

HOUSE JOURNAL

EIGHTY-SIXTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-NINTH DAY — MONDAY, MAY 6, 2019

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

The roll of the house was called and a quorum was announced present (Record 1018).

Present — Mr. Speaker(C); Allen; 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.

Absent, Excused — Allison.

The invocation was offered by Bryant Phelps, pastor, Church of the Disciple United Methodist, DeSoto.

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

LEAVE OF ABSENCE GRANTED

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

Allison on motion of Lambert.

CAPITOL PHYSICIAN

The chair recognized Representative Larson who presented Dr. Janey Wang of Helotes as the "Doctor for the Day."

The house welcomed Dr. Wang 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 Bowers and by unanimous consent, the reading and referral of bills was postponed until just prior to final recess.

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).

(Goldman in the chair)

HR 1157 - INTRODUCTION OF GUESTS

The chair recognized Representative Minjarez who introduced family members of Loretta Katherine Robles Garcia.

HR 1519 - ADOPTED (by White)

Representative White moved to suspend all necessary rules to take up and consider at this time **HR 1519**.

The motion prevailed.

The following resolution was laid before the house:

HR 1519, In memory of Glen W. Rosier.

HR 1519 was unanimously adopted by a rising vote.

INTRODUCTION OF GUESTS

The chair recognized Representative White who introduced family members of Glen W. Rosier.

HR 1388 - ADOPTED (by S. Thompson)

Representative S. Thompson moved to suspend all necessary rules to take up and consider at this time **HR 1388**.

The motion prevailed.

The following resolution was laid before the house:

HR 1388, Recognizing May 6, 2019, as Children's Mental Health Awareness Day.

HR 1388 was adopted.

HR 1387 - INTRODUCTION OF GUESTS

The chair recognized Representative S. Thompson who introduced representatives of the George Bush Intercontinental Airport.

HR 1466 - ADOPTED
(by Rodriguez)

Representative Rodriguez moved to suspend all necessary rules to take up and consider at this time **HR 1466**.

The motion prevailed.

The following resolution was laid before the house:

HR 1466, Commemorating the 15th Annual Gran Show de Primavera presented by Ballet Folklórico at Austin High School.

HR 1466 was adopted.

HR 1375 - INTRODUCTION OF GUESTS

The chair recognized Representative Cyrier who introduced Joe Enzminger and Andy Maag, representatives of the Commemorative Air Force.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Transportation, upon lunch recess today, Desk 65, for a formal meeting, to consider pending business.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 24).

HB 3222 - RECOMMITTED

Representative T. King moved to recommit **HB 3222** to the Committee on Licensing and Administrative Procedures.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Natural Resources, upon lunch recess today, Desk 112, for a formal meeting, to consider pending business.

RECESS

Representative Canales moved that the house recess until 1:30 p.m. today.

The motion prevailed.

The house accordingly, at 10:59 a.m., recessed until 1:30 p.m. today.

AFTERNOON SESSION

The house met at 2:07 p.m. and was called to order by the speaker.

LEAVE OF ABSENCE GRANTED

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

Smithee on motion of Flynn.

POSTPONED BUSINESS

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

CSHB 3950 ON SECOND READING (by Frank, Minjarez, and Klick)

CSHB 3950, A bill to be entitled An Act relating to the establishment of the child welfare task force and provision of services in the child welfare system.

CSHB 3950 was read second time on May 1 and was postponed until 10 a.m. May 3.

Amendment No. 1

Representative Wu offered the following amendment to **CSHB 3950**:

Amend **CSHB 3950** (house committee printing) on page 1 as follows:

(1) On line 19, between "members" and "appointed", insert "who have expertise in child welfare issues".

(2) Strike lines 20 through 23, and substitute the following:

(2) four members of the public who have expertise in child welfare issues:

(A) two of whom are appointed by the lieutenant governor; and

(B) two of whom are appointed by the speaker of the house of representatives;

(3) the chair of the Senate Health and Human Services Committee or its successor committee; and

(4) the chair of the House Human Services Committee or its successor committee.

(Goldman in the chair)

A record vote was requested by Representative Wu.

Amendment No. 1 failed of adoption by (Record 1019): 70 Yeas, 74 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Cole; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; King, T.; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Stephenson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Gervin-Hawkins; Harless; Harris; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Metcalf; Middleton; Minjarez; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Sanford; Schaefer; Shaheen; Shine; Smith; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

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

Absent, Excused — Allison; Smithee.

Absent — Hefner; Longoria.

STATEMENT OF VOTE

When Record No. 1019 was taken, I was shown voting yes. I intended to vote no.

Miller

CSHB 3950 was passed to engrossment.

SB 752 ON SECOND READING (Oliverson - House Sponsor)

SB 752, A bill to be entitled An Act relating to liability of volunteer health care providers and health care institutions for care, assistance, or advice provided in relation to a disaster.

SB 752 was considered in lieu of **CSHB 1353**.

SB 752 was read second time and was passed to third reading.

CSHB 1353 - LAID ON THE TABLE SUBJECT TO CALL

Representative Oliverson moved to lay **CSHB 1353** on the table subject to call.

The motion prevailed.

SB 649 ON SECOND READING (E. Thompson - House Sponsor)

SB 649, A bill to be entitled An Act relating to promotion of the use of recyclable materials as feedstock for processing and manufacturing.

SB 649 was considered in lieu of **CSHB 286**.

SB 649 was read second time and was passed to third reading.

CSHB 286 - LAID ON THE TABLE SUBJECT TO CALL

Representative E. Thompson moved to lay **CSHB 286** on the table subject to call.

The motion prevailed.

CSHB 2726 ON SECOND READING
(by Kuempel)

CSHB 2726, A bill to be entitled An Act relating to the commencement of construction of a project following the issuance of a draft permit for a permit amendment to an air quality permit.

CSHB 2726 was read second time on May 1 and was postponed until 10 a.m. today.

A record vote was requested by Representative Wu.

CSHB 2726, as amended, was passed to engrossment by (Record 1020): 97 Yeas, 48 Nays, 2 Present, not voting.

Yeas — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Darby; Davis, S.; Dean; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, M.; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Martinez Fischer; Metcalf; Meyer; Middleton; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Nevárez; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Rose; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vo; White; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Canales; Coleman; Cyrier; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; González, J.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; Longoria; Lucio; Martinez; Meza; Moody; Morales; Neave; Ortega; Perez; Ramos; Reynolds; Rodriguez; Romero; Rosenthal; Sherman; Stickland; Talarico; Thierry; Thompson, S.; Turner, C.; Walle; Wilson; Wu; Zwiener.

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

Absent, Excused — Allison; Smithee.

Absent — Johnson, E.

STATEMENTS OF VOTE

When Record No. 1020 was taken, I was shown voting yes. I intended to vote no.

M. González

When Record No. 1020 was taken, I was shown voting no. I intended to vote yes.

Romero

When Record No. 1020 was taken, I was shown voting yes. I intended to vote no.

Rose

SB 1055 ON SECOND READING
(Frullo, Longoria, and Blanco - House Sponsors)

SB 1055, A bill to be entitled An Act relating to the administration by the Texas Workforce Commission of a workforce diploma pilot program.

SB 1055 was considered in lieu of **HB 2416**.

SB 1055 was read second time.

Amendment No. 1

Representative Frullo offered the following amendment to **SB 1055**:

Amend **SB 1055** (house committee report) as follows:

(1) On page 2, strike lines 5 and 6 and substitute the following:

(2) be a public, nonprofit, or private entity that is:

(A) authorized under the Education Code or other state law to grant a high school diploma; or

(B) accredited by a regional accrediting body;

(2) On page 3, line 19, strike "one Carnegie unit" and substitute "one credit".

Amendment No. 1 was adopted.

SB 1055, as amended, was passed to third reading.

HB 2416 - LAID ON THE TABLE SUBJECT TO CALL

Representative Frullo moved to lay **HB 2416** on the table subject to call.

The motion prevailed.

HB 3207 ON SECOND READING
(by Deshotel)

HB 3207, A bill to be entitled An Act relating to the maritime port plans, reports, and programs prepared by the Port Authority Advisory Committee.

HB 3207 was read second time on May 2 and was postponed until 10 a.m. today.

Representative Deshotel moved to postpone consideration of **HB 3207** until 10 a.m. Wednesday, May 8.

The motion prevailed.

HB 3258 ON SECOND READING
(by Minjarez, Bernal, Pacheco, Allison, Gervin-Hawkins, et al.)

HB 3258, A bill to be entitled An Act relating to an authorization to increase the sales and use tax collected in an advanced transportation district of a metropolitan rapid transit authority.

HB 3258 was read second time on May 2, postponed until 4 p.m. May 2, and was again postponed until 10 a.m. today.

Representative Minjarez moved to postpone consideration of **HB 3258** until 10 a.m. Wednesday, May 8.

The motion prevailed.

CSHB 3603 ON SECOND READING
(by Martinez Fischer)

CSHB 3603, A bill to be entitled An Act relating to derivative proceedings on behalf of for-profit corporations, limited liability companies, and limited partnerships.

CSHB 3603 was read second time on May 2 and was postponed until 10 a.m. today.

CSHB 3603 was passed to engrossment.

CSHB 1936 ON SECOND READING
(by Rose, Zerwas, S. Thompson, Coleman, Longoria, et al.)

CSHB 1936, A bill to be entitled An Act relating to the applicability of the death penalty to a capital offense committed by a person with severe mental illness.

CSHB 1936 was read second time on May 2 and was postponed until 10 a.m. today.

Representative Rose moved to postpone consideration of **CSHB 1936** until 10 a.m. Wednesday, May 8.

The motion prevailed.

MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 12 ON SECOND READING
(by S. Davis, Harless, Price, Zerwas, Guerra, et al.)

CSHB 12, A bill to be entitled An Act relating to early childhood intervention services.

Amendment No. 1

Representative Miller offered the following amendment to **CSHB 12**:

Amend **CSHB 12** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) The heading to Subchapter E, Chapter 1367, Insurance Code, is amended to read as follows:

SUBCHAPTER E. EARLY CHILDHOOD INTERVENTION SERVICES AND DEVELOPMENTAL DELAYS

(b) Section 1367.201, Insurance Code, is amended to read as follows:

Sec. 1367.201. DEFINITION. In this subchapter, rehabilitative and habilitative therapies and related services include:

- (1) occupational therapy evaluations and services;
- (2) physical therapy evaluations and services;
- (3) speech therapy evaluations and services; ~~and~~
- (4) dietary or nutritional evaluations;
- (5) specialized skills training by a person certified as an early intervention specialist;
- (6) applied behavior analysis treatment by a licensed behavior analyst or licensed psychologist; and
- (7) case management provided by a person certified as an early intervention specialist.

(c) Section 1367.202, Insurance Code, is amended to read as follows:

Sec. 1367.202. APPLICABILITY OF SUBCHAPTER. (a) This subchapter applies only to a health benefit plan that:

(1) provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, including an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage that is offered by:

- (A) an insurance company;
- (B) a group hospital service corporation operating under Chapter 842;
- (C) a fraternal benefit society operating under Chapter 885;
- (D) a stipulated premium company operating under Chapter 884;
- (E) a health maintenance organization operating under Chapter 843; or
- (F) a multiple employer welfare arrangement subject to regulation under Chapter 846;

(2) is offered by an approved nonprofit health corporation that holds a certificate of authority under Chapter 844; or

(3) provides health and accident coverage through a risk pool created under Chapter 172, Local Government Code, notwithstanding Section 172.014, Local Government Code, or any other law.

(b) Notwithstanding any other law, this subchapter also applies to a standard health benefit plan provided under Chapter 1507.

(d) Section 1367.203, Insurance Code, is amended to read as follows:

Sec. 1367.203. EXCEPTION. (a) This subchapter does not apply to:

- (1) a plan that provides coverage:
 - (A) only for a specified disease or for another limited benefit;
 - (B) only for accidental death or dismemberment;
 - (C) for wages or payments in lieu of wages for a period during which an employee is absent from work because of sickness or injury;

- (D) as a supplement to a liability insurance policy;
- (E) for credit insurance;
- (F) only for dental or vision care; or
- (G) only for indemnity for hospital confinement;
- (2) a small employer health benefit plan written under Chapter 1501;
- (3) a Medicare supplemental policy as defined by Section 1882(g)(1), Social Security Act (42 U.S.C. Section 1395ss);
- (4) a workers' compensation insurance policy;
- (5) medical payment insurance coverage provided under a motor vehicle insurance policy; or
- (6) a long-term care insurance policy, including a nursing home fixed indemnity policy, unless the commissioner determines that the policy provides benefit coverage so comprehensive that the policy is a health benefit plan as described by Section 1367.202.

(b) This subchapter does not apply to a qualified health plan to the extent that a determination is made under 45 C.F.R. Section 155.170 that:

(1) this subchapter requires the plan to offer benefits in addition to the essential health benefits required under 42 U.S.C. Section 18022(b); and

(2) this state is required to defray the cost of the benefits mandated under this subchapter.

(e) Section 1367.204, Insurance Code, is amended to read as follows:

Sec. 1367.204. PROVISION [OFFER] OF COVERAGE REQUIRED.

[(a)] A health benefit plan issuer must provide [offer] coverage for rehabilitative and habilitative therapies and related services in accordance [that complies] with this subchapter.

[(b) The individual or group policy or contract holder may reject coverage required to be offered under this section.]

(f) Section 1367.205, Insurance Code, is amended by amending Subsections (a) and (b) and adding Subsection (d) to read as follows:

(a) A health benefit plan required to provide [that provides] coverage for rehabilitative and habilitative therapies and related services under this subchapter may not prohibit or restrict payment for covered services provided to a child and determined to be necessary to and provided in accordance with an individualized family service plan issued by the Health and Human Services Commission [Interagency Council on Early Childhood Intervention] under Chapter 73, Human Resources Code.

(b) Rehabilitative and habilitative therapies and related services described by Subsection (a) must be covered in the amount, duration, scope, and service setting established in the child's individualized family service plan.

(d) A health benefit plan prior authorization requirement, or another requirement that a service be authorized, otherwise applicable to a covered rehabilitative or habilitative therapy service or a related service is satisfied if the service is specified in a child's individualized family service plan.

(g) Subchapter E, Chapter 1367, Insurance Code, is amended by adding Section 1367.2055 to read as follows:

Sec. 1367.2055. MEDICAID PAY PARITY. A health benefit plan issuer shall reimburse a health care provider providing a rehabilitative and habilitative therapy or related service at a rate that is at least equal to the reimbursement rate the health care provider would receive for providing the same or a substantially similar service under Medicaid.

(h) Section 1367.206, Insurance Code, is amended to read as follows:

Sec. 1367.206. PROHIBITED ACTIONS. Under the coverage required to be provided [~~offered~~] under this subchapter, a health benefit plan issuer may not:

(1) apply the cost of rehabilitative and habilitative therapies and related services described by Section 1367.205(a) to an annual or lifetime maximum plan benefit or similar provision under the plan; or

(2) use the cost of rehabilitative or habilitative therapies and related services described by Section 1367.205(a) as the sole justification for:

(A) increasing plan premiums; or

(B) terminating the insured's or enrollee's participation in the plan.

(i) Section 1367.207, Insurance Code, is amended to read as follows:

Sec. 1367.207. RULES. (a) The commissioner may adopt rules necessary to implement this subchapter.

(b) Section 2001.0045, Government Code, does not apply to a rule adopted under this section.

(j) Subchapter E, Chapter 1367, Insurance Code, as amended by this section, applies only to a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2020. A health benefit plan delivered, issued for delivery, or renewed before January 1, 2020, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted.

CSHB 12, as amended, was passed to engrossment.

(Allison now present)

CSHB 4347 ON SECOND READING

(by Anchia, G. Bonnen, Zerwas, Moody, C. Turner, et al.)

CSHB 4347, A bill to be entitled An Act relating to the authority of certain municipalities to use certain tax revenue for hotel and convention center projects and other qualified projects.

Amendment No. 1

Representative P. King offered the following amendment to **CSHB 4347**:

Amend **CSHB 4347** (house committee report) as follows:

(1) Add the following appropriately numbered SECTION to the bill:

SECTION _____. Section 351.001, Tax Code, is amended by adding Subdivision (12) to read as follows:

(12) "Retail establishment" means an establishment engaged in activities described by North American Industry Classification System subsector code 442, 443, 445, 446, 448, 451, 452, or 453.

(2) On page 1, line 20, strike "convention center facility" and substitute "qualified convention center facility, as defined by Section 351.151,".

(3) On page 1, line 24, strike "meeting spaces," and substitute "[meeting spaces,]".

(4) On page 2, line 1, strike "shops" and substitute "retail establishments [shops]".

(5) On page 6, line 24, strike "bonds or other obligations" and substitute "bonds, ~~or~~ other obligations, or contractual obligations".

(6) On page 7, line 1, strike "bonds or other obligations" and substitute "bonds, ~~or~~ other obligations, or contractual obligations".

(7) On page 7, line 14, strike "PLEDGE FOR BONDS BY CERTAIN MUNICIPALITIES" and substitute "PLEDGE OR COMMITMENT OF CERTAIN TAX REVENUE FOR CERTAIN PROJECTS".

(8) On page 7, line 19, strike "has been or will be constructed and that" and substitute "will be constructed and, after that construction".

(9) On page 8, lines 9 and 10, strike "to be acquired, constructed, equipped, or leased by the municipality".

(10) On page 8, line 18, strike "and".

(11) On page 8, between lines 18 and 19, insert the following:

(B) a parking shuttle or transportation system; and

(12) On page 8, line 19, strike "(B)" and substitute "(C)".

(13) On page 9, line 4, following the underlined period, add the following:

The municipality or local government corporation is entitled to receive the funds for a period of 10 years beginning on the date the multipurpose convention center facility is issued a certificate of occupancy.

(14) Strike page 9, lines 5-9, and substitute the following:

(c) An eligible municipality or local government corporation acting on behalf of an eligible municipality may pledge or commit the funds to which the municipality or local government corporation is entitled as provided by Subsection (b) for the payment of bonds, other obligations, or contractual obligations issued or incurred for the multipurpose convention center facility project.

(15) On page 9, line 11, between "municipality" and "is entitled", insert "or local government corporation".

(16) On page 9, line 17, between "municipality" and "is", insert "or local government corporation".

(17) On page 9, line 21, strike "PLEDGE FOR BONDS" and substitute "PLEDGE OR COMMITMENT OF CERTAIN TAX REVENUE".

(18) On page 10, line 3, following the underlined period, add the following: Notwithstanding any other law, the municipality is entitled to receive the funds for a period of 30 years beginning on the date the hotel project is open for initial occupancy.

(19) On page 10, line 6, strike "bonds or other obligations" and substitute "bonds, other obligations, or contractual obligations".

(20) Strike page 10, lines 9-11.

(21) On page 10, line 12, strike "(e)" and substitute "(d)".

(22) On page 10, line 16, strike "(f)" and substitute "(e)".

(23) On page 11, line 1, between "fresh" and "water", insert ", reuse, or alternative".

(24) On page 11, line 4, strike "; and" and substitute ";".

(25) On page 11, between lines 4 and 5, insert the following:

(D) signage, landscaping, and hardscaping; and

(26) On page 11, line 5, strike "(D)" and substitute "(E)".

(27) On page 11, line 18, between "structure" and the underlined semicolon, insert the following:

, but may share common infrastructure or facilities with a hotel such as a heating, ventilation, and air-conditioning system, electrical system, or kitchen

(28) Strike page 11, line 24, through page 12, line 5, and substitute the following:

(3) "Qualified hotel" means a hotel that is designated by a municipality to which this subchapter applies as the hotel that is part of a qualified project. A qualified hotel:

(A) must be located on land owned by the designating municipality;

(B) must be connected to a qualified convention center facility or have an exterior wall that is located not more than 1,000 feet from the nearest exterior wall of the qualified convention center facility; and

(C) may consist of two or more towers, regardless of whether named or branded differently, that:

(i) are constructed at the same time; and

(ii) each meet the requirements of Paragraphs (A) and (B).

(29) On page 12, line 9, strike "and" and substitute "or".

(30) Strike page 12, line 24, through page 13, line 2, and substitute the following:

(ii) acquiring, constructing, repairing, remodeling, or expanding infrastructure that:

(a) is directly related to and necessary for the qualified convention center facility or qualified hotel; and

(b) is located within the property lines of the qualified convention center facility or qualified hotel, or not more than 1,000 feet from the nearest property line of the facility or hotel; or

(31) Strike page 13, lines 6 and 7.

(32) On page 17, line 12, strike "85,000" and substitute "90,000".

(33) Strike page 20, line 8, through page 21, line 9, and substitute the following:

Sec. 351.155. PLEDGE OR COMMITMENT OF CERTAIN TAX REVENUE FOR OBLIGATIONS FOR QUALIFIED PROJECT. (a) In addition to the authority of a municipality to issue debt under Chapter 1504, Government Code, a municipality may pledge or commit the revenue derived from the tax imposed under this chapter from a qualified hotel and the revenue to which the municipality is entitled under Section 351.156 and, if applicable, Section 351.157 for the payment of:

- (1) bonds or other obligations issued for a qualified project; and
- (2) contractual obligations related to the project, including obligations

under:

(A) a contract authorized by Chapter 380, Local Government Code, for the project; and

(B) an interlocal agreement directly related to the project.

(b) A municipality may pledge or commit revenue for the payment of bonds, other obligations, or contractual obligations under Subsection (a) only if the qualified hotel that is a component of the qualified project for which that revenue is pledged or committed benefits from the pledging or committing of that revenue.

(c) A municipality may pledge or commit revenue under this section for only one qualified project. After a municipality pledges or commits revenue under this section for a qualified project, the municipality may not ever again pledge or commit revenue for a qualified project.

(d) Subsection (c) does not apply to a municipality with a population of 175,000 or more.

(e) A municipality is not entitled to receive revenue under Section 351.156 or 351.157 unless the municipality has pledged or committed a portion of the revenue derived from the tax imposed under this chapter and collected by the qualified hotel for the payment of bonds, other obligations, or contractual obligations described by Subsection (a) and issued or incurred for the qualified project.

(34) On page 21, line 14, between "hotel" and the underlined comma, insert "or the related qualified convention center facility".

(35) Strike page 22, lines 3-14, and substitute the following: means an establishment:

(1) that is located on land:

(A) owned by a municipality; or

(B) owned by any person if the establishment is located in a municipality described by Section 351.152(3);

(2) the nearest exterior wall of which is located not more than 1,000 feet from the nearest exterior wall of a qualified hotel or qualified convention center facility;

(3) that is constructed on or after the date the municipality commences a qualified project under this subchapter;

(4) that is not a sports stadium; and

(5) that is the type of establishment described by Subsection (c) from which the municipality is entitled to receive revenue under Subsection (d).

(36) Strike page 22, lines 21-26, and substitute the following:

(6) a municipality described by Section 351.152(22);

(7) a municipality described by Section 351.152(25);

(8) a municipality described by Section 351.152(34);

(9) a municipality described by Section 351.152(35);

(10) a municipality described by Section 351.152(36); and

(11) a municipality described by Section 351.152(38).

(37) On page 23, line 2, strike "and (3)" and substitute "(3), and (4)".

(38) Strike page 23, lines 6-8, and substitute the following:

(B) swimming pools and swimming facilities owned or operated by the related qualified hotel;

(39) Strike page 23, lines 16-18, and substitute the following:

(B) swimming pools and swimming facilities owned or operated by the related qualified hotel;

(40) Strike page 24, lines 1-8, and substitute the following:
restaurants, bars, and retail establishments;

(10) for a municipality described by Subsection (b)(10):

(A) restaurants, bars, and retail establishments; and

(B) swimming pools and swimming facilities owned or operated by the related qualified hotel; and

(11) for a municipality described by Subsection (b)(11):

(A) restaurants, bars, and retail establishments; and

(B) swimming pools and swimming facilities owned or operated by the related qualified hotel.

(41) Strike page 25, lines 21-22, and substitute the following:
other obligations, executes an agreement under Chapter 380, Local Government Code, or executes an interlocal agreement directly related to the project that is secured by a pledge or commitment of revenue under that subsection for the project on or after the effective date of this

(42) Strike page 25, line 25, and substitute the following:
bonds or other obligations, executed an agreement under Chapter 380, Local Government Code, or executed an interlocal agreement directly related to the project that is secured by a pledge or commitment of revenue under that

(43) On page 25, line 27, strike "was adopted" and substitute the following:
was adopted or the agreement was executed

(44) Strike page 26, lines 7-8, and substitute the following:
obligations, executes or amends an agreement under Chapter 380, Local Government Code, or executes or amends an interlocal agreement directly related to the qualified project that is secured by a pledge or commitment of revenue under Subchapter C,

(45) On page 26, strike lines 11-18 and substitute the following appropriately numbered SECTION:

SECTION _____. The changes in law made by this Act do not affect the validity of a bond, other obligation, or contractual obligation for which revenue was pledged or committed under Section 351.102, Tax Code, before the effective date of this Act. Bonds, other obligations, or contractual obligations for which revenue was pledged or committed before the effective date of this Act are governed by the law in effect when the revenue was pledged or committed, and that law is continued in effect for purposes of the validity of those bonds, obligations, and contractual obligations.

(46) Renumber the SECTIONS of the bill appropriately.

Amendment No. 2

Representative P. King offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by P. King to **CSHB 4347** by striking page 6, lines 8 and 9, and substituting the following:

(3) that is constructed:

(A) on or after the date the municipality commences a qualified project under this subchapter; or

(B) at any time if the establishment is located in a municipality described by Section 351.152(3);

Amendment No. 2 was adopted.

Amendment No. 3

Representative Guillen offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by P. King to **CSHB 4347** by adding the following appropriately numbered item to the amendment and renumbering the items of the amendment accordingly:

() On page 19, strike lines 15 and 16, and substitute the following:

(ii) in which at least one World Birding Center site is located;

and

Amendment No. 3 was adopted.

Amendment No. 1, as amended, was adopted.

Amendment No. 4

Representative Springer offered the following amendment to **CSHB 4347**:

Amend **CSHB 4347** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 351, Tax Code, is amended by adding Section 351.1023 to read as follows:

Sec. 351.1023. PLEDGE OR COMMITMENT OF CERTAIN TAX REVENUE FOR CERTAIN MILITARY MUSEUMS AND CONFERENCE CENTERS. (a) In this section:

(1) "Eligible municipality" means a municipality with a population of less than 20,000.

(2) "Qualified project" means a project to construct and equip a military museum and conference center located in an eligible municipality on land donated for that purpose by an institution of higher education as defined by Section 61.003, Education Code, in this state.

(b) An eligible municipality is entitled to receive the funds derived from the hotel occupancy tax imposed under Chapter 156 that are generated, paid, and collected by a hotel in the eligible municipality. The eligible municipality is entitled to receive the funds for a period of 10 years beginning on the earlier of:

(1) the date the military museum that is part of the qualified project is open for initial occupancy; or

(2) the date the convention center that is part of the qualified project is open for initial occupancy.

(c) An eligible municipality may pledge or commit the funds derived from the tax imposed under this chapter and Chapter 156 to which the municipality is entitled for the payment of bonds, other obligations, or contractual obligations issued or incurred to construct and equip the qualified project.

(d) The comptroller shall deposit the funds to which an eligible municipality is entitled in a separate suspense account of the municipality outside the state treasury.

(e) The comptroller may make a rebate, refund, or payment authorized under this section without the necessity of an appropriation. The comptroller shall rebate, refund, or pay to the eligible municipality the funds to which the municipality is entitled at least quarterly.

Amendment No. 4 was adopted.

CSHB 4347, as amended, was passed to engrossment.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 3609 ON SECOND READING
(by Martinez Fischer)**

HB 3609, A bill to be entitled An Act relating to the filing of an assumed name certificate by certain business entities.

HB 3609 was passed to engrossment.

**CSHB 3557 ON SECOND READING
(by Paddie)**

CSHB 3557, A bill to be entitled An Act relating to civil and criminal liability for engaging in certain conduct involving a critical infrastructure facility; creating criminal offenses.

Representative Paddie moved to postpone consideration of **CSHB 3557** until 3:30 p.m. today.

The motion prevailed.

**HB 3652 ON SECOND READING
(by C. Turner, Howard, Guerra, and Canales)**

HB 3652, A bill to be entitled An Act relating to the creation of a state repository for open educational resources by the Texas Higher Education Coordinating Board.

HB 3652 was passed to engrossment.

CSHB 4388 ON SECOND READING
(by Murphy, Huberty, Capriglione, Zerwas, Shine, et al.)

CSHB 4388, A bill to be entitled An Act relating to the management of the permanent school fund by the School Land Board and the State Board of Education.

CSHB 4388 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE SHINE: Representative Murphy, this bill really addresses something really important called cash drag. Can you explain to the house what cash drag is?

REPRESENTATIVE MURPHY: I will do my best, Representative Shine. What it has is, right now the GLO, the state land board, has a requirement for cash to be held in reserve for cash calls. They need liquid investments. It's making a very low return. The investments the GLO's making are making a pretty high return, but on a blended base it's the lower reserve. By setting this liquid account over in the SBOE's permanent school fund, we can achieve a higher rate of return at no greater risk, so meeting their liquidity needs as well as a higher rate of return. That's where the \$325 million comes in.

SHINE: And would you say that this cash drag is \$4.2 billion or somewhere in that ballpark? Is that about right?

MURPHY: That's about what they estimate it, and this is part of the Sunset report as well.

SHINE: So the importance of this bill is really to improve the portion of concerns with the permanent school fund and the School Land Board.

MURPHY: Absolutely true.

SHINE: And the intent is exactly what you just said, is to reduce the cash drag that's associated with this.

MURPHY: We want to get the highest rate of return we can for our schoolchildren by preserving integrity and minimizing risk, and this very much achieves that.

REMARKS ORDERED PRINTED

Representative Shine moved to print remarks between Representative Murphy and Representative Shine on **CSHB 4388**.

The motion prevailed.

CSHB 4388 was passed to engrossment.

CSHB 233 ON SECOND READING
(by Krause, Minjarez, et al.)

CSHB 233, A bill to be entitled An Act relating to the scheduling of the first day of school for students by school districts and open-enrollment charter schools.

Amendment No. 1

Representative K. King offered the following amendment to **CSHB 233**:

Amend **CSHB 233** (house committee printing) as follows:

(1) On page 3, lines 8-9, strike "a school district designated as a district" and substitute "certain school districts designated as districts".

(2) On page 4, line 18, between "25.0811(a)(3)" and the period, insert ",if that requirement applies to the district".

(3) On page 5, lines 16-17, strike "the district is designated as a district of innovation under Chapter 12A" and substitute the following:

⋮

(A) the district is designated as a district of innovation under Chapter 12A; and

(B) the district's central administrative office is located at least 10 miles from a controlled entry to an amusement park, as defined by Section 46.035(f), Penal Code

Amendment No. 1 - Point of Order

Representative Cain raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, and Rule 8, Section 10(b), of the House Rules on the grounds that the amendment is not germane to the bill and would limit the application of the bill to one or more political subdivisions by means of an artificial device.

The point of order was withdrawn.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representatives Springer, Dean, Ashby, Lang, Phelan, Clardy, Guillen, Frank, Price, K. Bell, Bailes, Hefner, Sheffield, Lambert, Buckley, VanDeaver, Burns, Darby, Harris, Burrows, Cyrier, Lozano, White, Nevárez, Leman, and Cortez offered the following amendment to **CSHB 233**:

Amend **CSHB 233** (house committee report) as follows:

(1) On page 3, line 9, between "Chapter 12A" and the period, insert "if the open-enrollment charter school has a student enrollment of 5,000 or more".

(2) On page 5, line 17, between "Chapter 12A" and the period, insert "and has a student enrollment of 5,000 or more".

Representative Krause moved to table Amendment No. 2.

Amendment No. 2 - Point of Order

Representative Cain raised a point of order against further consideration of Amendment No. 2 under Rule 11, Section 3, of the House Rules on the grounds that the amendment would change the original purpose of the bill.

The point of order was withdrawn.

Amendment No. 2 - Point of Order

Representative Cain raised a point of order against further consideration of Amendment No. 2 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.

The motion to table was lost.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Ashby offered the following amendment to **CSHB 233**:

Amend **CSHB 233** (house committee report) on page 5, line 16, by striking "third" and substituting "second".

Amendment No. 3 was adopted.

A record vote was requested by Representative Allen.

CSHB 233, as amended, failed to pass to engrossment by (Record 1021): 41 Yeas, 99 Nays, 2 Present, not voting.

Yeas — Ashby; Bell, C.; Bernal; Biedermann; Cain; Cortez; Craddick; Davis, S.; Dominguez; Geren; Gervin-Hawkins; González, M.; Goodwin; Guillen; Gutierrez; Huberty; Hunter; King, T.; Klick; Krause; Larson; Lopez; Lozano; Martinez; Middleton; Minjarez; Moody; Murphy; Murr; Nevárez; Parker; Price; Sanford; Schaefer; Sheffield; Stephenson; Stickland; Stucky; Tinderholt; Turner, C.; Zedler.

Nays — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, K.; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Fierro; Frank; Frullo; González, J.; Guerra; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Israel; Johnson, J.E.; Kacal; King, K.; King, P.; Kuempel; Lambert; Landgraf; Lang; Leach; Leman; Longoria; Lucio; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Morales; Muñoz; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Patterson; Paul; Perez; Phelan; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Shaheen; Sherman; Shine; Smith; Springer; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zwiener.

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

Absent, Excused — Smithee.

Absent — Capriglione; Flynn; Johnson, E.; Johnson, J.D.; Morrison; Swanson; Zerwas.

STATEMENTS OF VOTE

When Record No. 1021 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 1021 was taken, I was in the house but away from my desk. I would have voted no.

Flynn

When Record No. 1021 was taken, I was shown voting no. I intended to vote yes.

Pacheco

POSTPONED BUSINESS

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

CSHB 3557 ON SECOND READING
(by Paddie)

CSHB 3557, A bill to be entitled An Act relating to civil and criminal liability for engaging in certain conduct involving a critical infrastructure facility; creating criminal offenses.

CSHB 3557 was read second time earlier today and was postponed until this time.

Representative Paddie moved to postpone consideration of **CSHB 3557** until 4:15 p.m. today.

The motion prevailed.

GENERAL STATE CALENDAR
(consideration continued)**HB 4733 ON SECOND READING**
(by J. González)

HB 4733, A bill to be entitled An Act relating to the creation of the Oak Farms Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Amendment No. 1

Representative J. González offered the following amendment to **HB 4733**:

Amend **HB 4733** (house committee printing) as follows:

(1) On page 1, between lines 15 and 16, insert the following:

(5) "Exempt property" means property owned by a governmental entity, including the city.

(2) On page 2, line 6, strike "affordable housing,".

(3) On page 2, line 27, following the underlined semicolon, add "and".

(4) On page 3, strike lines 1 through 4, and substitute the following:

(3) developing or expanding transportation and commerce.

(5) On page 3, line 15, following the underlined semicolon, add "and".

(6) On page 3, strike lines 16 through 19, and substitute the following:

(4) provide for water, wastewater, drainage, road, and recreational facilities for the district.

(7) On page 4, line 12, strike "or tax".

(8) On page 5, strike lines 7 through 21, and substitute the following:

(c) The board may not create an executive committee to exercise the powers of the board.

Sec. 3983.0202. EX OFFICIO DIRECTORS. (a) The city manager, city auditor, and city attorney serve as nonvoting ex officio directors.

(b) The city manager, city auditor, or city attorney may appoint a designee to serve as an ex officio director in place of that person.

(c) An ex officio director is entitled to speak on any matter before the board.

(d) An ex officio director is not counted as a director for purposes of establishing a quorum.

Sec. 3983.0203. MEETINGS; NOTICE. (a) The board shall hold meetings at a place accessible to the public.

(b) The board must post notice of each meeting with the city secretary not later than 72 hours before the scheduled time of the meeting.

Sec. 3983.0204. COMPENSATION; EXPENSES. (a) The district may compensate each voting director in an amount not to exceed \$150 for each board meeting. The total amount of compensation for each director in one year may not exceed \$7,200.

(b) An ex officio director is not entitled to receive compensation from the district.

(c) A voting director or an ex officio director is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

Sec. 3983.0205. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Randall Tate Roush</u>
<u>2</u>	<u>Megan Wohr</u>
<u>3</u>	<u>Anatoly C. Elberg</u>
<u>4</u>	<u>Steven Pierret</u>
<u>5</u>	<u>Jami Greenville</u>

(9) On page 5, line 27, between "DUTIES." and "The", insert "(a)".

(10) On page 6, between lines 2 and 3, insert the following:

(b) The board may not take any action or exercise any power granted under this chapter other than to hold an initial organizational meeting until the development agreement described by Section 3983.03011 is approved by the city and executed by the parties to the agreement.

Sec. 3983.03011. DEVELOPMENT AGREEMENT. (a) The city, the district, and any other entities the city determines are necessary to the agreement may execute a development agreement if approved by the city.

(b) This chapter expires on the fourth anniversary of the effective date of the Act enacting this chapter if the development agreement under Subsection (a) is not executed before that date.

(11) On page 6, between lines 13 and 14, insert the following:

(d) A district improvement project or service must comply with:

(1) the city charter and any city zoning and subdivision requirements;

and

(2) city codes and ordinances.

(e) The district may not provide, conduct, or authorize an improvement project on any street, highway, right-of-way, or easement owned or controlled by the city unless the governing body of the city by resolution consents to the improvement.

(12) On page 6, line 15, between "resolution" and "may", insert ", with the consent of the governing body of the city by resolution,".

(13) On page 7, between lines 2 and 3, insert the following:

(d) The board of the nonprofit corporation shall hold meetings at a place accessible to the public.

(e) The board of the nonprofit corporation must post notice of each meeting with the city secretary not later than 72 hours before the scheduled time of the meeting.

(14) On page 7, line 4, between "interest," and "the district", insert "with the consent of the governing body of the city by resolution,".

(15) On page 7, line 8, between "district" and "may join", insert ", with the consent of the governing body of the city by resolution,".

(16) On page 7, line 12, between "district" and "may", insert ", with the consent of the governing body of the city by resolution,".

(17) On page 8, lines 13 and 14, between "district" and "may add", insert ", with the consent of the governing body of the city by resolution,".

(18) On page 8, between lines 19 and 20, insert the following:

Sec. 3983.0310. EXEMPT PROPERTY. The district may not impose an assessment, fee, tax, or other charge on an exempt property.

Sec. 3983.0311. NO AD VALOREM TAXATION. The district may not impose an ad valorem tax.

(19) On page 8, line 20, strike "3983.0310" and substitute "3983.0312".

(20) On page 9, strike lines 16 through 18, and substitute the following:

(2) are superior to any other lien or claim other than:

(A) a lien or claim for county, school district, or municipal ad valorem taxes; or

(B) a lien filed by the city or securing an obligation owed to the city; and

(21) On page 9, lines 24 and 25, strike "the board" and substitute "a taxing unit, as defined by Section 1.04, Tax Code,".

(22) On page 10, line 3, strike "TAXES AND".

(23) On page 10, strike lines 4 through 19.

(24) On page 10, line 20, strike "3983.0503" and substitute "3983.0501".

(25) On page 10, line 24, strike "ad valorem taxes,".

(26) On page 11, line 1, strike "3983.0504" and substitute "3983.0502".

(27) On page 11, line 4, strike "other than ad valorem taxes".

(28) Strike page 11, line 8, through page 12, line 6, and substitute the following:

Sec. 3983.0503. BONDS AND OTHER OBLIGATIONS FOR IMPROVEMENT UNDER AGREEMENT. If an improvement will be financed by an obligation and the obligation will be secured by the pledge of assessments, the district must enter into an agreement, which may be the development agreement, governing the financing of the improvement before the issuance of the obligation. An obligation issued under this section may be in the form of bonds, notes, or other obligations, payable wholly or partly from assessments, and may be issued, by public or private sale, in the manner provided by Subchapter A, Chapter 372, Local Government Code.

(29) On page 12, line 7, strike "3983.0507" and substitute "3983.0504".

(30) On page 12, line 13, strike "payable from ad valorem taxes".

(31) On page 13, strike lines 1 and 2 and substitute the following:

(c) The city may dissolve the district at any time if:

(1) the development agreement has been executed; and

(2) the district's performance under the agreement has been fulfilled, including any right or obligation the district has to reimburse a developer or owner for the costs of an improvement project.

(d) If the district is dissolved, the board shall transfer ownership of all district property to the city.

(e) The district may not be dissolved if the district:

(32) On page 13, strike lines 13 and 14, and substitute the following:

(f) Subchapter M, Chapter 375, Local Government Code, does not apply to the district.

(33) On page 29, following line 27, add the following:

TRACT 7:

DESCRIPTION, of a 11,682 square foot (0.268 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, Dallas County, Texas; said tract being part of Block 33/3014, Original Town of Oak Cliff, an addition to the City of Dallas, Texas according to the plat recorded in Volume 89, Page 1 of the Map Records of Dallas County, Texas; said tract being all of that certain tract of land described in a Warranty Deed to Javier Marquez recorded in Volume 2004123, Page 12588, all of those certain tracts of land described as "Tracts 1 - 4" in Special Warranty Deed with Vendor's Lien to Texas Heavenly Homes, Ltd. recorded in instrument Number 201200202524 all of the Official Public Records of Dallas County, Texas; said 11,682 square foot (0.268 acre) tract being more particularly described as follows:

BEGINNING, point for corner at the intersection of the north right-of-way line of Comal Street (a 60-foot right-of-way) and the west right-of-way line of Eads Street (a variable width right-of-way);

THENCE, Due West, departing the said west line of Eads Street and along said north line of Comal Street, a distance of 115.00 feet to a point for corner;

THENCE, Due North, departing the said north line of Comal Street, a distance of 41.26 feet to a point for corner;

THENCE, in a northeasterly direction the following three (3) calls;

North 49 degrees, 53 minutes, 58 seconds East, a distance of 68.61 feet to a point for corner;

North 00 degrees, 02 minutes, 44 seconds East, a distance of 21.91 feet to a point for corner;

North 49 degrees, 54 minutes, 00 seconds East, a distance of 81.71 feet to a point for corner, said point being in the said west line of Eads Street;

THENCE, Due South, along the said west line of Eads Street, a distance of 160.00 feet to the POINT OF BEGINNING;

CONTAINING: 11,682 square feet or 0.268 acres of land, more or less.

TRACT 8:

DESCRIPTION of a 1.619 acre tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, Dallas County, Texas; said tract being part of Block 32/3013, Original Town of Oak Cliff, an addition to the City of Dallas, Texas according to the plat recorded in Volume 89, Page 1 of the Map Records of Dallas County, Texas; said tract being all of those certain tracts of land described as "Tracts 5-11" in Special Warranty Deed with Vendor's Lien to Texas Heavenly Homes, LTD recorded in Instrument No. 201200202524, all of that certain tract of land described in Deed of Distribution to Don Ray Peterson and William Hodges recorded in Volume 2004193, Page 9173, all of those certain tracts of land described in Warranty Deeds to Mary Alice Jones and Booker T. Jones in Instrument No. 200900056560 and to T.N. Hubbard and Jesus Berrones recorded in Volume 2004193, Page 9173, all of that certain tract of land described in Sherriff's Deeds to Golden Gate Missionary Baptist Church, Inc. recorded in Instrument No. 200900056560, all of that certain tract of land described in Special Warranty Deed to Golden gate Missionary Baptist Church, Inc. recorded in Instrument No. 20080033825, all of that certain tract of land described in General Warranty Deed to Andrew J. Ramler recorded in Instrument 201900057343, all of those certain tract of land described in Privilege Lien to Ora Lee Bibles recorded in Instrument No. 201700156633 and Sharon Smith recorded in Instrument No. 201700203674 and all of that certain tract of land described in Affidavit of Facts Concerning Identity of Heirs to Erving Frederick et al recorded in Instrument No. 201800263594 all of the said Official Public Records of Dallas County, Texas; all of that certain tract of land described in Sherriff's Deed to Kent Bell and Henry Coleman recorded in Volume 98227, Page 4291, all of that certain tract of land described in Deed of Distribution to William M. Peterson recorded in Volume 96158, Page 5313 and all of that certain tract of land described in Special Cash Warranty Deed to Dorothy Jones recorded in Volume 98227, Page 4291 all of the Deed Records of Dallas County, Texas; said 1.619 acre tract being more particularly described as follows:

BEGINNING, at the intersection of the north right-of-way line of Comal Street (a 60-foot wide right-of-way) and the east right-of-way line of Eads Avenue (a 60-foot wide right-of-way);

THENCE, Due North, departing the said north line of Comal Street and along the said east line of Eads Avenue a distance of 496.22 feet to a point for corner;

THENCE, Due East, departing the said east line of Eads Avenue a distance of 15.86 feet to a point for corner;

THENCE, in a southeasterly direction the following six (6) calls:

South 29 degrees, 59 minutes, 42 seconds East, a distance of 118.75 feet to a point for corner;

South 36 degrees, 35 minutes, 34 seconds East, a distance of 28.11 feet to a point for corner;

South 36 degrees, 35 minutes, 34 seconds East, a distance of 49.82 feet to a point for corner;

South 36 degrees, 35 minutes, 33 seconds East, a distance of 46.23 feet to a point for corner;

South 36 degrees, 35 minutes, 35 seconds East, a distance of 28.17 feet to a point for corner;

South 35 degrees, 31 minutes, 06 seconds East, a distance of 41.24 feet to a point for corner on the west right-of-way line of Millard Street (a 27.5-foot wide right-of-way);

THENCE, Due South along the said west line of Millard Street, a distance of 237.50 feet to a point for corner at the intersection of the said north line of Comal Street and the west line of Millard Street;

THENCE, Due west, departing the said west line of Millard Street a distance of 190.00 feet to a the POINT OF BEGINNING;

CONTAINING: 70,540 square feet or 1.619 acres of land, more or less.

TRACT 9:

DESCRIPTION of a 23,603 square feet or 0.542 acre tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, Dallas County, Texas; said tract being part Lot 9 and all of Lot 10 of Block 32/3013, Original Town of Oak Cliff, an addition to the City of Dallas, Texas according to the plat recorded in Volume 89, Page 1 of the Map Records of Dallas County, Texas; said tract being all of those certain tracts of land described in General Warranty Deed to Mary Duran recorded in Instrument No. 201800301349, all of both certain tracts of land described as "Tracts 13 and 14" in Special Warranty Deed with Vendor's Lien to Texas Heavenly Homes, LTD recorded in Instrument No. 201200202524, all of that certain tract of land described in Quitclaim Deed to Cristal Benitez recorded in Instrument No. 201200302576, all of that certain tract described in Agreed Judgment to City of Dallas recorded in Instrument No. 201300255675 all of the Official Public Records of Dallas County, Texas, all of that certain tract of land described in General Warranty Deed to Rosario Cejas recorded in Volume 92003, Page 2527 and all of that certain tract of land described in Cash Warranty Deed to Joe Beeves II, recorded in Volume 88024, Page 2266 both of the Deed Records of Dallas County, Texas; 23,603 square feet or 0.542 acre tract being more particularly described as follows:

BEGINNING, at the intersection of the north right-of-way line of Comal Street (a 60-foot wide right-of-way) and the east right-of-way line of Millard Street (a 27.5-foot wide right-of-way);

THENCE, Due North, departing the said north line of Comal Street and along the said east line of Millard Street a distance of 195.19 feet to a point for corner; said point being the northwest corner of the said Lot 9;

THENCE, Due East, departing the said east line of Millard Street and along the north line of said Lot 9, a distance of 24.76 feet to a point for corner;

THENCE, into and across Lot 9, the following three (3) calls:

South 36 degrees, 35 minutes, 35 seconds East, a distance of 65.62 feet to a point for corner;

South 36 degrees, 35 minutes, 31 seconds East, a distance of 37.36 feet to a point for corner;

South 37 degrees, 20 minutes, 49 seconds East, a distance of 31.45 feet to a point for corner in the north line of said Lot 10;

THENCE, Due East, along the said north line of Lot 10, a distance of 84.77 feet to a point for corner in the west line of Cliff Street (a 40-foot wide right-of-way);

THENCE, Due South, along the said west line of Cliff Street, a distance of 87.50 feet to a point for corner at the intersection of the said west line of Cliff Street and the said north line Comal Street;

THENCE, Due West, departing the said west line of Cliff Street and along the north line of Comal Street, a distance of 190.00 feet to the POINT OF BEGINNING;

CONTAINING: 23,603 square feet or 0.542 acres of land, more or less.

TRACT 10:

DESCRIPTION, of a 1,284 square foot (0.029 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being part of Lot 5, Haynes and Thompson Subdivision of Lots 2 & 5 and part of Lots 1 and 6, Block 46/3027, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2, Page 144 of the Map Records of Dallas County, Texas; said tract also being all of that certain tract of land described in Special Warranty Deed to GRTP, LTD. recorded in Volume 97039, Page 3062, of the Deed Records of Dallas County, Texas; said 1,284 square foot tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the north right-of-way line of Dodd Street (a 30-foot wide right-of-way) and the west right-of-way line of a 15-foot wide alley created by said Haynes and Thompson's plat;

THENCE, Due West, departing said west 15-foot wide alley and along said north line of Dodd Street, a distance of 16.61 feet to a point for corner;

THENCE, North 02 degrees, 01 minutes, 41 seconds East, departing said north line of Dodd Street and into and across said Lot 5, a distance of 85.05 feet to a point for corner in the north line of said Lot 5;

THENCE, Due East, along said north line of Lot 5, a distance of 13.60 feet to a point for corner in the said west line of a 15-foot wide alley;

THENCE, Due South, along said west line of a 15-foot wide alley, a distance of 85.00 feet to the POINT OF BEGINNING;

CONTAINING: 1,284 square feet or 0.029 acres of land, more or less.

TRACT 11:

DESCRIPTION, of a 35,910 square foot (0.824 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being all of

Lot 4, Block 46, Original Town of Oak Cliff, an addition to the City of Dallas, Texas according to the plat recorded in Volume 89, Page 1 of the Deed Records of Dallas County, Texas, transcribed in Volume 3, Page 516 of the Map Records of Dallas County, Texas; said tract also being all of Lots 6, 7, 8, 9, and 10 of Hanes and Thompson's Subdivision of Lots 2 and 5 and Part of Lots 1 and 6 Block 46/3027, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2, Page 144 of the Map Records of Dallas County, Texas; said tract also being all of those certain tracts of land described in the following Warranty Deeds: Martha Hernandez recorded in Instrument No. 201600003068 of the Official Public Records of Dallas County, Texas, Golden Gate Missionary Baptist Church, Inc. recorded in Volume 78133, Page 2125 of said Deed Records, Golden Gate Missionary Baptist Church, Inc. recorded in Volume 86176, Page 160 recorded in said Deed Records, James Earl Jones recorded in Volume 90020, Page 1810 of said Deed Records; and in the following Special Warranty Deeds: Adrian D. Williams recorded in Instrument 201800262780 of said Official Public Records and Golden Gate Missionary Baptist Church, Inc. recorded in Volume 2004154, Page 9651 of said Deed Records; and in the Warranty Deed With Vendors' Lien to Jose Salvador recorded in Volume 2002103, Page 7873 in said Deed Records, General Warranty Deed to Texas Heavenly Homes, Ltd. recorded in Instrument No. 201000057993 in said Official Public Records, and Amended And Restated Quitclaim Deed to Golden Gate Missionary Baptist Church, Inc. recorded in Instrument No. 201200061836 in said Official Public Records; said 35,910 square foot tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the west right-of-way line of Eads Avenue (a 60-foot wide right-of-way) and the south right-of-way line of Comal Street (a 60-foot wide right-of-way);

THENCE, Due South, departing the said south line of Comal Street and with said west line of Eads Avenue, a distance of 189.00 feet to a point for corner in the north right-of-way line of Dodd Street (a 30-foot right-of-way);

THENCE, Due West, departing the said west line of Eads Avenue and along the said north line of Dodd Street, a distance of 190.00 feet to a point for corner in the east line of a 15-foot wide alley created by said Original Town of Oak Cliff plat;

THENCE, Due North, departing the said north line of Dodd Street and along the said east line of a 15-foot wide alley, a distance of 189.00 feet to a point for corner in the said south line of Comal Street;

THENCE, Due East, a distance of 190.00 feet to the POINT OF BEGINNING;

CONTAINING: 35,910 square feet or 0.824 acres of land, more or less.

TRACT 12:

DESCRIPTION, of a 34,200 square foot (0.785 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, Dallas County, Texas; said tract being part of Lot 4A, Block 47/3028, Golden Gate Baptist Church Addition, an addition to the City of Dallas, Texas according to the plat recorded in 200107700001 of the Official Public Records of Dallas County, Texas said tract also being part of that certain tract of land described in Warranty Deed described as Golden Gate Baptist Church recorded in Volume 85105, Page 548 of the Deed Records of Dallas County, Texas, all of that certain tract of land described in Warranty Deed to Stephani A. and Megan Knauss recorded in Instrument No. 201600227270, all of that certain tract described in Warranty Deed to Cameron Cayce LTD recorded in Volume 2002124, Page 3945, all of that certain tract described in Quitclaim Deed to Cristal Benitez recorded in Instrument No. 201600227227, all of that certain tract of land described in Warranty Deed Reserving Mineral Rights to Enrique Marquez and Martha Marquez recorded in Instrument No. 200900056560, all of that certain tract of land described in Amended and Restated Quitclaim Deed to Golden Gate Missionary Baptist Church, Inc. recorded in Instrument No. 201200061835, all of that certain tract of land described in Sheriff's Deed to Kuthuru, LLC recorded in Instrument No. 201700307298 all of the said Official Public Records, all of those certain tracts of land described as John D. Turner and Lewis LT as per Dallas County Appraisal District; said 34,200 square foot (0.785 acre) tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the south right-of-way line of Comal Street (a 60-foot width right-of-way) and the east right-of-way line of Eads Avenue (a 60-foot width right-of-way) said point also being the northwest corner of said Stephani A Kyle and Megan E Knauss tract;

THENCE, Due East, departing the said east line of Eads Street and along the said south line of Comal Street, a distance of 180.00 feet to point for corner;

THENCE, Due South, departing the said south line of Comal Street and along the west right-of-way line of Millard Street (a 37.50-foot right-of-way), a distance of 190.00 feet to a point for corner;

THENCE, Due West, departing the said west line of Millard Street and along the north right-of-way line of Dodd Street (a 30-foot width right-of-way), a distance of 180.00 feet to a point for corner;

THENCE, Due North, departing the said north line of Dodd Street and along the said east line of Eads Avenue, a distance of 190.00 feet to the POINT OF BEGINNING;

CONTAINING: 34,200 square feet or 0.785 acres of land, more or less.

TRACT 13:

DESCRIPTION, of a 31,927 square foot (0.733 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, Dallas County, Texas; said tract being all of that certain tract of land described in Warranty Deed with Vendor's Lien to Living Waters Family Worship Center, Inc. recorded in

Instrument Number 201700096845 of the Official Public Records of Dallas County Texas; said 31,927 square foot (0.733 acre) tract being more particularly described as follows:

BEGINNING, at a point for corner at the north end of a right-of-way corner clip at the intersection of the south right-of-way line of Comal Street (a 60-foot right-of-way) and the east right-of-way line of Millard Street (a 37.50-foot right-of-way);

THENCE, Due East, departing the said right-of-way corner clip and along said south line of Comal Street, a distance of 152.50 feet to a point for corner at the north end of a right-of-way corner clip at the intersection of the said south line of Comal Street and the west right-of-way line of North Cliff Street (a 45-foot wide right-of-way);

THENCE, South 45 degrees, 00 minutes, 00 seconds East, along the said corner clip, a distance of 14.14 feet to a point for corner at the east end of a right-of-way corner clip, said point being in the west line of Cliff Street;

THENCE, Due South, departing the said corner clip and along the said west line of North Cliff Street, a distance of 166.25 feet to a point for corner at the north end of a right-of-way corner clip at the intersection of the west line of North Cliff Street and the north right-of-way line of Dodd Street (a 40.50-foot wide right-of-way);

THENCE, South 45 degrees, 00 minutes, 00 seconds West, along the said corner clip, a distance of 14.14 feet to a point for corner in the said north line of Dodd Street;

THENCE, Due West, departing the said right-of-way corner clip and along the said north line of Dodd Street, a distance of 152.50 feet to a point for corner;

THENCE, North 45 degrees, 00 minutes, 00 seconds West, along the said right-of-way corner clip, a distance of 14.14 feet to point for corner in the east right-of-way line of Millard Street (a;

THENCE, Due North, departing the said right-of-way corner clip and along the said east line of Millard Street, a distance of 166.25 feet to a point for corner at the south end of the said right-of-way corner clip;

THENCE, North 45 degrees, 00 minutes, 00 seconds East, along the said right-of-way corner clip, a distance of 14.14 feet to the POINT OF BEGINNING;
CONTAINING: 31,927 square feet or 0.733 acres of land, more or less.

TRACT 14:

DESCRIPTION, of a 916 square foot (0.021 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being part of Lot 17, Block 46/3027, Haynes and Thompson Subdivision of Lots 2 and 5 and parts of Lots 1 and 6 in Block 46/2027, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2, Page 144 of the Map Records of Dallas County, Texas; said tract also being all of that certain tract of land described in Deed Without Warranty to State of Texas recorded in Instrument No. 201300091421 of the Official Public Records of Dallas County, Texas; said 916 square foot tract being more particularly described as follows:

BEGINNING, at a point for corner in the south right-of-way line of Dodd Street (a 30-foot wide right-of-way); said point also being the northeast corner of said Lot 17;

THENCE, Due South, departing said south line of Dodd Street and along the east line of State of Texas tract, a distance of 82.13' feet to a point for corner;

THENCE, North 15 degrees, 11 minutes, 27 seconds West, a distance of 85.10 feet to a point for corner in the said south line of Dodd Street;

THENCE, Due East, a distance of 22.30 feet to the POINT OF BEGINNING;

CONTAINING: 916 square feet or 0.021 acres of land, more or less.

TRACT 15:

DESCRIPTION, of a 361 square foot (0.008 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being part of Lot 16, Block 46/3027, Haynes and Thompson Subdivision of Lots 2 and 5 and a part of Lots 1 and 6 in Block 46/2027, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2, Page 144 of the Map Records of Dallas County, Texas; said tract also being all of that certain tract of land described in Correction Warranty Deed with Vendor's Lien to John Proctor and Christine Proctor dba 2nd Chance Foundation recorded in Instrument No. 201000035414 of the Official Public Records of Dallas County, Texas; said 361 square foot tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the south right-of-way line of Dodd Street (a 30-foot wide right-of-way) and the west right-of-way line of 15-foot wide alley created by said Haynes and Thompson's Subdivision; said point also being the northeast corner of said Lot 16;

THENCE, Due South, departing the said south line of Dodd Street, along the said west line a 15-foot alley and the east line of said Lot 16, a distance of 72.77 feet to a point for corner;

THENCE, North 07 degrees, 46 minutes, 14 seconds West, departing the said west line of a 15-foot alley and the east line of said Lot 16, into and across said Lot 16, a distance of 73.44 feet to a point for corner in the said south line of Dodd Street and the north line of said Lot 16;

THENCE, Due East, a distance of 9.93 feet to the POINT OF BEGINNING;

CONTAINING: 361 square feet or 0.008 acres of land, more or less.

TRACT 16:

DESCRIPTION of a 34,050 square feet or (0.782 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being all of Lots 6 through 15, Block 46/3027, Haynes and Thompson Subdivision of Lots 2 and 5 and a part of Lots 1 and 6 in Block 46/2027, an addition to the City of Dallas, Texas according to the plat recorded in Volume 2, Page 144 of the Map Records of Dallas County, Texas; said tract also being all of those certain tracts described in Amended and Restated Quitclaim Deed to Golden Gate Missionary Baptist Church, INC recorded in Instrument No. 201200061837, 201200061832, and 201200061834, all of that certain tract of land described in Warranty Deed with Vendor's Lien to Mario Martinez

recorded in Instrument No. 20080233060, all that certain tract of land described in Warranty Deed with Vendor's Lien to Efrain Marquez recorded in Instrument No. 200900274831, all of that certain tract of land described in Quitclaim Deed to Golden Gate Baptist Church recorded in Instrument No. 201500279436 all of the Official Public Records of Dallas County, Texas and all of that certain tract of land described in Quitclaim Deed to Golden Gate Baptist Church recorded in Volume 97162, Page 2473, of the said Deed Records; all of that certain tract described in Deed to Rachael D. Price recorded in Volume 97028, Page 2149 of the said Deed Records, all of that certain tract of land described in Deed to Freddie Kemp, JR recorded in Volume 86107, Page 5199 of the said Deed records, that certain tract of land recorded in Volume 2002027, Page 7476 of the said Map records and all of those tracts of land described to Diana Hayes and Crocket Maggie as per Dallas County Appraisal District; said 34,050 square feet or (0.782 acre) tract acre tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the south right-of-way line of Dodd Street (a 30-foot wide right-of-way) and the said west right-of-way line of 15-foot wide alley created by said Haynes and Thompson's Subdivision;

THENCE, Due East, along the said south line of Dodd Street a distance of 190.00 feet to a point for corner at the intersection of the south line of Dodd Street and the west right-of-way line of Eads Avenue (a 60-foot wide right-of-way);

THENCE, departing the said south line of Dodd Street and along the said west line of Eads Avenue the following three (3) calls:

Due South, a distance of 84.00 feet to a point for corner;

Due East, a distance of 11.00 feet to a point for corner;

Due South, a distance of 90.00 feet to a point for corner at the intersection of the said west line of Eads Avenue and the north right-of-way line of Reverend CBT Smith Street formerly known as Sabine Street (a 60-foot width right-of-way);

THENCE, Due West, along the said north line of Reverend CBT Smith Street a distance of 201.00 feet to a point for corner at the intersection of the north line of Reverend CBT Smith Street and the said east line of 15-foot alley;

THENCE, Due North, a distance of 174.00 feet to the POINT OF BEGINNING;

CONTAINING: 34,050 square feet or 0.782 acres of land, more or less.

TRACT 17:

DESCRIPTION of a 2.674 acre (116,495 square foot) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being all of Lot 1A, Block 47/3028, Golden Gate Baptist Church Addition, an addition to the City of Dallas according to the plat recorded in Volume 2001077, Page 1 of the Deed Records of Dallas County, Texas; being all of that tract of land in Warranty Deed to James Earl Jones recorded in Volume 81158, Page 679 of said Deed Records and being all of part of that tract of land described in Sherriff's Deed to the City of Dallas recorded in Instrument Number 201200042873 of the Official Public Records of Dallas

County, Texas; and being described in Warranty Deed to Golden Gate Missionary Baptist Church recorded in Volume 2005042, Page 2157 of said Official Public Records and being all of that tract of land and being described in Warranty Deed to Golden Gate Baptist Church recorded in Volume 2003168, Page 13199 of said Deed Records; said 2.674 acre tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the south right-of-way line of Dodd Street (a variable width right-of-way) and the east right-of-way line of Eads Avenue (a 60-foot wide right-of-way)

THENCE, along the said south line of Dodd Street, the following three (3) calls:

Due East, a distance of 190.00 feet to a point for corner;

Due South, a distance of 4.00 feet to a point for corner;

Due East, a distance of 205.00 feet to a point for corner in the west right-of-way line of N. Cliff Street (a 40-foot wide right-of-way);

THENCE, Due South, departing the said south line of Dodd Street and along the said west line of N. Cliff Street, a distance of 293.00 feet to a point for corner in the north right-of-way line of Reverend CBT Smith Street (formerly known as Sabine Street) (a 60-foot wide right-of-way);

THENCE, Due West, departing the said west line of N. Cliff Street, and along the said north line of Reverend CBT Smith Street, a distance of 395.00 feet to a point for corner in the said east line of Eads Avenue;

THENCE, Due North, departing the said north line of Reverend CBT Smith Street and along the said east line of Eads Street, a distance of 297.00 feet to the POINT OF BEGINNING;

CONTAINING: 116,495 square feet or 2.674 acres of land, more or less.

TRACT 18:

DESCRIPTION, of a 30,008 square foot (0.689 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being part

Lots 11, 18, and 19, and all of Lots 12, 13, 14, 15, 16, and 17, Block 51/3032, Mrs. H.C. Weaver Estate Subdivision, an addition to the City of Dallas, Texas according to the Plat recorded in Volume 4, Page 88 of the Map Records of Dallas County, Texas; said tract also being all of those certain tracts of land described in Quitclaim Deeds to Lucy Davis recorded in Volume 86133, Page 1183 of the said Deed Records, all of that certain tract of land described in Warranty Deed to Efrain Marquez recorded in Instrument No. 201300337015, all of that certain tract of land described in Amended and Restated Quitclaim Deed to Golden Gate Missionary Baptist Church, Inc. recorded in Instrument No. 201200061833, all of that certain tract of land described in Quitclaim Deed to Alene Lenard and Charlie C. Mickey recorded in Instrument No. 201200061833, all of the certain tract of land described in Quitclaim Deed to Skyview Development, LLC recorded in Instrument No. 201400205450, all of that certain tract of land described in Deed without Warranty Deed to Skyview Development, LLC recorded in Instrument No. 201600184150, all of that certain tract of land described in Warranty Deed to Jessie Mae Tutson recorded in Instrument No. 201400205450 all of the Official Public Records of Dallas

County, Texas, all of that certain tract of land described in Warranty Deed with Vendor's Lien to Nery Garoz and Leonor Martinez recorded in Volume 94147, Page 2539 of the said Deed Records and that certain tract of land described in Warranty Deed with Vendor's Lien to Maria Concepcion Magallanes recorded in Volume 2004017, Page 9979 of the Map Records of Dallas County, Texas; said 30,008 square foot tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the south right-of-way line of Reverend CBT Smith Street formerly known as Sabine Street (a 60-foot wide right-of-way) and the west right-of-way line of Eads Avenue (a 60-foot wide right-of-way);

THENCE, South 00 degrees, 01 minutes, 43 seconds East, departing said south line of Reverend CBT Smith Street and along the said west line of Eads Avenue, a distance of 169.03 feet to a point for corner;

THENCE, South 87 degrees, 45 minutes, 56 seconds West, departing the said west line of Eads Avenue, a distance of 135.70 feet to a point for corner in the east right-of-way line of Interstate Highway No. 35 (a variable width right-of-way);

THENCE, along the said east line of Interstate 35, the following five (5) calls:

North 20 degrees, 07 minutes, 19 seconds West, a distance of 74.11 feet to a point for corner;

North 53 degrees, 35 minutes, 29 seconds West, a distance of 22.32 feet to a point for corner;

North 22 degrees, 12 minutes, 28 seconds West, a distance of 96.43 feet to a point for corner;

South 53 degrees, 05 minutes, 30 seconds East, a distance of 31.29 feet to a point for corner;

Due North, a distance of 21.00 feet to a point for corner in said south line of Reverend CBT Smith Street;

THENCE, Due East, a distance of 190.40 feet to the POINT OF BEGINNING;

CONTAINING: 30,008 square feet or 0.689 acres of land, more or less.

TRACT 19:

DESCRIPTION, of a 20,867 square foot (0.479 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being all of

Lot 1, Block 50, Original Town of Oak Cliff, an addition to the City of Dallas, Texas according to the plat recorded in Volume 89, Page 1 of the Deed Records of Dallas County, Texas, transcribed in Volume 3, Page 516 of the Map Records of Dallas County, Texas; said tract being all of those certain tracts of land described in Warranty Deed to Golden Gate Missionary Baptist Church, Inc recorded in Volume 84134, Page 1945 of said Deed Records and Instrument No. 20070314003 of the Official Public Records of Dallas County Texas and all of that certain tract of land described in General Warranty Deed to Golden Gate Missionary Baptist Church, Inc recorded in Volume 2004238, Page 3508 of said Official Public Records and all of that certain tract of land described in Special

Warranty Deed with Vendor's Lien to Salvador Lopez and wife Gloria Lopez recorded in Instrument No. 20070165532 and Texas Heavenly Homes, LTD. recorded in Instrument No, 2001200202524 both of said Official Public Record, all of that certain tract of land described in Affidavit of Heirship to Peggie M. Washington recorded in Instrument No. 201700332317 of the said Official Public Records and all of that certain tract of land recorded in Warranty Deed to Dorothy M. Williams recorded in Volume 84134, Page 3508 of the said Deed Records said 20,867 square foot tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the south right-of-way line of Reverend CBT Smith Street Formerly known as Sabine Street (a 60-foot wide right-of-way) and the west right-of-way line of Millard Street (a variable width right-of-way);

THENCE, Due South, along the west line of said Millard Street, a distance of 179.65 feet to a point for corner in the northeast right-of-way line of Hutchins Avenue (a variable width right-of-way);

THENCE, North 53 degrees, 41 minutes, 03 seconds West, departing said west line of Millard Street and along the said northeast line of Hutchins Avenue, a distance of 235.80 feet to a point for corner in the east right-of-way line of Eads Avenue (a variable width right-of-way);

THENCE, Due North, departing said northeast line of Hutchins Avenue and along said east line of Eads Avenue, a distance of 40.00 feet to a point for corner in said south line of Reverend CBT Smith Street;

THENCE, Due East, departing said east line of Eads Avenue and along the said south line of Reverend CBT Smith Street, a distance of 190.00 feet to the POINT OF BEGINNING;

CONTAINING: 20,867 square feet or 0.479 acres of land, more or less.

TRACT 20:

DESCRIPTION of a 1.008 acre tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being all of Lot 2A, Block 50/3031, Golden Gate Baptist Church Annex, an addition to the City of Dallas, Texas according to the plat recorded in Instrument No. 200600118651 of the Official Public Records of Dallas County, Texas; said tract also being all of that certain tract of land described in Warranty Deed to Golden Gate Baptist Church recorded in Instrument No. 199300075968 of the said Official Public Records; said 1.008 acre tract being more particularly described as follow:

BEGINNING, at a point for corner at the intersection of the south right-of-way line of Reverend CBT Smith Street formerly know as Sabine Street (a 60-foot wide right-of-way) and the west right-of-way line of Cliff Street (a 48-foot wide right-of-way);

THENCE, Due South, departing said south line of Sabine Street and along said west line of Cliff Street, a distance of 317.03 feet to a point for corner in northeast right-of-way line of Hutchins Avenue (a variable width right-of-way);

THENCE, North 53 degrees, 17 minutes, 15 seconds West, departing said west line of Cliff Street and along the said northeast line of Hutchins Avenue, a distance of 208.32 feet to a point for corner in the east line of Millard Street (a variable width right-of-way);

THENCE, departing said northeast line of Hutchins Avenue and along the said east line of Millard Street the following three (3) calls:

Due North, a distance of 102.50 feet to a point for corner;

Due West, a distance of 15.00 feet to a point for corner in the centerline of said Millard Street;

Due North, along the said centerline of Millard Street, a distance of 90.00 feet to a point for corner at the intersection of the centerline of Millard Street and the said south line of Reverend CBT Smith Street;

THENCE, Due East, departing said centerline of Millard Street and along said south line of Reverend CBT Smith Street, a distance of 182.00 feet to the POINT OF BEGINNING;

CONTAINING: 43,896 square feet or 1.008 acres of land, more or less.

TRACT 21:

DESCRIPTION, of a 1.288 Acre tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being part of Lot 6 and Lot 7, Block 51 and part Lots 4, 5, and 6, Block 64, Original Town of Oak Cliff, an addition to the City of Dallas, Texas according to the plat recorded in Volume 89, Page 1 of the Deed Records of Dallas County, Texas, transcribed in Volume 3, Page 516 of the Map Records of Dallas County, Texas; said tract also being all of those certain tracts of land described in Special Warranty Deeds to Skyview Development, LLC recorded in Instrument No. 201300358960 and Volume 2003245, Page 10489, all of the Official Public Records of Dallas County, Texas and all of that certain tract of land described in Special Warranty Deed to Skyview Development, LLC recorded in Instrument No. 201300379018 of the Official Public Records of Dallas County, Texas; said 1.288 acre tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the west right-of-way line of Eads Avenue (a 60-foot wide right-of-way) and the north right-of-way line of Sixth Street (a 60-foot wide right-of-way);

THENCE, North 89 degrees, 51 minutes, 00 seconds West, departing the said west line of Eads Avenue and along the said north line of Sixth Street, a distance of 123.40 feet to a point for corner in the east right-of-way line of Interstate 35-E (a variable width right-of-way);

THENCE, departing the said north line of Sixth Street and along the said east line of Interstate 35-E, the following eighth (8) calls:

North 00 degrees, 12 minutes, 30 seconds East, a distance of 109.60 feet to a point for corner;

Due West, 2.00 feet to a point for corner;

Due North, 100.00 feet to a point for corner;

South, 89 degrees, 51 minutes, 00 seconds East, a distance of 30.00 feet to a point for corner;

Due North, a distance of 199.76 feet to a point for corner in the said south line of Fifth Street;

Due West, a distance of 34.54 feet to a point for corner;

North 12 degrees, 01 minutes, 10 seconds West, a distance of 62.23 feet to a point for corner;

Due North, a distance of 24.13 feet to a point for corner at the intersection of the said east line of Interstate 35-E and the south right-of-way line of Red Oak Street (a 60-foot wide right-of-way);

THENCE, Due East, departing the said east line of Interstate 35-E and along said south line of Red Oak Street, a distance of 103.00 feet to a point for corner in the southwest right-of-way line of Hutchins Avenue (a variable width right-of-way);

THENCE, South 51 degrees, 27 minutes, 38 seconds East, departing the said south line of Red Oak Street and along the said southwest line of Hutchins Avenue, a distance of 50.50 feet to a point for corner in the said west line of Eads Avenue;

THENCE, Due South, departing the said southwest line of Hutchins Avenue and along the said west line of Eads Avenue a distance of 463.13 feet to the POINT OF BEGINNING;

CONTAINING: 56,087 square feet or 1.288 acres of land, more or less.

TRACT 22:

DESCRIPTION, of a 42,481 square foot (0.975 acre) tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being part of Lots 4, 5, and 6, Block 67, Original Town of Oak Cliff, an addition to the City of Dallas, Texas according to the plat recorded in Volume 89, Page 1 of the Deed Records of Dallas County, Texas, transcribed in Volume 3, Page 516 of the Map Records of Dallas County, Texas; all of that certain tract of land described in Special Warranty Deed to Kirby's Kreative Learning Center Inc. Volume 2002144, Page 8075 of the Map Records of Dallas County, Texas, all that certain tract of land described in Warranty Deed with Vendor's Lien to Twameeka Wisner recorded in Volume 97216, Page 5775 of the said Deed Records, all of that certain tract of land described in General Warranty Deed to Morris and Katherine Morris recorded in Volume 2005171, Page 11103 of the said Official Public Records, all of that certain tract of land described in Warranty Deed to County of Dallas recorded in Volume 75244, Page 1352 of the said Deed Records; said 42,481 square foot tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the west right-of-way line of Eads Avenue (a 60-foot wide right-of-way) and the south right-of-way line of Sixth Street (a 60-foot wide right-of-way);

THENCE, Due South, departing the said south line of Sixth Street and along the said west line of Eads Avenue, a distance of 309.60 feet to a point for corner in the north right-of-way line of Seventh Street (a 60-foot right-of-way);

THENCE, North 89 degrees, 51 minutes, 00 seconds West, departing the said west line of Eads Avenue and along the said north line of Seventh Street, a distance of 131.00 feet to a point for corner in the east right-of-way line of Interstate 35-E (a variable width right-of-way);

THENCE, departing said north line of Seventh Street and along the said east line of Interstate 35-E, the following four (4) calls:

North 05 degrees, 33 minutes, 59 seconds West, a distance of 70.35 feet to an angle point for corner;

North 00 degrees, 08 minutes, 39 seconds East, a distance of 30.00 feet to a point for corner;

North 00 degrees, 09 minutes, 21 seconds East, a distance of 100.00 feet to a point for corner;

Due North, 109.60 feet to a point for corner;

THENCE, South 89 degrees, 51 minutes, 00 seconds East, departing the said east line of Interstate 35-E and along the said south line of Sixth Street a distance of 138.00 feet to the POINT OF BEGINNING;

CONTAINING: 42,481 square feet or 0.975 acres of land, more or less.

TRACT 23:

DESCRIPTION of a 1.349 acre tract of tract of land situated in the Elizabeth Robertson Survey, Abstract No. 1211, City of Dallas, Dallas County, Texas; said tract being part of Lots 3, 4, Block 3062, Original Town of Oak Cliff, an addition to the City of Dallas, Texas according to the plat recorded in Volume 89, Page 1 of the Deed Records of Dallas County, Texas, transcribed in Volume 3, Page 516 of the Map Records of Dallas County, Texas; all of Lot 13A, Block 81/3062 of I-35 & Eight Addition, an addition to the City of Dallas recorded in Volume 98142, Page 2169 of the said Deed Records; all of that certain tract of land described in Special Warranty Deed to Victron Stores, L.P. recorded in Instrument No. 20070440769 of the Official Public Records of Dallas County, Texas, all of that certain tract of land described in Deed to the County of Dallas recorded in Volume 75248, Page 736 of the said Deed Records, all of that certain tract of land described in Quitclaim Deed to Dallas County Publics Work Dept. recorded in Volume 2000109, Page 8376 of the Deed Records of Dallas County, Texas and all of that certain tract of land described as County of Dallas as shown on the Dallas County Appraisal District; and appearing to be owned by the County of Dallas said 1.349 acre tract being more particularly described as follows:

BEGINNING, at a point for corner at the intersection of the west right-of-way line of Eads Avenue (a 60-foot wide right-of-way) and the south right-of-way line of Seventh Street (a 60-foot right-of-way);

THENCE, Due South, departing the said south line of Seventh Street and along the said west line of Eads Avenue a distance of 510.72 feet to a point for corner at the intersection of the west line of Eads Avenue and the north right-of-way line of Eighth Street (a 60-foot wide right-of-way);

THENCE, departing the said west line of Eads Avenue and along the said North line of Eighth Street the following four (4) calls:

North 89 degrees, 58 minutes, 20 seconds West, a distance of 70.00 feet to a point for corner;

Due North, a distance of 4.60 feet to a point for corner;

North 76 degrees, 06 minutes, 19 seconds West, a distance of 41.28 feet to a point for corner;

North 37 degrees, 41 minutes, 50 seconds West, a distance of 15.67 feet to a point for corner at the intersection of the said north line of Eighth Street and the east right-of-way line of Interstate 35-E (a variable width right-of-way);

THENCE, along the said east line of Interstate 35-E the following three (3) calls:

North 00 degrees, 40 minutes, 40 seconds East, a distance of 198.13 feet to a point for corner;

North 02 degrees, 17 minutes, 06 seconds East, a distance of 60.29 feet to a point for corner;

North 00 degrees, 42 minutes, 25 seconds East, a distance of 226.42 feet to a point for corner at the intersection of the said east line of Interstate 35-E and the said north line of Seventh Street;

THENCE, South 89 degrees, 29 minutes, 50 seconds East, departing the said east line of Interstate 35-E and along the said south line of Seventh Street, a distance of 112.25 feet to the POINT OF BEGINNING;

CONTAINING: 58,784 square feet or 1.349 acres of land, more or less.

Amendment No. 1 was adopted.

HB 4733, as amended, was passed to engrossment. (Hunter recorded voting no.)

POSTPONED BUSINESS

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

CSHB 3557 ON SECOND READING **(by Paddie)**

CSHB 3557, A bill to be entitled An Act relating to civil and criminal liability for engaging in certain conduct involving a critical infrastructure facility; creating criminal offenses.

CSHB 3557 was read second time earlier today, postponed until 3:30 p.m. today, and was again postponed until this time.

CSHB 3557 - REMARKS

REPRESENTATIVE PADDIE: Members, I appreciate your patience on delaying this a couple of times. We were trying to work out some details in addressing some concerns. I'm going to do a layout, and then I'm going to have an amendment that will address some of the things that we've tried to work on with folks. And that will be followed by an amendment to an amendment by Mr. Moody, and I do want to thank Mr. Moody for working with me to alleviate some of his concerns as well. And so with that, Mr. Speaker, **CSHB 3557** would create civil and criminal liability for a person who damages, destroys, or tampers with critical infrastructure. We have existing laws relating to trespass and relating

to damage to critical infrastructure. **CSHB 3557** simply seeks to increase these penalties in an effort to deter individuals from committing these crimes. It's worth noting that this bill does not—I repeat, does not—affect those who choose to peacefully protest for any reason. This bill would only attach liability to those who intentionally damage or destroy critical infrastructure facilities. Intentional damages to these types of facilities have the potential to cause harm and death to individuals, disrupt our economy, endanger national security, and can result in harmful damage to the environment. **CSHB 3557** seeks to deter individuals from causing damage to these facilities through this additional liability. It also creates certain liability for an organization that compensates a person for doing such damage to a critical infrastructure. These damages are typically done as part of an act of protest. While it is our constitutional, secured right to protest, that can be done peacefully and without causing damage to these facilities.

Amendment No. 1

Representative Paddie offered the following amendment to **CSHB 3557**:

Amend **CSHB 3557** (house committee printing) as follows:

(1) On page 1, strike lines 14 through 16 and substitute the following:
423.0045(a)(1-a) and also includes:

(1) any pipeline transporting oil or gas or the products or constituents of oil or gas; and

(2) a facility or pipeline described by this section that is under construction and all equipment and appurtenances used during that construction.

(2) On page 1, line 20, between "the person" and "intentionally", insert "enters or remains on or in a critical infrastructure facility and".

(3) On page 1, line 23, strike "a critical infrastructure" and substitute "the".

(4) On page 2, line 1, strike "a critical infrastructure" and substitute "the".

(5) On page 1, line 22, strike "vandalizes, defaces,".

(6) On page 2, line 2, strike "second" and substitute "third".

(7) On page 2, line 12, strike "vandalize, deface,".

(8) On page 2, line 23, strike "of" and substitute "not to exceed".

(9) On page 3, line 16, strike "VICARIOUS" and substitute "ADDITIONAL".

(10) On page 3, lines 16 and 17, strike "Regardless of the relationship between the organization and the person" and substitute "In addition to any liability under Section 424.101".

(11) On page 3, line 18, between "that" and "compensates", insert ", acting through an officer, director, or other person serving in a managerial capacity, knowingly".

(12) On page 3, line 20, strike "vicariously".

(13) On page 3, strike lines 25 through 27 and substitute the following:

(1) actual damages; and

(2) court costs.

(14) On page 7, strike line 5 and substitute the following appropriately numbered SECTION:

SECTION _____. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

AMENDMENT NO. 1 - REMARKS

PADDIE: Again, this amendment was in trying to work with some individuals to clear up some language that relates to the fine itself. Where in the original bill it had a flat fine of \$1 million, we changed that to up to \$1 million. And again, Mr. Moody will have an amendment to the amendment that will speak to that issue even more. We also took out the "vandalize" and "deface" language throughout the bill. We lowered the penalty from second degree felony to a third degree felony, and we clarified that one must actually enter and remain on the critical infrastructure, not merely be adjacent to the facility. This allows for peaceful protest around the facility but not on it.

Amendment No. 2

Representative Moody offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Paddie to **CSHB 3557** as follows:

- (1) On page 1, strike lines 14 through 18.
- (2) On page 1, strike line 21.
- (3) On page 1, strike lines 22 and 23, and substitute the following appropriately numbered item:
 - () On page 2, line 23, strike "of \$1 million" and substitute "not to exceed \$500,000".
 - (4) Add the following appropriately numbered items to the amendment:
 - () Strike page 1, line 21, through page 2, line 1, and substitute the following:
knowingly destroys the facility or impairs or interrupts the operation of the facility
 - () On page 2, strike lines 11 through 15 and substitute the following:
intent to destroy the facility or impair or interrupt the operation of the facility.
 - (5) Renumber items of the amendment accordingly.

AMENDMENT NO. 2 - REMARKS

REPRESENTATIVE MOODY: We appreciate your patience as we worked on this one. We appreciate Mr. Paddie working with us on this. There's three things this changes in his amendment. First of all, we take what was set at a \$1 million fine—or up to a \$1 million fine—and we cut that in half. And really, I would have preferred to go further than that because currently in code the highest fine we have is \$10,000. So we are certainly going well above and beyond that with \$500,000. My understanding is that sanction provision is related to corporations. Can't incarcerate corporations, so the only sanction provision would be that fine. So we cut that in half, down to \$500,000—actually up to \$500,000, so it's created a range of fines. The bill itself has a restitution provision as well, so if there's actually damage done, there's another way in which the party can be made whole.

The meat of what we do here in this amendment is talk about the conduct that's covered. And I believe when we're dealing with raising the punishment range to state jail felony or third degree felony, we should really be talking about conduct that causes a real issue. And under the bill as it came to the floor to us today, certainly someone just making a mark on a building could have been a third degree felony, and that's something that I think is certainly over-criminalization. What this language does now is it mirrors what we do in our bomb scare statute, which says if you "impair" or "interrupt" the operation. So if the facility is operating and what you do, the conduct you engage in—and in this bill it's conduct you engage in while trespassing. So we're not talking about stuff that's happening on public property. We're talking about private property. So you have a trespass, one. Two, you actually destroyed it or you impaired or interrupted the operation of the facility. That now becomes a third degree felony as this marries with the Paddie amendment. The second piece is talking about entering onto the property with the intent to—this is the state jail piece, and then we mirror that as well—so with the intent to destroy something or impair or interrupt the operation of the facility. I believe here we're confining the type of conduct that we want to grab with felony level offense to folks that are actually causing harm or someone that you can show, through whatever evidence available, intended to do that but didn't achieve that goal. This amendment is acceptable to the author.

REPRESENTATIVE ZWIENER: Could you give me some examples of what impairing or impeding the operation of a facility might look like?

MOODY: Well, I think that what we're trying to gather—so let's start with the base. Anyone under the proposed bill is trespassing. So they're on private property without permission to be there—that's the base of the bill. Right now, in current statute, trespass on a critical infrastructure facility is a Class A misdemeanor. The conduct we're talking about here is if they—let's say someone takes a pickaxe to a pipe. They certainly didn't destroy the facility or the critical infrastructure. They certainly impaired the operation for some amount of time or for some purposes, but that doesn't rise to the level of "destroy." Also, because if you remember, the original language here said "deface," "damage," "vandalize"—so we've taken out those more vague terms that could sweep up conduct that never really interrupted services to conduct that actually interrupts the service of the critical infrastructure facility. So if it takes something offline or it creates some impairment or interruption in the service, then that's the kind of conduct we actually want to punish at this level. Otherwise, we would be left with the Class A misdemeanor of criminal trespass on a facility like this.

LEAVE OF ABSENCE GRANTED

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

S. Davis on motion of Wu.

CSHB 3557 - (consideration continued)

Amendment No. 2 was adopted.

AMENDMENT NO. 1 - REMARKS

ZWIENER: Representative Paddie, I just wanted to ask you the same question I asked Representative Moody. Could you give some examples of what impeding or impairing the operation of a critical infrastructure—of a facility—look like?

PADDIE: I'm sorry, could you repeat the question one more time?

ZWIENER: Sorry. Could you please provide some examples of what impeding or impairing the operation of a facility would look like?

PADDIE: Well, obviously, it could be a broad range of things. But again—I don't think we can say this enough—that person would first have to be trespassing as well. So keep that in mind. They are trespassing, and at this point it could be a number of different things. Also keep in mind—because you may think of some examples potentially that you might say, gosh, is that really a huge deal that should rise to the level of some of what we're doing in here—I remind you that we're giving discretion to the prosecutors and judges in this case. And I trust them to react appropriately to something that's less minor than maybe something that was very catastrophic and caused significant damage, millions of dollars of damage in some cases, as opposed to if someone tries to impede in some way with their vehicle or themselves, I guess. Obviously, the judge and the prosecutor are going to take that into consideration when they're looking at this.

ZWIENER: So in your view, would this bill make it illegal to—or make it illegal under this section—to impair the construction of a facility? Or would this only go into effect after the facility is up and operational?

PADDIE: No, it would deal with construction as well. I think if we think about some situations and some examples that maybe we've heard of in the news locally or nationally, there could be some of this type of activity happening because someone's dissatisfied with the fact that something is getting constructed, be it a pipeline or some other type of critical infrastructure. They're not necessarily doing that on something that was built 10 years ago. So to me, it's critical to have that piece in there because that's some of the activity that we're trying to address in this legislation. That's actually where it's happening.

REPRESENTATIVE WU: Representative Paddie, earlier in your layout you said that you were changing the amendment to "enter and remain" on the property? That was your statement earlier?

PADDIE: Yes, basically, if they're entering the property. Obviously, we're really trying to solidify the fact that this is trespassing.

WU: Right, and not just trespassing but refusing to leave.

PADDIE: Well, even before that, if they have trespassed and they have committed this act.

WU: Right. Which is why I thought you said in your layout that they're entering and remaining on the property. Because your amendment still says "enter or remain." Would you be willing to change your amendment to reflect what your layout stated? To "enter and remain"—meaning that somebody trespasses and refuses to leave?

PADDIE: Give me just a second, Mr. Wu, to find the part that you're referring to.

WU: It's on the very first page of your amendment.

PADDIE: No, actually, Mr. Wu, I think if I were to do what you were asking me to do, at that point if they entered it, committed the act, and then left, then they would not be subject to this bill.

WU: And I think that's why I was confused about your layout in that you said that.

PADDIE: Well, if I misspoke, I apologize for that, and I appreciate you pointing that out if I said that in error.

WU: Because, you know, kind of the point of this is that you're punishing people with this extremely harsh punishment not because they wandered into an area but because they wandered in an area and then refused to leave. So generally, a lot of times if people walk past a fence or they go over a certain area they didn't know weren't supposed to go into—generally, cops would ask them, "hey, you're somewhere where you're not supposed to be; get out." And most people just leave and then not subject themselves to essentially a felony-level crime.

PADDIE: Well, Mr. Wu, again, if they're just trespassing—what you're describing is they just trespassed. If you would agree with me on that?

WU: Yes.

PADDIE: They would be subject to current laws as it relates to trespassing. This bill only comes into play if they have trespassed and committed one of these acts. And so if they've just trespassed, they're subject to current law as it relates to trespassing because they didn't commit the actual damage of the critical infrastructure.

WU: So that's why I'm confused. If your amendment says "enter or remain," why would that be written that way? Because you can't remain if you've never entered. If you're saying that just trespassing is already covered under something else, then you would just say "remain." And again, it goes back to my original point. If your intention is just to get people who remain—because trespass is covered by something else—you need to say "enter and remain" or otherwise just say "remain." Because right now, what you're doing in your amendment is just encompassing "enter," which is a simple trespass.

PADDIE: Again, Mr. Wu, this is in combination with the destruction of the critical infrastructure. I would agree with you that if someone enters, regardless of how long they remain on that property, if they are trespassing and trespassing alone, then they are subject to those laws. This bill relates to trespassing and the act against the critical infrastructure.

REPRESENTATIVE HINOJOSA: You and I have talked about my concerns regarding protected concerted activity, striking, and activities of that nature protected by federal law, and I want to know from you whether your bill would restrict those activities like striking or picketing.

PADDIE: No, Ms. Hinojosa. Again—and it's very important for folks to realize this—again, if you are legally expressing your First Amendment right today, you will still be legally expressing that right after this bill is passed. It does not—again, the standard, as I just discussed with Mr. Wu, is number one, you're trespassing and number two, you're trying to commit the act against the infrastructure. So using your example, if someone chooses to stand out in front of the gate and they're holding signs—they're expressing themselves as they lawfully can—they are not affected by this bill.

HINOJOSA: But what if they accidentally step on—they may not know where the property line is. In some of these big complexes, they may not know where they can or cannot be. So they may be trespassing because—it's just unintentional.

PADDIE: And Ms. Hinojosa, in the example you just cited, they would be trespassing today whether I pass this bill or not.

HINOJOSA: But they wouldn't be subject to a felony.

PADDIE: Well, again, unless—they would be if they also damaged the critical infrastructure. I mean, again, if they didn't know where the line was today, if they step over, theoretically they could be charged with trespassing. But the only way they would rise to the level of this bill is that they trespassed and committed the act against critical infrastructure.

Amendment No. 1, as amended, was adopted.

Amendment No. 3

Representative Zwiener offered the following amendment to **CSHB 3557**:

Amend **CSHB 3557** (house committee printing) as follows:

(1) On page 2, between lines 6 and 7, insert the following:

(d) It is a defense to prosecution under this section that the actor owns the real property on which the critical infrastructure facility is located and is not the operator of the facility, regardless of whether the facility is located on an easement the holder of which is not the actor.

(2) On page 2, between lines 19 and 20, insert the following:

(d) It is a defense to prosecution under this section that the actor owns the real property on which the critical infrastructure facility is located and is not the operator of the facility, regardless of whether the facility is located on an easement the holder of which is not the actor.

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

(c) It is a defense to liability under this section that the defendant owns the real property on which the critical infrastructure facility is located and is not the operator of the facility, regardless of whether the facility is located on an easement the holder of which is not the defendant.

(4) On page 3, line 16, between "LIABILITY." and "Regardless", insert "(a)".

(5) On page 3, between lines 22 and 23, insert the following:

(b) It is a defense to liability under this section that the organization owns the real property on which the critical infrastructure facility is located and is not the operator of the facility, regardless of whether the facility is located on an easement the holder of which is not the organization.

AMENDMENT NO. 3 - REMARKS

ZWIENER: Members, I have a lot of concerns about this bill, but first and foremost is how it might impact private landowners who have had their property taken by eminent domain and are pushing back against the entity that's taken it. So what my amendment does is it creates an affirmative defense if the landowner is on their own property but the facility is operated by a different entity. This protects a landowner who perhaps turns their cows out during construction to intentionally mess with the operator. This amendment protects a landowner who parks their truck in the way of the road within the construction easement. Are these activities that are consistent with the easement the landowner has signed onto? No. Should they be second degree felonies equated with theft, kidnapping, arson, and burglary? Also, no. So please support this amendment to protect the rights of landowners and prevent criminalizing them standing up for their private property rights.

MOODY: I appreciate this. So you've built it as an affirmative defense?

ZWIENER: Correct.

MOODY: And so I want to make sure that people are paying attention because in criminal law you've got affirmative defenses and you've got exceptions to prosecution, right? And so if there's an exception to prosecution, when that plays out in the courtroom, the prosecutor has to affirmatively dispense with that. And that's not what you're doing here?

ZWIENER: Correct.

MOODY: You're actually saying that person's going to probably be arrested, they're going to go through the system, and the obligation will be on their part as an affirmative defense to raise it at that level with the prosecution. Is that correct?

ZWIENER: Correct. And also, I would add that this does not prevent the operator of the facility from pursuing criminal penalties under existing statute. This just gives them a defense against the felony elements of this legislation.

MOODY: And so the affirmative defense would be tied to a private property owner—I just want to make sure I have it clear—that had their property taken through eminent domain?

ZWIENER: Likely. Potentially it could impact someone who settled with a company, whether that company had eminent domain authority or not. But the key factor is they own the property, but they do not own the facility upon their property. We do not stipulate how they arrived at that arrangement.

MOODY: I think this is a good balance here for innocent property owners. I appreciate you bringing the amendment.

PADDIE: I want to thank Representative Zwiener for coming to visit with me a couple of different times in bringing this amendment. This is one of those situations where we're just going to have to kind of agree to disagree. Again, I will remind you in this bill—even in a situation where maybe you had a landowner and maybe it was by condemnation and the use of eminent domain that there is now an easement on that property—the easement itself will speak to and define the access of that. So regardless of the fact that it may split their property now, they still are trespassing if the easement says so and they go into that thing. So again, we want to remain focused on the fact that folks are trespassing and committing one of these acts against critical infrastructure. We just couldn't find agreement on this despite our best efforts, and I'm going to respectfully move to table this amendment.

Representative Paddie moved to table Amendment No. 3.

ZWIENER: Members, this amendment is not about whether or not a landowner should interfere with a critical piece of infrastructure on their property. This is about whether we should be pursuing them with second degree felonies. With all due respect, I ask you to vote no against tabling this amendment.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today because of a doctor's appointment:

M. González on motion of Collier.

CSHB 3557 - (consideration continued)

A record vote was requested by Representative Zwiener.

The motion to table prevailed by (Record 1022): 77 Yeas, 65 Nays, 2 Present, not voting.

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

Nays — Allen; Anchia; Anderson; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; King, T.; Leman; Longoria; Lopez; Lucio; Martinez; Martinez

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

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

Absent, Excused — González, M.; Smithee.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Gutierrez; Harless; Johnson, E.

STATEMENTS OF VOTE

When Record No. 1022 was taken, my vote failed to register. I would have voted yes.

Harless

When Record No. 1022 was taken, I was shown voting no. I intended to vote yes.

Leman

A record vote was requested by Representative Allen.

CSHB 3557, as amended, was passed to engrossment by (Record 1023): 99 Yeas, 45 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Cole; Coleman; Collier; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Geren; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Huberty; Hunter; Johnson, 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; Middleton; Miller; Moody; Muñoz; Murphy; Murr; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Romero; Rose; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Canales; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; Goodwin; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; Meza; Minjarez; Morales; Neave; Nevárez; Ortega; Perez; Ramos; Reynolds; Rodriguez; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zerwas; Zwiener.

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

Absent, Excused — González, M.; Smithee.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Morrison.

STATEMENTS OF VOTE

When Record No. 1023 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 1023 was taken, I was shown voting yes. I intended to vote no.

Cole

When Record No. 1023 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 1023 was taken, I was shown voting yes. I intended to vote no.

E. Johnson

When Record No. 1023 was taken, I was shown voting yes. I intended to vote no.

Martinez Fischer

When Record No. 1023 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 1023 was taken, I was shown voting no. I intended to vote yes.

Perez

**GENERAL STATE CALENDAR
(consideration continued)****HB 1968 ON SECOND READING
(by Anderson, J.E. Johnson, S. Davis, Vo, Paul, et al.)**

HB 1968, A bill to be entitled An Act relating to coverage for treatment of craniofacial abnormalities under certain health benefit plans.

HB 1968 was passed to engrossment.

**HB 2068 ON SECOND READING
(by Nevárez)**

HB 2068, A bill to be entitled An Act relating to exemption from jury service of tribal council members of and legislative employees for certain tribal governments.

HB 2068 was passed to engrossment.

CSHB 974 ON SECOND READING
(by Metcalf, Huberty, M. González, Dutton, et al.)

CSHB 974, A bill to be entitled An Act relating to public school safety measures and procedures.

Amendment No. 1

Representative Metcalf offered the following amendment to **CSHB 974**:

Amend **CSHB 974** (house committee printing) on page 1 by striking lines 4 through 11 and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Metcalf offered the following amendment to **CSHB 974**:

Amend **CSHB 974** (house committee printing) as follows:

(1) On page 1, line 13, strike "Subsection (c-1)" and substitute "Subsections (c-1), (c-2), and (e)".

(2) On page 2, between lines 8 and 9, insert the following:

(c-2) A school district may:

(1) develop a form of identification containing a person's photograph that is valid only during the school year for which it is issued; and

(2) issue that form of identification to a student's parent or guardian who does not possess any other form of identification described by Subsection (a).

(e) For purposes of this section, an event is a school-sponsored event that is open to the public if the event is held on a district campus and individuals other than district employees or students are encouraged, invited, or permitted to attend.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Metcalf offered the following amendment to **CSHB 974**:

Amend **CSHB 974** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Section 11.159, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The State Board of Education shall require a trustee to complete training on school safety. The state board, in coordination with the Texas School Safety Center, shall develop the curriculum and materials for the training.

SECTION _____. Not later than January 1, 2020, the State Board of Education, in coordination with the Texas School Safety Center, shall develop the curriculum and materials for the training on school safety required under Section 11.159(b-1), Education Code, as added by this Act.

Amendment No. 3 was adopted.

REMARKS ORDERED PRINTED

Representative Hinojosa moved to print all remarks on **CSHB 3557**.

The motion prevailed.

CSHB 974 - (consideration continued)**Amendment No. 4**

Representative Schaefer offered the following amendment to **CSHB 974**:

Amend **CSHB 974** (house committee report) on page 1, line 7, by striking "or public junior college district" and substituting "[~~or public junior college district~~]".

Amendment No. 4 failed of adoption.

Amendment No. 5

Representative Toth offered the following amendment to **CSHB 974**:

Amend **CSHB 974** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 37.108, Education Code, is amended by adding Subsections (f), (g), (h), and (i) to read as follows:

(f) A school district shall include in its multihazard emergency operations plan a policy requiring district peace officers, school resource officers, and other security personnel to annually coordinate with each law enforcement agency with jurisdiction in the district to establish and maintain protocols for responding to a special threat on a district campus.

(g) A school district shall include in its multihazard emergency operations plan a policy requiring an annual special threat response drill that includes students and school personnel, including substitute teachers, and local law enforcement agencies with jurisdiction in the district and other first responders that provide emergency services in the district to be conducted at each district campus.

(h) The commissioner shall adopt rules establishing standard terminology for special threat response to be used by school districts when developing or adopting rules, policies, or procedures for responding to a special threat at a school district campus. The standard terminology established must be consistent with the terminology used in the standard response protocol promulgated by The I Love U Guys Foundation, if possible, or another nationally recognized standard protocol for special threat response.

(i) A school district must use the standard terminology for special threat response established by the commissioner under Subsection (h) in the district's multihazard emergency operations plan, in special threat response drills, on posted signs, and in any other district policies regarding school safety.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Lucio requested permission for the Committee on Insurance to meet while the house is in session, at 5:30 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Insurance, 5:30 p.m. today, 1W.14, for a formal meeting, to consider pending business.

CSHB 974 - (consideration continued)**Amendment No. 6**

Representative Toth offered the following amendment to Amendment No. 5:

Amend Amendment No. 5 by Toth to **CSHB 974** on page 1, lines 25-27, by striking "The I Love U Guys Foundation, if possible, or another nationally recognized standard protocol for special threat response" and substituting "the Texas Education Agency".

Amendment No. 6 was adopted.

Amendment No. 5 - Point of Order

Representative Canales raised a point of order against further consideration of Amendment No. 5, as amended, 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. 5, as amended, was withdrawn.

CSHB 974, as amended, was passed to engrossment.

CSHB 1590 ON SECOND READING

(by Howard, Morrison, Neave, Hunter, Miller, et al.)

CSHB 1590, A bill to be entitled An Act relating to statewide policies and practices, personnel training, evidence collection and preservation, and data collection and analysis regarding the prevention, investigation, and prosecution of sexual assault and other sex offenses.

Amendment No. 1

Representative Howard offered the following amendment to **CSHB 1590**:

Amend **CSHB 1590** (house committee printing) as follows:

(1) On page 2, line 14, strike "presiding body of the task force is" and substitute "task force shall include".

(2) On page 2, lines 19 and 20, strike "Children's Advocacy Centers of Texas" and substitute "statewide organization described by Section 264.409, Family Code,".

(3) On page 2, lines 17 and 18, strike "Texas Association Against Sexual Assault" and substitute "state sexual assault coalition, as defined by Section 420.003,".

(4) On page 3, strike lines 18 and 19, and renumber subsequent subdivisions and correct cross-references accordingly.

(5) On page 3, lines 24 and 25, strike "Children's Advocacy Centers of Texas" and substitute "statewide organization described by Section 264.409, Family Code,".

(6) On page 3, lines 26 and 27, strike "Texas Association Against Sexual Assault" and substitute "state sexual assault coalition, as defined by Section 420.003,".

(7) Between page 3, line 27 and page 4, line 1, insert the following appropriately numbered subdivision and renumber subsequent subdivisions and correct cross-references accordingly:

() a representative from a law enforcement agency appointed by the steering committee described by Subsection (c);

(8) On page 4, between lines 8 and 9, insert the following appropriately lettered subsection and redesignate subsequent subsections and correct cross-references accordingly:

() The governor is the presiding officer of the task force.

(9) On page 4, lines 9 and 10, strike "steering committee" and substitute "governor".

(10) Strike page 7, line 26 through page 8, line 1, and redesignate subsequent subsections and correct cross-references accordingly.

(11) On page 8, line 18, after "recommendations;" insert "and".

(12) On page 8, strike lines 19 through 23, and renumber subsequent subdivisions and correct cross-references accordingly.

Amendment No. 1 was adopted.

CSHB 1590, as amended, was passed to engrossment.

HB 1897 ON SECOND READING **(by G. Bonnen)**

HB 1897, A bill to be entitled An Act relating to dispute resolution for certain claims arising under insurance policies issued by the Fair Access to Insurance Requirements (FAIR) Plan Association; authorizing fees.

Amendment No. 1

Representative G. Bonnen offered the following amendment to **HB 1897**:

Amend **HB 1897** (house committee printing) as follows:

(1) On page 2, line 24, between "association," and "under," insert "or against an agent who made an application on behalf of an insured".

(2) On page 4, line 26, strike "or".

(3) On page 4, lines 26 and 27, between "association," and "relating to," insert "or an agent who made an application on behalf of an insured".

(4) On page 5, line 8, between "association" and the underlined period, insert ", or an agent who made an application on behalf of an insured".

(5) On page 5, line 12, strike "or".

(6) On page 5, line 13, between "association," and "may not", insert "or an agent who made an application on behalf of an insured".

Amendment No. 1 was adopted.

Amendment No. 2

Representatives S. Thompson, Wu, Morales, Dutton, Farrar, Thierry, Calanni, Walle, Rosenthal, Allen, Hernandez, and Perez offered the following amendment to **HB 1897**:

Amend **HB 1897** (house committee report) as follows:

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

(g) This section does not apply to a person insured under this chapter if the person's insured property is located in a county with a population of 3.3 million or more.

(2) On page 3, between lines 3 and 4, insert the following:

(c) This section does not apply to a private cause of action related to property insured by a policy issued by the association under this chapter that is located in a county with a population of 3.3 million or more.

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

(c) This section does not apply to an insurance policy issued by the association that provides coverage for property that is located in a county with a population of 3.3 million or more.

(4) On page 4, between lines 17 and 18, insert the following:

(e) This section does not apply to a person insured under this chapter if the person's insured property is located in a county with a population of 3.3 million or more.

(5) On page 5, between lines 4 and 5, insert the following:

Sec. 2211.1711. EXCEPTION TO APPLICABILITY. This subchapter does not apply to:

(1) an association policy, including a claim made under an association policy, that provides coverage for property that is located in a county with a population of 3.3 million or more; or

(2) a person insured under this chapter if the person's insured property is located in a county with a population of 3.3 million or more.

Representative G. Bonnen moved to table Amendment No. 2.

A record vote was requested by Representative S. Thompson.

The motion to table prevailed by (Record 1024): 75 Yeas, 66 Nays, 2 Present, not voting.

Yeas — Allison; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Dean; Flynn; Frank; Frullo; Harless; Harris; Hefner; Holland; Huberty; 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; Schaefer; Shaheen; Sheffield; Shine; Smith; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Anderson; Beckley; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Darby; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Geren; Gervin-Hawkins; González, J.; Goodwin; Guerra; Guillen; 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; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — González, M.; Smithee.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Bernal; Hunter; Perez; Stickland.

STATEMENT OF VOTE

When Record No. 1024 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

Amendment No. 3

Representatives Y. Davis, Rose, Bowers, Sherman, J.D. Johnson, and Cole offered the following amendment to **HB 1897**:

Amend **HB 1897** (house committee report) as follows:

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

(g) This section does not apply to a person insured under this chapter if the person's insured property is located in a county with a population of 2 million or more.

(2) On page 3, between lines 3 and 4, insert the following:

(c) This section does not apply to a private cause of action related to property insured by a policy issued by the association under this chapter that is located in a county with a population of 2 million or more.

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

(c) This section does not apply to an insurance policy issued by the association that provides coverage for property that is located in a county with a population of 2 million or more.

(4) On page 4, between lines 17 and 18, insert the following:

(e) This section does not apply to a person insured under this chapter if the person's insured property is located in a county with a population of 2 million or more.

(5) On page 5, between lines 4 and 5, insert the following:

Sec. 2211.1711. EXCEPTION TO APPLICABILITY. This subchapter does not apply to:

(1) an association policy, including a claim made under an association policy, that provides coverage for property that is located in a county with a population of 2 million or more; or

(2) a person insured under this chapter if the person's insured property is located in a county with a population of 2 million or more.

Representative G. Bonnen moved to table Amendment No. 3.

A record vote was requested by Representative Y. Davis.

The motion to table prevailed by (Record 1025): 75 Yeas, 65 Nays, 3 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; Flynn; Frank; Frullo; Geren; Harless; Harris; Hefner; Holland; Huberty; 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; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Springer; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; 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.; Goodwin; Guerra; Guillen; 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; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — González, M.; Smithee.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Hunter; Perez; Stickland; Zedler.

STATEMENTS OF VOTE

When Record No. 1025 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

When Record No. 1025 was taken, I was in the house but away from my desk. I would have voted yes.

Zedler

Amendment No. 4

Representative C. Turner offered the following amendment to **HB 1897**:

Amend **HB 1897** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 2211, Insurance Code, is amended by adding Section 2211.006 to read as follows:

Sec. 2211.006. APPLICABILITY OF CERTAIN LAWS. Sections 2211.004, 2211.005, 2211.158, and 2211.159 and Subchapter D-1 do not apply to a risk located in a county with a population of more than one million that is adjacent to a county with a population of more than one million.

(M. González now present)

HB 1897 - POINT OF ORDER

Representative Dutton raised a point of order against further consideration of **HB 1897** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative G. Bonnen moved to postpone consideration of **HB 1897** until 6:45 p.m. today.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

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

E. Johnson on motion of Leach.

HB 1832 ON SECOND READING

(by J.E. Johnson, Oliverson, Lambert, et al.)

HB 1832, A bill to be entitled An Act relating to prohibited practices relating to health benefit plan coverage for emergency care.

HB 1832 was passed to engrossment. (Hunter recorded voting no.)

CSHB 1917 ON SECOND READING

(by Murphy, Zerwas, Phelan, S. Thompson, G. Bonnen, et al.)

CSHB 1917, A bill to be entitled An Act relating to the creation of the disaster response loan fund and the permissible uses of that fund; making an appropriation; authorizing a fee.

Amendment No. 1

Representative Murphy offered the following amendment to **CSHB 1917**:

Amend **CSHB 1917** (house committee printing) as follows:

(1) Strike SECTION 2 of the bill (page 3, line 23, through page 4, line 3) and substitute the following appropriately numbered SECTION:

SECTION _____. On September 1, 2019, the comptroller of public accounts shall transfer \$500 million of the unencumbered balance of the general revenue fund on that date to the credit of the disaster response loan fund, as created by this Act.

(2) On page 4, line 4, strike "Except as otherwise provided by this Act, this" and substitute "This".

(3) Renumber the SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

CSHB 1917, as amended, was passed to engrossment.

CSHB 4548 ON SECOND READING
(by Wray)

CSHB 4548, A bill to be entitled An Act relating to the creation and operations of health care provider participation programs in certain counties bordering two populous counties.

Amendment No. 1

Representative Frank offered the following amendment to **CSHB 4548**:

Amend **CSHB 4548** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subtitle D, Title 4, Health and Safety Code, is amended by adding Chapter 292C to read as follows:

CHAPTER 292C. COUNTY HEALTH CARE PROVIDER PARTICIPATION
PROGRAM IN CERTAIN COUNTIES WITH HOSPITAL DISTRICT
BORDERING OKLAHOMA

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 292C.001. DEFINITIONS. In this chapter:

(1) "Institutional health care provider" means a nonpublic hospital that provides inpatient hospital services and that is not located within the boundaries of a hospital district.

(2) "Paying hospital" means an institutional health care provider required to make a mandatory payment under this chapter.

(3) "Program" means the county health care provider participation program authorized by this chapter.

Sec. 292C.002. APPLICABILITY. This chapter applies only to a county that:

(1) contains a hospital district that is not countywide;

(2) has a population of more than 125,000; and

(3) borders Oklahoma.

Sec. 292C.003. COUNTY HEALTH CARE PROVIDER PARTICIPATION PROGRAM; PARTICIPATION IN PROGRAM. (a) A county health care provider participation program authorizes a county to collect a mandatory payment from each institutional health care provider located in the county to be

deposited in a local provider participation fund established by the county. Money in the fund may be used by the county to fund certain intergovernmental transfers as provided by this chapter.

(b) The commissioners court of a county may adopt an order authorizing the county to participate in the program, subject to the limitations provided by this chapter.

Sec. 292C.004. EXPIRATION. The authority of a county to administer and operate a program under this chapter expires December 31, 2023.

SUBCHAPTER B. POWERS AND DUTIES OF COMMISSIONERS COURT

Sec. 292C.051. LIMITATION ON AUTHORITY TO REQUIRE MANDATORY PAYMENT. The commissioners court of a county may require a mandatory payment authorized under this chapter by an institutional health care provider in the county only in the manner provided by this chapter.

Sec. 292C.052. MAJORITY VOTE REQUIRED. The commissioners court of a county may not authorize the county to collect a mandatory payment authorized under this chapter without an affirmative vote of a majority of the members of the commissioners court.

Sec. 292C.053. RULES AND PROCEDURES. After the commissioners court of a county has voted to require a mandatory payment authorized under this chapter, the commissioners court may adopt rules relating to the administration of the mandatory payment.

Sec. 292C.054. INSTITUTIONAL HEALTH CARE PROVIDER REPORTING; INSPECTION OF RECORDS. (a) The commissioners court of a county that collects a mandatory payment authorized under this chapter shall require each institutional health care provider located in the county to submit to the county a copy of any financial and utilization data required by and reported to the Department of State Health Services under Sections 311.032 and 311.033 and any rules adopted by the executive commissioner of the Health and Human Services Commission to implement those sections.

(b) The commissioners court of a county that collects a mandatory payment authorized under this chapter may inspect the records of an institutional health care provider to the extent necessary to ensure compliance with the requirements of Subsection (a).

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 292C.101. HEARING. (a) Each year, the commissioners court of a county that collects a mandatory payment authorized under this chapter shall hold a public hearing on the amounts of any mandatory payments that the commissioners court intends to require during the year.

(b) Not later than the fifth day before the date of the hearing required under Subsection (a), the commissioners court of the county shall publish notice of the hearing in a newspaper of general circulation in the county.

(c) A representative of a paying hospital is entitled to appear at the time and place designated in the public notice and to be heard regarding any matter related to the mandatory payments authorized under this chapter.

Sec. 292C.102. DEPOSITORY. (a) The commissioners court of each county that collects a mandatory payment authorized under this chapter by resolution shall designate one or more banks located in the county as the depository for mandatory payments received by the county.

(b) All income received by a county under this chapter, including the revenue from mandatory payments remaining after discounts and fees for assessing and collecting the payments are deducted, shall be deposited with the county depository in the county's local provider participation fund and may be withdrawn only as provided by this chapter.

(c) All funds under this chapter shall be secured in the manner provided for securing county funds.

Sec. 292C.103. LOCAL PROVIDER PARTICIPATION FUND; AUTHORIZED USES OF MONEY. (a) Each county that collects a mandatory payment authorized under this chapter shall create a local provider participation fund.

(b) The local provider participation fund of a county consists of:

(1) all revenue received by the county attributable to mandatory payments authorized under this chapter, including any penalties and interest attributable to delinquent payments;

(2) money received from the Health and Human Services Commission as a refund of an intergovernmental transfer from the county to the state for the purpose of providing the nonfederal share of Medicaid supplemental payment program payments, provided that the intergovernmental transfer does not receive a federal matching payment; and

(3) the earnings of the fund.

(c) Money deposited to the local provider participation fund may be used only to:

(1) fund intergovernmental transfers from the county to the state to provide:

(A) the nonfederal share of a Medicaid supplemental payment program authorized under the state Medicaid plan, the Texas Healthcare Transformation and Quality Improvement Program waiver issued under Section 1115 of the federal Social Security Act (42 U.S.C. Section 1315), or a successor waiver program authorizing similar Medicaid supplemental payment programs;
or

(B) payments to Medicaid managed care organizations that are dedicated for payment to hospitals;

(2) pay the administrative expenses of the county solely for activities under this chapter;

(3) refund a portion of a mandatory payment collected in error from a paying hospital; and

(4) refund to paying hospitals the proportionate share of money received by the county that is not used to fund the nonfederal share of Medicaid supplemental payment program payments.

(d) Money deposited to the local provider participation fund may not be used to pay for the services of a consultant or a person required to register under Chapter 305, Government Code.

(e) Money in the local provider participation fund may not be commingled with other county funds.

(f) An intergovernmental transfer of funds described by Subsection (c)(1) and any funds received by the county as a result of an intergovernmental transfer described by that subsection may not be used by the county or any other entity to expand Medicaid eligibility under the Patient Protection and Affordable Care Act (Pub. L. No. 111-148) as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152).

SUBCHAPTER D. MANDATORY PAYMENTS

Sec. 292C.151. MANDATORY PAYMENTS BASED ON PAYING HOSPITAL NET PATIENT REVENUE. (a) Except as provided by Subsection (e), the commissioners court of a county that collects a mandatory payment authorized under this chapter may require an annual mandatory payment to be assessed on the net patient revenue of each institutional health care provider located in the county. The commissioners court may provide for the mandatory payment to be assessed quarterly. In the first year in which the mandatory payment is required, the mandatory payment is assessed on the net patient revenue of an institutional health care provider as determined by the data reported to the Department of State Health Services under Sections 311.032 and 311.033 in the fiscal year ending in 2017 or, if the institutional health care provider did not report any data under those sections in that fiscal year, as determined by the institutional health care provider's Medicare cost report submitted for the 2017 fiscal year or for the closest subsequent fiscal year for which the provider submitted the Medicare cost report. The county shall update the amount of the mandatory payment on an annual basis.

(b) The amount of a mandatory payment authorized under this chapter must be uniformly proportionate with the amount of net patient revenue generated by each paying hospital in the county. A mandatory payment authorized under this chapter may not hold harmless any institutional health care provider, as required under 42 U.S.C. Section 1396b(w).

(c) The commissioners court of a county that collects a mandatory payment authorized under this chapter shall set the amount of the mandatory payment. The amount of the mandatory payment required of each paying hospital may not exceed six percent of the paying hospital's net patient revenue.

(d) Subject to the maximum amount prescribed by Subsection (c), the commissioners court of a county that collects a mandatory payment authorized under this chapter shall set the mandatory payments in amounts that in the aggregate will generate sufficient revenue to cover the administrative expenses of the county for activities under this chapter and to fund an intergovernmental transfer described by Section 292C.103(c)(1), except that the amount of revenue from mandatory payments used for administrative expenses of the county for activities under this chapter in a year may not exceed \$20,000, plus the cost of collateralization of deposits. If the county demonstrates to the paying hospitals

that the costs of administering the program under this chapter, excluding those costs associated with the collateralization of deposits, exceed \$20,000 in any year, on consent of a majority of the paying hospitals, the county may use additional revenue from mandatory payments received under this chapter to compensate the county for its administrative expenses. A paying hospital may not unreasonably withhold consent to compensate the county for administrative expenses.

(e) A paying hospital may not add a mandatory payment required under this section as a surcharge to a patient.

Sec. 292C.152. ASSESSMENT AND COLLECTION OF MANDATORY PAYMENTS. The county may collect or contract for the assessment and collection of mandatory payments authorized under this chapter.

Sec. 292C.153. INTEREST, PENALTIES, AND DISCOUNTS. Interest, penalties, and discounts on mandatory payments required under this chapter are governed by the law applicable to county ad valorem taxes.

Sec. 292C.154. PURPOSE; CORRECTION OF INVALID PROVISION OR PROCEDURE. (a) The purpose of this chapter is to generate revenue by collecting from institutional health care providers a mandatory payment to be used to provide the nonfederal share of a Medicaid supplemental payment program.

(b) To the extent any provision or procedure under this chapter causes a mandatory payment authorized under this chapter to be ineligible for federal matching funds, the county may provide by rule for an alternative provision or procedure that conforms to the requirements of the federal Centers for Medicare and Medicaid Services.

SECTION _____. As soon as practicable after the expiration of the authority of a county to administer and operate a health care provider participation program under Chapter 292C, Health and Safety Code, as added by this Act, the commissioners court of the county shall transfer to the institutional health care providers in the county a proportionate share of any remaining funds in any local provider participation fund created by the county under Section 292C.103, Health and Safety Code, as added by this Act.

Amendment No. 1 was adopted.

CSHB 4548, as amended, was passed to engrossment. (Hunter recorded voting no.)

CSHB 2576 ON SECOND READING
(by J.D. Johnson)

CSHB 2576, A bill to be entitled An Act relating to prescribing and dispensing certain controlled substances to patients diagnosed with sickle cell disease.

CSHB 2576 was passed to engrossment.

CSHB 4390 ON SECOND READING**(by Capriglione, Martinez Fischer, Rodriguez, and Collier)**

CSHB 4390, A bill to be entitled An Act relating to the privacy of personal identifying information and the creation of the Texas Privacy Protection Advisory Council.

Amendment No. 1

Representative Capriglione offered the following amendment to **CSHB 4390**:

Amend **CSHB 4390** (house committee printing) as follows:

(1) On page 1, line 22, between "breach" and "if", insert "not later than the 60th day after the date on which the person determines that the breach occurred".

(2) Strike page 2, line 17, through page 3, line 6, and substitute the following:

(c) The council is composed of members who are residents of this state and appointed as follows:

(1) five members appointed by the speaker of the house of representatives, two of whom must be representatives of an industry listed under Subsection (d) of this section and three of whom must be members of the house of representatives;

(2) five members appointed by the lieutenant governor, two of whom must be representatives of an industry listed under Subsection (d) of this section and three of whom must be senators; and

(3) five members appointed by the governor, three of whom must be representatives of an industry listed under Subsection (d) of this section and two of whom must be either:

(A) a representative of a nonprofit organization that studies or evaluates data privacy laws from the perspective of individuals whose information is collected or processed by businesses; or

(B) a professor who teaches at a law school in this state or other institution of higher education, as defined by Section 61.003, Education Code, and whose books or scholarly articles on the topic of data privacy have been published.

(d) For purposes of making appointments of members who represent industries under Subsection (c) of this section, the speaker of the house of representatives, lieutenant governor, and governor shall appoint members from among the following industries and must coordinate their appointments to avoid overlap in representation of the industries:

- (1) medical profession;
- (2) technology;
- (3) Internet;
- (4) retail and electronic transactions;
- (5) consumer banking;
- (6) telecommunications;
- (7) consumer data analytics;
- (8) advertising;

- (9) Internet service providers;
- (10) social media platforms;
- (11) cloud data storage; or
- (12) virtual private networks.

(3) On page 3, line 9, between "council" and the period, insert "who are members of the legislature".

(4) On page 3, line 24, strike "December" and substitute "September".

(5) In SECTION 2 of the bill, add the following appropriately lettered subsection:

() The Department of Information Resources shall provide administrative support to the council.

(6) Reletter subsections of SECTION 2 of the bill appropriately.

Amendment No. 1 - Point of Order

Representative Cain raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 6(e), of the House Rules on the grounds that the amendment was not timely prefiled as required by the rule for substantial substitutes that exceed one page in length.

The point of order was withdrawn.

Amendment No. 1 was adopted.

CSHB 4390, as amended, was passed to engrossment.

COMMITTEE GRANTED PERMISSION TO MEET

Representative T. King requested permission for the Committee on Licensing and Administrative Procedures to meet while the house is in session, at 6:45 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Licensing and Administrative Procedures, 6:45 p.m. today, 3W.15, for a formal meeting, to consider pending business.

GENERAL STATE CALENDAR

(consideration continued)

HB 1563 ON SECOND READING

(by Nevárez)

HB 1563, A bill to be entitled An Act relating to the licensing and regulation of animal export-import processing facilities; providing penalties; requiring an occupational license; authorizing fees.

Amendment No. 1

Representative Nevárez offered the following amendment to **HB 1563**:

Amend **HB 1563** (house committee report) on page 1, line 22, by striking "\$5,000" and substituting "\$1,000".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Stucky offered the following amendment to **HB 1563**:

Amend **HB 1563** (house committee report) as follows:

(1) Strike page 1, lines 6-26, and renumber the SECTIONS of the bill as appropriate.

(2) Strike page 1, lines 27-28, and substitute the following:

SECTION 1. Chapter 161, Agriculture Code, is amended by adding Subchapter E-1 to read as follows:

(3) On page 1, line 29, strike "C" and substitute "E-1".

(4) On page 1, line 31, strike "146.041" and substitute "161.091".

(5) Strike page 2, lines 6-9, and substitute the following:

Sec. 161.092. POWERS AND DUTIES OF COMMISSION. (a) The commission has exclusive authority to license facilities in this state.

(b) The commission shall adopt rules to implement,

(6) On page 2, line 16, strike "department's" and substitute "commission's".

(7) On page 2, line 22, strike "146.043" and substitute "161.093".

(8) Strike page 2, line 25, and substitute the following:

Sec. 161.094. ENFORCEMENT. (a) The commission may impose

(9) Strike page 3, lines 1-3, and substitute the following:

subchapter. Notwithstanding Section 161.148(b), the amount of an administrative penalty for a violation of a rule adopted under Section 161.092 may not exceed \$5,000.

(b) The commission may suspend or revoke a license for a

(10) Strike page 3, lines 6-10, and substitute the following:

SECTION 2. Sections 161.093 and 161.094, Agriculture Code, as added by this Act, do not apply before the 90th day after rules adopted under Section 161.092(b), Agriculture Code, as added by this Act, become effective.

Amendment No. 2 - Point of Order

Representative Cain raised a point of order against further consideration of Amendment No. 2 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. 2 was adopted.

(Speaker pro tempore in the chair)

A record vote was requested by Representative Cain.

HB 1563, as amended, was passed to engrossment by (Record 1026): 110 Yeas, 29 Nays, 2 Present, not voting.

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

Nays — Biedermann; Bohac; Bonnen; Bowers; Cain; Darby; Dean; Hefner; Holland; Klick; Krause; Landgraf; Lang; Leach; Leman; Meyer; Miller; Murr; Noble; Oliverson; Patterson; Schaefer; Shaheen; Shine; Stickland; Swanson; Tinderholt; White; Zedler.

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

Absent, Excused — Johnson, E.; Smithee.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Allen; Farrar; Flynn; Martinez; Middleton; Wilson.

STATEMENTS OF VOTE

When Record No. 1026 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1026 was taken, I was in the house but away from my desk. I would have voted no.

Middleton

When Record No. 1026 was taken, I was shown voting yes. I intended to vote no.

E. Thompson

When Record No. 1026 was taken, I was shown voting yes. I intended to vote no.

Toth

When Record No. 1026 was taken, I was in the house but away from my desk. I would have voted no.

Wilson

COMMITTEE GRANTED PERMISSION TO MEET

Representative S. Thompson requested permission for the Committee on Public Health to meet while the house is in session, at 7 p.m. today, in 3W.3, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Health, 7 p.m. today, 3W.3, for a formal meeting, to consider pending business.

**GENERAL STATE CALENDAR
(consideration continued)****CSHB 2099 ON SECOND READING**

(by Lambert, Sheffield, Zerwas, Oliverson, Lucio, et al.)

CSHB 2099, A bill to be entitled An Act relating to modification of certain prescription drug benefits and coverage offered by certain health benefit plans.

A record vote was requested by Representative Rosenthal.

CSHB 2099 was passed to engrossment by (Record 1027): 130 Yeas, 6 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; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; 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; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Sheffield; Sherman; Shine; Smith; Springer; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wilson; Wray; Wu; Zerwas; Zwiener.

Nays — Hefner; Lang; Shaheen; Swanson; Tinderholt; White.

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

Absent, Excused — Johnson, E.; Smithee.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Cain; Farrar; Harless; Martinez; Middleton; Raney; Stickland; Stucky; Zedler.

STATEMENTS OF VOTE

When Record No. 1027 was taken, I was in the house but away from my desk. I would have voted no.

Middleton

When Record No. 1027 was taken, I was in the house but away from my desk. I would have voted yes.

Stucky

When Record No. 1027 was taken, I was in the house but away from my desk. I would have voted yes.

Zedler

LEAVE OF ABSENCE GRANTED

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

Herrero on motion of Muñoz.

POSTPONED BUSINESS

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

HB 1897 ON SECOND READING

(by G. Bonnen)

HB 1897, A bill to be entitled An Act relating to dispute resolution for certain claims arising under insurance policies issued by the Fair Access to Insurance Requirements (FAIR) Plan Association; authorizing fees.

HB 1897 was read second time earlier today, amendments were offered and disposed of, and **HB 1897** was postponed until this time. Amendment No. 4 was pending at the time of postponement.

Representative G. Bonnen moved to postpone consideration of **HB 1897** until 7:15 p.m. today.

The motion prevailed.

GENERAL STATE CALENDAR

(consideration continued)

HB 827 ON SECOND READING

(by Rose and Raymond)

HB 827, A bill to be entitled An Act relating to the exemption from ad valorem taxation of an improvement that is necessary to support the continued use or existence of a historic site.

HB 827 was passed to engrossment.

HB 2178 ON SECOND READING
(by Noble)

HB 2178, A bill to be entitled An Act relating to terminating participation in the Texas Emergency Services Retirement System.

HB 2178 was passed to engrossment.

CSHB 1426 ON SECOND READING
(by Guerra, Phelan, Deshotel, Burrows, Allison, et al.)

CSHB 1426, A bill to be entitled An Act relating to mobile Internet service access in an area subject to a declared state of disaster.

(Herrero and Smithee now present)

Amendment No. 1

Representative Coleman offered the following amendment to **CSHB 1426**:

Amend **CSHB 1426** (house committee printing) by striking page 1, lines 15 through 19, and substituting the following:

(c) If an area subject to a declared state of disaster under Section 418.014 is experiencing network congestion, this section does not prohibit a mobile Internet service provider from prioritizing:

- (1) first responder Internet access;
- (2) first responder voice calls made using mobile Internet service;
- (3) a network service designated for use by emergency services personnel; or
- (4) 9-1-1 emergency voice calls made using mobile Internet service.

Amendment No. 1 was adopted.

Amendment No. 2

Representative K. King offered the following amendment to **CSHB 1426**:

Amend **CSHB 1426** (house committee printing) on page 1, between lines 19 and 20, by inserting the following:

(d) Notwithstanding Subsection (b), a mobile Internet service provider shall prioritize the allocation of network bandwidth for voice telephone calls over the use of mobile Internet service in an area subject to a declared state of disaster under Section 418.014, to the extent practicable.

Amendment No. 2 was adopted.

A record vote was requested by Representative P. King.

CSHB 1426, as amended, failed to pass to engrossment by (Record 1028): 37 Yeas, 103 Nays, 4 Present, not voting.

Yeas — Allison; Anchia; Beckley; Bell, C.; Burrows; Canales; Coleman; Deshotel; Dutton; Goodwin; Guerra; Hernandez; Hinojosa; Huberty; King, K.; King, T.; Longoria; Lucio; Metcalf; Meza; Morales; Muñoz; Murphy; Nevárez; Ortega; Phelan; Ramos; Raymond; Sheffield; Turner, C.; Turner, J.; Vo; Walle; Wray; Wu; Zerwas; Zwiener.

Nays — Allen; Anderson; Ashby; Bailes; Bell, K.; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Button; Cain; Calanni; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Dominguez; Farrar; Fierro; Flynn; Frank; Frullo; Gervin-Hawkins; Goldman; González, J.; González, M.; Gutierrez; Harless; Harris; Hefner; Herrero; Holland; Howard; Israel; Johnson, J.E.; Kacal; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Martinez; Martinez Fischer; Meyer; Middleton; Miller; Minjarez; Morrison; Murr; Neave; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; White; Wilson; Zedler.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Bernal; Guillen; Johnson, J.D.; Stickland.

STATEMENTS OF VOTE

When Record No. 1028 was taken, I was shown voting yes. I intended to vote no.

Anchia

When Record No. 1028 was taken, I was in the house but away from my desk. I would have voted no.

Bernal

When Record No. 1028 was taken, my vote failed to register. I would have voted no.

J.D. Johnson

POSTPONED BUSINESS

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

HB 1897 ON SECOND READING

(by G. Bonnen)

HB 1897, A bill to be entitled An Act relating to dispute resolution for certain claims arising under insurance policies issued by the Fair Access to Insurance Requirements (FAIR) Plan Association; authorizing fees.

HB 1897 was read second time earlier today, amendments were offered and disposed of, **HB 1897** was postponed until 6:45 p.m. today, and was again postponed until this time. Amendment No. 4 was pending at the time of postponement.

Representative G. Bonnen moved to postpone consideration of **HB 1897** until 7:45 p.m. today.

The motion prevailed.

GENERAL STATE CALENDAR
(consideration continued)

CSHB 803 ON SECOND READING
(by Patterson, Canales, Thierry, Toth, and Krause)

CSHB 803, A bill to be entitled An Act relating to financial reporting requirements of a toll project entity.

CSHB 803 was passed to engrossment.

HB 3910 ON SECOND READING
(by Sherman, Allen, et al.)

HB 3910, A bill to be entitled An Act relating to the establishment of one or more supplemental county civil service commissions in certain counties.

HB 3910 - POINT OF ORDER

Representative Tinderholt raised a point of order against further consideration of **HB 3910** under Rule 8, Section 10(b), of the House Rules on the grounds that the bill is limited in application to one or more political subdivisions by means of artificial devices.

The point of order was withdrawn.

Amendment No. 1

Representative Sherman offered the following amendment to **HB 3910**:

Amend **HB 3910** (committee printing) as follows:

(1) On page 1, line 13, strike the word "two" and replace it with "2.5",

Amendment No. 1 was adopted.

Amendment No. 2

Representative Perez offered the following amendment to **HB 3910**:

Amend **HB 3910** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Chapter 158, Local Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. CONSTABLE'S DEPARTMENT CIVIL SERVICE
SYSTEM IN CERTAIN COUNTIES

Sec. 158.101. DEFINITIONS. In this subchapter:

(1) "Commission" means a civil service commission for all of a county's employees.

(2) "Department" means a constable's department.

(3) "Employee" means an employee of a department. The term includes a deputy constable.

Sec. 158.102. ELIGIBLE COUNTIES. A county with a population of more than 3.3 million may, in accordance with this subchapter, create a civil service system for all of the county's employees.

Sec. 158.103. ESTABLISHMENT BY PETITION AND ELECTION. (a) If at least 20 percent of a county's employees sign a petition requesting an election under this section and present the petition to the county judge, the judge shall order an election on the question of the creation of a civil service system for all employees in the county.

(b) The county judge shall hold the election after the 15th day but on or before the 45th day after the date the petition is submitted. The election must be by secret ballot and each employee is entitled to vote at the election.

(c) The ballots for the election shall be printed to provide for voting for or against the proposition: "Creation of a civil service system for all constable's department employees in the county."

(d) The county judge shall canvass the votes and declare the result.

Sec. 158.104. ESTABLISHMENT BY ORDER. The commissioners court of a county may by order create a civil service system for all employees in the county.

Sec. 158.105. APPOINTMENT OF COMMISSION. (a) If a majority of the employees voting at the election approve the creation of a civil service system, each constable, the commissioners court, and the district attorney shall each appoint one person to serve as a member of the commission.

(b) The members of the commission shall elect one of the members as chair of the commission.

(c) Each member of the commission is appointed for a term of two years.

(d) The entity that appointed a member of the commission whose position becomes vacant shall appoint a person to serve the unexpired part of the member's term.

(e) To be eligible for appointment to the commission, a person must:

(1) be at least 25 years old; and

(2) have resided in the county for the three years immediately preceding the date on which the person's term will begin.

Sec. 158.106. POWERS OF COMMISSION. (a) The commission shall adopt, publish, and enforce rules regarding:

(1) selection and classification of employees;

(2) competitive examinations;

(3) promotions, seniority, and tenure;

(4) layoffs and dismissals;

(5) disciplinary actions;

(6) grievance procedures;

(7) the rights of employees during an internal investigation; and

(8) other matters relating to the selection of employees and the procedural and substantive rights, advancement, benefits, and working conditions of employees.

(b) The commission may adopt or use as a guide any civil service law or rule of the United States, this state, or a political subdivision in this state to the extent that the law or rule promotes the purposes of this subchapter and is consistent with the needs and circumstances of the departments.

(c) A panel of three commissioners shall preside at the hearing and vote on the commission's final decision in any case involving termination, demotion, or recovery of back pay. A panel's decision is the final decision of the commission for purposes of Sections 158.107 and 158.110. The commission shall adopt rules prescribing the commission's procedures for assigning members to a panel. A panel may not include the member who was appointed to the commission by a constable when the hearing involves an employee from that constable's department.

(d) In rendering a final decision regarding a disciplinary action by the department, the commission may only sustain, overturn, or reduce the disciplinary action. The commission may not enhance a disciplinary action by the department.

Sec. 158.107. PROCEDURES AFTER FELONY INDICTMENT OR MISDEMEANOR COMPLAINT. (a) If an employee is indicted for a felony or officially charged with the commission of a Class A or B misdemeanor, the constable may temporarily suspend the employee with or without pay for a period not to exceed 30 days after the date of final disposition of the specified felony indictment or misdemeanor complaint.

(b) The constable shall notify the suspended employee in writing that the person is being temporarily suspended for a specific period, with or without pay, as applicable, and that the temporary suspension is not intended to reflect an opinion on the merits of the indictment or complaint.

(c) An employee indicted for a felony or officially charged with the commission of a Class A or B misdemeanor who has also been charged by the constable with a civil service rule violation directly related to the indictment or complaint may delay the civil service hearing for not more than 30 days after the date of the final disposition of the indictment or complaint.

(d) If the constable temporarily suspends an employee under this section and the employee is not found guilty as charged in the indictment or complaint in a court of competent jurisdiction, the employee may appeal to the commission for recovery of back pay. The commission may:

- (1) award all or part of the back pay; or
- (2) modify or uphold the decision by the constable.

(e) Acquittal or dismissal of an indictment or a complaint does not mean that an employee has not violated a civil service rule and does not negate the charges that may have been or may be brought against the employee by the constable.

(f) Conviction of a felony is cause for dismissal, and conviction of a Class A or B misdemeanor may be cause for disciplinary action or dismissal.

Sec. 158.108. AUTHORITY TO ISSUE SUBPOENAS AND ADMINISTER OATHS. (a) In a proceeding before the commission under this subchapter, the chair of the commission shall, on request of a person described by Subsection (b):

(1) administer oaths; and
(2) issue subpoenas and subpoenas duces tecum for the attendance of witnesses and for the production of documentary material.

(b) The affected employee, the county attorney, or a designee of the employee or the county attorney may request the chair of the commission to subpoena any books, records, documents, papers, accounts, or witnesses that the requestor considers relevant to the case. The request must be made before the 10th day before the date a commission proceeding will be held.

(c) An oath administered under this section has the same force and effect as an oath administered by a magistrate in the magistrate's judicial capacity.

(d) A response to a subpoena duces tecum under this section is considered to have been made under oath.

(e) A person who is subpoenaed commits an offense if the person fails to appear as required by the subpoena. An offense under this section is a misdemeanor punishable by a fine up to \$1,000, confinement in the county jail for not more than 30 days, or both the fine and confinement.

Sec. 158.109. COMPENSATION AND STAFF. The members of the commission serve without compensation, but the commissioners court shall reimburse each member for actual and necessary expenses incurred in performing the member's duties. The commissioners court shall provide the commission with adequate office space and sufficient funds to employ an adequate staff and to purchase necessary supplies and equipment.

Sec. 158.110. APPEALS. (a) An employee who, on a final decision by the commission, is demoted, suspended, or removed from a position may appeal the decision by filing a petition in a district court in the county within 30 days after the date of the decision.

(b) An appeal under this section is under the substantial evidence rule, and the judgment of the district court is appealable as in other civil cases.

(c) If the district court renders judgment for the petitioner, the court may order reinstatement of the employee, payment of back pay, or other appropriate relief.

Sec. 158.111. REVIEW UNDER SUBSTANTIAL EVIDENCE RULE. (a) The same standards described by Section 158.0121 apply to an appeal under Section 158.110.

(b) The procedures for review under Section 158.110 are the same as provided by Section 158.0122.

(c) The commission may require a party who appeals a decision under Section 158.110 to pay the cost of preparing the commission record in the same manner provided by Section 158.0123.

Sec. 158.112. EXEMPTIONS. (a) A person who is an employee on the date that a civil service system is adopted under this subchapter may not be required to take a competitive examination or perform any other act under this subchapter to maintain the person's employment.

(b) Each constable of a county may designate as exempt from the civil service system:

(1) the position of chief deputy;
(2) four positions in the rank immediately under the rank of chief deputy;

(3) one or more positions in the office of departmental legal counsel;
and

(4) additional positions in the department except that the constable may not designate as exempt a total of more than 10 positions.

(c) At the time a new constable takes office, an employee holding an exempt position may be transferred to the nonexempt position held by the employee immediately before being promoted to an exempt position. A person who was not an officer in the department when appointed to an exempt position may be transferred only to an entry level position in accordance with the system's civil service rules.

Sec. 158.113. SYSTEM DISSOLUTION BY DEPARTMENT ELECTION.

(a) If, after a civil service system under this subchapter has been in effect in a county for at least one year, at least 20 percent of the employees in the county petition the county judge to dissolve the system, the judge shall order an election on the question of the dissolution of the civil service system.

(b) The county judge shall hold the election after the 15th day but on or before the 45th day after the date the petition is submitted. The election must be by secret ballot and each employee is entitled to vote at the election.

(c) The ballots for the election shall be printed to provide for voting for or against the proposition: "Dissolution of the civil service system for all constable's department employees in the county."

(d) The county judge shall canvass the votes and declare the result.

(e) If the proposition is approved by a majority of the employees voting at the election, the county judge shall declare the civil service system dissolved.

Sec. 158.114. SYSTEM DISSOLUTION BY COUNTY ELECTION. (a) After a civil service system under this subchapter has been in effect in a county for at least one year, a person may file a petition signed by at least 10 percent of the registered voters of the county with the county judge for a countywide election on the dissolution of the civil service system.

(b) On receipt of a petition described by Subsection (a), the county judge shall order an election in the county on the question of the dissolution of the civil service system to be held in the county:

(1) on the next uniform election date that allows sufficient time to comply with applicable provisions of law; or

(2) at a special election called for that purpose.

(c) The ballots for the election described by Subsection (b) shall be printed to provide for voting for or against the proposition: "Dissolution of the civil service system for all constable's department employees in the county."

(d) If a majority of the voters voting at the election described by Subsection (b) approve dissolution, the county judge shall declare the civil service system dissolved.

Sec. 158.115. EXCLUSIVITY. A civil service system created under this subchapter and in effect applies to employees and departments to the exclusion of a civil service system in that county created under Subchapter A or another law.

Amendment No. 2 - Point of Order

Representative Cain raised a point of order against further consideration of Amendment No. 2 under Rule 11, Section 2, Rule 11, Section 3, and Rule 8, Section 10(b), of the House Rules on the grounds that the amendment is not germane to the bill, changes the original purpose of the bill, and limits the bill's application to one or more political subdivisions by means of artificial devices.

The point of order was withdrawn.

Amendment No. 2 was withdrawn.

HB 3910, as amended, was passed to engrossment.

CSHB 2586 ON SECOND READING

(by Leach, Klick, Israel, Moody, Burrows, et al.)

CSHB 2586, A bill to be entitled An Act relating to political contributions and political expenditures made to or by political committees or other persons.

CSHB 2586 was passed to engrossment.

CSHB 3771 ON SECOND READING

(by Oliverson)

CSHB 3771, A bill to be entitled An Act relating to the approval of insurance companies to provide certain structured settlement annuity contracts.

CSHB 3771 was passed to engrossment.

HB 4695 ON SECOND READING

(by Deshotel)

HB 4695, A bill to be entitled An Act relating to the administration of the Port of Port Arthur Navigation District of Jefferson County, including the authority to impose taxes.

HB 4695 was passed to engrossment.

CSHB 3782 ON SECOND READING

(by Harless, S. Davis, Murphy, S. Thompson, and Perez)

CSHB 3782, A bill to be entitled An Act relating to the right to remove property encroaching on areas owned or controlled by the Harris County Flood Control District.

Amendment No. 1

Representative Harless offered the following amendment to **CSHB 3782**:

Amend **CSHB 3782** (house committee printing) on page 1, lines 18-19, by striking "may bring a cause of action against" and substituting "may use existing civil lawsuit processes against".

Amendment No. 1 was adopted.

CSHB 3782, as amended, was passed to engrossment.

CSHB 4246 ON SECOND READING
(by Nevárez)

CSHB 4246, A bill to be entitled An Act relating to nonsubmetered billing for water or wastewater service.

Amendment No. 1

Representative Nevárez offered the following amendment to **CSHB 4246**:

Amend **CSHB 4246** (house committee report) as follows:

(1) On page 1, strike lines 4 and 5 and substitute the following:

SECTION 1. Subchapter Z, Chapter 552, Local Government Code, is amended by adding Section 552.915 to read as follows:

(2) On page 1, line 6, strike "13.5032" and substitute "552.915".

(3) On page 1, lines 17 and 18, strike "A municipally owned utility may not charge a dwelling unit base charge for nonsubmetered master metered utility service." and substitute "A municipally owned utility may not charge a:

(1) dwelling unit base charge for nonsubmetered master metered utility service if the utility charges a master meter charge; or

(2) master meter charge for nonsubmetered master metered utility service if the charge is based on the number of dwelling units."

(4) Strike page 1, line 19, through page 2, line 1, and substitute the following:

(d) Subsection (c) does not apply to a dwelling unit base charge that is charged in connection with a fee imposed on the municipally owned utility by another governmental entity.

(e) In this section:

(1) "Dwelling unit" has the meaning assigned by Section 13.501, Water Code.

(2) "Municipally owned utility" means any utility that provides water or sewer service and is owned, operated, and controlled by a municipality or by a nonprofit corporation whose directors are appointed by one or more municipalities.

(3) "Nonsubmetered master metered utility service" has the meaning assigned by Section 13.501, Water Code.

Amendment No. 1 was adopted.

CSHB 4246, as amended, was passed to engrossment.

CSHB 2578 ON SECOND READING
(by E. Thompson)

CSHB 2578, A bill to be entitled An Act relating to toll collection and enforcement by private participants in comprehensive development agreements with the Texas Department of Transportation.

Amendment No. 1

Representative E. Thompson offered the following amendment to **CSHB 2578**:

Amend **CSHB 2578** (house committee printing) on page 1, line 10, between "agreement" and "entered", by inserting "for a toll project located in a county with a population of 3.3 million or more if the agreement was".

Amendment No. 1 was adopted.

CSHB 2578 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE MINJAREZ: Mr. Thompson, just a couple of questions. Maybe you can alleviate some of my concerns. In regard to your amendment, did that limit your bill to the one toll in your area?

REPRESENTATIVE E. THOMPSON: Correct.

MINJAREZ: Okay. My concern is that I admitted an amendment in the sunset bill under **SB 312** last legislative session. I just want to make sure your bill is strictly limited to the one toll project that's in Harris County.

E. THOMPSON: It is. That's what the amendment does is that it brackets it to Harris County. So it's just that one. It's actually about 11 miles of new construction that's taking place right now. They entered into this agreement with TxDOT prior to that date, and so it got caught in that amendment. I had asked some questions during that layout of that sunset bill and was assured that it wasn't covered, but it got swept into that.

MINJAREZ: So just to alleviate concerns others have, no other tolls outside of Harris County will be affected by this bill?

E. THOMPSON: No other toll roads other than this one will be affected.

CSHB 2578, as amended, was passed to engrossment.

REMARKS ORDERED PRINTED

Representative Minjarez moved to print remarks between Representative E. Thompson and Representative Minjarez on **CSHB 2578**.

The motion prevailed.

SB 1938 ON SECOND READING

(Phelan, Raymond, Rodriguez, P. King, Frullo, et al. - House Sponsors)

SB 1938, A bill to be entitled An Act relating to certificates of convenience and necessity for the construction of facilities for the transmission of electricity.

SB 1938 was considered in lieu of **HB 3995**.

SB 1938 - REMARKS

REPRESENTATIVE PHELAN: This bill will ensure that the Public Utility Commission of Texas and not the federal government will continue to have jurisdiction over Texas transmission operations and rates. This bill will allow utilities to timely build needed transmission infrastructure to serve Texas' growing economy.

REPRESENTATIVE TOTH: Chairman Phelan, there have been a couple of publications and blogs and several obscure websites, like Human Events and others that the opponents of this bill have apparently paid quite a bit of money to fund, speaking negatively about this bill. Is that correct?

PHELAN: That is very correct. Yes, sir.

TOTH: I've heard terms like "crony capitalism." Not sure if that's exactly it, but they all seem to have a common theme, tying back to yielding to federal control over the state's transmission system for the benefit of a few hedge funds and private equity firms. Isn't that correct?

PHELAN: That is completely accurate. Yes, sir. That's accurate.

TOTH: Some of the biggest, largest electricity consumers in the state who depend on reliable, cost-effective electricity service have all been in favor of this bill. Isn't that correct?

PHELAN: Correct. It's rare to get the largest users of electricity on the same page with the largest generators. You're correct.

TOTH: I sincerely hope, Chairman, that this body doesn't fall for those tricks. Bottom line—we should listen to the key stakeholders in the State of Texas for safe, reliable transmissions. So thank you for this bill.

REPRESENTATIVE CLARDY: There are some comments I want to make, and this is really directed to the body. I think there's a duty that each of us have one to the other that is there's issues that are important, for us to consider things. I think we always want to make our best decisions fully informed and knowledgeable of the bills that are in front of us. I think that's part of our responsibility, not only to consider those things, but if we have those things, to share those things. I appreciate the comments of Mr. Toth from the back mic, but what I'm about to tell you is not about any sort of obscure publication or anything else. This is a serious issue. And just in full disclosure, I want to tell you that I rise ready to speak on behalf of the local electrical co-ops within my district that I represent and I know and the people that live in those districts. Some of you may have some of those, but fundamentally these are the electrical co-ops that are outside of ERCOT. And I don't want to bore you and go too wonky on this stuff. I know you've been here a long time. You probably feel like you've been hogtied to your desk, but I'm going to make this as quick as I can.

If you're inside ERCOT, intrastate commerce is not regulated by the Federal Energy Regulatory Commission, the FERC. If you're outside, by necessity you are going to be regulated by FERC but also, in addition to that, the Texas PUC. The PUC is the agency exclusively responsible to set the rates. This issue has

been debated. The bill was filed, I think, on the last day in both the house and the senate. I've talked with Chairman Phelan about this, and I want to say on the outset, Chairman Phelan has been nothing but good on this. We've had these conversations. There's not a bad person here. I want to stress that the companies and individuals that are supportive of this bill are good people, that they have a point of view, and the co-ops and others like me have a different point of view, but there's not bad actors or some intent. It's just that this is a business decision and a business issue.

So what I would like to bring to your attention is when this issue arose, I requested a letter from the current administration's Department of Justice because this deals with potential antitrust and anti-competitive issues that are pending in other states around the union. And I simply asked. I did not write a letter and suggest what the answer should be. I asked, "We request your views on the competitive effects of **HB 3995/SB 1938**"—to see what the answer would be. And the answer came back very clearly in a letter to me of April 19, 2019. I'm going to read two passages from it, very short, in their discussion. This came from the U.S. Department of Justice Antitrust Division and was authored by Mr. Daniel Haar, acting chief, Competition Policy and Advocacy Section, U.S. Department of Justice. He writes:

"The division urges Texas to consider whether **HB 3995** may harm competition and consumers in ways that resemble the harm that can be caused by ROFR [right of first refusal] laws found in other states. In particular, by restricting the development of transmission facilities to local incumbents, **HB 3995** can harm consumers by reducing or eliminating competition.

... **HB 3995** could deny [firms] the opportunity to construct [projects] and likewise deny consumers the benefits of the new competitor's efforts. Consequently, such entities also would not have the incentive to look for and propose such beneficial projects. Even if an incumbent is best situated to develop a particular project, [this bill] would likely reduce the competitive pressure on such incumbents to develop higher quality, lower cost transmission facilities."

Now, folks, those aren't my opinions. That's from the Department of Justice. And the reason that's important, I think, to this body as we enter into this vote, is in all likelihood there will be protracted federal legislation and also, potentially, private litigation dealing with this bill. There is no urgency or haste. There is no reason to pass this bill now. This bill, I don't believe, has been properly vetted nor have the stakeholders really joined the issue in a way designed to get it fixed. When parties try to work something out under the context of the legislature, when the facts are joined in the last few days, it doesn't result, oftentimes, in the results we would like to see. And members, what I'm suggesting to you is not that this is a horrible idea or these are bad people. But perhaps this is one of those times we exercise our better judgment and not commit the resources of the state to fight and defend a bad piece of legislation that we know is going to be challenged and

is going to be viewed harshly by the current administration's Department of Justice Antitrust Division. So I will be voting against the bill. Again, I hope Chairman Phelan knows this is not at all directed personally against him or Chairman Hancock in the senate. I think this is an issue that needs to be addressed, but I don't think this is the bill, nor do I think this is the time. I would ask members to vote your district as I'm voting mine. I have these co-ops in my district. These are my people. I'm going to vote my district, Ms. Thompson. That's what they tell us to do, and I hope you'll do the same.

PHELAN: I appreciate the sentiments of Representative Clardy. I appreciate him sharing the letter from the Department of Justice to you all. Let me just say that the points he raised from that letter have been already litigated. They have been rejected by the U.S. federal court in Minnesota. They also rejected the dormant commerce clause challenge which is also outlined in Representative Clardy's letter, so we've been there, we've done that. This is strictly about keeping the PUC and the state of government regulating rates in Texas, especially in a non-ERCOT area.

REPRESENTATIVE COLLIER: Chairman Phelan, isn't it true that back in 1999, when the Texas Legislature decided to restructure the Texas electricity market, they intentionally left the transmission and distribution companies regulated to provide the foundation of the successful competitive retail electricity market?

PHELAN: That is correct.

COLLIER: So you talked about Minnesota, and I want to go back to what you're talking about because some other states have already passed legislation just similar to this, isn't that right?

PHELAN: They've either passed legislation or they've filed lawsuits to prevent this FERC Order 1000 from ever entering into their states.

COLLIER: So you're talking about this FERC order. I've heard a lot of talk about this FERC Order 1000 and how its implementation is supposed to encourage more transmission projects and lower costs. But isn't it true, Mr. Phelan, that, in fact, there have been no transmission projects actually completed under the FERC Order 1000 since its implementation in 2011?

PHELAN: Not a single state has taken advantage of FERC Order 1000.

COLLIER: Okay, that's more than eight years ago. So wouldn't that type of bureaucratic and litigious delay have significant impacts on the Texas economy?

PHELAN: It would be devastating, I would think, especially for a state growing as fast as Texas is. Yes, ma'am.

COLLIER: I agree. So you talked about the DOJ because Representative Clardy brought that up, and you said that there's other states that have already passed similar legislation, isn't that right?

PHELAN: Correct.

COLLIER: Just like this. So there's been talk about the DOJ challenging Texas' ability to pass this bill, but like you mentioned, Minnesota has already passed a bill similar to like this?

PHELAN: They did, and it was challenged in federal court, and the challenge was defeated.

COLLIER: So there should be no concern about a federal challenge because this same issue has already been resolved, basically.

PHELAN: Correct. In my opinion, correct.

A record vote was requested by Representative Clardy.

SB 1938 was passed to third reading by (Record 1029): 139 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; 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, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; 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; 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.; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Ashby; Clardy; Dean; Hefner; VanDeaver.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Davis, S.

Absent — King, T.; Stickland.

HB 3995 - LAID ON THE TABLE SUBJECT TO CALL

Representative Phelan moved to lay **HB 3995** on the table subject to call.

The motion prevailed.

CSHB 1584 ON SECOND READING

(by S. Thompson, K. King, Kacal, Zedler, and Cole)

CSHB 1584, A bill to be entitled An Act relating to health benefit plan coverage of prescription drugs for stage-four advanced, metastatic cancer.

Amendment No. 1

Representative S. Thompson offered the following amendment to **CSHB 1584**:

Amend **CSHB 1584** by S. Thompson by inserting on page 1 after line 12, a definition of "associated conditions."

"Associated conditions" means the symptoms or side effects associated with stage-four advanced, metastatic cancer or its treatment and which, in the judgment of the health care practitioner, further jeopardizes the health of a patient if left untreated.

Amendment No. 1 was adopted.

CSHB 1584, as amended, was passed to engrossment.

HB 442 ON SECOND READING

(by Meyer)

HB 442, A bill to be entitled An Act relating to the statute of limitations for the offense of abandoning or endangering a child.

HB 442 was passed to engrossment.

HB 4070 ON SECOND READING

(by Oliverson and Thierry)

HB 4070, A bill to be entitled An Act relating to the prosecution of the criminal offense of passing a school bus; increasing a criminal penalty.

Amendment No. 1

Representative Moody offered the following amendment to **HB 4070**:

Amend **HB 4070** (house committee report) on page 1, line 16 by striking "second" and substituting "third".

Amendment No. 1 was adopted.

HB 4070, as amended, was passed to engrossment.

CSHB 24 ON SECOND READING

(by Romero, Neave, Burns, et al.)

CSHB 24, A bill to be entitled An Act relating to increasing criminal penalties for certain family violence offenses committed when a child is or may be present during the commission of the offense.

A record vote was requested by Representative Canales.

CSHB 24 was passed to engrossment by (Record 1030): 128 Yeas, 12 Nays, 3 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; 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, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Allen; Biedermann; Cain; Klick; Leman; Oliverson; Rose; Schaefer; Springer; Stickland; Swanson; Wilson.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Bell, C.; Johnson, J.D.; Krause; Sanford; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1030 was taken, I was in the house but away from my desk. I would have voted yes.

C. Bell

When Record No. 1030 was taken, I was in the house but away from my desk. I would have voted no.

Krause

When Record No. 1030 was taken, I was shown voting no. I intended to vote yes.

Leman

When Record No. 1030 was taken, I was shown voting no. I intended to vote yes.

Swanson

POSTPONED BUSINESS

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

HB 1897 ON SECOND READING**(by G. Bonnen)**

HB 1897, A bill to be entitled An Act relating to dispute resolution for certain claims arising under insurance policies issued by the Fair Access to Insurance Requirements (FAIR) Plan Association; authorizing fees.

HB 1897 was read second time earlier today, amendments were offered and disposed of, **HB 1897** was postponed until 6:45 p.m. today, postponed until 7:15 p.m. today, and was again postponed until this time. Amendment No. 4 was pending at the time of postponement.

HB 1897 - POINT OF ORDER

Representative Dutton raised a point of order against further consideration of **HB 1897** under Rule 4, Section 32(c)(2), of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on House Bill 1897

Announced in the House on May 6, 2019

(Speaker pro tempore in the chair)

Representative Dutton raises a point of order against further consideration of **HB 1897** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is inaccurate because it fails to adequately analyze the bill's provisions.

Representative Dutton identifies several provisions of the bill that are not addressed by the bill analysis. For example, in analyzing the contents of Sections 2211.175 and 2211.176, Insurance Code, as added by the bill, Representative Dutton notes that the bill analysis fails to address details relating to the appointment and qualifications of the judge that presides over an action brought by a claimant under the bill and the standard of evidence that must be used to determine recovery by the claimant of certain damages under the bill's provisions.

In reviewing the bill analysis, the Chair finds, among other things, that the bill analysis provides insufficient detail concerning the venue for and appointment of a judge to preside over an action brought by the claimant under the bill's provisions. Further, the Chair finds that, in analyzing the three pages of bill text relating to disputes concerning the amount of accepted coverage for a claim, the bill analysis summarizes those provisions in a mere five lines, which, in the opinion of the Chair, provides insufficient detail of the bill's contents. See 80 H. Jour. 5084 (2007).

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

HB 1897 was returned to the Committee on Insurance.

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).

**GENERAL STATE CALENDAR
(consideration continued)****CSHB 2524 ON SECOND READING
(by Anderson)**

CSHB 2524, A bill to be entitled An Act relating to the prosecution of the criminal offense of theft of service.

Amendment No. 1

Representative Wu offered the following amendment to **CSHB 2524**:

Amend **CSHB 2524** (house committee printing) on page 2, line 13, between "delivery service" and the underlined semicolon, by inserting "with proof of receipt by the actor".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Collier offered the following amendment to **CSHB 2524**:

Amend **CSHB 2524** (house committing printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 31.04, Penal Code, is amended by amending Subsection (d-1) and adding Subsections (d-2) and (d-3) to read as follows:

(d-1) For purposes of Subsection (a)(2), the diversion of services to the benefit of a person who is not entitled to those services includes the disposition of personal property by an actor having control of the property under an agreement described by Subsection (d-2)(1)-(3), if the actor disposes of the property in violation of the terms of the agreement and to the benefit of any person who is not entitled to the property.

(d-2) For purposes of Subsection (a)(3), the term "written rental agreement" does not include an agreement that:

(1) permits an individual to use personal property for personal, family, or household purposes for an initial rental period;

(2) is automatically renewable with each payment after the initial rental period; and

(3) permits the individual to become the owner of the property.

(d-3) For purposes of Subsection (a)(4):

(1) if the compensation is or was to be paid on a periodic basis, the intent to avoid payment for a service may be formed at any time during or before a pay period; and

(2) the partial payment of wages alone is not sufficient evidence to negate the actor's intent to avoid payment for a service.

Amendment No. 2 was adopted.

CSHB 2524, as amended, was passed to engrossment.

CSHB 1365 ON SECOND READING

(by Lucio, Zerwas, S. Thompson, Anchia, Larson, et al.)

CSHB 1365, A bill to be entitled An Act relating to authorizing the possession, use, cultivation, processing, distribution, transportation, research, testing, and delivery of low-THC cannabis for medical use by patients with certain debilitating medical conditions and the licensing of cannabis dispensing organizations, cannabis research organizations, and cannabis testing facilities; establishing the cannabis therapeutic research review board; authorizing fees.

Amendment No. 1

Representative Middleton offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** (house committee report) as follows:

(1) On page 8, strike lines 13 through 19 and reletter subsequent subsections and correct cross-references accordingly.

(2) On page 26, line 14, after the underlined semi-colon, insert "or".

(3) Strike page 26, line 27 through page 27, line 4 and substitute the following:

(viii) tic disorders.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Zerwas offered the following amendment to **CSHB 1365**:

Amend **CSHB 1365** (house committee report) as follows:

(1) On page 29, line 2, between "that" and "the physician", insert the following:

⋮

(1) On page 29, line 6, between "self-study" and the period, insert the following:

⋮

(2) the physician has determined that the risk of medical use by the patient is reasonable in light of the potential benefit for the patient; and

(3) a second physician licensed in this state has concurred with the physician's determination under Subdivision (2) and the second physician's concurrence is recorded in the patient's medical record

(3) On page 30, line 14, following the semicolon, strike "and" and substitute "and".

(4) On page 30, strike lines 16 through 20 and substitute the following: medical knowledge required by Subsection (a); and

(E) a second physician licensed in this state [qualified to prescribe low THC cannabis under Section 169.002] has concurred with the physician's determination under Paragraph (C) [(B)], and the second physician's concurrence is recorded in the patient's medical record.

Amendment No. 2 was adopted.

A record vote was requested by Representative Stickland.

CSHB 1365, as amended, was passed to engrossment by (Record 1031): 121 Yeas, 23 Nays, 1 Present, not voting.

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

Nays — Bonnen; Burrows; Capriglione; Flynn; Harris; Hefner; Klick; Landgraf; Lang; Leman; Lozano; Metcalf; Murr; Noble; Paddie; Paul; Shaheen; Shine; Smith; Smithee; Springer; Stephenson; Thompson, E.

Present, not voting — Mr. Speaker.

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Bell, C.; Canales; Johnson, J.D.

STATEMENTS OF VOTE

When Record No. 1031 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 1031 was taken, I was shown voting no. I intended to vote present, not voting.

Shine

(Speaker in the chair)

COMMITTEES GRANTED PERMISSION TO MEET

Representative Moody moved that the house grant permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings or recess motions.

Permission to meet was granted.

FIVE-DAY POSTING RULE SUSPENDED

Representative C. Turner moved to suspend the five-day posting rule to allow the Committee on Higher Education to consider **SB 1323** and **SB 2317** at 8:30 a.m. Wednesday, May 8 in E1.010.

The motion prevailed.

Representative Phelan moved to suspend the five-day posting rule to allow the Committee on State Affairs to consider **SB 662** and **SB 2299** at 8 a.m. Wednesday, May 8 in E2.014.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Calendars, upon final recess or during bill referral, if permission granted, today, 3W.9, for a formal meeting, to consider a calendar.

State Affairs, upon final recess or during bill referral, if permission granted, today, 1W.14, for a formal meeting, to consider referred and pending business.

Transportation, upon final recess or during bill referral, if permission granted, today, 1W.14, for a formal meeting, to consider pending business.

PROVIDING FOR RECESS

At 8:43 p.m., Representative Clardy moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house recess until 10 a.m. tomorrow in memory of Houston White of Rusk.

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

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

(Geren in the chair)

RECESS

In accordance with a previous motion, the house, at 9:03 p.m., recessed until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 4763 (By Rose), Relating to the creation of the Spradley Farms Improvement District of Kaufman County; providing the authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To County Affairs.

HB 4764 (By Wray), Relating to the authority of the Midlothian Municipal Management District No. 3 to impose an ad valorem tax.

To Urban Affairs.

HCR 164 (By Wray), Directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to First Lieutenant Andrew Jackson Lummus Jr.

To Defense and Veterans' Affairs.

HCR 166 (By Miller), Urging the president to designate a state funeral for the last surviving Medal of Honor recipient from World War II.

To Defense and Veterans' Affairs.

HCR 167 (By Kuempel), Urging Congress to pass legislation compensating the survivors and surviving families of the Sutherland Springs mass shooting for damages due to the failure of the U.S. Air Force to report the shooter's conviction to the FBI National Crime Information Center Database.

To State Affairs.

HCR 168 (By Goldman), Directing the Texas Alcoholic Beverage Commission to conduct a study on control label products.

To Licensing and Administrative Procedures.

HCR 169 (By Hefner), In memory of Olin "Cliff" Hand of Royse City.

To Resolutions Calendars.

HCR 170 (By Reynolds), Urging Congress to pass H.R. 1585, the Violence Against Women Reauthorization Act of 2019.

To Criminal Jurisprudence.

HCR 171 (By Neave), Recognizing the Lipan Apache Tribe of Texas for its contributions to this state.

To Resolutions Calendars.

HR 1405 (By Frullo), Congratulating Chief Lance Phelps on his retirement from Lubbock Fire Rescue.

To Resolutions Calendars.

HR 1406 (By Frullo), Congratulating Chief Gregory Stevens on his retirement from the Lubbock Police Department.

To Resolutions Calendars.

HR 1407 (By Frullo), Congratulating Carolyn Byrd Simpson on her retirement from the Lubbock Area United Way.

To Resolutions Calendars.

HR 1408 (By Frullo), In memory of Octavia Middleton Givens of Lubbock.

To Resolutions Calendars.

HR 1409 (By Middleton), In memory of Joseph Elmer Huff III of Galveston.

To Resolutions Calendars.

HR 1410 (By Howard), Recognizing the 2019 class of the NEW Leadership Texas Summer Institute.

To Resolutions Calendars.

HR 1411 (By Herrero), In memory of Albert Leal Jr. of Corpus Christi.

To Resolutions Calendars.

HR 1412 (By Herrero), Congratulating Claudia S. Jackson on her retirement from Del Mar College.

To Resolutions Calendars.

HR 1413 (By Hernandez), Commemorating the 100th anniversary of the American Legion and the work of American Legion Post No. 472 in Houston.

To Resolutions Calendars.

HR 1414 (By Springer), In memory of Henry Dalton Birdwell Sr. of Bryson.

To Resolutions Calendars.

HR 1415 (By Hinojosa), Congratulating Robert A. Jackson on his retirement as director of AARP Texas.

To Resolutions Calendars.

HR 1416 (By Springer), Congratulating Matilin Rigsby of Gainesville High School on her recent successes in the UIL Congress State Meet and the Daughters of the American Revolution essay contest.

To Resolutions Calendars.

HR 1417 (By Springer), Congratulating Connor Sears of Gold-Burg High School on his outstanding archery performance at The Vegas Shoot 2019.

To Resolutions Calendars.

HR 1418 (By Springer), Commending Rachel Brendle, Coulter Reel, and Sheridan Smith of Guthrie High School for donating dog beds made from recycled tires to local animal shelters.

To Resolutions Calendars.

HR 1419 (By Springer), Congratulating Rex and Judy Allen of Nocona on their 70th wedding anniversary.

To Resolutions Calendars.

HR 1420 (By Springer), Congratulating Van Hedrick on his induction into the North Texas Junior College Athletic Conference Hall of Fame.

To Resolutions Calendars.

HR 1421 (By Springer), Honoring artist Gale Cochran-Smith of Montague on her exhibition at the Galleria at The Forum in Wichita Falls.

To Resolutions Calendars.

HR 1422 (By Springer), Congratulating Juanita Maude Crenshaw Uselton Roberson of Nocona on her 100th birthday.

To Resolutions Calendars.

HR 1423 (By Springer), Congratulating Nathan Huston of Lindsay on winning a first-place prize at the 2019 Houston Livestock Show.

To Resolutions Calendars.

HR 1424 (By Springer), Congratulating Theresa Wyrick of Lindsay on winning a first-place prize at the 2019 Houston Livestock Show.

To Resolutions Calendars.

HR 1425 (By Springer), Congratulating Rachel Patrick of Saint Jo on winning the 2019 PenTex Energy Government-in-Action Youth Tour contest.

To Resolutions Calendars.

HR 1426 (By Zedler), In memory of Eugene Francis Motter of Mansfield.

To Resolutions Calendars.

HR 1427 (By Hunter), Commending Terri "Cissi" Whipple of Corpus Christi for her contributions to the sport of table soccer.

To Resolutions Calendars.

HR 1429 (By Morrison), Congratulating Dolly Stokes on her retirement as executive director of Victoria County United Way.

To Resolutions Calendars.

HR 1430 (By Gervin-Hawkins), Commemorating the 150th anniversary of CHRISTUS Santa Rosa Health System.

To Resolutions Calendars.

HR 1431 (By Moody), Congratulating the honor band at Canutillo Middle School in El Paso on its performance at Carnegie Hall.

To Resolutions Calendars.

HR 1432 (By Murr), Congratulating James Patrick Murray on his retirement as president and CEO of Peterson Health in Kerrville.

To Resolutions Calendars.

HR 1435 (By Zwiener), In memory of William Cunningham of San Marcos.

To Resolutions Calendars.

HR 1436 (By Herrero), In memory of Lile Lucio Rodriguez of Robstown.

To Resolutions Calendars.

HR 1437 (By Paddie), In memory of Eugene Wesley Jones of Marshall.

To Resolutions Calendars.

HR 1438 (By K. Bell), In memory of Dana K. Chambliss of Forney.

To Resolutions Calendars.

HR 1439 (By Farrar), Requesting the speaker to provide for an interim house study on retirement security in Texas.

To Pensions, Investments, and Financial Services.

HR 1440 (By Farrar), Commemorating the 25th anniversary of Saint Arnold Brewing Company in Houston.

To Resolutions Calendars.

HR 1441 (By Guillen), In memory of former Astascosa County commissioner Lon "Lonnie" Gillespie.

To Resolutions Calendars.

HR 1442 (By Guillen), In memory of Joel Jaime Saenz of Rio Grande City.

To Resolutions Calendars.

HR 1443 (By Guillen), In memory of Manuel David Falcon of Rio Grande City.

To Resolutions Calendars.

HR 1444 (By Guillen), In memory of Dorothy Fetters Haverlah of Pleasanton.

To Resolutions Calendars.

HR 1445 (By Guillen), In memory of William John Smedley of Rio Grande City.

To Resolutions Calendars.

HR 1446 (By Guillen), In memory of former Atascosa County commissioner Freddie Eugene Ogden Sr.

To Resolutions Calendars.

HR 1447 (By Guillen), In memory of Dr. Mary Elizabeth Laing Springs, superintendent of Three Rivers ISD.

To Resolutions Calendars.

HR 1448 (By Guillen), Congratulating Lieutenant Frank Leal on his retirement from the Poteet Police Department.

To Resolutions Calendars.

HR 1449 (By Guillen), Congratulating Elvira Salinas Cruz of Raymondville on her 100th birthday.

To Resolutions Calendars.

HR 1450 (By Goldman), In memory of Alan Dean Luskey of Fort Worth.

To Resolutions Calendars.

HR 1451 (By Goldman), Congratulating the Fort Worth Herd on its 20th anniversary.

To Resolutions Calendars.

HR 1453 (By Leach), Commemorating the grand reopening of the Sam Johnson Recreation Center for Adults 50+ in Plano.

To Resolutions Calendars.

HR 1455 (By Leach), Commemorating the inclusion of the Texas Pool in Plano in the National Register of Historic Places.

To Resolutions Calendars.

HR 1457 (By P. King), Honoring the Stars and Strides Stables Therapeutic Riding Center in Weatherford.

To Resolutions Calendars.

HR 1458 (By Israel), Congratulating Terry G. McCoy on his retirement from the Texas Department of Transportation.

To Resolutions Calendars.

HR 1459 (By Israel), Congratulating Kevin Dickey on his retirement from the Austin District of the Texas Department of Transportation.

To Resolutions Calendars.

HR 1460 (By Howard), Congratulating Tom Rogers on his retirement as legislative chair of the Austin Retired Teachers Association.

To Resolutions Calendars.

HR 1462 (By Wray), Congratulating Max Simpson on the naming of a new Waxahachie ISD elementary school in his honor.

To Resolutions Calendars.

HR 1463 (By Flynn), Honoring the Vietnam War veterans of Hunt County.

To Resolutions Calendars.

HR 1464 (By Flynn), Commending Sandy Hilliard of Canton for her 20 years of volunteer service with the state's foster care programs.

To Resolutions Calendars.

HR 1465 (By Paul), Honoring the 2019 Texas State Schools of Character.

To Resolutions Calendars.

HR 1469 (By White), Commending Katy Koch on being named the student with the highest GPA among junior political science majors at The University of Texas at Arlington.

To Resolutions Calendars.

HR 1470 (By J.D. Johnson), Honoring Tonya Prince and the Sickie Cell Association of Houston, Inc.

To Resolutions Calendars.

HR 1472 (By Murr), In memory of Sheriff Bruce Carr of Real County.

To Resolutions Calendars.

HR 1473 (By Murr), Commemorating the grand opening of the Kimble County Historical Museum.

To Resolutions Calendars.

HR 1474 (By Murr), Commemorating the 100th annual show and sale sponsored by the Texas Angora Goat Raisers Association.

To Resolutions Calendars.

HR 1475 (By Murr), Congratulating Schreiner University on the opening of its new STEMZone facility.

To Resolutions Calendars.

HR 1476 (By Murr), Honoring Mary Cunningham for her service as county judge of Llano County.

To Resolutions Calendars.

HR 1477 (By Murr), In memory of Kimble County attorney Donnie J. Coleman.

To Resolutions Calendars.

HR 1479 (By Cole), In memory of Akwasi Rozelle Evans of Austin.

To Resolutions Calendars.

HR 1480 (By Cole), Commemorating the 10th anniversary of the unveiling of the African American Legislators Monument in the Texas State Cemetery in March 2020.

To Resolutions Calendars.

HR 1481 (By Wu), Commending the Islamic Society of Greater Houston for its response in the aftermath of Hurricane Harvey.

To Resolutions Calendars.

HR 1482 (By Smithee), Congratulating Scott Houdashell and Curtis McGill of Amarillo on the success of the Eggmazing Egg Decorator.

To Resolutions Calendars.

HR 1484 (By D. Bonnen), In memory of Elizabeth Nell Dyess Denman of Lake Jackson.

To Resolutions Calendars.

HR 1485 (By Morrison), Congratulating Captain Donna M. Odem-Nichols on her retirement from the Victoria Fire Department.

To Resolutions Calendars.

HR 1486 (By Wray), Commending Julia Awad for her service as a legislative intern in the office of State Representative John Wray during the 86th Legislative Session.

To Resolutions Calendars.

HR 1487 (By Wray), Commending Alyssa Crosby for her service as a legislative intern in the office of State Representative John Wray.

To Resolutions Calendars.

HR 1488 (By Wray), Commending Abigail Melick for her service as an intern in the office of State Representative John Wray.

To Resolutions Calendars.

HR 1489 (By Y. Davis), Commending Zekarias Abnet for his service as a legislative intern in the office of State Representative Yvonne Davis during the 86th Legislative Session.

To Resolutions Calendars.

HR 1490 (By Y. Davis), Commending Charis Caprice Nyelle Nelson for her service as a legislative intern in the office of State Representative Yvonne Davis.

To Resolutions Calendars.

HR 1491 (By White), Congratulating Juanita Musgrove Fortenberry Guidry of Teague on her 100th birthday.

To Resolutions Calendars.

HR 1492 (By Herrero), Congratulating Kaitlynn Gonzalez of Robstown Early College High School on winning the Texas High School Women's Powerlifting Association 4A state championship in the 97-pound weight class.

To Resolutions Calendars.

HR 1493 (By Herrero), In memory of Barbara Passmore Cline of Corpus Christi.

To Resolutions Calendars.

HR 1494 (By Herrero), Congratulating Megan Calvez on graduating as the valedictorian of the Agua Dulce High School Class of 2019.

To Resolutions Calendars.

HR 1495 (By Vo), Commending Dr. Alvin Nguyen Van Dieu of Houston on the occasion of Vietnamese American Day at the State Capitol.

To Resolutions Calendars.

HR 1496 (By Herrero), Congratulating Randal Garza on graduating as the salutatorian of the Agua Dulce High School Class of 2019.

To Resolutions Calendars.

HR 1497 (By Vo), Commending Colonel Truong Nhu Phung on the occasion of Vietnamese American Day at the State Capitol.

To Resolutions Calendars.

HR 1498 (By Vo), Commending James Tran on the occasion of Vietnamese American Day at the State Capitol.

To Resolutions Calendars.

HR 1499 (By Herrero), Congratulating Christian Isaac Dominguez on graduating as the 2019 valedictorian of West Oso High School in Corpus Christi.

To Resolutions Calendars.

HR 1500 (By Herrero), Congratulating Destiny Danielle Solis on graduating as salutatorian of the Class of 2019 at West Oso High School in Corpus Christi.

To Resolutions Calendars.

HR 1501 (By Herrero), Congratulating Jacqueline K. Carr on graduating as the valedictorian of the Class of 2019 at Calallen High School in Corpus Christi.

To Resolutions Calendars.

HR 1502 (By Herrero), Congratulating Briana C. Villarreal on graduating as the salutatorian of the Class of 2019 at Calallen High School in Corpus Christi.

To Resolutions Calendars.

HR 1503 (By Herrero), Congratulating Katie Nguyen on graduating as valedictorian of the Class of 2019 at Collegiate High School in Corpus Christi.

To Resolutions Calendars.

HR 1504 (By Herrero), Congratulating Keyla Martinez on graduating as salutatorian of the Class of 2019 at Collegiate High School in Corpus Christi.

To Resolutions Calendars.

HR 1505 (By Walle), Congratulating the MacArthur High School boys' and girls' cross-country teams for winning the 2018 district championships.

To Resolutions Calendars.

HR 1507 (By Martinez), Honoring Elder B. Barton for his service during the Texas Revolution.

To Resolutions Calendars.

HR 1509 (By Murr), Congratulating Lynn Meador on his retirement as the Schleicher County commissioner for Precinct 2.

To Resolutions Calendars.

HR 1511 (By Patterson), Congratulating RJ Hampton of Little Elm High School on being named the 2018-2019 Gatorade State Boys Basketball Player of the Year for Texas.

To Resolutions Calendars.

HR 1512 (By Goldman), Congratulating Harriett Moore on her retirement from Trinity Valley School in Fort Worth.

To Resolutions Calendars.

HR 1513 (By Goldman), Congratulating Judith Kinser on her retirement from Trinity Valley School in Fort Worth.

To Resolutions Calendars.

HR 1514 (By Sanford), Recognizing May 2019 as International Internal Audit Awareness Month.

To Resolutions Calendars.

HR 1515 (By Guillen), In memory of Eziquiel "Zeke" D. Cavazos of Raymondville.

To Resolutions Calendars.

SB 64 to State Affairs.

SB 76 to State Affairs.

SB 117 to Criminal Jurisprudence.

SB 239 to County Affairs.

SB 347 to Ways and Means.

SB 390 to County Affairs.

SB 426 to Public Education.

SB 429 to Public Health.

SB 470 to Human Services.

SB 499 to Higher Education.

SB 502 to Higher Education.

SB 511 to Transportation.

SB 549 to Transportation.

SB 560 to Judiciary and Civil Jurisprudence.

SB 562 to Criminal Jurisprudence.

SB 712 to Public Education.

SB 722 to Public Education.

SB 806 to Elections.

SB 819 to State Affairs.

SB 820 to Public Education.

SB 871 to Land and Resource Management.

SB 907 to Culture, Recreation, and Tourism.

SB 916 to Public Health.

SB 933 to Public Education.

SB 939 to Judiciary and Civil Jurisprudence.

SB 941 to Ways and Means.

SB 948 to Culture, Recreation, and Tourism.

SB 1083 to Land and Resource Management.
SB 1096 to Public Health.
SB 1101 to Human Services.
SB 1119 to Public Health.
SB 1120 to Public Health.
SB 1122 to Public Health.
SB 1138 to Pensions, Investments, and Financial Services.
SB 1190 to Elections.
SB 1193 to Transportation.
SB 1200 to Licensing and Administrative Procedures.
SB 1205 to Appropriations.
SB 1236 to County Affairs.
SB 1239 to Public Health.
SB 1261 to Ways and Means.
SB 1280 to Ways and Means.
SB 1281 to Energy Resources.
SB 1284 to Public Education.
SB 1309 to Public Education.
SB 1329 to Pensions, Investments, and Financial Services.
SB 1394 to Licensing and Administrative Procedures.
SB 1412 to Public Education.
SB 1468 to Land and Resource Management.
SB 1579 to County Affairs.
SB 1642 to Ways and Means.
SB 1700 to County Affairs.
SB 1739 to Insurance.
SB 1757 to Higher Education.
SB 1779 to State Affairs.
SB 1806 to Defense and Veterans' Affairs.
SB 1828 to Public Education.
SB 1859 to Business and Industry.
SB 1876 to Ways and Means.
SB 1882 to Public Health.
SB 1969 to Business and Industry.
SB 1970 to Business and Industry.
SB 1971 to Business and Industry.
SB 1972 to Judiciary and Civil Jurisprudence.

SB 2021 to Human Services.
SB 2050 to Appropriations.
SB 2060 to Ways and Means.
SB 2066 to State Affairs.
SB 2077 to International Relations and Economic Development.
SB 2111 to Public Health.
SB 2117 to Public Education.
SB 2131 to Defense and Veterans' Affairs.
SB 2152 to International Relations and Economic Development.
SB 2195 to State Affairs.
SB 2202 to International Relations and Economic Development.
SB 2215 to Judiciary and Civil Jurisprudence.
SB 2219 to Pensions, Investments, and Financial Services.
SB 2231 to Higher Education.
SB 2240 to Transportation.
SB 2286 to County Affairs.
SB 2296 to International Relations and Economic Development.
SB 2304 to Insurance.
SB 2316 to Public Health.
SB 2364 to Judiciary and Civil Jurisprudence.
SB 2373 to Business and Industry.
SB 2504 to Land and Resource Management.
SB 2506 to Land and Resource Management.
SB 2531 to Ways and Means.
SB 2535 to Land and Resource Management.
SCR 1 to State Affairs.
SCR 10 to Corrections.
SCR 60 to Resolutions Calendars.

SIGNED BY THE SPEAKER

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

House List No. 24

HB 81, HB 114, HB 278, HB 302, HB 476, HB 547, HB 793, HB 1241, HB 1409, HB 1518, HB 1802, HB 1953, HB 1995, HB 2016, HB 2153, HB 2223, HB 2263, HB 2641, HB 2675, HB 2714, HB 3226, HCR 152, HCR 163, HCR 165

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
Monday, May 6, 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 691 Johnson
Relating to suspension of a driver's license for persons convicted of certain misdemeanor drug possession offenses.

SB 784 Hughes
Relating to local school health advisory councils and health education provided by school districts, including requirements regarding human sexuality instruction.

SB 2285 Fallon
Relating to challenges by school districts and open-enrollment charter schools to accountability determinations.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Monday, May 6, 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:

HB 3 Huberty SPONSOR: Taylor

Relating to public school finance and public education; authorizing the imposition of a fee.

(Committee Substitute/Amended)

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 3

Agriculture and Livestock - **SB 345**

County Affairs - **SB 2245**

Culture, Recreation, and Tourism - **HB 583, HB 3952, SCR 2**

Higher Education - **HB 3853, HCR 133, SB 945, SB 1680**

Human Services - **HB 4372, SB 170, SB 1234, SB 1445, SB 1494**

Insurance - **SB 615** (corrected)

International Relations and Economic Development - **HB 3876, SB 46**

Judiciary and Civil Jurisprudence - **HB 1481, HB 1637, HB 2316, HB 2882, HB 3014, HB 3136, HB 3568, HB 3807, HB 4223, HB 4715, HCR 119, HJR 71, SB 73, SB 362**

Juvenile Justice and Family Issues - **HB 575, HB 1807, HB 2209, HB 2767, HB 3085, HB 3121, HB 3139, HB 3145, SB 1887**

Land and Resource Management - **HB 3810, HB 4668, HB 4689, HB 4708, HB 4749, SB 1510**

Licensing and Administrative Procedures - **SB 1450**

Pensions, Investments, and Financial Services - **HB 2649, HB 4086, SB 1861, SB 2330**

Public Education - **HB 3820, SB 1231, SB 1306, SB 1476, SB 1679, SB 1707**

Public Health - **HB 938, HB 1879, HB 4346**

State Affairs - **HB 1752, SB 14, SB 557, SB 1497** (corrected)

Ways and Means - **HB 297, HB 1056, HB 3822**

May 4

Homeland Security and Public Safety - **SB 285**

May 5Higher Education - **SB 863**Homeland Security and Public Safety - **SB 300**Judiciary and Civil Jurisprudence - **SB 1565**Land and Resource Management - **SB 746, SB 1038, SB 1349, SB 2449, SB 2469, SB 2481, SB 2517, SB 2521, SB 2524, SB 2525, SB 2526, SB 2527, SB 2534**Public Education - **HB 3316, HB 3628, SB 926, SB 2018****ENGROSSED**

May 3 - HB 148, HB 170, HB 295, HB 356, HB 487, HB 554, HB 555, HB 643, HB 644, HB 653, HB 706, HB 864, HB 884, HB 911, HB 1025, HB 1239, HB 1396, HB 1505, HB 1517, HB 1524, HB 1526, HB 1561, HB 1633, HB 1634, HB 1640, HB 1652, HB 1683, HB 1684, HB 1731, HB 1749, HB 1758, HB 1780, HB 1789, HB 1833, HB 1869, HB 1899, HB 1909, HB 2001, HB 2043, HB 2075, HB 2110, HB 2475, HB 2548, HB 2559, HB 2564, HB 2566, HB 2569, HB 2590, HB 2604, HB 2610, HB 2629, HB 2691, HB 2718, HB 2741, HB 2766, HB 2810, HB 2911, HB 2978, HB 2982, HB 3009, HB 3044, HB 3047, HB 3163, HB 3203, HB 3209, HB 3430, HB 3510, HB 3598, HB 3612, HB 3656, HB 3663, HB 3688, HB 3689, HB 3704, HB 3714, HB 3716, HB 3737, HB 3754, HB 3768, HB 3838, HB 3867, HB 3871, HB 3884, HB 3965, HB 3978, HB 3985, HB 3988, HB 4003, HB 4090, HB 4150, HB 4181, HB 4498, HB 4681, HB 4684, HB 4686, HB 4687, HB 4688, HB 4691, HB 4692, HB 4696, HB 4699, HB 4702, HB 4704

May 4 - HB 570, HB 639, HB 714, HB 956, HB 1130, HB 1263, HB 1552, HB 1614, HB 1666, HB 1825, HB 1884, HB 1901, HB 1932, HB 2018, HB 2042, HB 2065, HB 2088, HB 2091, HB 2092, HB 2102, HB 2104, HB 2112, HB 2172, HB 2175, HB 2199, HB 2227, HB 2229, HB 2240, HB 2256, HB 2271, HB 2272, HB 2290, HB 2358, HB 2364, HB 2430, HB 2441, HB 2446, HB 2514, HB 2531, HB 2545, HB 2547, HB 2617, HB 2631, HB 2632, HB 2658, HB 2660, HB 2677, HB 2736, HB 2764, HB 2787, HB 2793, HB 2818, HB 2828, HB 2840, HB 2856, HB 2859, HB 2885, HB 2909, HB 2913, HB 2944, HB 2951, HB 2977, HB 3016, HB 3029, HB 3054, HB 3068, HB 3078, HB 3082, HB 3100, HB 3117, HB 3132, HB 3211, HB 3214, HB 3225, HB 3228, HB 3233, HB 3247, HB 3306, HB 3310, HB 3312, HB 3338, HB 3339, HB 3360, HB 3365, HB 3388, HB 3389, HB 3394, HB 3420, HB 3428, HB 3436, HB 3440, HB 3512, HB 3522, HB 3526, HB 3530, HB 3531, HB 3540, HB 3601, HB 3607, HB 3616, HB 3630, HB 3647, HB 3648, HB 3655, HB 3668, HB 3721, HB 3934, HB 4008, HB 4170, HB 4171, HB 4172, HB 4195, HB 4222, HB 4248, HB 4260, HB 4262, HB 4309, HB 4342, HB 4348, HB 4350, HB 4374, HB 4395, HB 4505, HB 4520, HB 4534, HB 4541, HB 4559, HB 4569, HB 4584, HB 4595, HB 4614, HB 4630,

**HB 4631, HB 4635, HB 4636, HB 4637, HB 4642, HB 4643, HB 4644,
HB 4645, HB 4646, HB 4652, HB 4653, HB 4655, HB 4656, HB 4657,
HB 4661, HB 4663, HB 4666, HB 4667, HB 4669, HB 4670, HB 4672,
HB 4675, HB 4676, HB 4677, HB 4678, HB 4679, HB 4680, HB 4682,
HB 4690, HB 4694, HB 4697, HB 4698, HB 4701, HB 4703, HB 4705,
HB 4709, HB 4710, HB 4711, HB 4712, HB 4714, HB 4718, HB 4719,
HB 4720, HB 4721, HB 4722, HB 4723, HB 4724, HB 4725, HB 4727,
HB 4728, HB 4729, HB 4730, HB 4731**

**May 5 - HB 866, HB 1313, HB 1351, HB 2772, HB 3386, HB 3904,
HB 4035, HB 4073, HB 4544, HB 4623**

ENROLLED

**May 3 - HB 81, HB 302, HB 793, HB 1241, HB 1409, HB 1802,
HB 1995, HB 2016, HB 2263, HCR 163, HCR 165**

**May 5 - HB 114, HB 278, HB 476, HB 547, HB 1518, HB 1953,
HB 2153, HB 2223, HB 2641, HB 2675, HB 2714, HB 3226, HCR 152**

SENT TO THE GOVERNOR

May 3 - HB 1159

