of the appraisal district;

(2) ~~an~~ an employee of the comptroller;

(3) ~~an~~ a member of the governing body, officer, or employee of a taxing unit;

(4) related within the first degree by consanguinity or affinity, as determined under Chapter 573, Government Code, to:

(A) an officer or employee of the appraisal district; or

(B) a member of the governing body or an officer of a taxing unit that participates in the appraisal district; or



(5) required to register as a lobbyist under Chapter 305, Government Code.

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

SECTION \_\_\_\_\_. Section 6.03(a), Tax Code, is amended to read as follows:

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. ~~[An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.]~~

SECTION \_\_\_\_\_. Sections 6.03(a) and 6.035(a-1), Tax Code, as amended by this Act, and Section 6.035(a-2), Tax Code, as added by this Act, do not affect the eligibility of a person serving as an appointed member of the board of directors of an appraisal district immediately before January 1, 2020, to continue to serve on the board for the remainder of the term to which the member was appointed.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Local and Consent Calendars, upon lunch recess today, 1W.14, for a formal meeting, to consider a calendar.

### **RECESS**

Representative Springer moved that the house recess until 1:15 p.m. today.

The motion prevailed.

The house accordingly, at 12:37 p.m., recessed until 1:15 p.m. today.

### **AFTERNOON SESSION**

The house met at 1:50 p.m. and was called to order by the speaker.

### **CSSB 2 - (pending business)**

Amendment No. 5 was withdrawn.

### **Amendment No. 6**

Representatives J. Turner and Murr offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 19, lines 13 and 14, strike "has an appraised value of \$50 million or more as determined by the appraisal district" and substitute "has an appraised value as determined by the appraisal district equal to or greater than the minimum eligibility amount determined as provided by Subsection (g)".

(2) On page 21, between lines 2 and 3, insert the following:

(g) By January 1 or as soon thereafter as practicable, the comptroller shall determine the minimum eligibility amount for the current tax year for purposes of Subsection (b)(1) and publish that amount in the Texas Register. The minimum eligibility amount for the 2020 tax year is \$50 million. For each succeeding tax year, the minimum eligibility amount is equal to the minimum eligibility amount for the preceding tax year as adjusted by the comptroller to reflect the inflation rate.

### **Amendment No. 7**

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

Amend Amendment No. 6 by J. Turner to **CSSB 2** by adding the following appropriately numbered item to the amendment and renumbering the items of the amendment accordingly:

( ) On page 25, line 20, following the underlined period, add the following:

For the purposes of this subdivision, "consumer price index" means the consumer price index for all urban consumers (all items, Dallas-Fort Worth-Arlington, Texas, core-based statistical area), as published by the Bureau of Labor Statistics, United States Department of Labor, or its successor in function.

Amendment No. 7 was adopted.

Amendment No. 6, as amended, was adopted.

### **Amendment No. 8**

Representative Lucio offered the following amendment to **CSSB 2**:

Amend **CSSB 2** as follows:

(1) Insert a new SECTION ( ) and renumber the subsequent sections appropriately.

SECTION \_\_\_\_ . Section 11.24, Tax Code, is amended by adding Subsection (b) to read as follows:

(b) A taxing unit may not reduce the amount of or repeal an exemption adopted under Subsection (a) for a property otherwise qualified unless the taxing unit has delivered to the property owner written notice of its intent to reduce the amount of or repeal the exemption at least five years before doing so.

(2) Insert a new SECTION ( ) and renumber the subsequent sections appropriately.

SECTION \_\_\_\_ . The change in law made to Section 11.24, Tax Code, applies to the 2018 tax year and subsequent tax years. Any reduction or denial of an exemption granted under Section 11.24 in 2018 and subsequent years is subject to the change in law made in Section 11.24 and must be reinstated and notice given as provided in the change in law in Section 11.24.

Amendment No. 8 was adopted.

**Amendment No. 9**

Representative Ramos offered the following amendment to **CSSB 2**:

Amend **CSSB 2** by adding the following SECTION to the bill, numbered appropriately:

SECTION \_\_\_\_ . (a) Chapter 22, Tax Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. MANDATORY REPORTING OF REAL PROPERTY  
SALES PRICE INFORMATION

Sec. 22.61. DEFINITION. In this subchapter, "commercial real property" means real property that is held or used for the production of income.

Sec. 22.62. SALES PRICE DISCLOSURE REPORT. (a) Not later than the 10th day after the date the deed is recorded in the county real property records, the purchaser or grantee of commercial or residential real property under a recorded deed conveying an interest in the real property shall file a sales price disclosure report with the chief appraiser of the appraisal district established for the county in which the property is located.

(b) A sales price disclosure report must be signed by the purchaser or grantee of the commercial real property described in the report.

Sec. 22.63. REPORT FORM. (a) A sales price disclosure report filed under this subchapter must read as follows, with the appropriate information included in the blanks :

SALES PRICE INFORMATION DISCLOSURE

Section 22.62, Tax Code, requires a purchaser or grantee of commercial or residential real property under a deed to prepare this report, sign the report, and file the report with the chief appraiser of the appraisal district established for the county in which the property is located not later than the 10th day after the date the deed is recorded.

Knowingly making a false statement on this form is grounds for prosecution of a Class A misdemeanor or a state jail felony under Section 37.10, Penal Code. The chief appraiser may not use the information in this form as the sole basis on which to increase the market value of the property.

Seller's or grantor's name:

Purchaser's or grantee's name:

Purchaser's or grantee's address:

\_\_\_\_\_

Property description (as stated in deed):

\_\_\_\_\_

---

Sales price of, or other consideration paid for, the property:

The method used to finance the sales price or other consideration was:  none (cash sale)  cash and third-party financing  cash and seller financing  exchange of other property  other, describe:

Describe any unusual or extraordinary terms of the sale or transfer that affected the amount of the sales price or other consideration:

Provide any additional information relevant to the sale or transfer, including:

(1) whether the sale or transfer involved property other than real property and the type of property, whether tangible or intangible, involved in the sale or transfer;

(2) whether the sale or transfer involved property located in more than one county and, if so, the portion of the sales price or other consideration allocated to the portion of the property located in each county;

(3) in the case of a sale of commercial property, whether the sale is the sale of an entire business or business unit; and

(4) any other facts or circumstances that affected the sales price or other consideration (optional):

To the best of my knowledge, this statement is true and accurate.

Purchaser's or grantee's signature:

Date:

Return this form to:

(b) The appraisal district shall include at the end of the form instructions for the filing of the form by mail, hand delivery, or, if permitted by the chief appraiser, electronic mail or other electronic means.

(c) Each appraisal district shall prepare and make available sales price disclosure report forms that conform to the requirements of this section. Except for instructions for the filing of the form, no additional information may be required to be included in a sales price disclosure report form.

Sec. 22.64. FILING AND RECEIPT OF REPORT. (a) A purchaser or grantee may file a sales price disclosure report with a chief appraiser by mail, hand delivery, or, if permitted by the chief appraiser, electronic mail or other electronic means.

(b) On receipt of the completed sales price disclosure report, the chief appraiser shall provide to the purchaser or grantee a written acknowledgement that the report has been received. If the acknowledgement of receipt is mailed, the chief appraiser shall mail it to the purchaser or grantee at the address provided in the report.

Sec. 22.65. PREPARATION OF REPORT; IMMUNITY FROM LIABILITY. (a) A sales price disclosure report must be prepared by the purchaser or grantee of the property described in the report or by another person on behalf of the purchaser or grantee.

(b) A person who prepares a sales price disclosure report on behalf of a purchaser or grantee of the property described in the report is not liable to any person for preparing the report or for any unintentional error or omission in the report.

Sec. 22.66. ACTION TO COMPEL COMPLIANCE. The chief appraiser may bring an action for an injunction to compel a person to comply with the requirements of this subchapter. If the court finds that this subchapter applies and that the person has failed to fully comply with its requirements, the court:

(1) shall order the person to comply; and

(2) may assess costs and reasonable attorney's fees against the person.

Sec. 22.67. REAL PROPERTY SALES PRICE DATABASE. (a) The comptroller shall create and make accessible on an Internet website maintained by the comptroller a real property sales price database. To the extent possible, the comptroller shall present information in the database in a manner that is searchable and intuitive to users.

(b) Each appraisal district shall transmit records and other information from sales price disclosure reports received under this subchapter to the comptroller for purposes of providing the comptroller with information to operate and update the real property sales price database. The comptroller shall prescribe the form and frequency of the report.

(b) Section 23.013, Tax Code, is amended by adding Subsection (e) to read as follows:

(e) The chief appraiser may use information contained in a sales price disclosure report filed under Subchapter D, Chapter 22, in determining the market value of commercial or residential real property but may not increase the market value of the real property described in the report solely on the basis of the information contained in the report.

(c) As soon as practicable after the effective date of this section, but not later than January 1, 2020, each appraisal district shall prepare and make available sales price disclosure report forms as provided by Section 22.63, Tax Code, as added by this section.

(d) Subchapter D, Chapter 22, Tax Code, as added by this section, applies only to a sale or other transfer of commercial real property that occurs on or after January 1, 2020.

(e) This section takes effect September 1, 2019.

Representative Burrows moved to table Amendment No. 9.

A record vote was requested by Representative Beckley.

The motion to table prevailed by (Record 820): 102 Yeas, 42 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Deshotel; Fierro; Flynn; Frank; Frullo; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Miller; Moody; Morales; Morrison; Murphy; Murr; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Reynolds; Romero; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wray; Wu; Zedler; Zerwas.

Nays — Beckley; Bernal; Bucy; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Dominguez; Dutton; Farrar; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Johnson, J.D.; King, T.; Lopez; Martinez; Martinez Fischer; Minjarez; Muñoz; Neave; Nevárez; Pacheco; Perez; Ramos; Rodriguez; Rose; Sherman; Talarico; Thierry; Thompson, S.; Wilson; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Davis, S.; Walle.

Absent — Guillen; Meza; Rosenthal.

#### STATEMENTS OF VOTE

When Record No. 820 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 820 was taken, I was shown voting yes. I intended to vote no.

Fierro

When Record No. 820 was taken, I was shown voting yes. I intended to vote no.

E. Johnson

When Record No. 820 was taken, I was shown voting yes. I intended to vote no.

Morales

When Record No. 820 was taken, I was shown voting yes. I intended to vote no.

Raymond

When Record No. 820 was taken, I was shown voting no. I intended to vote yes.

Wilson

**Amendment No. 10**

Representative Bailes offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 117, line 17, strike "and 23.01," and substitute "23.01, and 23.014,".

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

SECTION \_\_\_\_\_. Section 23.014, Tax Code, is amended to read as follows:

Sec. 23.014. EXCLUSION OF PROPERTY AS REAL PROPERTY. Except as provided by Section 23.24(b), in determining the market value of real property, the chief appraiser shall analyze the effect on that value of, and exclude from that value the value of, any:

- (1) tangible personal property, including trade fixtures;
- (2) intangible personal property; [~~or~~]
- (3) chicken coop or rabbit pen used for the noncommercial production of food for personal consumption; or
- (4) other property that is not subject to appraisal as real property.

**Amendment No. 10 - Point of Order**

Representative Murphy raised a point of order against further consideration of Amendment No. 10 under Rule 11, Section 2, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on Amendment No. 10 of Senate Bill 2

Announced in the House on April 30, 2019

Representative Murphy raises a point of order against further consideration of the Bailes Amendment to **SB 2** under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

The subject of **SB 2** is the process for determining appraised values and tax rates and increasing transparency in the appraisal and rate-setting processes. On this subject, the bill requires the use of generally accepted appraisal methods and techniques in determining appraised values.

The subject of the amendment is the imposition of an arbitrary appraisal method that results in the exclusion of the value of certain noncommercial agricultural structures in determining the market value of real property. This is a departure from the generally accepted appraisal methods required to be used under the bill.

The major purpose of an amendment determines its germaneness. 47 H. Jour. 1123 (1941). In the opinion of the Chair, the amendment is not on the same subject of the bill. See 77 H. Jour. 3896 (2001).

Accordingly, the point of order is well-taken and sustained.

The ruling precluded further consideration of Amendment No. 10.

**Amendment No. 11**

Representative Tinderholt offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 6.03(a), Tax Code, is amended to read as follows:

(a) The appraisal district is governed by a board of directors. Five directors are appointed by the taxing units that participate in the district as provided by this section. If the county assessor-collector is not appointed to the board, the county assessor-collector serves as a nonvoting director. The county assessor-collector is ineligible to serve if the board enters into a contract under Section 6.05(b) or if the commissioners court of the county enters into a contract under Section 6.24(b). To be eligible to serve on the board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. Except as provided by this subsection, an [An] individual [who] is ineligible [otherwise eligible] to serve on the board if the individual is an officer or employee [is not ineligible because of membership on the governing body of a taxing unit. An employee] of a taxing unit that participates in the district [is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district].

SECTION \_\_\_\_\_. Section 6.03(a), Tax Code, as amended by this Act, does not affect the right of a person serving on the board of directors of an appraisal district on January 1, 2020, to complete the person's term on the board.

**Amendment No. 12**

Representative K. King offered the following amendment to Amendment No. 11:

Amend Amendment No. 11 by Tinderholt to **CSSB 2** as follows:

(1) On page 1, on line 4, strike "Section 6.03(a), Tax Code, is amended" and substitute "Section 6.03, Tax Code, is amended by amending Subsection (a) and adding Subsection (a-1)".

(2) On page 1, line 18, between "subsection" and the underlined comma, insert "and Subsection (a-1)".

(3) On page 1, between lines 25 and 26, insert the following:

(a-1) This subsection applies only to a county with a population of 25,000 or less. An individual who is otherwise eligible to serve on the board is not ineligible because of membership on the governing body of a taxing unit. An employee of a taxing unit that participates in the district is not eligible to serve on the board unless the individual is also a member of the governing body or an elected official of a taxing unit that participates in the district.

Amendment No. 12 was adopted.

Amendment No. 11, as amended, was adopted.



**Amendment No. 13**

Representative Murphy offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 1.02, Tax Code, is amended to read as follows:

Sec. 1.02. **APPLICABILITY OF TITLE**. This title applies to a taxing unit that is created by or pursuant to any general, special, or local law enacted before or after the enactment of this title unless a law enacted after enactment of this title by or pursuant to which the taxing unit is created expressly provides that this title does not apply. This title supersedes and provision of a municipal charter or ordinance relating to property taxation, including a provision setting or requiring a vote [~~Nothing in this title invalidates or restricts the right of voters to utilize municipal level initiative and referendum~~] to set a tax rate, level of spending, or limitation on tax increase for that municipality.

Amendment No. 13 was adopted.

**Amendment No. 14**

Representative Y. Davis offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) on page 2, between lines 13 and 14, by inserting the following appropriately lettered subsection in added Section 5.01, Tax Code, and relettering subsections of that section and any cross-references accordingly:

( ) In making appointments under Subsection (b), the comptroller shall ensure that the members of the advisory board reflect, to the extent possible, the ethnic and geographic diversity of this state.

**Amendment No. 14 - Point of Order**

Representative Cain raised a point of order against further consideration of Amendment No. 14 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane to the bill.

The point of order was withdrawn.

Amendment No. 14 was adopted.

**Amendment No. 15**

Representative Beckley offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee printing) on page 22 as follows:

- (1) Strike lines 7 through 10.
- (2) On line 11, strike "(3)" and substitute "(1)".
- (3) On line 13, strike "(4)" and substitute "(2)".
- (4) On line 15, strike "; and" and substitute:

."

- (5) Strike lines 16 through 19.

Representative Burrows moved to table Amendment No. 15.

The motion to table prevailed.

### Amendment No. 16

Representative Stickland offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

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

SECTION \_\_\_\_\_. Section 23.23, Tax Code, is amended by amending Subsections (a) and (b) and adding Subsection (a-1) to read as follows:

(a) ~~The [Notwithstanding the requirements of Section 25.18 and regardless of whether the appraisal office has appraised the property and determined the market value of the property for the tax year, an appraisal office may increase the] appraised value of a residence homestead for a tax year is equal to [an amount not to exceed the lesser of:~~

~~[(1)] the market value of the property for the first [most recent] tax year that the owner qualified the property for an exemption under Section 11.13 [market value was determined by the appraisal office; or~~

~~[(2) the sum of:~~

~~[(A) 10 percent of the appraised value of the property for the preceding tax year;~~

~~[(B) the appraised value of the property for the preceding tax year;~~  
and

~~[(C) the market value of all new improvements to the property].~~

(a-1) If the first tax year the property owner qualified the property for an exemption under Section 11.13 was a tax year before the 2020 tax year, for purposes of Subsection (a), the appraised value of the property as shown on the 2019 appraisal roll is considered to be the market value of the property for the first tax year that the owner qualified the property for an exemption under Section 11.13.

(b) When appraising a residence homestead, the chief appraiser shall:

(1) appraise the property at its market value; and

(2) include in the appraisal records both the market value of the property and the amount computed under Subsection (a) ~~[(a)(2)]~~.

(2) On page 117, line 5, between "22.23(c)," and "and", insert "23.23(e), (f), and (g),".

### Amendment No. 16 - Point of Order

Representative Springer raised a point of order against further consideration of Amendment No. 16 under Rule 11, Section 2, of the House Rules.

(S. Davis now present)

The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on Amendment No. 16 to Senate Bill 2

Announced in the House on April 30, 2019

Representative Springer raises a point of order against further consideration of the Stickland Amendment to **SB 2** under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

The subject of **SB 2** is the process for determining appraised values and tax rates and increasing transparency in the appraisal and rate-setting processes. On this subject, the bill requires the use of generally accepted appraisal methods and techniques in determining appraised values.

The subject of the amendment is the setting of taxable values by use of an arbitrary value that is not related to the appraisal methods specified in the bill. This is a departure from the generally accepted appraisal methods required to be used under the bill.

The major purpose of an amendment determines its germaneness. 47 H. Jour. 1123 (1941). In the opinion of the Chair, the amendment is not on the same subject of the bill. See 73 H.J. Reg. 1537 (1993).

Accordingly, the point of order is well-taken and sustained.

The ruling precluded further consideration of Amendment No. 16.

**Amendment No. 17**

Representative Gutierrez offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Section 23.23(a), Tax Code, is amended to read as follows:

(a) Notwithstanding the requirements of Section 25.18 and regardless of whether the appraisal office has appraised the property and determined the market value of the property for the tax year, an appraisal office may increase the appraised value of a residence homestead for a tax year to an amount not to exceed the lesser of:

(1) the market value of the property for the most recent tax year that the market value was determined by the appraisal office; or

(2) the sum of:

(A) five [~~10~~] percent of the appraised value of the property for the preceding tax year;

(B) the appraised value of the property for the preceding tax year;

and

(C) the market value of all new improvements to the property.

(b) This section applies only to the appraisal for ad valorem taxation of residence homesteads for a tax year that begins on or after January 1, 2020.

(c) This section takes effect January 1, 2020, but only if the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, to authorize the legislature to set a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation is approved by the voters. If that amendment is not approved by the voters, this section has no effect.

**Amendment No. 17 - Point of Order**

Representative Cain raised a point of order against further consideration of Amendment No. 17 under Rule 11, Section 2, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on Amendment No. 17 to Senate Bill 2

Announced in the House on April 30, 2019

Representative Cain raises a point of order against further consideration of the Gutierrez Amendment to **SB 2** under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

The subject of **SB 2** is the process for determining appraised values and tax rates and increasing transparency in the appraisal and rate-setting processes. On this subject, the bill requires the use of generally accepted appraisal methods and techniques in determining appraised values.

As with the Stickland Amendment, the subject of this amendment is the setting of taxable values by use of an arbitrary value that is not related to the appraisal methods specified in the bill. Also as with the Stickland Amendment, this is a departure from the generally accepted appraisal methods required to be used under the bill.

The major purpose of an amendment determines its germaneness. 47 H. Jour. 1123 (1941). In the opinion of the Chair, the amendment is not on the same subject of the bill. See 73 H.J. Reg. 1537 (1993).

Accordingly, the point of order is well-taken and sustained.

The ruling precluded further consideration of Amendment No. 17.

**Amendment No. 18**

Representative Gutierrez offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 22, line 20, between "SECTION 22." and "Section 25.19", insert "(a)".

(2) On page 24, between lines 15 and 16, insert the following:

(b) This section takes effect as provided by this Act, but only if the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, to authorize the legislature to limit increases in the appraised value of commercial real property for ad valorem tax purposes to 10 percent or more of the appraised value of the property for the preceding tax year is not approved by the voters. If that amendment is approved by the voters, this section has no effect.

(3) On page 102, line 22, between "SECTION 61." and "Section 403.302", insert "(a)".

(4) On page 104, between lines 14 and 15, insert the following:

(b) This section takes effect as provided by this Act, but only if the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, to authorize the legislature to limit increases in the appraised value of commercial real property for ad valorem tax purposes to 10 percent or more of the appraised value of the property for the preceding tax year is not approved by the voters. If that amendment is approved by the voters, this section has no effect.

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

SECTION \_\_\_\_\_. (a) Section 1.12(d), Tax Code, is amended to read as follows:

(d) For purposes of this section, the appraisal ratio of a homestead to which Section 23.23 applies or of commercial real property to which Section 23.231 applies is the ratio of the property's market value as determined by the appraisal district or appraisal review board, as applicable, to the market value of the property according to law. The appraisal ratio is not calculated according to the appraised value of the property as limited by Section 23.23 or 23.231

(b) Subchapter B, Chapter 23, Tax Code, is amended by adding Section 23.231 to read as follows:

Sec. 23.231. LIMITATION ON APPRAISED VALUE OF COMMERCIAL REAL PROPERTY. (a) In this section:

(1) "Commercial real property" means real property zoned or otherwise authorized for and actually used for a purpose other than single-family use, multifamily use, heavy industrial use, or use as a quarry.

(2) "New improvement" means an improvement to commercial real property made after the most recent appraisal of the property that increases the market value of the property and the value of which is not included in the appraised value of the property for the preceding tax year. The term does not include repairs to or ordinary maintenance of an existing structure or the grounds or another feature of the property.

(b) This section does not apply to property appraised under Subchapter C, D, E, F, G, or H.

(c) Notwithstanding the requirements of Section 25.18 and regardless of whether the appraisal office has appraised the property and determined the market value of the property for the tax year, an appraisal office may increase the appraised value of a parcel of commercial real property for a tax year to an amount not to exceed the lesser of:

(1) the market value of the property for the most recent tax year that the market value was determined by the appraisal office; or

(2) the sum of:

(A) 10 percent of the appraised value of the property for the preceding tax year;

(B) the appraised value of the property for the preceding tax year;

and

(C) the market value of all new improvements to the property.

(d) When appraising a parcel of commercial real property, the chief appraiser shall:

(1) appraise the property at its market value; and

(2) include in the appraisal records both the market value of the property and the amount computed under Subsection (c)(2).

(e) The limitation provided by Subsection (c) takes effect as to a parcel of commercial real property on January 1 of the tax year following the first tax year in which the owner owns the property on January 1 and in which the property meets the definition of commercial real property. The limitation expires on January 1 of the tax year following the first tax year in which the owner of the property ceases to own the property or the property no longer meets the definition of commercial real property.

(f) Notwithstanding Subsections (a)(2) and (c) and except as provided by Subdivision (2) of this subsection, an improvement to property that would otherwise constitute a new improvement is not treated as a new improvement if the improvement is a replacement structure for a structure that was rendered unusable by a casualty or by wind or water damage. For purposes of appraising the property under Subsection (c) in the tax year in which the structure would have constituted a new improvement:

(1) the appraised value the property would have had in the preceding tax year if the casualty or damage had not occurred is considered to be the appraised value of the property for that year, regardless of whether that appraised value exceeds the actual appraised value of the property for that year as limited by Subsection (c); and

(2) the replacement structure is considered to be a new improvement only if:

(A) the square footage of the replacement structure exceeds that of the replaced structure as that structure existed before the casualty or damage occurred; or

(B) the exterior of the replacement structure is of higher quality construction and composition than that of the replaced structure.

(g) In this subsection, "disaster recovery program" means a disaster recovery program funded with community development block grant disaster recovery money authorized by federal law. Notwithstanding Subsection (f)(2), and only to the extent necessary to satisfy the requirements of a disaster recovery program, a replacement structure described by that subdivision is not considered to be a new improvement if to satisfy the requirements of the disaster recovery program it was necessary that:

(1) the square footage of the replacement structure exceed that of the replaced structure as that structure existed before the casualty or damage occurred; or

(2) the exterior of the replacement structure be of higher quality construction and composition than that of the replaced structure.

(c) Section 25.19, Tax Code, is amended by amending Subsections (b) and (g) and adding Subsections (b-3) and (b-4) to read as follows:

(b) The chief appraiser shall separate real from personal property and include in the notice for each:

(1) a list of the taxing units in which the property is taxable;

(2) the appraised value of the property in the preceding year;

(3) the taxable value of the property in the preceding year for each taxing unit taxing the property;

(4) the appraised value of the property for the current year, the kind and amount of each exemption and partial exemption, if any, approved for the property for the current year and for the preceding year, and, if an exemption or partial exemption that was approved for the preceding year was canceled or reduced for the current year, the amount of the exemption or partial exemption canceled or reduced;

(5) a statement of whether the property qualifies for the limitation on appraised value provided by Section 23.231 ~~[if the appraised value is greater than it was in the preceding year, the amount of tax that would be imposed on the property on the basis of the tax rate for the preceding year];~~

(6) in italic typeface, the following statement: "The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials";

(7) a detailed explanation of the time and procedure for protesting the value;

(8) the date and place the appraisal review board will begin hearing protests; and

(9) a brief explanation that the governing body of each taxing unit decides whether or not taxes on the property will increase and the appraisal district only determines the value of the property.

(b-3) This subsection applies only to an appraisal district described by Section 6.41(b-2). In addition to the information required by Subsection (b), the chief appraiser shall state in a notice of appraised value of property described by Section 6.425(b) that the property owner has the right to have a protest relating to the property heard by a special panel of the appraisal review board.

(b-4) Subsection (b)(6) applies only to a notice of appraised value required to be delivered by the chief appraiser of an appraisal district established in a county with a population of less than 120,000. This subsection expires January 1, 2022.

(g) By April 1 or as soon thereafter as practicable if the property is a single-family residence that qualifies for an exemption under Section 11.13, or by May 1 or as soon thereafter as practicable in connection with any other property, the chief appraiser shall deliver a written notice to the owner of each property not included in a notice required to be delivered under Subsection (a), if the property was reappraised in the current tax year, if the ownership of the property changed during the preceding year, or if the property owner or the agent of a property owner authorized under Section 1.111 makes a written request for the notice. The chief appraiser shall separate real from personal property and include in the notice for each property:

- (1) the appraised value of the property in the preceding year;
- (2) the appraised value of the property for the current year and the kind of each partial exemption, if any, approved for the current year;
- (2-a) a statement of whether the property qualifies for the limitation on appraised value provided by Section 23.231;
- (3) a detailed explanation of the time and procedure for protesting the value; and
- (4) the date and place the appraisal review board will begin hearing protests.

(d) Section 41.41(a), Tax Code, is amended to read as follows:

(a) A property owner is entitled to protest before the appraisal review board the following actions:

- (1) determination of the appraised value of the owner's property or, in the case of land appraised as provided by Subchapter C, D, E, or H, Chapter 23, determination of its appraised or market value;
- (2) unequal appraisal of the owner's property;
- (3) inclusion of the owner's property on the appraisal records;
- (4) denial to the property owner in whole or in part of a partial exemption;

(4-a) determination that the owner's property does not qualify for the limitation on appraised value provided by Section 23.231;

- (5) determination that the owner's land does not qualify for appraisal as provided by Subchapter C, D, E, or H, Chapter 23;
- (6) identification of the taxing units in which the owner's property is taxable in the case of the appraisal district's appraisal roll;
- (7) determination that the property owner is the owner of property;
- (8) a determination that a change in use of land appraised under Subchapter C, D, E, or H, Chapter 23, has occurred; or
- (9) any other action of the chief appraiser, appraisal district, or appraisal review board that applies to and adversely affects the property owner.

(e) Section 42.26(d), Tax Code, is amended to read as follows:

(d) For purposes of this section, the value of the property subject to the suit and the value of a comparable property or sample property that is used for comparison must be the market value determined by the appraisal district when the property is [~~a residence homestead~~] subject to the limitation on appraised value imposed by Section 23.23 or 23.231.

(f) Section 403.302, Government Code, is amended by amending Subsections (d), (i), and (o) and adding Subsections (k) and (k-1) to read as follows:

(d) For the purposes of this section, "taxable value" means the market value of all taxable property less:

- (1) the total dollar amount of any residence homestead exemptions lawfully granted under Section 11.13(b) or (c), Tax Code, in the year that is the subject of the study for each school district;



(2) one-half of the total dollar amount of any residence homestead exemptions granted under Section 11.13(n), Tax Code, in the year that is the subject of the study for each school district;

(3) the total dollar amount of any exemptions granted before May 31, 1993, within a reinvestment zone under agreements authorized by Chapter 312, Tax Code;

(4) subject to Subsection (e), the total dollar amount of any captured appraised value of property that:

(A) is within a reinvestment zone created on or before May 31, 1999, or is proposed to be included within the boundaries of a reinvestment zone as the boundaries of the zone and the proposed portion of tax increment paid into the tax increment fund by a school district are described in a written notification provided by the municipality or the board of directors of the zone to the governing bodies of the other taxing units in the manner provided by former Section 311.003(e), Tax Code, before May 31, 1999, and within the boundaries of the zone as those boundaries existed on September 1, 1999, including subsequent improvements to the property regardless of when made;

(B) generates taxes paid into a tax increment fund created under Chapter 311, Tax Code, under a reinvestment zone financing plan approved under Section 311.011(d), Tax Code, on or before September 1, 1999; and

(C) is eligible for tax increment financing under Chapter 311, Tax Code;

(5) the total dollar amount of any captured appraised value of property that:

(A) is within a reinvestment zone:

(i) created on or before December 31, 2008, by a municipality with a population of less than 18,000; and

(ii) the project plan for which includes the alteration, remodeling, repair, or reconstruction of a structure that is included on the National Register of Historic Places and requires that a portion of the tax increment of the zone be used for the improvement or construction of related facilities or for affordable housing;

(B) generates school district taxes that are paid into a tax increment fund created under Chapter 311, Tax Code; and

(C) is eligible for tax increment financing under Chapter 311, Tax Code;

(6) the total dollar amount of any exemptions granted under Section 11.251 or 11.253, Tax Code;

(7) the difference between the comptroller's estimate of the market value and the productivity value of land that qualifies for appraisal on the basis of its productive capacity, except that the productivity value estimated by the comptroller may not exceed the fair market value of the land;

(8) the portion of the appraised value of residence homesteads of individuals who receive a tax limitation under Section 11.26, Tax Code, on which school district taxes are not imposed in the year that is the subject of the study, calculated as if the residence homesteads were appraised at the full value required by law;

(9) a portion of the market value of property not otherwise fully taxable by the district at market value because of:

(A) action required by statute or the constitution of this state, other than Section 11.311, Tax Code, that, if the tax rate adopted by the district is applied to it, produces an amount equal to the difference between the tax that the district would have imposed on the property if the property were fully taxable at market value and the tax that the district is actually authorized to impose on the property, if this subsection does not otherwise require that portion to be deducted; or

(B) action taken by the district under Subchapter B or C, Chapter 313, Tax Code, before the expiration of the subchapter;

(10) the market value of all tangible personal property, other than manufactured homes, owned by a family or individual and not held or used for the production of income;

(11) the appraised value of property the collection of delinquent taxes on which is deferred under Section 33.06, Tax Code;

(12) the portion of the appraised value of property the collection of delinquent taxes on which is deferred under Section 33.065, Tax Code; and

(13) the amount by which the market value of property [~~a residence homestead~~] to which Section 23.23 or 23.231, Tax Code, applies exceeds the appraised value of that property as calculated under Section 23.23 or 23.231, Tax Code, as applicable [~~that section~~].

(i) If the comptroller determines in the study that the market value of property in a school district as determined by the appraisal district that appraises property for the school district, less the total of the amounts and values listed in Subsection (d) as determined by that appraisal district, is valid, the comptroller, in determining the taxable value of property in the school district under Subsection (d), shall for purposes of Subsection (d)(13) subtract from the market value as determined by the appraisal district of properties [~~residence homesteads~~] to which Section 23.23 or 23.231, Tax Code, applies the amount by which that amount exceeds the appraised value of those properties as calculated by the appraisal district under Section 23.23 or 23.231, Tax Code, as applicable. If the comptroller determines in the study that the market value of property in a school district as determined by the appraisal district that appraises property for the school district, less the total of the amounts and values listed in Subsection (d) as determined by that appraisal district, is not valid, the comptroller, in determining the taxable value of property in the school district under Subsection (d), shall for purposes of Subsection (d)(13) subtract from the market value as estimated by the comptroller of properties [~~residence homesteads~~] to which Section 23.23 or

23.231, Tax Code, applies the amount by which that amount exceeds the appraised value of those properties as calculated by the appraisal district under Section 23.23 or 23.231, Tax Code, as applicable.

(k) If the comptroller determines in the study that the school district's local value as determined by the appraisal district that appraises property for the school district is not valid, the comptroller shall provide notice of the comptroller's determination to the board of directors of the appraisal district. The board of directors of the appraisal district shall hold a public meeting to discuss the receipt of notice under this subsection.

(k-1) If the comptroller determines in the study that the school district's local value as determined by the appraisal district that appraises property for the school district is not valid for three consecutive years, the comptroller shall conduct an additional review of the appraisal district under Section 5.102, Tax Code, and provide recommendations to the appraisal district. The comptroller may contract with a third party to assist the comptroller in conducting the additional review and providing the recommendations required under this subsection. If the appraisal district fails to comply with the recommendations provided under this subsection and the comptroller finds that the board of directors of the appraisal district failed to take remedial action reasonably designed to ensure substantial compliance with each recommendation before the first anniversary of the date the recommendations were made, the comptroller shall notify the Texas Department of Licensing and Regulation, or a successor to the department, which shall take action necessary to ensure that the recommendations are implemented as soon as practicable. Before February 1 of the year following the year in which the Texas Department of Licensing and Regulation, or a successor to the department, takes action under this subsection, the department, with the assistance of the comptroller, shall determine whether the recommendations have been substantially implemented and notify the board of directors of the appraisal district of the determination. If the department determines that the recommendations have not been substantially implemented, the board of directors of the appraisal district must, within three months of the determination, consider whether the failure to implement the recommendations was under the current chief appraiser's control and whether the chief appraiser is able to adequately perform the chief appraiser's duties.

(o) The comptroller shall adopt rules governing the conduct of the study after consultation with the comptroller's property tax administration advisory board [Comptroller's Property Value Study Advisory Committee].

(g) This section applies only to the appraisal of commercial real property for ad valorem tax purposes for a tax year that begins on or after January 1, 2020.

(h) This section takes effect as provided by this Act, but only if the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, to authorize the legislature to limit increases in the appraised value of commercial real property for ad valorem tax purposes to 10 percent or more of the appraised value of the property for the preceding tax year is approved by the voters. If that amendment is not approved by the voters, this section has no effect.

Representative Burrows moved to table Amendment No. 18.

**Amendment No. 18 - Point of Order**

Representative Wray raised a point of order against further consideration of Amendment No. 18 under Rule 11, Section 2, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on Amendment No. 18 to Senate Bill 2

Announced in the House on April 30, 2019

Representative Wray raises a point of order against further consideration of the Gutierrez Amendment to **SB 2** under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

The subject of **SB 2** is the process for determining appraised values and tax rates and increasing transparency in the appraisal and rate-setting processes. On this subject, the bill requires the use of generally accepted appraisal methods and techniques in determining appraised values.

As with the earlier amendments, the subject of this amendment is the setting of taxable values by use of an arbitrary value that is not related to the appraisal methods specified in the bill. Also as with the earlier amendments, this is a departure from the generally accepted appraisal methods required to be used under the bill.

The major purpose of an amendment determines its germaneness. 47 H. Jour. 1123 (1941). In the opinion of the Chair, the amendment is not on the same subject of the bill. See 73 H.J. Reg. 1537 (1993).

Accordingly, the point of order is well-taken and sustained.

The ruling precluded further consideration of Amendment No. 18.

**Amendment No. 19**

Representative Geren offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 24, line 25, strike the last comma and insert "(13)".

(2) On page 25, between lines 20 and 21, insert:

(13) "Last year's levy" means the total of:

(A) the amount of taxes that would be generated by multiplying the total tax rate adopted by the governing body in the preceding year by the total taxable value of property on the appraisal roll for the preceding year, including:

(i) taxable value that was reduced in an appeal under Chapter 42; and

(ii) all appraisal roll supplements and corrections other than corrections made pursuant to Section 25.25(d), as of the date of the calculation, except that last year's taxable value for a school district excludes the total value of homesteads that qualified for a tax limitation as provided by Section 11.26 and last year's taxable value for a county, municipality, or junior college district excludes the total value of homesteads that qualified for a tax limitation as provided by Section 11.261; ~~and~~

(iii) the taxable value that has been appealed under Chapter 42 and is actively under review as of July 25; and

(B) the amount of taxes refunded by the taxing unit in the preceding year for tax years before that year.

Amendment No. 19 was adopted.

**Amendment No. 20**

Representatives Calanni, Guillen, and Rosenthal offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 25, line 25, strike "or".

(2) On page 25, line 26, between "district" and the underlined period, insert the following:

; or

(D) an emergency services district created under Chapter 775, Health and Safety Code, provided that the district's de minimis rate for the tax year does not exceed the district's rollback tax rate calculated as if the district is a special taxing unit for that tax year

Representative Burrows moved to table Amendment No. 20.

A record vote was requested by Representative J. González.

The motion to table prevailed by (Record 821): 84 Yeas, 59 Nays, 1 Present, not voting.

Yeas — Allison; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Blanco; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Darby; Davis, S.; Dean; Fierro; Flynn; Frank; Frullo; Geren; Goldman; Guerra; Harris; Hefner; Holland; Hunter; Johnson, J.D.; Kacal; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Cyrier; Davis, Y.; Deshotel; Dominguez; Farrar; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.E.; King, T.; Lopez; Lucio; Martinez; Martinez Fischer; Minjarez; Moody; Morales; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Stephenson; Talarico; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.

Absent — Anderson; Dutton; King, K.; Meza; Thierry.

### STATEMENTS OF VOTE

When Record No. 821 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

When Record No. 821 was taken, I was shown voting yes. I intended to vote no.

S. Thompson

#### Amendment No. 21

Representative Darby offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) on page 26, lines 12 and 13, by striking "actual tax rate used to levy taxes" and substituting "maintenance and operations tax rate used to levy taxes for maintenance and operations".

Amendment No. 21 was adopted.

#### Amendment No. 22

Representative Ramos offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) on page 23 as follows:

(1) Strike lines 14-18 and substitute:

~~[(6) in italic typeface, the following statement: "The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials";]~~

(2) On line 19, strike "(6) [(7)]" and substitute "[~~(7)~~]"

(3) On line 21, strike "(7) [(8)]" and substitute "(6) [~~(8)~~]"

(4) On line 23, strike "(8) [(9)]" and substitute "(7) [~~(9)~~]"

Representative Burrows moved to table Amendment No. 22.

A record vote was requested by Representative Stickland.

The motion to table prevailed by (Record 822): 89 Yeas, 57 Nays, 1 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Blanco; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Dutton; Flynn; Frank; Frullo; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Beckley; Bernal; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dominguez; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.E.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.

Absent — Johnson, J.D.; Lucio.

### STATEMENT OF VOTE

When Record No. 822 was taken, I was in the house but away from my desk. I would have voted yes.

Lucio

#### Amendment No. 23

Representative Rodriguez offered the following amendment to **CSSB 2**:

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

(1) On page 24, line 25, strike "(8-a), (8-b), (10-a)," and substitute "(2-a), (8-a), (8-b), (10-a), (10-b), (10-c), (10-d),".

(2) On page 24, between lines 26 and 27, insert the following:

(2-a) "Consumer price index" means the average over a calendar year of the index that the comptroller considers to most accurately report changes in the purchasing power of the dollar for consumers in this state.

(3) On page 25, between lines 15 and 16, insert the following:

(10-a) "Government consumption expenditures index" means the government consumption expenditures and gross investment: state and local (implicit price deflator) as calculated by the Bureau of Economic Analysis of the United States Department of Commerce.

(10-b) "Government consumption expenditures rate" means the amount, expressed in decimal form rounded to the nearest thousandth, computed by determining the percentage change in the government consumption expenditures index for the preceding calendar year as compared to the government consumption expenditures index for the calendar year preceding that calendar year.

(10-c) "Inflation adjustment rate" means the average of the inflation rate and the government consumption expenditures rate.

(4) On page 25, line 16, strike "(10-a)" and substitute "(10-d)".

(5) On page 27, line 21, strike "(b-1)," and substitute "(b-1), (b-2),".

(6) On page 28, between lines 15 and 16, insert the following:

(b-2) By August 1 or as soon thereafter as practicable, the comptroller shall determine the inflation adjustment rate for the current tax year and publish that rate in the Texas Register.

(7) On page 28, lines 19 and 20, strike "the de minimis amount for the current tax year as required by Subsection (b-1)" and substitute "the information required by Subsections (b-1) and (b-2)".

(8) On page 29, strike lines 13-15 and substitute the following:  

$$\text{ROLLBACK TAX RATE} = \frac{[\text{NO-NEW-REVENUE MAINTENANCE AND OPERATIONS RATE} \times (1.035 + \text{INFLATION ADJUSTMENT RATE})] + (\text{CURRENT DEBT RATE} + \text{UNUSED INCREMENT RATE})}{}$$

(9) On page 39, strike lines 1-4 and substitute the following:  

$$\text{ROLLBACK TAX RATE FOR TAXING UNIT OTHER THAN SPECIAL TAXING UNIT} = \frac{[\text{NO-NEW-REVENUE MAINTENANCE AND OPERATIONS RATE} \times (1.035 + \text{INFLATION ADJUSTMENT RATE})] + (\text{CURRENT DEBT RATE} + \text{UNUSED INCREMENT RATE} - \text{SALES TAX GAIN RATE})}{}$$

(10) On page 39, strike lines 20-24 and substitute the following:  

$$\text{ROLLBACK TAX RATE FOR TAXING UNIT OTHER THAN SPECIAL TAXING UNIT} = \frac{\{[\text{LAST YEAR'S MAINTENANCE AND OPERATIONS EXPENSE} \times (1.035 + \text{INFLATION ADJUSTMENT RATE})]\} / (\text{CURRENT TOTAL VALUE} - \text{NEW PROPERTY VALUE})\} + (\text{CURRENT DEBT RATE} + \text{UNUSED INCREMENT RATE} - \text{SALES TAX REVENUE RATE})}{}$$

(11) On page 40, strike lines 20-23 and substitute the following:  

$$\text{ROLLBACK TAX RATE FOR TAXING UNIT OTHER THAN SPECIAL TAXING UNIT} = \frac{\{[\text{LAST YEAR'S MAINTENANCE AND OPERATIONS EXPENSE} \times (1.035 + \text{INFLATION ADJUSTMENT RATE})]\} / (\text{CURRENT TOTAL VALUE} - \text{NEW PROPERTY VALUE})\} + (\text{CURRENT DEBT RATE} + \text{UNUSED INCREMENT RATE})}{}$$

(12) On page 114, line 8, strike "3.5 percent" and substitute "the sum of 3.5 percent and the inflation adjustment rate".

(13) On page 115, line 24, strike "1.035 times".

(14) On page 116, line 2, strike the underlined semicolon and substitute " multiplied by the sum of 1.035 and the inflation adjustment rate;".

(15) On page 116, line 21, strike "rate" and substitute "rate, inflation adjustment rate,".

Representative Burrows moved to table Amendment No. 23.

The motion to table prevailed.

#### **Amendment No. 24**

Representative Martinez Fischer offered the following amendment to **CSSB 2**:

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

(1) On page 29, line 14, strike "1.035" and substitute "1.0351".

(2) On page 39, line 3, strike "1.035" and substitute "1.0351".

(3) On page 39, line 22, strike "1.035" and substitute "1.0351".



- (4) On page 40, line 22, strike "1.035" and substitute "1.0351".
- (5) On page 114, line 8, strike "3.5" and substitute "3.51".
- (6) On page 115, line 24, strike "1.035" and substitute "1.0351".

Representative Burrows moved to table Amendment No. 24.

A record vote was requested by Representative Martinez Fischer.

The motion to table prevailed by (Record 823): 84 Yeas, 62 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Flynn; Frank; Frullo; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.E.; King, T.; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.

Absent — Johnson, J.D.; Middleton.

### STATEMENT OF VOTE

When Record No. 823 was taken, I was in the house but away from my desk. I would have voted yes.

Middleton

### Amendment No. 25

Representatives Dominguez, Cain, Guillen, Hunter, Phelan, Morrison, Lucio, Herrero, White, Lozano, Calanni, Rosenthal, Guerra, and Murphy offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

- (1) On page 29, line 25, strike "first" and substitute "second".
- (2) On page 41, line 13, strike "first" and substitute "second".
- (3) On page 116, line 12, strike "first" and substitute "second".

Amendment No. 25 was adopted.

**Amendment No. 26**

Representatives Goodwin, Talarico, Meza, Bowers, Hinojosa, Ortega, Bucy, Dutton, Zwiener, and Rosenthal offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 27, line 21, between "(c-2)," and "(d-1)", insert "(c-3)".

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

(c-2) Notwithstanding any other provision of this section, the governing body of a taxing unit other than a special taxing unit may direct the designated officer or employee to calculate the rollback tax rate of the taxing unit in the manner provided for a special taxing unit for any tax year in which the state share of the foundation school program for that year is less than the state share of that program for the 2020-2021 school year.

(3) On page 30, line 6, strike "(c-2)" and substitute "(c-3)".

(4) On page 38, line 14, strike "Subsection (c-1)" and substitute "Subsections (c-1) and (c-2)".

(5) On page 41, between lines 20 and 21, insert the following:

(c-2) Notwithstanding any other provision of this section, the governing body of a taxing unit other than a special taxing unit may direct the designated officer or employee to calculate the rollback tax rate of the taxing unit in the manner provided for a special taxing unit for any tax year in which the state share of the foundation school program for that year is less than the state share of that program for the 2020-2021 school year.

(6) On page 111, line 14, strike "and (g)" and substitute "(g), and (h)".

(7) On page 116, between lines 19 and 20, insert the following:

(g) Notwithstanding any other provision of this section, the board of a district may substitute "eight percent" for "3.5 percent" in Subsection (a)(3)(B) and "1.08" for "1.035" in Subsection (e)(3) for any tax year in which the state share of the foundation school program for that year is less than the state share of that program for the 2020-2021 school year.

(8) On page 116, line 20, strike "(g)" and substitute "(h)".

Representative Burrows moved to table Amendment No. 26.

A record vote was requested by Representative Goodwin.

The motion to table prevailed by (Record 824): 85 Yeas, 62 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Flynn; Frank; Frullo; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.E.; King, T.; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.

Absent — Johnson, J.D.

### **Amendment No. 27**

Representative Martinez Fischer offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) Strike page 24, line 24, through page 25, line 10, and substitute the following:

SECTION 24. Section 26.012, Tax Code, is amended by amending Subdivision (10) and adding Subdivision (19) to read as follows:

(2) Strike page 25, lines 16-20.

(3) On page 27, line 21, strike "(b-1)".

(4) Strike page 28, lines 9-15.

(5) On page 28, lines 18-20, strike "and the comptroller publishes the de minimis amount for the current tax year as required by Subsection (b-1)".

(6) On page 63, line 3, strike "26.061, 26.062, and 26.063" and substitute "26.061 and 26.062".

(7) Strike page 69, line 5, through page 70, line 15.

(8) Strike page 71, lines 4-8, and substitute the following:

(b) If the governing body of a taxing unit adopts a tax rate that exceeds the taxing unit's rollback tax rate ~~[calculated as provided by this~~

(9) On page 114, lines 10-12, strike ", unless the de minimis rate exceeds the rollback tax rate and the proposed tax rate is lower than the de minimis rate".

(10) On page 115, lines 14 and 15, strike "the greater of the rollback tax rate or de minimis rate" and substitute "the rollback tax rate".

(11) Strike page 116, lines 21 and 22, and substitute the following:

(1) "Special taxing unit" has the meaning assigned by Section 26.012, Tax Code.

Representative Burrows moved to table Amendment No. 27.

A record vote was requested by Representative Martinez Fischer.

The motion to table prevailed by (Record 825): 85 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Canales; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Fierro; Flynn; Frank; Frullo; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Nevárez; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Toth; VanDeaver; Wilson; Wray; Zedler; Zerwas; Zwiener.

Nays — Allen; Anchia; Beckley; Bernal; Biedermann; Blanco; Bowers; Bucy; Cain; Calanni; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Gervin-Hawkins; González, J.; González, M.; Goodwin; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.E.; King, T.; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Middleton; Minjarez; Moody; Morales; Muñoz; Neave; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; Vo; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.

Absent — Johnson, J.D.; White.

### STATEMENTS OF VOTE

When Record No. 825 was taken, I was shown voting yes. I intended to vote no.

Stickland

When Record No. 825 was taken, I was shown voting yes. I intended to vote no.

Toth

When Record No. 825 was taken, I was in the house but away from my desk. I would have voted no.

White

### Amendment No. 28

Representative Martinez Fischer offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 27, line 21, strike "(c-2)," and substitute "(c-2), (c-3),".

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

(c-2) This subsection expires January 1, 2025. Notwithstanding any other provision of this section, the governing body of a taxing unit other than a special taxing unit may direct the designated officer or employee to calculate the rollback tax rate of the taxing unit in the manner provided for a special taxing unit if any

part of the taxing unit is located in an area declared a disaster area during the 2015, 2016, 2017, 2018, or 2019 tax year by the governor or by the president of the United States and the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body does not exceed the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred. The designated officer or employee shall continue calculating the rollback tax rate in the manner provided by this subsection until the earlier of:

(1) the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred; or

(2) the fifth tax year after the tax year in which the disaster occurred.

(3) On page 30, line 6, strike "(c-2)" and substitute "(c-3)".

(4) On page 38, line 14, strike "Subsection (c-1)" and substitute "Subsections (c-1) and (c-2)".

(5) On page 41, between lines 20 and 21, insert the following:

(c-2) This subsection expires January 1, 2025. Notwithstanding any other provision of this section, the governing body of a taxing unit, other than a special taxing unit, that calculates the taxing unit's rollback tax rate under this section may direct the designated officer or employee to calculate the rollback tax rate of the taxing unit in the manner provided by this section for a special taxing unit if any part of the taxing unit is located in an area declared a disaster area during the 2015, 2016, 2017, 2018, or 2019 tax year by the governor or by the president of the United States and the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body does not exceed the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred. The designated officer or employee shall continue calculating the rollback tax rate in the manner provided by this subsection until the earlier of:

(1) the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred; or

(2) the fifth tax year after the tax year in which the disaster occurred.

Amendment No. 28 was withdrawn.

### **Amendment No. 29**

Representative Rodriguez offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 26, Tax Code, is amended by adding Section 26.0446 to read as follows:

Sec. 26.0446. LOCAL OPTION ELECTION TO TEMPORARILY INCREASE ROLLBACK TAX RATE. (a) This section applies only to a municipality or county that is not a special taxing unit.

(b) The governing body of a taxing unit may call an election for the purpose of allowing the voters of the taxing unit to determine whether to authorize the taxing unit to increase the rate at which maintenance and operations taxes may be imposed without voter approval by a rate not to exceed \$0.01 per \$100 of taxable value for a period not to exceed four tax years if the additional revenue from the increased rate is dedicated to pay costs for one or more purposes proposed by the taxing unit to the voters at the election.

(c) At an election held under this section, the ballots shall be prepared to permit voting for or against the proposition: "Increasing the rate at which the maintenance and operations taxes of the (name of taxing unit) may be increased by (insert rate not to exceed \$0.01 per \$100 of taxable value) for the (insert the applicable tax years not to exceed the four tax years following the tax year in which the election is held) tax years without voter approval in those tax years if the additional revenue is dedicated to pay (purpose or purposes for which the revenue is dedicated)."

(d) If a majority of the votes cast in the election favor the proposition, in each of the applicable tax years following the year in which the election is held:

(1) the designated officer or employee of the taxing unit shall add the applicable rate to the end of the formula for computing the rollback tax rate of the taxing unit; and

(2) the taxing unit may use the additional revenue from the increased rate only to pay costs for the purpose or purposes approved by the voters at the election.

Representative Burrows moved to table Amendment No. 29.

A record vote was requested by Representative Rodriguez.

The motion to table prevailed by (Record 826): 84 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Flynn; Frank; Frullo; Geren; Goldman; Guerra; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; González, J.; González, M.; Goodwin; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.D.;

Johnson, J.E.; King, T.; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.

Absent — Gervin-Hawkins.

### STATEMENT OF VOTE

When Record No. 826 was taken, I was shown voting no. I intended to vote yes.

Raymond

### MESSAGE FROM THE SENATE

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

### CSSB 2 - (consideration continued)

#### Amendment No. 30

Representatives Morrison, T. King, P. King, Nevárez, Darby, Lambert, VanDeaver, Paddie, Cyrier, Springer, Kacal, K. King, Lang, Sheffield, Landgraf, and Kuempel offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 45, line 17, strike "and (c)," and substitute "(c), and (d),".

(2) On page 46, between lines 17 and 18, insert the following:

(d) In this section, "enhanced indigent health care expenditures" for a tax year means the amount spent by the taxing unit for the maintenance and operation costs of providing indigent health care under Chapter 61, ~~[at the increased minimum eligibility standards established under Section 61.006,]~~ Health and Safety Code, ~~[effective on or after January 1, 2000,]~~ in the period beginning on July 1 of the year preceding the tax year for which the tax is adopted and ending on June 30 of the tax year for which the tax is adopted, less the amount of state assistance received by the taxing unit in accordance with Chapter 61, Health and Safety Code, that is attributable to those costs.

Amendment No. 30 was adopted.

#### Amendment No. 31

Representative E. Johnson offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 26, Tax Code, is amended by adding Section 26.0443 to read as follows:

Sec. 26.0443. TAX RATE ADJUSTMENT FOR PUBLIC SAFETY EXPENDITURES. (a) In this section, "public safety expenditures" for a tax year means the amount of expenditures made by a taxing unit in the period beginning on July 1 of the year preceding the tax year for which a tax is adopted and ending on June 30 of the tax year for which the tax is adopted on costs to equip, train, compensate, and provide benefits to individuals who provide law enforcement, fire protection, and emergency medical services.

(b) If a taxing unit's public safety expenditures exceed the amount of those expenditures for the preceding tax year, the no-new-revenue maintenance and operations rate for the taxing unit is increased by the rate computed according to the following formula:

$$\frac{\text{(Current Tax Year's Public Safety Expenditures - Preceding Tax Year's Public Safety Expenditures)}}{\text{(Current Total Value - New Property Value)}}$$

(c) The taxing unit shall include a notice of the increase in the no-new-revenue maintenance and operations rate provided by this section, including a description and amount of public safety expenditures, in the information published under Section 26.04(e) and, as applicable, in the notice prescribed by Section 26.06 or 26.061.

Representative Burrows moved to table Amendment No. 31.

A record vote was requested by Representative E. Johnson.

The motion to table prevailed by (Record 827): 80 Yeas, 65 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leman; Longoria; Lozano; Metcalf; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; King, T.; Leach; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Shaheen; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwienen.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.



Absent — Button; Davis, S.; Pacheco.

### STATEMENTS OF VOTE

When Record No. 827 was taken, my vote failed to register. I would have voted no.

Button

When Record No. 827 was taken, my vote failed to register. I would have voted yes.

S. Davis

When Record No. 827 was taken, I was in the house but away from my desk. I would have voted no.

Pacheco

### Amendment No. 32

Representative E. Johnson offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 26, Tax Code, is amended by adding Section 26.0443 to read as follows:

Sec. 26.0443. TAX RATE ADJUSTMENT FOR PUBLIC SAFETY PENSION EXPENDITURES. (a) In this section, "public safety pension expenditures" for a tax year means the amount of expenditures made by a taxing unit in the period beginning on July 1 of the year preceding the tax year for which a tax is adopted and ending on June 30 of the tax year for which the tax is adopted on costs to pay the pensions of individuals employed or formerly employed by the taxing unit to provide law enforcement and fire protection services.

(b) If a taxing unit's public safety pension expenditures exceed the amount of those expenditures for the preceding tax year, the no-new-revenue maintenance and operations rate for the taxing unit is increased by the rate computed according to the following formula:

$$\frac{(\text{Current Tax Year's Public Safety Pension Expenditures} - \text{Preceding Tax Year's Public Safety Pension Expenditures})}{(\text{Current Total Value} - \text{New Property Value})}$$

(c) The taxing unit shall include a notice of the increase in the no-new-revenue maintenance and operations rate provided by this section, including a description and amount of public safety pension expenditures, in the information published under Section 26.04(e) and, as applicable, in the notice prescribed by Section 26.06 or 26.061.

Representative Burrows moved to table Amendment No. 32.

A record vote was requested by Representative E. Johnson.

The motion to table prevailed by (Record 828): 81 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Burns; Burrows; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Flynn; Frank; Frullo; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leman; Longoria; Lozano; Metcalf; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Button; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.E.; King, T.; Leach; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.

Absent — Buckley; Johnson, J.D.; Pacheco; Perez.

### STATEMENT OF VOTE

When Record No. 828 was taken, I was in the house but away from my desk. I would have voted yes.

Buckley

### Amendment No. 33

Representative Martinez offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 26, Tax Code, is amended by adding Section 26.0443 to read as follows:

Sec. 26.0443. TAX RATE ADJUSTMENT FOR LOCAL PARTICIPATION IN STATE TRANSPORTATION PROJECTS EXPENDITURES. (a) In this section, "local participation in state transportation projects expenditures" for a tax year means the amount of expenditures made by the taxing unit in the period beginning on July 1 of the year preceding the tax year for which the tax is adopted and ending on June 30 of the tax year for which the tax is adopted on costs associated with the provision of rights-of-way, financial contributions, maintenance agreements, and any other form of compensation provided by the taxing unit to the Texas Department of Transportation for the purposes of constructing, improving, and maintaining state highway projects.

(b) If a taxing unit's local participation in state transportation projects expenditures exceed the amount of those expenditures for the preceding tax year, the no-new-revenue maintenance and operations rate for the taxing unit is increased by the rate computed according to the following formula:

(Current Tax Year's Local Participation In State Transportation Projects Expenditures - Preceding Tax Year's Local Participation In State Transportation Projects Expenditures) / (Current Total Value - New Property Value)

(c) The taxing unit shall include a notice of the increase in the no-new-revenue maintenance and operations rate provided by this section, including a description and amount of local participation in state transportation projects expenditures, in the information published under Section 26.04(e) and, as applicable, in the notice prescribed by Section 26.06 or 26.061.

Representative Burrows moved to table Amendment No. 33.

A record vote was requested by Representative Martinez.

The motion to table prevailed by (Record 829): 83 Yeas, 57 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Dutton; Flynn; Frank; Frullo; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.E.; King, T.; Lopez; Lucio; Martinez; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.

Absent — Coleman; Davis, S.; Herrero; Johnson, J.D.; Martinez Fischer; Middleton; Rodriguez; Stickland.

### STATEMENT OF VOTE

When Record No. 829 was taken, I was in the house but away from my desk. I would have voted yes.

Middleton

#### Amendment No. 34

Representative Rodriguez offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 26, Tax Code, is amended by adding Section 26.0443 to read as follows:

Sec. 26.0443. TAX RATE ADJUSTMENT FOR ECONOMIC DEVELOPMENT EXPENDITURES. (a) In this section, "economic development expenditures" for a tax year means the amount of expenditures other than expenditures from debt made by a taxing unit in the period beginning on July 1 of the year preceding the tax year for which the tax is adopted and ending on June 30 of the tax year for which the tax is adopted on obligations made pursuant to Chapter 312 of this code and Chapters 380 and 381, Local Government Code.

(b) If a taxing unit's economic development expenditures exceed the amount of those expenditures for the preceding tax year, the no-new-revenue maintenance and operations rate for the taxing unit is increased by the rate computed according to the following formula:

$$\frac{(\text{Current Tax Year's Economic Development Expenditures} - \text{Preceding Tax Year's Economic Development Expenditures})}{(\text{Current Total Value} - \text{New Property Value})}$$

(c) The taxing unit shall include a notice of the increase in the no-new-revenue maintenance and operations rate provided by this section, including a description and the amount of the economic development expenditures, in the information published under Section 26.04(e) and, as applicable, in the notice prescribed by Section 26.06 or 26.061.

Representative Burrows moved to table Amendment No. 34.

A record vote was requested by Representative Rodriguez.

The motion to table prevailed by (Record 830): 85 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Blanco; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Fierro; Flynn; Frank; Frullo; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price;

Raney; Raymond; Sanford; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.

Absent — Farrar; Schaefer.

### STATEMENT OF VOTE

When Record No. 830 was taken, I was in the house but away from my desk. I would have voted yes.

Schaefer

### Amendment No. 35

Representative Zwiener offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 26, Tax Code, is amended by adding Section 26.\_\_\_\_ to read as follows:

Sec. 26.\_\_\_\_. TAX RATE ADJUSTMENT FOR FLOOD RISK MITIGATION EXPENDITURES. (a) In this section, "flood risk mitigation expenditures" for a tax year means the amount of expenditures made by a taxing unit in the period beginning on July 1 of the year preceding the tax year for which the tax is adopted and ending on June 30 of the tax year for which the tax is adopted on the costs of structural and non-structural flood mitigation activities, including but not limited:

(1) the construction of levees, dikes, floodwalls, dams, and other channel alterations to provide larger-scale flood benefits;

(2) culverts, gates, diversions, vegetation (including trees), and detention and retention basins, aimed at protecting critical facilities (water supply infrastructure, utilities, sanitary sewer systems, roads, and bridges) and other properties by retaining or diverting floodwater which accumulates during rain events;

(3) acquisition of high risk flood property to prevent future development or loss of life;

(4) planning and administrative activities to minimize development in high risk flood areas; and

(5) emergency services planning for response to severe flood events.

(b) If a taxing unit's flood risk mitigation expenditures exceed the amount of those expenditures for the preceding tax year, the no-new-revenue maintenance and operations rate for the taxing unit is increased by the rate computed according to the following formula:

$$\frac{\text{Current Tax Year's flood risk mitigation Expenditures} - \text{Preceding Tax Year's flood risk mitigation Expenditures}}{\text{Current Total Value} - \text{New Property Value}}$$

(c) The taxing unit shall include a notice of the increase in the no-new-revenue maintenance and operations rate provided by this section, including a description and the amount of the flood risk mitigation expenditures, in the information published under Section 26.04(e) and, as applicable, in the notice prescribed by Section 26.06 or 26.061.

Representative Burrows moved to table Amendment No. 35.

The motion to table prevailed.

### REMARKS ORDERED PRINTED

Representative Martinez Fischer moved to print all remarks on **CSSB 2**.

The motion prevailed. [The text of the debate was not available at the time of printing.]

#### Amendment No. 36

Representative Martinez offered the following amendment to **CSSB 2**:

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

(1) Except on page 119, line 24, or where "rollback" is stricken through, replace "rollback" tax rate with the term "voter-approved" tax rate and make any capitalization, underlining, bracketing, or other change necessary to implement this change in terminology.

(2) Strike "an election to ratify the rate" and substitute "an election to seek voter approval of the rate" in each of the following places it appears:

- (A) page 57, lines 2-3;
- (B) page 58, lines 12-13;
- (C) page 59, lines 20-21;
- (D) page 63, lines 23-24;
- (E) page 64, line 5; and
- (F) page 69, lines 19-20.

#### Amendment No. 37

Representative Martinez offered the following amendment to Amendment No. 36:

Amend Amendment No. 36 by Martinez to **CSSB 2** by striking page 1, lines 1-7 and substituting the following:

Amend **CSSB 2** (house committee printing) by striking "an election to ratify the rate" and substituting

Amendment No. 37 was adopted.

Amendment No. 36, as amended, was adopted.

**Amendment No. 38**

Representative J. Turner offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 73, line 7, strike "increase" and substitute "increase". Last year, the ad valorem tax rate in (name of taxing unit) was \$ \_\_\_\_\_ per \$100 valuation".

(2) On page 73, lines 11 and 12, strike "rate and the difference between that rate and the rollback tax rate" and substitute "rate, the difference between the adopted tax rate and the rollback tax rate, and the taxing unit's tax rate for the preceding tax year".

Amendment No. 38 was adopted.

**Amendment No. 39**

Representatives Zwiener, Murr, and K. King offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 71, line 13, between "flood," and "or," insert "wildfire,".

(2) On page 74, line 22, strike "Section 26.08(n), Tax Code, is" and substitute "Sections 26.08(a) and (n), Tax Code, are".

(3) On page 74, between lines 23 and 24, insert the following:

(a) If the governing body of a school district adopts a tax rate that exceeds the district's rollback tax rate, the registered voters of the district at an election held for that purpose must determine whether to approve the adopted tax rate. When increased expenditure of money by a school district is necessary to respond to a disaster, including a tornado, hurricane, flood, wildfire, or other calamity, but not including a drought, that has impacted a school district and the governor has requested federal disaster assistance for the area in which the school district is located, an election is not required under this section to approve the tax rate adopted by the governing body for the year following the year in which the disaster occurs.

Amendment No. 39 was adopted.

**Amendment No. 40**

Representatives Goodwin, Meza, Ortega, Bowers, Zwiener, Hinojosa, Rosenthal, and Dutton offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) Strike page 74, lines 22 and 23, and substitute the following:

(h) The state shall reimburse a taxing unit for one-half of the reasonable cost of an election required under this section. A taxing unit must apply to the secretary of state for reimbursement. The secretary of state shall pay the costs associated with reimbursing taxing units under this subsection out of funds appropriated to the secretary of state for that purpose. The secretary of state shall adopt rules and prescribe procedures to implement and administer this subsection.

SECTION 42. Section 26.08, Tax Code, is amended by amending Subsection (n) and adding Subsection (q) to read as follows:

(2) On page 76, between lines 4 and 5, insert the following:

(q) The state shall reimburse a school district for one-half of the reasonable cost of an election required under this section. A school district must apply to the secretary of state for reimbursement. The secretary of state shall pay the costs associated with reimbursing school districts under this subsection out of funds appropriated to the secretary of state for that purpose. The secretary of state shall adopt rules and prescribe procedures to implement and administer this subsection.

(3) On page 111, line 14, strike "and (g)" and substitute "(g), and (h)".

(4) On page 116, between lines 19 and 20, insert the following:

(g) The state shall reimburse a district for one-half of the reasonable cost of an election required under this section. A district must apply to the secretary of state for reimbursement. The secretary of state shall pay the costs associated with reimbursing districts under this subsection out of funds appropriated to the secretary of state for that purpose. The secretary of state shall adopt rules and prescribe procedures to implement and administer this subsection.

(5) On page 116, line 20, strike "(g)" and substitute "(h)".

Representative Burrows moved to table Amendment No. 40.

A record vote was requested by Representative Goodwin.

The motion to table prevailed by (Record 831): 83 Yeas, 59 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Flynn; Frank; Frullo; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.E.; King, T.; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Walle.

Absent — Coleman; Herrero; Johnson, J.D.; Lozano; Smithee; Stephenson.



## STATEMENT OF VOTE

When Record No. 831 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

### 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. 14).

#### CSSB 2 - (consideration continued)

#### Amendment No. 41

Representative P. King offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 86, line 5, strike "Section 41.44(d), Tax Code, is" and substitute "Sections 41.44(a) and (d), Tax Code, are".

(2) On page 86, between lines 6 and 7, insert the following:

(a) Except as provided by Subsections (b), (c), (c-1), and (c-2), to be entitled to a hearing and determination of a protest, the property owner initiating the protest must file a written notice of the protest with the appraisal review board having authority to hear the matter protested:

(1) not later than May 15 or the 30th day after the date that notice to the property owner was delivered to the property owner as provided by Section 25.19, whichever is later;

(2) in the case of a protest of a change in the appraisal records ordered as provided by Subchapter A of this chapter or by Chapter 25, not later than the 30th day after the date notice of the change is delivered to the property owner;

(3) in the case of a determination that a change in the use of land appraised under Subchapter C, D, E, or H, Chapter 23, has occurred, not later than the 30th day after the date the notice of the determination is delivered to the property owner; ~~or~~

(4) in the case of a determination of eligibility for a refund under Section 23.1243, not later than the 30th day after the date the notice of the determination is delivered to the property owner; or

(5) in the case of a protest described by Section 41.41(a)(9), not later than the 30th day after the date the notice of the determination that a change in the use of the land has occurred is delivered to the property owner.

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

SECTION \_\_\_\_ . Section 41.41(a), Tax Code, is amended to read as follows:

(a) A property owner is entitled to protest before the appraisal review board the following actions:

- (1) determination of the appraised value of the owner's property or, in the case of land appraised as provided by Subchapter C, D, E, or H, Chapter 23, determination of its appraised or market value;
- (2) unequal appraisal of the owner's property;
- (3) inclusion of the owner's property on the appraisal records;
- (4) denial to the property owner in whole or in part of a partial exemption;
- (5) determination that the owner's land does not qualify for appraisal as provided by Subchapter C, D, E, or H, Chapter 23;
- (6) identification of the taxing units in which the owner's property is taxable in the case of the appraisal district's appraisal roll;
- (7) determination that the property owner is the owner of property;
- (8) a determination that a change in use of land appraised under Subchapter C, D, E, or H, Chapter 23, has occurred; ~~[(e)]~~
- (9) for purposes of determining the amount of the additional tax described by Section 23.55(a), determination of the appraised or market value of land appraised as provided by Subchapter D, Chapter 23, for each of the years preceding the year in which the change of use of the land occurs used to determine the amount of additional tax imposed; or
- (10) any other action of the chief appraiser, appraisal district, or appraisal review board that applies to and adversely affects the property owner.

SECTION \_\_\_\_\_. Sections 41.41(a) and 41.44(a), Tax Code, as amended by this Act, apply only to a change of use of land appraised under Subchapter D, Chapter 23, Tax Code, that occurs on or after January 1, 2020.

Amendment No. 41 was adopted.

#### **Amendment No. 42**

Representative Geren offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee printing) on page 93, line 16, between "(j-l)" and "An", insert the following:

An appraisal review board must give priority in its schedule of protest hearings filed by a property owner over the age of 65; a disabled property owner; or a property owner who is a military service member, military veteran, or military spouse before scheduling a hearing filed by a designated agent of a property owner.

Amendment No. 42 was adopted.

#### **Amendment No. 43**

Representative Krause offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Section 41A.03(a-1), Tax Code, is amended to read as follows:

(a-1) If a property owner requests binding arbitration under this chapter to appeal appraisal review board orders involving two or more contiguous tracts of land that are owned by the property owner [~~contiguous to one another~~], a single arbitration deposit in the amount provided by Subsection (a)(2) is sufficient to satisfy the requirement of Subsection (a)(2). For purposes of this subsection, "contiguous tracts of land" means improved or unimproved tracts of land that are touching or that share a common boundary, as determined using appraisal district records or legal descriptions of the tracts.

(b) The changes in law made by this section apply only to a request for binding arbitration under Chapter 41A, Tax Code, that is filed on or after January 1, 2020. A request for binding arbitration under Chapter 41A, Tax Code, that is filed before January 1, 2020, is governed by the law in effect on the date the request is filed, and the former law is continued in effect for that purpose.

Amendment No. 43 was adopted.

#### **Amendment No. 44**

Representative Shaheen offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee printing) on page 100, line 12, by striking "five years" and substituting "two [~~five~~] years".

Amendment No. 44 was adopted.

#### **Amendment No. 45**

Representative Clardy offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 45, Education Code, is amended by adding Subchapter K to read as follows:

##### SUBCHAPTER K. COUNTY EQUALIZATION TAX

Sec. 45.351. ELECTION TO REVOKE COUNTY EQUALIZATION TAX. The commissioners court of a county for which a county equalization tax was adopted under former Chapter 18 of this code, as that chapter existed on May 1, 1995, and that continues in effect under Section 11.301, may order an election on the question of revoking the county equalization tax, in accordance with former Section 18.11 and other applicable provisions of that former chapter.

Amendment No. 45 was adopted.

#### **Amendment No. 46**

Representative Dutton offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Subtitle B, Title 3, Government Code, is amended by adding Chapter 320A to read as follows:

CHAPTER 320A. REVIEW OF STATE AND LOCAL TAX PREFERENCESSUBCHAPTER A. GENERAL PROVISIONS

Sec. 320A.001. DEFINITIONS. In this chapter:

(1) "Commission" means the select commission on periodic tax preference review.

(2) "Tax preference" means an abatement, credit, discount, exclusion, exemption, limitation on appraised value, refund, special valuation, special accounting treatment, special appraisal method or provision, special rate, or special method of reporting authorized by state law or the state constitution that relates to a state or local tax imposed in this state.

SUBCHAPTER B. SELECT COMMISSION ON PERIODIC TAX PREFERENCE REVIEW

Sec. 320A.051. COMPOSITION OF COMMISSION. The select commission on periodic tax preference review is composed of:

(1) five members of the house of representatives, appointed by the speaker of the house of representatives;

(2) five members of the senate, appointed by the lieutenant governor;  
and

(3) the comptroller.

Sec. 320A.052. TERMS. The members of the commission serve two-year terms that expire December 31 of each even-numbered year.

Sec. 320A.053. VACANCY. If a vacancy occurs, the individual who originally appointed the vacating member or the individual's successor shall appoint an individual to fill the vacancy for the remainder of the unexpired term.

Sec. 320A.054. OFFICERS. (a) The speaker of the house of representatives shall select one member of the commission appointed under Section 320A.051(1) to serve as chair of the commission.

(b) The lieutenant governor shall select one member of the commission appointed under Section 320A.051(2) to serve as vice chair of the commission.

Sec. 320A.055. MEETINGS. The commission shall meet at the call of the chair.

Sec. 320A.056. STAFF. On the commission's request, the Legislative Budget Board, the Texas Legislative Council, the office of the governor, the comptroller, the senate, and the house of representatives shall provide staff to assist the commission in performing the commission's duties.

Sec. 320A.057. COOPERATION BY OTHER STATE ENTITIES. The commission may request the assistance of any state agency, department, or office if the commission needs assistance to perform the commission's duties. The agency, department, or office shall provide the requested assistance.

Sec. 320A.058. EXPENSES. The operating expenses of the commission shall be paid from available funds of the office of the governor and the contingent expense funds of the senate and the house of representatives, as agreed by those entities. The commission members are entitled to reimbursement from those funds for expenses incurred by the members in implementing this chapter.

SUBCHAPTER C. POWERS AND DUTIES OF COMMISSION

Sec. 320A.101. DEVELOPMENT AND BIENNIAL MODIFICATION OF STATE AND LOCAL TAX PREFERENCE REVIEW SCHEDULE. (a) The commission shall:

(1) identify each state tax preference and each type of local tax preference;

(2) develop a state and local tax preference review schedule under which each identified tax preference is reviewed once during each six-year period; and

(3) specifically identify on the schedule:

(A) each of the tax preferences the commission must review for purposes of the next report due under Section 320A.153;

(B) any tax preference described by Paragraph (A) that reduces by less than one-fourth of one percent the total revenue derived from the tax to which the tax preference applies and that the commission recommends for an abbreviated review; and

(C) the components of the review specified by Section 320A.104 that the commission recommends are unnecessary with respect to a tax preference recommended for an abbreviated review.

(b) In developing the schedule, the commission shall schedule the tax preferences for review in the order in which the tax preferences were enacted or authorized.

(c) The commission shall revise the schedule biennially only to:

(1) add to the schedule a tax preference that was enacted or authorized after the commission developed the most recent schedule;

(2) delete from the schedule a tax preference that was repealed after the commission developed the most recent schedule;

(3) update the review dates of the tax preferences for which reviews were conducted after the commission developed the most recent schedule; and

(4) update the tax preferences identified under Subsection (a)(3).

Sec. 320A.102. PUBLIC COMMENT. The commission shall provide a process by which the public may comment on the state and local tax preference review schedule under Section 320A.101. The commission shall consider those comments in developing or revising the schedule.

Sec. 320A.103. COMPLETION OF SCHEDULE. The state and local tax preference review schedule must be completed not later than December 1 of each odd-numbered year.

Sec. 320A.104. PERIODIC REVIEW OF STATE AND LOCAL TAX PREFERENCES. The commission shall review each state tax preference and each type of local tax preference according to the state and local tax preference review schedule developed under Section 320A.101. In reviewing a tax preference, the commission shall:

(1) determine the intended purpose of the tax preference; and

(2) evaluate:

(A) whether the tax preference accomplishes its intended purpose;

(B) whether the intended purpose of the tax preference could be accomplished through a more cost-effective method; and

(C) the effect of the tax preference on economic development in this state.

SUBCHAPTER D. RECOMMENDATIONS REGARDING REVIEWED TAX PREFERENCES

Sec. 320A.151. PRELIMINARY REPORT. Not later than September 1 of each even-numbered year, the commission shall file a preliminary report on the reviews of tax preferences identified under Section 320A.101(a)(3)(A) with the senate finance committee and the house ways and means committee. The report must include drafts of any proposed legislation needed to implement the commission's recommendations.

Sec. 320A.152. REVIEW AND COMMENT. The senate finance committee and the house ways and means committee may review the preliminary report and proposed legislation and submit comments to the commission. Comments must be submitted not later than October 15 of each even-numbered year.

Sec. 320A.153. FINAL REPORT. (a) The commission may modify the preliminary report and proposed legislation in response to the comments received under Section 320A.152.

(b) Not later than December 1 of each even-numbered year, the commission shall provide to the governor and the presiding officers of the senate finance committee and the house ways and means committee a final report on the reviews of tax preferences identified under Section 320A.101(a)(3)(A) and proposed legislation necessary to implement the commission's recommendations.

Sec. 320A.154. PUBLIC HEARING ON FINAL REPORT. The senate finance committee and the house ways and means committee shall hold a joint public hearing on the final report and proposed legislation provided under Section 320A.153.

(b) The lieutenant governor and the speaker of the house of representatives shall appoint the initial members of the select commission on periodic tax preference review not later than January 5, 2020. Notwithstanding Section 320A.052, Government Code, as added by this section, the terms of the initial members of the commission expire December 31, 2020.

(c) Notwithstanding Section 320A.103, Government Code, as added by this section, the select commission on periodic tax preference review shall submit:

(1) the initial state and local tax preference review schedule required by that section not later than January 15, 2020;

(2) the initial preliminary report required by Section 320A.151, Government Code, as added by this section, not later than September 1, 2020; and

(3) the initial final report required by Section 320A.153, Government Code, as added by this section, not later than December 1, 2020.

Amendment No. 46 was adopted.

**Amendment No. 47**

Representative Murphy offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) as follows:

(1) On page 111, line 2, strike "Sections 26.04, 26.05, 26.061, and 26.07, Tax Code," and substitute "Sections 26.04 through [~~26.05, and~~] 26.07, Tax Code."

(2) On page 111, line 8, strike "Sections 26.04, 26.05, 26.061, and 26.07, Tax Code," and substitute "Sections 26.04 through [~~26.05, and~~] 26.07, Tax Code."

(3) Strike page 111, lines 11-14, and substitute the following:

SECTION 70. Section 49.236, Water Code, as added by Chapter 335 (**SB 392**), Acts of the 78th Legislature, Regular Session, 2003, is amended by amending Subsections (a) and (d) and adding Subsections (e), (f), (g), (h), (i), and (j) to read as follows:

(4) On page 112, line 10, strike "total" and substitute "[~~total~~]".

(5) On page 113, line 10, strike "[~~and~~]" and substitute "and".

(6) Strike page 113, lines 17-20.

(7) Strike page 113, line 23, through page 116, line 3, and substitute the following:

(A) if the district is a special taxing unit or a developed district, and the district's proposed combined debt service, operation and maintenance, and contract tax rate exceeds the district's rollback tax rate:

"NOTICE OF PROPOSED TAX RATE IN EXCESS OF ROLLBACK TAX RATE"

"The proposed tax rate for the district exceeds the district's rollback tax rate. The revenue attributable to the proposed tax rate will be used for (state purpose)."; and

(B) if the district is a special taxing unit or a developed district, and the district's proposed combined debt service, operation and maintenance, and contract tax rate exceeds the district's tax approval election rate:

"NOTICE OF VOTE ON TAX RATE [TAXPAYERS' RIGHT TO ROLLBACK ELECTION]"

"If the district adopts a combined debt service, operation and maintenance, and contract tax rate that exceeds the district's tax approval election rate [~~taxes on the average residence homestead increase by more than eight percent, the qualified voters of the district by petition may require that~~] an election must be held to determine whether to approve [~~reduce~~] the operation and maintenance tax rate [~~to the rollback tax rate~~] under Section 49.236(d), Water Code."

(d) This subsection applies only to a district described by Subsection (a)(3)(B). If the governing body of the [a] district adopts a combined debt service, operation and maintenance, and contract tax rate that exceeds the district's tax approval election rate, [~~would impose more than 1.08 times the amount of tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older, the qualified voters of the district by petition~~

~~may require that~~ an election must be held to determine whether ~~[or not]~~ to approve ~~[reduce]~~ the tax rate adopted for the current year ~~[to the rollback tax rate]~~ in accordance with the procedures provided by Sections 26.07(c)-(g) ~~[26.07(b) (g) and 26.08]~~, Tax Code.

(e) The tax approval election rate for a district that is a special taxing unit described by Subsection (a)(3)(B) is the greater of:

(1) the sum of the debt service tax rate, the contract tax rate, the operation and maintenance tax rate, and the district's unused increment rate that would impose more than 1.08 times the amount of tax imposed by the district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that tax year, disregarding any homestead exemption granted to disabled persons and persons 65 years of age or older; or

(2) the rollback tax rate.

(f) The tax approval election rate for a district described by Subsection (a)(3)(B) other than a special taxing unit is the greatest of:

(1) the sum of the de minimis rate and the contract tax rate;

(2) the sum of the debt service tax rate, the contract tax rate, the operation and maintenance tax rate, and the district's unused increment rate that would impose more than 1.035 times the amount of tax imposed by the district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that tax year, disregarding any homestead exemption granted to disabled persons and persons 65 years of age or older; or

(3) the rollback tax rate.

(g) For purposes of Sections 26.07(c)-(g), Tax Code, ~~[26.07(b) (g)]~~ and this section ~~[subsection]~~, the rollback tax rate is the sum of the following tax rates:

(1) the current year's debt service tax rate;

(2) the current year's ~~and~~ contract tax rate;

(3) the following applicable rate:

(A) for a district that is a taxing unit other than a special taxing unit, the rate equal to the product of 1.035 and the district's operations and maintenance tax rate for the preceding tax year; or

(B) for a district that is a special taxing unit, the rate equal to the product of 1.08 and the district's operations and maintenance tax rate for the preceding tax year; and

(4) the district's unused increment rate ~~[rates plus the operation and maintenance tax rate that would impose 1.08 times the amount of the operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older].~~

(8) On page 116, line 4, strike "(f)" and substitute "(h)".

(9) Strike page 116, lines 20-26, and substitute the following:

(i) In this section:



(1) "De minimis rate" and "special taxing unit" have the meanings assigned by Section 26.012, Tax Code.

(2) "Developed district" means a district that has financed, completed, and issued bonds to pay for all land, works, improvements, facilities, plants, equipment, and appliances necessary to serve at least 95 percent of the projected build-out of the district in accordance with the purposes for its creation or the purposes authorized by the constitution, this code, or any other law.

(3) "Taxing unit" has the meaning assigned by Section 1.04, Tax Code.

(4) "Unused increment rate" has the meaning assigned by Section 26.013, Tax Code.

(j) The following provisions of the Tax Code do not apply to a district:

(1) Sections 26.16(a)(4), (5), and (6) and (d-1)(1); and

(2) Sections 26.17(b)(5),(8), and (10).

Amendment No. 47 was adopted.

### **Amendment No. 48**

Representative Stickland offered the following amendment to **CSSB 2**:

Amend **CSSB 2** (house committee report) by striking SECTION 93 of the bill (page 123, lines 5-8) and renumbering the SECTIONS of the bill accordingly.

(Walle now present)

A record vote was requested by Representative Stickland.

Amendment No. 48 failed of adoption by (Record 832): 5 Yeas, 143 Nays, 0 Present, not voting.

Yeas — Beckley; Cain; Davis, Y.; Dutton; Stickland.

Nays — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Dominguez; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wu; Zedler; Zerwas; Zwiener.

Absent — Toth; Wray.

**STATEMENTS OF VOTE**

When Record No. 832 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 832 was taken, I was in the house but away from my desk. I would have voted no.

Toth

When Record No. 832 was taken, I was in the house but away from my desk. I would have voted no.

Wray

A record vote was requested by Representative Paul.

**CSSB 2**, as amended, was passed to third reading by (Record 833): 107 Yeas, 40 Nays, 0 Present, not voting.

Yeas — Mr. Speaker(C); Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Blanco; Bohac; Buckley; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Coleman; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Huberty; Hunter; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Miller; Moody; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Romero; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Wu; Zedler; Zerwas.

Nays — Anchia; Beckley; Bernal; Bowers; Bucy; Cole; Collier; Cortez; Davis, Y.; Gervin-Hawkins; González, J.; González, M.; Goodwin; Gutierrez; Hinojosa; Howard; Israel; Johnson, E.; King, T.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Morales; Neave; Nevárez; Ortega; Ramos; Reynolds; Rodriguez; Rose; Rosenthal; Sherman; Talarico; Turner, C.; Turner, J.; Vo; Walle; Zwiener.

Absent — Bonnen; Perez; Springer.

**STATEMENTS OF VOTE**

When Record No. 833 was taken, I was in the house but away from my desk. I would have voted yes.

G. Bonnen

When Record No. 833 was taken, I was shown voting yes. I intended to vote no.

J.D. Johnson

When Record No. 833 was taken, I was shown voting no. I intended to vote yes.

Morales

When Record No. 833 was taken, I was in the house but away from my desk and missed the second reading vote for **CSSB 2** on April 30, 2019. I was standing in support of the bill at the front mic with Chairman Burrows, and was unable to navigate my way through the crowd back to my desk before the gavel dropped. I would have voted yes.

Springer

When Record No. 833 was taken, I was shown voting no. I intended to vote yes.

Vo

### **CSHB 2 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Burrows moved to lay **CSHB 2** on the table subject to call.

The motion prevailed.

### **SB 2 - RULES SUSPENDED AUTHORIZE ADDITIONAL JOINT AND CO-SPONSORS**

Representative Murphy moved to suspend Rule 8, Section 5(d), of the House Rules to designate as joint sponsors and co-sponsors for **SB 2** all joint authors and co-authors for **HB 2** who sign on to **HB 2** before **SB 2** passes the house on third reading.

The motion prevailed.

### **HB 2748 ON SECOND READING (by Perez)**

**HB 2748**, A bill to be entitled An Act relating to regulation of the retail sale of fireworks.

**HB 2748** was read second time on April 23, postponed until April 25, and was again postponed until 10 a.m. today.

Representative Perez moved to postpone consideration of **HB 2748** until 8 p.m. today.

The motion prevailed.

(Paddie in the chair)

### **HB 4009 ON SECOND READING (by Toth, Wu, E. Thompson, Canales, et al.)**

**HB 4009**, A bill to be entitled An Act relating to the establishment, operation, and funding of victim-offender mediation programs; authorizing fees.

**HB 4009** was read second time April 29 and was postponed until 10 a.m. today.

**Amendment No. 1**

Representative Wu offered the following amendment to **HB 4009**:

Amend **HB 4009** (house committee printing) as follows:

(1) Strike page 3, lines 1-20 and substitute "other than a felony offense; and".

(2) On page 3, lines 21-22, strike "or a misdemeanor, other than a traffic offense punishable by fine only".

(3) On page 7, lines 18-19, strike "or misdemeanor other than a traffic offense punishable by fine only".

Amendment No. 1 was adopted.

**HB 4009 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE WU: Is it your intention that the term "defendant" in your bill cover both people who are formally charged and people who have not been formally charged?

REPRESENTATIVE TOTH: We sought legal counsel on this, and it applies to both.

**HB 4009**, as amended, was passed to engrossment.

**REMARKS ORDERED PRINTED**

Representative Wu moved to print remarks between Representative Toth and Representative Wu on **HB 4009**.

The motion prevailed.

**CONSTITUTIONAL AMENDMENTS CALENDAR  
HOUSE JOINT RESOLUTIONS  
SECOND READING**

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

**CSHJR 95 ON SECOND READING  
(by Capriglione)**

**CSHJR 95**, A joint resolution proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation precious metal held in a precious metal depository located in this state.

**CSHJR 95** was adopted by (Record 834): 140 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.;

Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Dominguez; Dutton; Guerra; Ramos; Stickland.

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

Absent — González, M.; Martinez Fischer; Rodriguez.

### STATEMENT OF VOTE

When Record No. 834 was taken, I was shown voting no. I intended to vote yes.

Guerra

## GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

### CSHB 4214 ON SECOND READING (by Capriglione, Bohac, Blanco, Shaheen, Bernal, et al.)

**CSHB 4214**, A bill to be entitled An Act relating to matters concerning governmental entities, including cybersecurity, governmental efficiencies, information resources, and emergency planning.

#### Amendment No. 1

Representative Capriglione offered the following amendment to **CSHB 4214**:

Amend **CSHB 4214** (house committee report) as follows:

(1) On page 4, line 14, between "Resources" and the underlined comma, insert "and the Information Technology Council for Higher Education".

(2) On page 6, line 11, between "department" and "shall", insert ", in consultation with the Information Technology Council for Higher Education,".

(3) On page 7, strike lines 2-14, and substitute the following:

Sec. 2054.069. SECURITY GUIDANCE FOR INTERNET CONNECTIVITY OF CERTAIN OBJECTS. (a) The department, in consultation with representatives of the information technology industry, voluntary standards organizations, the 10 state agencies that received the most state appropriations for that state fiscal year as determined by the Legislative Budget Board, and the Information Technology Council for Higher Education, shall develop

comprehensive risk management guidance that identifies baseline security features for the Internet connectivity of computing devices embedded in objects used or purchased by state agencies.

(b) In developing the guidance under Subsection (a), the department shall identify and use existing international security standards and best practices and any known security gaps for a range of deployments, including critical systems and consumer usage.

(4) On page 8, line 26, between "specified" and "security-related", insert "summary-level".

(5) On page 9, strike line 12, and substitute "The department, in consultation with the Information Technology Council for Higher Education, shall:".

(6) On page 9, line 17, between "a" and "statewide", insert "summary-level".

(7) On page 11, between lines 21 and 22, insert the following appropriately lettered subsection and reletter subsequent subsections and cross-references to those subsections accordingly:

( ) The department shall include at least one institution of higher education in the list of independent third parties under Subsection (a)(1).

(8) Strike page 16, line 27, through page 17, line 3, and substitute the following:

interest a written statement providing whether, at the time of submitting the bid, offer, proposal, or expression of interest, the vendor has actual knowledge of a confirmed security vulnerability or defect in the device's hardware, software, or firmware that would adversely affect the security of state data and is subject to an applicable notification law.

(c) If a security vulnerability or defect is identified by a vendor under Subsection (b), the contracting state agency may request additional information in order to assess:

(1) the potential impact of the vulnerability or defect on the agency's planned use of the device; and

(2) whether a security patch or other means of mitigation is currently available or expected within a specific period of time.

(9) Strike page 17, line 8, through page 18, line 5, and substitute the following:

SECTION 17. Section 2157.007, Government Code, is amended by amending Subsections (a) and (b) and adding Subsections (b-1), (b-2), and (f) to read as follows:

(a) In this section:

(1) "Cloud computing service" has the meaning assigned by Special Publication 800-145 issued by the United States Department of Commerce National Institute of Standards and Technology, as the definition existed on January 1, 2015.

(2) "Major information resources project" has the meaning assigned by Section 2054.003.

(b) Except as provided by Subsection (b-1), a [A] state agency shall ensure [consider cloud computing service options, including any security benefits and cost savings associated with purchasing those service options from a cloud computing service provider and from a statewide technology center established by the department], when making purchases for an automated information system or a major information resources project, that the system or project is capable of being deployed and run on cloud computing services [under Section 2054.118].

(b-1) When making a purchase for an automated information system or a major information resources project, a state agency may determine that, due to integration limitations with legacy systems, security risks, costs, or other relevant considerations, the agency is unable to purchase a system or project capable of being deployed and run on cloud computing services.

(b-2) At least 14 days before the date a state agency solicits bids, proposals, offers, or other applicable expressions of interest for a purchase described by Subsection (b-1), the agency shall submit to the Legislative Budget Board for the purchase of an automated information system or to the quality assurance team as defined by Section 2054.003 for the purchase of a major information resources project a report that describes the purchase and the agency's reasoning for making the purchase.

(f) The department shall periodically review guidelines on state agency information that may be stored by a cloud computing or other storage service and the cloud computing or other storage services available to state agencies for that storage to ensure that an agency purchasing a major information resources project selects the most affordable, secure, and efficient cloud computing or other storage service available to the agency. The guidelines must include appropriate privacy and security standards that, at a minimum, require a vendor who offers cloud computing or other storage services or other software, applications, online services, or information technology solutions to any state agency to demonstrate that data provided by the state to the vendor will be maintained in compliance with all applicable state and federal laws and rules.

Amendment No. 1 was adopted.

## **Amendment No. 2**

Representative Capriglione offered the following amendment to **CSHB 4214**:

Amend **CSHB 4214** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 2054.1184, Government Code, is amended to read as follows:

Sec. 2054.1184. ASSESSMENT OF MAJOR INFORMATION RESOURCES PROJECT. (a) A state agency proposing to spend appropriated funds for a major information resources project must first conduct an evidenced-based execution capability assessment using a scoring method delivered by an independent third party to:

(1) determine the agency's capability for implementing the project;

- (2) reduce the agency's financial risk in implementing the project; and
- (3) increase the probability of the agency's successful implementation of the project.

(b) A state agency shall submit to the department, the quality assurance team established under Section 2054.158, and the Legislative Budget Board a detailed report that includes measurement and corrective actions for [identifies] the agency's operational and technical [organizational] strengths and any weaknesses that will be addressed before the agency initially spends appropriated funds for a major information resources project.

(c) Based on project costs, risks, and technical difficulty, the department may require a [A] state agency to [may] contract with an independent third party to conduct the assessment under Subsection (a) and prepare the report described by Subsection (b).

(d) The department may allow state agencies to purchase an execution capability assessment using the purchasing method described by Section 2157.068 for commodity items.

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Capriglione offered the following amendment to **CSHB 4214**:

Amend **CSHB 4214** (House committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 531, Government Code, is amended by adding Section 531.1051 to read as follows:

Sec. 531.1051. TECHNOLOGY FOR ELIGIBILITY FRAUD PREVENTION. (a) The commission shall use technology to identify the risk for fraud associated with applications for health and human services program benefits to prevent fraud with respect to eligibility determinations for those programs. To the extent allowed by federal law, the commission shall set appropriate verification and documentation requirements based on the risk identified for particular applications to ensure that commission resources are appropriately targeted to maximize fraud reduction and accuracy of eligibility determinations.

(b) Enhanced eligibility screening tools the commission implements for the purposes of this section must use technology that provides non-modeled employment and income verification data in an automated electronic format.

SECTION \_\_\_\_\_. 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.

Amendment No. 3 was adopted.



**Amendment No. 4**

Representative Capriglione offered the following amendment to **CSHB 4214**:

Amend **CSHB 4214** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter Q, Chapter 2054, Government Code, is amended by adding Section 2054.577 to read as follows:

Sec. 2054.577. TEXAS INNOVATION FUND AND STATE AGENCY TECHNOLOGY UPGRADES ACCOUNT. (a) In this section:

(1) "Account" means the state agency technology upgrades account.

(2) "Board" means the Texas innovation fund board.

(3) "Cloud computing service" has the meaning assigned by Section 2157.007.

(4) "Device-as-a-service" means a managed service in which hardware that belongs to a managed service provider is installed at a state agency and a service level agreement defines the responsibilities of each party to the agreement.

(5) "Fund" means the Texas innovation fund.

(6) "Information technology system" means any equipment or interconnected system or subsystem of equipment used by a state agency, or a person under a contract with a state agency if the contract requires use of the equipment, to acquire, store, analyze, evaluate, manipulate, manage, move, control, display, switch, interchange, transmit, print, copy, scan, or receive data or other information. The term:

(A) includes a computer, a device-as-a-service solution, ancillary computer equipment such as imaging, printing, scanning, and copying peripherals and input, output, and storage devices necessary for security and surveillance, peripheral equipment designed to be controlled by the central processing unit of a computer, software and firmware and similar procedures, and services, including support services, and related resources; and

(B) does not include equipment acquired by a contractor incidental to a state contract.

(7) "Legacy information technology system" means an information technology system that is operated with obsolete or inefficient hardware or software technology.

(8) "Qualifying information technology modernization project" means a project by a state agency to:

(A) replace the agency's information technology systems;

(B) transition the agency's legacy information technology systems to a cloud computing service or other innovative commercial platform or technology; or

(C) develop and implement a method to provide adequate, risk-based, and cost-effective information technology responses to threats to the agency's information security.

(9) "State agency" has the meaning assigned by Section 2254.151, notwithstanding Section 2054.003.

(b) The Texas innovation fund board is established to administer the Texas innovation fund and the state agency technology upgrades account and to make awards of financial assistance to state agencies from the fund or account for qualifying information technology modernization projects. The board is composed of:

(1) one member who is a representative of the department, appointed by the presiding officer of the governing board of the department;

(2) one member who is a representative of the office of the governor, appointed by the governor;

(3) two members of the senate, appointed by the lieutenant governor;

(4) two members of the house of representatives, appointed by the presiding officer of the governing board of the department from a list provided by the speaker of the house of representatives; and

(5) one public member, appointed by the governor.

(c) Members of the board serve staggered six-year terms. A board member is not entitled to compensation for service on the board but is entitled to reimbursement of expenses incurred while performing duties as a board member.

(d) The Texas innovation fund and the state agency technology upgrades account are special funds outside the state treasury to be used by the board, without further legislative appropriation, as provided by this section.

(e) The fund consists of:

(1) money appropriated, credited, or transferred to the fund by the legislature;

(2) money received by the board for the repayment of a loan made from the fund; and

(3) interest and other earnings earned on deposits and investments of money in the fund.

(f) The account consists of:

(1) money deposited to the account by the comptroller in the manner prescribed by Subsection (h); and

(2) interest and other earnings earned on deposits and investments of money in the account.

(g) The department by rule shall establish a loan program to authorize the board to use money from the fund to provide loans to state agencies for qualifying information technology modernization projects. A state agency must apply to the board for a loan from the fund. The application must include a description of the qualifying information technology modernization project for which the state agency is requesting a loan. A loan agreement entered into under this subsection must require the state agency to:

(1) repay the loan to the board within seven years of the date the loan is made to the agency; and

(2) make annual reports to the board identifying cost savings realized by the agency as a result of the project for which the agency received the loan.

(h) At the end of each state fiscal year, on the written request of a state agency, the comptroller shall deposit to the account the unexpended balance of any money appropriated to the agency for that state fiscal year that is budgeted by the agency for information technology services or cybersecurity purposes. A state agency may request money from the account from the board at any time for a qualifying information technology modernization project. This subsection does not apply to the unexpended balance of any money appropriated to a state agency from federal funds or from a fund created by the constitution of this state.

(i) The comptroller shall separately account for the amount of money deposited to the account at the request of each state agency under Subsection (h). Money deposited to the account under Subsection (h) and any interest and other earnings on that money may be provided only to the state agency for which the comptroller deposited the money to the account and may be used by the agency only for a qualifying information technology modernization project.

(j) Any money deposited to the account at the request of a state agency under Subsection (h) that is not requested by the agency within two years from the date the money is deposited shall be transferred by the comptroller to the general revenue fund to be used in accordance with legislative appropriation.

(k) A state agency that receives money from the fund or the account may collaborate with one or more other state agencies that also receive money from the fund or the account to purchase information technology systems that may be shared between the agencies.

(l) The department and the comptroller may adopt rules to implement and administer this section.

A record vote was requested by Representative Stickland.

Amendment No. 4 was adopted by (Record 835): 134 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Anchia; Beckley; Biedermann; Dominguez; Dutton; Middleton; Nevárez; Ramos; Stickland.

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

Absent — Bowers; Davis, Y.; Deshotel; Meza; Thierry.

### STATEMENT OF VOTE

When Record No. 835 was taken, I was shown voting no. I intended to vote yes.

Middleton

#### Amendment No. 5

Representative Blanco offered the following amendment to **CSHB 4214**:

Amend **CSHB 4214** (house committee printing) as follows:

(1) Strike page 11, lines 8-10, and substitute the following:

SECTION 13. Subchapter N-1, Chapter 2054, Government Code, is amended by adding Sections 2054.5155, 2054.5172, 2054.519, 2054.5191, 2054.5192, 2054.5193, 2054.5194, and 2054.5195 to read as follows:

(2) On page 12, between lines 12 and 13, insert the following:

Sec. 2054.5172. CYBER RANGE. (a) In this section, "cyber range" means a virtual environment used for interactive training in the defense against and response to cyberwarfare and other cybersecurity incidents.

(b) The department may create a cyber range for use by public sector employees with responsibility for cybersecurity to improve this state's cybersecurity capabilities.

(3) On page 14, between lines 26 and 27, insert the following:

Sec. 2054.5193. CYBERSECURITY RESOURCES PROGRAM FOR STATE AGENCIES. (a) The department may establish a program that provides to state agencies the use of information security officers and other cybersecurity resources to assist in managing the agencies' information security.

(b) The department shall adopt rules to implement this section.

Sec. 2054.5194. CYBERSECURITY INSURANCE. (a) The State Office of Risk Management shall evaluate the feasibility of providing cybersecurity insurance policies to state agencies.

(b) The State Office of Risk Management shall develop guidance for state agencies regarding cybersecurity insurance coverage. The guidance must:

(1) be based on best practices for making cybersecurity insurance coverage decisions; and

(2) assist a state agency in determining whether:

(A) cybersecurity insurance coverage would be beneficial to the agency; and

(B) the agency should purchase a cybersecurity insurance policy from a third party or self-insure.

(c) The department shall review and consider the guidance developed under this section in connection with the department's protection of statewide technology centers.

Sec. 2054.5195. BUG BOUNTY PROGRAM. (a) The department by rule may establish a bug bounty program, using money available for that purpose from legislative appropriations, to pay bounties to persons who uncover or resolve security flaws in state websites and applications.

(b) The department may determine eligibility criteria for receiving a bounty under this section and the amount of a bounty to be paid under this section.

(c) An employee of or contractor with a state agency is not eligible to receive a bounty under this section.

(d) The payment of a bounty under this section does not affect a person's civil or criminal liability for prohibited conduct related to a state website or application.

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

SECTION \_\_\_\_\_. Section 552.139(b), Government Code, is amended to read as follows:

(b) The following information is confidential:

(1) a computer network vulnerability report;

(2) any other assessment of the extent to which data processing operations, a computer, a computer program, network, system, or system interface, or software of a governmental body or of a contractor of a governmental body is vulnerable to unauthorized access or harm, including an assessment of the extent to which the governmental body's or contractor's electronically stored information containing sensitive or critical information is vulnerable to alteration, damage, erasure, or inappropriate use;

(3) a photocopy or other copy of an identification badge issued to an official or employee of a governmental body; ~~and~~

(4) information directly arising from a governmental body's routine efforts to prevent, detect, investigate, or mitigate a computer security incident, including information contained in or derived from an information security log; and

(5) information about a state agency's cybersecurity insurance coverage, including policy provisions and coverage limits.

SECTION \_\_\_\_\_. Section 2054.1125, Government Code, is amended by adding Subsection (c) to read as follows:

(c) Not later than the 10th business day after the date of the eradication of, closure of, and recovery from a breach, suspected breach, or unauthorized exposure, a state agency shall notify the department, including the chief information security officer, of the details of the event.

SECTION \_\_\_\_\_. Section 2054.136, Government Code, is amended to read as follows:

Sec. 2054.136. DESIGNATED INFORMATION SECURITY OFFICER; DUTIES. (a) In this section, "cloud computing service" has the meaning assigned by Section 2157.007.

(b) Each state agency shall designate an information security officer who:

(1) reports to the agency's executive-level management;

(2) has authority over information security for the entire agency;

(3) possesses the training and experience required to perform the duties required by department rules; and

(4) to the extent feasible, has information security duties as the officer's primary duties.

(c) A state agency's information security officer must authorize the purchase of cloud computing services before the agency may enter into a contract for those services.

SECTION \_\_\_\_\_. Section 2054.136, Government Code, as amended by this Act, applies only to a contract for cloud computing services that is entered into on or after the effective date of this Act. A contract entered into before the effective date of this Act is governed by the law in effect on the date the contract was entered into, and the former law is continued in effect for that purpose.

#### **Amendment No. 5 - Point of Order**

Representative Stickland raised a point of order against further consideration of Amendment No. 5 under Rule 8, Section 21, of the House Rules on the grounds that the amendment would cause the bill to violate the rule.

The point of order was withdrawn.

Amendment No. 5 was withdrawn.

#### **Amendment No. 6**

Representative S. Thompson offered the following amendment to **CSHB 4214**:

Amend **CSHB 4214** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 2051, Government Code, is amended by adding Subchapter E to read as follows:

#### SUBCHAPTER E. UNIFORM ELECTRONIC LEGAL MATERIAL ACT

Sec. 2051.151. SHORT TITLE. This subchapter may be cited as the Uniform Electronic Legal Material Act.

Sec. 2051.152. DEFINITIONS. In this subchapter:

(1) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(2) "Legal material" means, whether or not in effect:

(A) the constitution of this state;

(B) the general or special laws passed in a regular or special session of the Texas Legislature; and

(C) a state agency rule adopted in accordance with Chapter 2001.

(3) "Official publisher" means:

(A) for legal material described by Subdivision (2)(A), the Texas Legislative Council; and

(B) for legal material described by Subdivision (2)(B) or (C), the secretary of state.

(4) "Publish" means displaying, presenting, or releasing to the public, or causing to be displayed, presented, or released to the public, legal material by the official publisher.

(5) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

Sec. 2051.153. APPLICABILITY. (a) This subchapter applies to all legal material in an electronic record that is:

(1) designated as official by the official publisher under Section 2051.154; and

(2) first published electronically by the official publisher on or after January 1, 2021.

(b) The official publisher is not required to publish legal material on or before the date on which the legal material takes effect.

Sec. 2051.154. LEGAL MATERIAL IN OFFICIAL ELECTRONIC RECORD. (a) If the official publisher publishes legal material only in an electronic record, the official publisher shall:

(1) designate the electronic record as official; and

(2) comply with Sections 2051.155, 2051.157, and 2051.158.

(b) If the official publisher publishes legal material in an electronic record and also publishes the material in a record other than an electronic record, the official publisher may designate the electronic record as official if the official publisher complies with Sections 2051.155, 2051.157, and 2051.158.

Sec. 2051.155. AUTHENTICATION OF OFFICIAL ELECTRONIC RECORD. (a) If the official publisher designates an electronic record as official in accordance with Section 2051.154, the official publisher shall authenticate the record.

(b) The official publisher authenticates an electronic record by providing a method with which a person viewing the electronic record is able to determine that the electronic record is unaltered from the official record published by the official publisher.

Sec. 2051.156. EFFECT OF AUTHENTICATION. (a) Legal material in an electronic record that is authenticated as provided by Section 2051.155 is presumed to be an accurate copy of the legal material.

(b) If another state has adopted a law that is substantially similar to this subchapter, legal material in an electronic record that is authenticated in that state is presumed to be an accurate copy of the legal material.

(c) A party contesting the authenticity of legal material in an electronic record authenticated as provided by Section 2051.155 has the burden of proving by a preponderance of the evidence that the record is not authentic.

Sec. 2051.157. PRESERVATION AND SECURITY OF LEGAL MATERIAL IN OFFICIAL ELECTRONIC RECORD. (a) The official publisher of legal material in an electronic record designated as official in accordance with Section 2051.154 shall provide for the preservation and security of the record in an electronic form or in a form that is not electronic.

(b) If legal material is preserved under Subsection (a) in an electronic record, the official publisher shall:

- (1) ensure the integrity of the record;
- (2) provide for backup and disaster recovery of the record; and
- (3) ensure the continuing usability of the legal material in the record.

Sec. 2051.158. PUBLIC ACCESS. The official publisher of legal material in an electronic record that is required to be preserved under Section 2051.157 shall ensure that the material is reasonably available for use by the public on a permanent basis.

Sec. 2051.159. STANDARDS. In implementing this subchapter, the official publisher of legal material in an electronic record shall consider:

- (1) the standards and practices of other jurisdictions;
- (2) the most recent standards regarding authentication, preservation, and security of and public access to legal material in an electronic record and other electronic records, as adopted by national standard-setting bodies;
- (3) the needs of users of legal material in electronic records;
- (4) the views of governmental officials and entities and other interested persons; and

(5) to the extent practicable, the methods and technologies for the authentication, preservation, and security of and public access to legal material that are compatible with the methods and technologies used by official publishers in other states that have adopted a law that is substantially similar to this subchapter.

Sec. 2051.160. UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this subchapter, consideration must be given to the need to promote uniformity of the law with respect to the subject matter of this subchapter among states that enact a law similar to this subchapter.

Sec. 2051.161. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT. This subchapter modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. Section 7001 et seq.) but does not modify, limit, or supersede Section 101(c) of that Act (15 U.S.C. Section 7001(c)) or authorize electronic delivery of any of the notices described in Section 103(b) of that Act (15 U.S.C. Section 7003(b)).

SECTION \_\_\_\_\_. (a) An official publisher in the executive branch of state government shall comply with the applicable provisions of Subchapter E, Chapter 2051, Government Code, as added by this Act, in accordance with an implementation plan developed under Subsection (b) of this section.

(b) The Texas State Library and Archives Commission and an official publisher in the executive branch of state government are jointly responsible for developing an implementation plan for the applicable provisions of Subchapter E, Chapter 2051, Government Code, as added by this Act. The implementation plan must:



(1) for each applicable type of legal material defined by Subchapter E, Chapter 2051, Government Code, as added by this Act, advise as to the method by which the legal material may be authenticated, preserved, and made available on a permanent basis; and

(2) establish a timeline for the official publisher to comply with Sections 2051.154, 2051.155, 2051.157, and 2051.158, Government Code, as added by this Act.

(c) The implementation plan developed under Subsection (b) of this section may provide for compliance by an official publisher in the executive branch of state government with Sections 2051.154, 2051.155, 2051.157, and 2051.158, Government Code, as added by this Act, to be phased in over a period of time.

(d) The Texas State Library and Archives Commission shall provide the implementation plan developed under Subsection (b) of this section to the legislature not later than September 1, 2020.

SECTION \_\_\_\_\_. (a) An official publisher in the legislative branch of state government shall comply with the applicable provisions of Subchapter E, Chapter 2051, Government Code, as added by this Act, in accordance with an implementation plan developed under Subsection (b) of this section.

(b) An official publisher in the legislative branch of state government, in consultation with the lieutenant governor, the speaker of the house of representatives, the Senate Committee on Administration, and the House Committee on Administration, shall develop an implementation plan for the applicable provisions of Subchapter E, Chapter 2051, Government Code, as added by this Act. The implementation plan must:

(1) for each applicable type of legal material defined by Subchapter E, Chapter 2051, Government Code, as added by this Act, recommend the method by which the legal material may be authenticated, preserved, and made available on a permanent basis; and

(2) establish a timeline for the official publisher to comply with Sections 2051.154, 2051.155, 2051.157, and 2051.158, Government Code, as added by this Act.

(c) The implementation plan developed under Subsection (b) of this section may provide for compliance by an official publisher in the legislative branch of state government with Sections 2051.154, 2051.155, 2051.157, and 2051.158, Government Code, as added by this Act, to be phased in over a period of time.

(d) An official publisher in the legislative branch of state government shall provide the implementation plan developed under Subsection (b) of this section to the lieutenant governor and speaker of the house of representatives not later than September 1, 2020.

Amendment No. 6 was adopted.

#### **Amendment No. 7**

Representative Krause offered the following amendment to **CSHB 4214**:

Amend **CSHB 4214** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subtitle C, Title 10, Government Code, is amended by adding Chapter 2117 to read as follows:

CHAPTER 2117. FISCAL RISK MANAGEMENT COMMISSION

Sec. 2117.0001. DEFINITIONS. In this chapter:

(1) "Commission" means the Fiscal Risk Management Commission.

(2) "State agency" means a board, commission, department, office, or other agency in the executive branch of state government created by the constitution or a statute of this state, including an institution of higher education as defined by Section 61.003, Education Code.

Sec. 2117.0002. COMPOSITION. (a) The commission is composed of the following seven members:

(1) the comptroller;

(2) the speaker of the house of representatives or a member of the house of representatives designated by the speaker;

(3) the lieutenant governor or a member of the senate designated by the lieutenant governor; and

(4) four members of the public, appointed by the governor, who have experience with state and federal fiscal policy and budgetary analysis.

(b) The comptroller shall serve as the presiding officer of the commission.

(c) Public members serve at the pleasure of the governor.

(d) The state auditor may on request provide advice and technical assistance to the commission.

Sec. 2117.0003. COMPENSATION. A member of the commission serves without compensation but is entitled to reimbursement for actual expenses incurred in performing functions as a member of the commission, subject to any applicable limitation on reimbursement provided by general law or the General Appropriations Act.

Sec. 2117.0004. COMMISSION DUTIES. (a) The commission shall:

(1) meet at least once each year at the call of the presiding officer; and

(2) study:

(A) the effect of federal fiscal policy on this state's economy, including:

(i) the percentage of this state's budget currently funded by federal money and the effect that a significant reduction or elimination of federal funding for state governments would have on this state's economy;

(ii) the effect of a political or market-led default on the United States' debt obligations on this state's economy; and

(iii) the amount of money earned in this state that is transferred to the federal government as compared to the amount of federal money received by this state from the federal government, and the effect of those transfers on businesses in this state;

(B) the amount of federal money received by each state agency, and the effect that a significant reduction or elimination of federal funding for state governments would have on the continuing operation of, and the delivery of critical services by, each of those agencies;

(C) the effect of the devaluation of the United States dollar on this state's economy, including an examination of:

(i) the effect of a gradual devaluation, a loss of reserve currency status, or an outright collapse of the United States dollar on this state's economy; and

(ii) the advisability of developing a contingency currency;

(D) the risks presented by acts of economic terrorism, including:

(i) the effect of power outages caused by acts of cyberterrorism, including an electromagnetic pulse, on financial markets and critical infrastructure in this state; and

(ii) the effect of an energy embargo or the disruption of the food, water, or power supply chain on the ability of this state and state agencies to continue to provide critical services; and

(E) any other macroeconomic threat to this state's economy the commission considers appropriate.

(b) In conducting the study required by this section, the commission shall consult with and consider papers authored by private entities specializing in fiscal risk management readiness and response. The commission may not rely solely on papers authored by institutions of higher education.

Sec. 2117.0005. FISCAL RISK MANAGEMENT PLAN. The commission biennially shall develop and publish a cohesive, in-depth plan to effectively and efficiently address the effects and risks identified by the commission in conducting the study required by Section 2117.0004.

Sec. 2117.0006. REPORT. (a) Not later than September 1 of each even-numbered year, the commission shall submit a report to the governor and the legislature based on the commission's findings under Section 2117.0004 during the previous two-year period.

(b) The report must include:

(1) a complete explanation of the methods used by the commission in conducting the financial analysis required by the study;

(2) a summary of the commission's findings under Section 2117.0004 and a copy of the plan created under Section 2117.0005; and

(3) drafts of any proposed legislation needed to implement the commission's recommendations.

(c) The first report due under this section must include a thorough evaluation of this state's need to develop a contingency currency in the event of a collapse of the United States dollar. This subsection expires September 1, 2021.

SECTION \_\_\_\_\_. (a) Not later than the 60th day after the effective date of this Act, the governor and, if applicable, the speaker of the house of representatives and the lieutenant governor shall make the appointments and designations under Chapter 2117, Government Code, as added by this Act.

(b) The Fiscal Risk Management Commission shall submit the first report required by Section 2117.0006, Government Code, as added by this Act, not later than September 1, 2020.

Amendment No. 7 was withdrawn.

A record vote was requested by Representative Stickland.

**CSHB 4214**, as amended, was passed to engrossment by (Record 836): 105 Yeas, 29 Nays, 4 Present, not voting.

Yeas — Allen; Allison; Anderson; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Button; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Dean; Deshotel; Farrar; Fierro; Flynn; Frank; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hefner; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; King, P.; King, T.; Klick; Krause; Lambert; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meza; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Noble; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Springer; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zedler; Zerwas; Zwiener.

Nays — Ashby; Bailes; Beckley; Bell, K.; Biedermann; Burns; Cain; Clardy; Cyrier; Dominguez; Dutton; Frullo; Harris; Holland; Kacal; King, K.; Kuempel; Landgraf; Lang; Larson; Middleton; Murr; Patterson; Price; Ramos; Stickland; White; Wilson; Wray.

Present, not voting — Mr. Speaker; Pacheco; Paddie(C); Smithee.

Absent — Anchia; Bell, C.; Bonnen; Burrows; Davis, Y.; Goldman; Hernandez; Leach; Meyer; Morales; Raney; Thierry.

#### STATEMENTS OF VOTE

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted no.

C. Bell

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted yes.

G. Bonnen

When Record No. 836 was taken, I was shown voting yes. I intended to vote no.

Buckley

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted yes.

Goldman

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted yes.

Leach

When Record No. 836 was taken, I was in the house but away from my desk. I would have voted yes.

Meyer

When Record No. 836 was taken, my vote failed to register. I would have voted yes.

Morales

When Record No. 836 was taken, I was shown voting no. I intended to vote yes.

Ramos

When Record No. 836 was taken, I was shown voting yes. I intended to vote no.

Schaefer

### **POSTPONED BUSINESS**

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

#### **HB 2748 ON SECOND READING (by Perez)**

**HB 2748**, A bill to be entitled An Act relating to regulation of the retail sale of fireworks.

**HB 2748** was read second time on April 23, postponed until April 25, postponed until 10 a.m. today, and was again postponed until this time.

Representative Perez moved to postpone consideration of **HB 2748** until 8:45 p.m. today.

The motion prevailed.

### **MESSAGE FROM THE SENATE**

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

#### **GENERAL STATE CALENDAR (consideration continued)**

#### **HB 1528 ON SECOND READING (by Rose, Meyer, and Ramos)**

**HB 1528**, A bill to be entitled An Act relating to the reporting of certain information involving family violence offenses.

**HB 1528** was passed to engrossment. (Flynn recorded voting no.)

#### **CSHB 2817 ON SECOND READING (by Lucio, Raney, and Oliverson)**

**CSHB 2817**, A bill to be entitled An Act relating to the contractual relationship between a pharmacist or pharmacy and a health benefit plan issuer or pharmacy benefit manager.

**Amendment No. 1**

Representative Lucio offered the following amendment to **CSHB 2817**:

Amend **CSHB 2817** (house committee report) by striking page 1, lines 10-12, and substituting the following:

(1) "Pharmacy benefit manager" has the meaning assigned by Section 4151.151.

Amendment No. 1 was adopted.

**CSHB 2817**, as amended, was passed to engrossment. (Flynn recorded voting no.)

**CSHB 2811 ON SECOND READING**

(by Price, Frank, Minjarez, S. Thompson, VanDeaver, et al.)

**CSHB 2811**, A bill to be entitled An Act relating to the prescribing of controlled substances and dangerous drugs for acute pain.

**Amendment No. 1**

Representative Price offered the following amendment to **CSHB 2811**:

Amend **CSHB 2811** (house committee printing) as follows:

(1) On page 4, strike lines 21-23 and substitute the following:

(1) be verbal;

(2) On page 6, between lines 1 and 2, insert the following:

(c) A regulatory agency described by Subsection (a) may develop written guidelines for written information to be provided to the patient about the risks and benefits of a controlled substance or dangerous drug used to treat the patient's acute pain. The guidelines may not authorize the practitioner to provide the written information under this subsection in lieu of discussing the information verbally with the patient as described by Subsection (b).

Amendment No. 1 was adopted.

**CSHB 2811**, as amended, was passed to engrossment.

**HB 97 ON SECOND READING**

(by Rodriguez, Murphy, and Guillen)

**HB 97**, A bill to be entitled An Act relating to the eligibility of land for appraisal for ad valorem tax purposes as qualified open-space land.

**Amendment No. 1**

Representative Springer offered the following amendment to **HB 97**:

Amend **HB 97** (house committee report) as follows:

(1) On page 1, line 13, between "university" and the period, insert "and that has been used principally in that manner by a college or university for five of the preceding seven years".

(2) On page 3, line 1, between "with the" and "Texas", insert "chair of the house of representatives committee on agriculture and livestock."

(3) On page 3, line 8, between "with the" and "Texas", insert "chair of the house of representatives committee on agriculture and livestock,".

(4) Strike page 4, lines 16-18, and substitute the following:

SECTION 4. Section 23.51, Tax Code, as amended by this Act, and Section 23.5215, Tax Code, as added by this Act, apply only to the appraisal of land for ad valorem tax purposes for a tax year that begins on or after January 1, 2021.

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

SECTION \_\_\_\_\_. Subchapter D, Chapter 23, Tax Code, is amended by adding Section 23.5211 to read as follows:

Sec. 23.5211. LIMITATION ON QUALIFICATION OF CERTAIN LAND FOR APPRAISAL BASED ON WILDLIFE MANAGEMENT USE. Land equal to or less than 20 acres in size that qualifies for appraisal under this subchapter solely on the basis that the land is used to raise or keep bees for pollination or for the production of human food or other tangible products having a commercial value may not subsequently qualify under Section 23.51(7) for appraisal under this subchapter if the owner changes the use of the land to wildlife management.

SECTION \_\_\_\_\_. The change in law made by this Act to Section 23.51(1), Tax Code, relating to the qualification of land as an ecological laboratory for appraisal under Subchapter D, Chapter 23, Tax Code, applies only if the land did not qualify for appraisal under that subchapter for the 2019 tax year on the basis of its use as an ecological laboratory.

SECTION \_\_\_\_\_. Section 23.5211, Tax Code, as added by this Act, applies only to land that did not qualify for appraisal under Subchapter D, Chapter 23, Tax Code, for the 2019 tax year on the basis of its use for wildlife management under Section 23.51(7), Tax Code.

Amendment No. 1 was adopted.

**HB 97**, as amended, was passed to engrossment.

### **CSHB 669 ON SECOND READING**

**(by K. King, Guillen, Springer, Ashby, T. King, et al.)**

**CSHB 669**, A bill to be entitled An Act relating to the use of the universal service fund for the provision of broadband service in underserved rural areas.

**CSHB 669** was passed to engrossment. (Flynn recorded voting no.)

### **HB 103 ON SECOND READING**

**(by Martinez, Guillen, and Canales)**

**HB 103**, A bill to be entitled An Act relating to the establishment of a public law school in the Rio Grande Valley.

**HB 103** was passed to engrossment.

**CSHB 4306 ON SECOND READING**  
**(by Biedermann, Nevárez, Cain, Miller, Murr, et al.)**

**CSHB 4306**, A bill to be entitled An Act relating to border security enhancement projects and the creation of a fund to pay for those projects; allocating the earnings on the balance of that fund and reimbursement of related expenditures.

Representative Biedermann moved to postpone consideration of **CSHB 4306** until 6 a.m. tomorrow.

The motion prevailed.

**CSHB 2384 ON SECOND READING**  
**(by Leach, Hunter, Flynn, and Clardy)**

**CSHB 2384**, A bill to be entitled An Act relating to judicial compensation and assignment and the contributions to, benefits from, membership in, and administration of the Judicial Retirement System of Texas Plan One and Plan Two, including related changes to the compensation and retirement benefits of certain prosecutors and other members of the elected class of the Employees Retirement System of Texas.

**Amendment No. 1**

Representative Leach offered the following amendment to **CSHB 2384**:

Amend **CSHB 2384** (house committee printing) as follows:

- (1) On page 19, line 3, strike "two" and substitute "2.3 [~~two~~]".
- (2) On page 19, line 13, strike "two" and substitute "2.3".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representatives P. King and Geren offered the following amendment to **CSHB 2384**:

Amend **CSHB 2384** (house committee report) as follows:

- (1) On page 2, line 23, between "judge" and the underlined period, insert "or as a justice of the peace".
- (2) On page 4, line 22, between "judge" and the underlined period, insert "or as a justice of the peace".

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Flynn offered the following amendment to **CSHB 2384**:

Amend **CSHB 2384** (house committee printing) as follows:

- (1) On page 15, lines 20 and 21, strike "or the Judicial Retirement System of Texas Plan Two" and substitute ", the Judicial Retirement System of Texas Plan Two, or the Employees Retirement System of Texas as a member of the elected class".



(2) On page 16, lines 5 and 6, strike "or the Judicial Retirement System of Texas Plan Two" and substitute ", the Judicial Retirement System of Texas Plan Two, or the Employees Retirement System of Texas as a member of the elected class".

(3) On page 16, lines 17 and 18, strike "or the Judicial Retirement System of Texas Plan Two" and substitute ", the Judicial Retirement System of Texas Plan Two, or the Employees Retirement System of Texas as a member of the elected class".

(4) On page 18, line 10, strike "or".

(5) On page 18, line 15, between "Section 838.102" and the underlined period, insert the following:  
; or

(3) Employees Retirement System of Texas as a member of the elected class under Section 813.201 or 813.402 for each month of service in which the member held a position described by Section 812.002(a), including service credit established under either section that was previously canceled but reestablished under Section 813.102

Amendment No. 3 was adopted.

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

Representative Craddick offered the following amendment to **CSHB 2384**:

Amend **CSHB 2384** (house committee printing) as follows:

(1) On page 22, line 22, strike "amending Subsection (c) and adding Subsections (g) and (h)" and substitute "adding Subsections (b-1), (g), and (h) and amending Subsection (c)".

(2) On page 22, between lines 23 and 24, insert the following:

(b-1) If a member who is otherwise eligible to retire under Section 839.101 retires because the member is required to vacate the member's judicial office under Section 1-a(1), Article V, Texas Constitution, the applicable state annual salary under Subsection (a) or (c) includes any increase in the state annual salary authorized by legislation that takes effect on or before the one year anniversary of the member's effective date of retirement, including **HB 2384**, 86th Legislature, Regular Session, 2019. The retirement system shall recompute the annuity of a person subject to this subsection and the recomputed annuity becomes payable beginning with the first annuity payable on or after the date the increase in the applicable state annual salary takes effect.

(3) On page 27, line 4, strike "Section" and substitute "(a) Except as provided by Subsection (b) of this section, Section".

(4) On page 27, between lines 9 and 10, insert the following:

(b) Section 839.102(b-1), Government Code, as added by this Act, applies to a person regardless of whether the person retired before, on, or after the effective date of this Act, except the change in law made by that subsection applies only to a benefit payment made by the Judicial Retirement System of Texas Plan Two that becomes payable on or after the effective date of this Act.

Amendment No. 4 was adopted.

**Amendment No. 5**

Representative Israel offered the following amendment to **CSHB 2384**:

Amend **CSHB 2384** (house committee report) as follows:

- (1) On page 27, strike line 1 and substitute the following:
  - (1) Sections 25.2292(f) and (g);
  - (2) Section 834.003;
- (2) On page 27, line 2, strike "(2)" and substitute "(3)".
- (3) On page 27, line 3, strike "(3)" and substitute "(4)".

Amendment No. 5 was adopted.

**Amendment No. 6**

Representatives Longoria and Wu offered the following amendment to **CSHB 2384**:

Amend **CSHB 2384** (house committee printing) on page 27 by striking lines 4 through 9 and substituting the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. (a) Subject to Subsection (b) of this section, Section 839.102, Government Code, as amended by this Act, applies to a retiree of the Judicial Retirement System of Texas Plan Two regardless of whether the person retired before, on, or after the effective date of this Act.

(b) The board of trustees of the Employees Retirement System of Texas shall recompute each annuity being paid to an annuitant of the Judicial Retirement System of Texas Plan Two under Section 839.102, 839.103, 839.301, or 839.302, Government Code, as if the retirement or death on which the annuity is based occurred on the effective date of this Act. Payments of an annuity recomputed under this subsection begin with the first payments that become due on or after the effective date of this Act.

Amendment No. 6 was adopted.

**CSHB 2384**, as amended, was passed to engrossment.

**POSTPONED BUSINESS**

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

**HB 2748 ON SECOND READING**  
**(by Perez)**

**HB 2748**, A bill to be entitled An Act relating to regulation of the retail sale of fireworks.

**HB 2748** was read second time on April 23, postponed until April 25, postponed until 10 a.m. today, postponed until 8 p.m. today, and was again postponed until this time.

Representative Perez moved to postpone consideration of **HB 2748** until 8 a.m. tomorrow.

The motion prevailed.

**GENERAL STATE CALENDAR**  
**(consideration continued)**  
**CSHB 720 ON SECOND READING**  
**(by Larson)**

**CSHB 720**, A bill to be entitled An Act relating to appropriations of water for recharge of aquifers and use in aquifer storage and recovery projects.

(Speaker in the chair)

**Amendment No. 1**

Representative Larson offered the following amendment to **CSHB 720**:

Amend **CSHB 720** (house committee report) as follows:

In SECTION 3, in added Section 27.207(a), Water Code (page 8, lines 25-26), strike "storage and recovery" and substitute in its place "recharge".

Amendment No. 1 was adopted.

**CSHB 720**, as amended, was passed to engrossment.

**HB 133 ON SECOND READING**  
**(by Canales and Ramos)**

**HB 133**, A bill to be entitled An Act relating to the payment of gratuities to certain employees.

**HB 133** was passed to engrossment.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, upon adjournment today, 3W.9, for a formal meeting, to consider a calendar.

**ADJOURNMENT**

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

The motion prevailed.

The house accordingly, at 8:54 p.m., adjourned until 10 a.m. tomorrow.

---

**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. 21**

**HB 41, HB 61, HB 1264, HCR 155**

**Senate List No. 14****SB 234, SB 606, SB 612, SB 614, SB 625, SB 626, SB 627, SB 812****MESSAGES FROM THE SENATE**

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

**Message No. 1**

## MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, April 30, 2019

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

## THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**SB 11** Taylor

Relating to policies, procedures, and measures for school safety and mental health promotion in public schools.

**SB 806** Johnson

Relating to eligibility to serve as an interpreter in an election.

**SB 1119** Lucio

Relating to the establishment of a border public health initiative by the Department of State Health Services.

**SB 1125** Hinojosa

Relating to the use of video teleconferencing for testimony of a forensic analyst in a criminal proceeding.

**SB 1412** Perry

Relating to the creation of accelerated campus excellence turnaround plans for low-performing schools and the authority of the commissioner of education.

**SB 1757** Creighton

Relating to student loan repayment assistance under the math and science scholars loan repayment program.

**SB 2026** Perry

Relating to regulation of the production of retail public utility wells by a groundwater conservation district.

**SB 2060** Menéndez

Relating to the contents of a notice of appraised value sent to a property owner by the chief appraiser of an appraisal district.

**SB 2135** Powell

Relating to information a law enforcement agency is required to share with a school district about a person who may be a student.

**SB 2282** West

Relating to providing mental health services and mental health education to public school students at school-based health centers.

**SB 2316** Hinojosa

Relating to controlled substance prescriptions under the Texas Controlled Substances Act; creating a criminal offense.

**SCR 1** Creighton

Claiming sovereignty under the Tenth Amendment to the U.S. Constitution over all powers not otherwise enumerated and granted to the federal government by the U.S. Constitution, serving notice to the federal government to halt and reverse certain mandates, and providing that certain federal legislation be prohibited or repealed.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Tuesday, April 30, 2019 - 2

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HCR 162** Frullo SPONSOR: Perry

Congratulating the Texas Tech University men's basketball team on advancing to the championship game of the 2019 NCAA Division I tournament.

**SB 347** Flores

Relating to eligibility for service on the board of directors of an appraisal district.

**SB 560** Kolkhorst

Relating to a plan and report on court-ordered representation for certain suits affecting the parent-child relationship.

**SB 608** Watson

Relating to the continuation and functions of the School Land Board.

**SB 619** Birdwell

Relating to the sunset review process and certain governmental entities subject to that process.

**SB 916** Johnson  
Relating to supportive palliative care.

**SB 1122** Lucio  
Relating to the establishment of a sanitarian recruitment and retention program in border counties for public health purposes.

**SB 1200** Campbell  
Relating to the authority of certain military spouses to engage in a business or occupation in this state.

**SB 1297** Powell  
Relating to the adoption of uniform general conditions for building construction contracts entered into by school districts and the composition of the committee that reviews uniform general conditions.

**SB 1390** Menéndez  
Relating to suicide prevention in public school curriculum and certain educational programs concerning suicide prevention and substance abuse prevention.

**SB 2111** Watson  
Relating to the Health and Human Services Commission developing a plan to contract with a public institution of higher education to operate a certain state hospital.

**SB 2304** Taylor  
Relating to eligibility to establish a multiple employer welfare arrangement.

**SB 2322** Creighton  
Relating to rates established by municipalities for water and sewer services.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 3**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Tuesday, April 30, 2019 - 3

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**SB 132** Hinojosa

Relating to operation of the Texas leverage fund program administered by the Texas Economic Development Bank.

**SB 803** Rodríguez

Relating to a written assessment regarding a defendant suspected of having a mental illness or an intellectual disability.

**SB 1504** Zaffirini

Relating to the abolition of the B-On-time student loan account and the allocation of funds remaining in that account.

**SB 1806** Rodríguez

Relating to the issuance of Nuclear Deterrence Operations Service Medal specialty license plates.

**SB 2202** Fallon

Relating to the administration of the Jobs and Education for Texans (JET) Grant Program.

**SB 2219** Bettencourt

Relating to ballot propositions authorizing political subdivisions to issue bonds or other debt or to impose or change a tax.

Respectfully,

Patsy Spaw

Secretary of the Senate

---

## APPENDIX

---

### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**April 29**

Appropriations - **HB 2154, HJR 82, SB 709**

Business and Industry - **HB 2143, HB 3564, HB 3815, HB 4307**

Corrections - **HB 3831**

County Affairs - **HB 1733, HB 1927, HB 3759, HB 4179, HB 4662, HB 4748, SB 286**

Defense and Veterans' Affairs - **HB 3343, HB 3412, HB 4413**

Higher Education - **HB 271, HB 2193, HB 2557, HB 3240, SB 38, SB 1276**

Homeland Security and Public Safety - **HB 1791, HB 2672, HB 2678, HB 2931, HB 4067**

House Administration - **SB 281**

Human Services - **HB 744, HB 1682, HB 3738**

Insurance - **HB 698**

International Relations and Economic Development - **HB 2784**

Judiciary and Civil Jurisprudence - **HB 1126, HB 1185, HB 1437, HB 1975, HB 2437, HB 2637, HB 2889, HB 2989, HB 3409, HB 3575, HB 3848, HB 3946, HB 4015**

Licensing and Administrative Procedures - **HB 2584, HB 3622, HB 3791, HB 4006**

Natural Resources - **HB 4477**

Pensions, Investments and Financial Services - **HB 2639, SB 1821**

Public Education - **HB 43, HB 142, HB 1143, HB 1301, HB 2526, HB 2555, HB 2797, HB 2997, HB 3005, HB 3025, HB 3153, HB 3179, HB 3521, HB 3638**

Public Health - **HB 29, HB 805, HB 1869, HB 3147, HB 3148, HB 3496, HB 3672, HB 4147, HB 4297**

State Affairs - **HB 1198, HB 2401, HB 2509, HB 4448, SB 475, SB 936, SB 1211, SB 1571**

Transportation - **HB 1493, HB 1732, HB 2549, HB 2705, HB 3760, HB 4024, HB 4427, HB 4475, SB 240**

Urban Affairs - **HB 2077, HB 3314, HB 3315, HB 4742, HB 4760, SB 386**

Ways and Means - **HB 2872**

**ENROLLED**

**April 29 - HB 41, HB 61, HB 1264**

**SENT TO THE GOVERNOR**

**April 29 - HB 1254**