

HOUSE JOURNAL

EIGHTY-SIXTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTIETH DAY — TUESDAY, MAY 7, 2019

The house met at 1:32. p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 1035).

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

LEAVES OF ABSENCE GRANTED

On motion of Representative Morrison and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

RULES SUSPENDED

Representative Morrison moved to suspend all necessary rules to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed.

MOTION FOR ONE RECORD VOTE

On motion of Representative Morrison and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following the bill number).

(Record 1036): 145 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; 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.; 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; 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.

Nays — Biedermann.

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

Absent — Klick; Schaefer.

HB 142 (Buckley and Stickland - no; Biedermann - yes) (144 - 2 - 2)

HB 475 (Buckley, Cain, Dean, Lang, and Toth - no) (140 - 6 - 2)

SB 2524 (Allison, K. Bell, Buckley, Cain, Clardy, Dean, Goldman, Hefner, Holland, Lang, Leach, Middleton, Noble, Patterson, Shaheen, Springer, Swanson, Tinderholt, Toth, and Zedler - no) (125 - 21 - 2) (Krause requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2525 (Allison, K. Bell, Buckley, Cain, Clardy, Dean, Goldman, Hefner, Holland, Lang, Leach, Middleton, Noble, Patterson, Shaheen, Springer, Swanson, Tinderholt, Toth, and Zedler - no) (125 - 21 - 2) (Krause requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 1674 (Allison, K. Bell, Buckley, Cain, Clardy, Dean, Goldman, Hefner, Holland, Lang, Leach, Middleton, Noble, Patterson, Shaheen, Springer, Swanson, Tinderholt, Toth, and Zedler - no) (125 - 21 - 2) (Krause requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 1676 (Allison, K. Bell, Buckley, Cain, Clardy, Dean, Goldman, Hefner, Holland, Lang, Leach, Middleton, Noble, Patterson, Shaheen, Springer, Swanson, Tinderholt, Toth, and Zedler - no) (125 - 21 - 2) (Krause requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2526 (Allison, K. Bell, Buckley, Cain, Clardy, Dean, Goldman, Hefner, Holland, Lang, Leach, Middleton, Noble, Patterson, Shaheen, Springer, Swanson, Tinderholt, Toth, and Zedler - no) (125 - 21 - 2) (Krause requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 1678 (Allison, K. Bell, Buckley, Cain, Clardy, Dean, Goldman, Hefner, Holland, Lang, Leach, Middleton, Noble, Patterson, Shaheen, Springer, Swanson, Tinderholt, Toth, and Zedler - no) (125 - 21 - 2) (Krause requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 1927 (Biedermann - yes) (146 - 0 - 2)

HB 2077 (Allison, K. Bell, Cain, Clardy, Goldman, Hefner, Lang, Middleton, Noble, Patterson, Schaefer, Shaheen, Stickland, Tinderholt, Toth, and Zedler - no) (130 - 16 - 2) (Krause and Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 2176 (Cain, Lang, Middleton, Shaheen, Tinderholt, and Toth - no) (139 - 7 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 2360 (Biedermann - yes) (146 - 0 - 2)

HB 2410 (Biedermann - yes) (146 - 0 - 2)

HB 2526 (Biedermann - yes) (146 - 0 - 2)

HB 2584 (Biedermann - yes) (146 - 0 - 2)

HB 2646 (Allison, K. Bell, Burns, Cain, Clardy, Darby, Hefner, Holland, Landgraf, Lang, Leman, Metcalf, Middleton, Murr, Noble, Oliverson, Patterson, Schaefer, Shaheen, Shine, Springer, Stickland, Swanson, Tinderholt, Toth,

VanDeaver, Wray, and Zedler - no) (118 - 28 - 2) (Krause and Sanford requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 2671 (Allison, K. Bell, Cain, Clardy, Dean, Goldman, Hefner, Holland, Lang, Leach, Middleton, Noble, Patterson, Shaheen, Springer, Tinderholt, Toth, and Zedler - no) (127 - 19 - 2) (Krause and Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 2783 (Cain, Noble, Schaefer, Stickland, and Toth - no) (141 - 5 - 2)

HB 2816 (K. Bell, Dean, Middleton, Schaefer, Stickland, and Swanson - no; Biedermann - yes) (141 - 5 - 2) (Krause and Sanford requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 2993 (Middleton, Oliverson, Schaefer, Springer, and Swanson - no; Biedermann - yes) (142 - 4 - 2)

HB 3019 (Allison, K. Bell, Cain, Clardy, Goldman, Hefner, Holland, Lang, Middleton, Noble, Patterson, Shaheen, Tinderholt, Toth, and Zedler - no) (130 - 16 - 2) (Krause and Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 3081 (Biedermann - yes) (146 - 0 - 2)

HB 3304 (Cain, Schaefer, Tinderholt, and Toth - no) (142 - 4 - 2)

HB 3307 (Allison, K. Bell, Middleton, Noble, Swanson, Tinderholt, and Toth - no; Biedermann - yes) (139 - 7 - 2)

HB 3343 (Biedermann - yes) (146 - 0 - 2)

HB 3356 (Allison, K. Bell, Buckley, Burns, Cain, Clardy, Darby, Dean, Hefner, Holland, Landgraf, Lang, Leach, Leman, Middleton, Murr, Noble, Oliverson, Patterson, Schaefer, Shaheen, Shine, Springer, Stickland, Swanson, Tinderholt, Toth, VanDeaver, Wray, and Zedler - no) (116 - 30 - 2)

HB 3563 (Allison, K. Bell, Cain, Stickland, Swanson, and Toth - no) (140 - 6 - 2)

HB 3575 (Biedermann - yes) (146 - 0 - 2)

HB 3760 (Biedermann - yes) (146 - 0 - 2)

HB 3791 (Cain and Toth - no) (143 - 3 - 2)

HB 3803

HB 3815 (Cain, Tinderholt, and Toth - no) (142 - 4 - 2)

HB 4075 (Cain and Toth - no) (143 - 3 - 2)

HB 4157 (Allison, K. Bell, Buckley, Cain, Dean, Hefner, Middleton, Noble, Schaefer, Stickland, Swanson, and Toth - no) (134 - 12 - 2) (Krause requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4179**HB 4447**

HB 4455 (Lang and Shaheen - no; Biedermann - yes) (144 - 2 - 2)

HB 4542 (Cain, Dean, Middleton, and Toth - no) (142 - 5 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4543**HB 4633**

HB 4662 (Allison, K. Bell, Buckley, Cain, Clardy, Dean, Hefner, Holland, Lang, Middleton, Noble, Patterson, Shaheen, Springer, Tinderholt, Toth, and Zedler - no) (128 - 18 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4683 (Allison, K. Bell, Buckley, Cain, Clardy, Hefner, Holland, Lang, Middleton, Noble, Patterson, Shaheen, Tinderholt, Toth, and Zedler - no) (130 - 16 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

SB 2521 (Allison, K. Bell, Cain, Clardy, Goldman, Hefner, Holland, Lang, Middleton, Noble, Patterson, Shaheen, Tinderholt, Toth, and Zedler - no) (130 - 16 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4706 (Allison, K. Bell, Buckley, Cain, Clardy, Dean, Goldman, Hefner, Lang, Middleton, Noble, Shaheen, Stickland, Tinderholt, and Toth - no) (130 - 16 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

HB 4716 (Cain, Clardy, and Toth - no) (142 - 4 - 2)

HB 4742 (Allison, K. Bell, Buckley, Cain, Clardy, Dean, Goldman, Hefner, Holland, Lang, Middleton, Noble, Shaheen, Stickland, Swanson, Tinderholt, and Toth - no) (129 - 17 - 2)

HB 4744 (Allison, K. Bell, Buckley, Cain, Clardy, Goldman, Hefner, Holland, Lang, Middleton, Noble, Shaheen, Stickland, Swanson, Tinderholt, and Toth - no) (129 - 17 - 2)

HB 4752 (Cain, Dean, Lang, Patterson, Shaheen, and Zedler - no) (139 - 7 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

REGULAR ORDER OF BUSINESS SUSPENDED

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

**PROVIDING FOR A LOCAL, CONSENT,
AND RESOLUTIONS CALENDAR**

Representative Morrison moved to set a local, consent, and resolutions calendar for 10 a.m. Friday, May 10.

The motion prevailed.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative Morrison moved to set a congratulatory and memorial calendar for 10 a.m. Friday, May 10.

The motion prevailed.

FIVE-DAY POSTING RULE SUSPENDED

Representative S. Thompson moved to suspend the five-day posting rule to allow the Committee on Public Health to consider **SB 1119**, **SB 1120**, **SB 1122**, **SB 2111**, and **SB 2316** at 10:30 a.m. or upon final adjournment/recess or during bill referral, if permission granted, tomorrow in E2.026.

The motion prevailed.

Representative Bohac moved to suspend the five-day posting rule to allow the Committee on County Affairs to consider **HB 4763**, **SB 390**, **SB 1402**, **SB 1579**, and **SB 2286** at 9 a.m. tomorrow in E2.028.

The motion prevailed.

(Speaker in the chair)

**MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 12 ON THIRD READING
(by S. Davis, Harless, Price, Zerwas, Guerra, et al.)**

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

HB 12 was passed by (Record 1037): 132 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; 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; 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; Larson; Leach; Leman; Lopez;

Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Smith; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Cain; Lang; Middleton; Noble; Schaefer; Stickland; Swanson; Tinderholt; Toth.

Present, not voting — Mr. Speaker(C).

Absent — Bohac; Gervin-Hawkins; Longoria; Neave; Reynolds; Smithee; Zedler.

STATEMENTS OF VOTE

When Record No. 1037 was taken, I was in the house but away from my desk. I would have voted yes.

Smithee

When Record No. 1037 was taken, I was in the house but away from my desk. I would have voted yes.

Zedler

HB 4347 ON THIRD READING

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

HB 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.

HB 4347 was passed by (Record 1038): 125 Yeas, 23 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; 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; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Buckley; Cain; Cyrier; Dean; Goldman; Harris; Hefner; Lang; Leach; Leman; Middleton; Noble; Patterson; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Toth; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent — Cortez.

STATEMENTS OF VOTE

When Record No. 1038 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 1038 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 1038 was taken, I was shown voting no. I intended to vote yes.

Zedler

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 3950 ON THIRD READING **(by Frank, Minjarez, and Klick)**

HB 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.

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 Muñoz.

HB 3950 - (consideration continued)

HB 3950 was passed by (Record 1039): 141 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, 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; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Reynolds; Rodriguez; 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; Zedler; Zerwas; Zwiener.

Nays — Dominguez; Ramos; Romero; Rose; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Meza; Raymond.

HB 2726 ON THIRD READING

(by Kuempel)

HB 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.

HB 2726 was passed by (Record 1040): 102 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Biedermann; Blanco; Bowers; Bucy; Canales; Cole; Davis, Y.; Dominguez; Dutton; González, J.; González, M.; Goodwin; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; Leach; Martinez Fischer; Meza; Middleton; Morales; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Toth; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

STATEMENTS OF VOTE

When Record No. 1040 was taken, I was shown voting no. I intended to vote yes.

Middleton

When Record No. 1040 was taken, I was shown voting yes. I intended to vote no.

Wilson

HB 3603 ON THIRD READING
(by Martínez Fischer)

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

HB 3603 was passed by (Record 1041): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; 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.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; Martínez 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; Wray; Wu; Zedler; Zerwas; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Flynn; Wilson.

STATEMENTS OF VOTE

When Record No. 1041 was taken, my vote failed to register. I would have voted yes.

Flynn

When Record No. 1041 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

HB 3609 ON THIRD READING
(by Martínez 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 by (Record 1042): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; 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, 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; Martínez 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; Zerwas; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Beckley; Zedler.

HB 3652 ON THIRD READING
(by C. Turner, Howard, Guerra, Canales, and Raymond)

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 by (Record 1043): 139 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, 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; 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; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Lang; Oliverson; Tinderholt; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Hefner; Lucio; Shaheen.

STATEMENTS OF VOTE

When Record No. 1043 was taken, I was in the house but away from my desk. I would have voted no.

Shaheen

When Record No. 1043 was taken, I was shown voting yes. I intended to vote no.

Swanson

HB 4388 ON THIRD READING

(by Murphy, Huberty, Capriglione, Zerwas, Shine, et al.)

HB 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.

HB 4388 was passed by (Record 1044): 142 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; 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; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; 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; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Canales; Israel; Perez; Thierry.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Bohac; Longoria.

STATEMENT OF VOTE

When Record No. 1044 was taken, I was shown voting no. I intended to vote yes.

Thierry

HB 4733 ON THIRD 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.

HB 4733 was passed by (Record 1045): 106 Yeas, 41 Nays, 1 Present, not voting.

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

Nays — Ashby; Bailes; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Cain; Capriglione; Cyrier; Dean; Goldman; Harless; Harris; Hefner; Holland; Krause; Landgraf; Lang; Leach; Leman; Middleton; Miller; Murr; Noble; Oliverson; Patterson; Paul; Raney; Schaefer; Shaheen; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; Toth; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Hunter.

STATEMENTS OF VOTE

When Record No. 1045 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1045 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1045 was taken, I was shown voting yes. I intended to vote no.

Kuempel

HB 3557 ON THIRD READING (by Paddie)

HB 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.

HB 3557 was passed by (Record 1046): 90 Yeas, 51 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Calanni; Deshotel; Dutton; Flynn; Guillen; Klick; Raney.

STATEMENTS OF VOTE

When Record No. 1046 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 1046 was taken, I was in the house but away from my desk. I would have voted yes.

Calanni

When Record No. 1046 was taken, I was shown voting no. I intended to vote yes.

Cortez

When Record No. 1046 was taken, I was in the house but away from my desk. I would have voted no.

Deshotel

When Record No. 1046 was taken, my vote failed to register. I would have voted yes.

Flynn

When Record No. 1046 was taken, I was shown voting no. I intended to vote yes.

Perez

When Record No. 1046 was taken, I was shown voting yes. I intended to vote no.

Romero

When Record No. 1046 was taken, I was shown voting no. I intended to vote yes.

Swanson

HB 1968 ON THIRD 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 by (Record 1047): 121 Yeas, 26 Nays, 1 Present, not voting.

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

Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Sherman; Shine; Smith; Smithee; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zedler; Zerwas; Zwiener.

Nays — Biedermann; Bonnen; Cain; Cyrier; Dean; Goldman; Harless; Harris; Hefner; Holland; Krause; Landgraf; Lang; Leman; Metcalf; Middleton; Murr; Patterson; Schaefer; Shaheen; Springer; Stickland; Swanson; Tinderholt; Wilson; Wray.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Stephenson.

STATEMENTS OF VOTE

When Record No. 1047 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1047 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1047 was taken, I was shown voting no. I intended to vote yes.

Metcalf

When Record No. 1047 was taken, I was shown voting yes. I intended to vote no.

Toth

HB 2068 ON THIRD 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 by (Record 1048): 116 Yeas, 29 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bowers; Buckley; Bucy; Burns; Burrows; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel;

Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Landgraf; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Paddie; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Talarico; Thierry; Thompson, S.; Toth; Turner, C.; Turner, J.; Vo; Walle; White; Wray; Wu; Zerwas; Zwiener.

Nays — Bohac; Bonnen; Button; Cain; Cyrier; Dean; Frank; Goldman; Harless; Harris; Hefner; Holland; Krause; Lang; Leach; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Schaefer; Swanson; Thompson, E.; Tinderholt; VanDeaver; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Calanni; Frullo; Klick.

STATEMENTS OF VOTE

When Record No. 1048 was taken, I was shown voting yes. I intended to vote no.

Buckley

When Record No. 1048 was taken, I was in the house but away from my desk. I would have voted yes.

Calanni

When Record No. 1048 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 1048 was taken, my vote failed to register. I would have voted no.

Frullo

When Record No. 1048 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1048 was taken, I was shown voting yes. I intended to vote no.

Leman

HB 974 ON THIRD READING

(by Metcalf, Huberty, Landgraf, M. González, Dutton, et al.)

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

HB 974 was passed by (Record 1049): 129 Yeas, 15 Nays, 1 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Capriglione; Clardy; Coleman; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Fierro; Flynn; Frullo; Geren; Gervin-Hawkins; Goldman; 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.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Allen; Cain; Canales; Cole; Collier; Dominguez; Frank; González, J.; Lang; Meza; Noble; Sherman; Stickland; Walle; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Bailes; González, M.; Johnson, J.D.; Pacheco.

STATEMENTS OF VOTE

When Record No. 1049 was taken, I was in the house but away from my desk. I would have voted yes.

M. González

When Record No. 1049 was taken, I was shown voting no. I intended to vote yes.

Lang

When Record No. 1049 was taken, I was shown voting yes. I intended to vote no.

Rose

HB 1590 ON THIRD READING

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

HB 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.

HB 1590 was passed by (Record 1050): 146 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Geren; Huberty.

HB 1832 ON THIRD 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 by (Record 1051): 113 Yeas, 35 Nays, 1 Present, not voting.

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

Nays — Anderson; Bell, C.; Biedermann; Cain; Cyrier; Flynn; Frank; Goldman; Harless; Harris; Hefner; King, P.; Klick; Krause; Landgraf; Lang; Leach; Leman; Lozano; Metcalf; Middleton; Murr; Patterson; Paul; Phelan; Sanford; Schaefer; Springer; Stickland; Swanson; Tinderholt; Toth; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

STATEMENTS OF VOTE

When Record No. 1051 was taken, I was shown voting no. I intended to vote yes.

Anderson

When Record No. 1051 was taken, I was shown voting no. I intended to vote yes.

Goldman

When Record No. 1051 was taken, I was shown voting no. I intended to vote yes.

Lozano

HB 1917 ON THIRD READING

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

HB 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 **HB 1917**:

Amend **HB 1917** (second reading grossment) on third reading as follows:

(1) Strike page 2, lines 10 and 11, and substitute the following:

(1) the loan must be made at an interest rate that is equal to the average of:

(A) the most recently published average monthly rate of the investment pool managed by the comptroller known as TexPool; and

(B) the most recent prime rate published in the Wall Street Journal;

(2) the loan must be made for a term not to exceed two years; and

(2) On page 2, line 12, strike "(2)" and substitute "(3)".

Amendment No. 1 was adopted.

HB 1917, as amended, was passed by (Record 1052): 138 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; 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, 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; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; Vo; Walle; White; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Cain; Schaefer; Stickland; Tinderholt; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Middleton; Perez; VanDeaver; Zedler.

The chair stated that **HB 1917** was passed subject to the provisions of Article III, Section 49a, of the Texas Constitution.

STATEMENTS OF VOTE

When Record No. 1052 was taken, I was shown voting yes. I intended to vote no.

Canales

When Record No. 1052 was taken, I was shown voting yes. I intended to vote no.

Landgraf

When Record No. 1052 was taken, I was shown voting yes. I intended to vote no.

Shaheen

When Record No. 1052 was taken, I was in the house but away from my desk. I would have voted yes.

VanDeaver

When Record No. 1052 was taken, I was in the house but away from my desk. I would have voted yes.

Zedler

HB 4548 ON THIRD READING

(by Wray)

HB 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.

HB 4548 was passed by (Record 1053): 142 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; 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, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Biedermann; Schaefer; Stickland; Swanson; Tinderholt; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

STATEMENT OF VOTE

When Record No. 1053 was taken, I was shown voting no. I intended to vote yes.

Biedermann

HB 2576 ON THIRD READING (by J.D. Johnson and Raymond)

HB 2576, A bill to be entitled An Act relating to prescribing and dispensing certain controlled substances to patients diagnosed with sickle cell disease.

HB 2576 was passed by (Record 1054): 148 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

HB 4390 ON THIRD READING

(by Capriglione, Martinez Fischer, Rodriguez, and Collier)

HB 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 Oliverson offered the following amendment to **HB 4390**:

Amend **CSHB 4390** on third reading by Capriglione (house committee report) as follows:

(1) On page 1, line 6, strike "Subsection (i)" and substitute "Subsections (i) and (j)".

(2) On page 2, between lines 11 and 12, insert the following:

(j) Notwithstanding any other provision of this section, a person that is subject to and in compliance with the breach notification requirements under the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and rules adopted under that Act shall be deemed to be in compliance with this section.

(3) On page 3, line 22, strike "five" and insert "six".

(4) On page 4, line 4, strike "and".

(5) On page 4, line 6, between "industry" and the period, insert the following:
; and

(F) one member representing the medical profession

Amendment No. 1 was adopted. (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

HB 4390, as amended, was passed by (Record 1055): 146 Yeas, 1 Nays, 1 Present, not voting. (The vote was reconsidered later today, and **HB 4390** was passed by Record No. 1083.)

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; 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.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; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Middleton.

STATEMENT OF VOTE

When Record No. 1055 was taken, I was in the house but away from my desk. I would have voted no.

Middleton

HB 1563 ON THIRD 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.

HB 1563 was passed by (Record 1056): 103 Yeas, 41 Nays, 1 Present, not voting.

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

Nays — Ashby; Bell, K.; Biedermann; Bohac; Bonnen; Cain; Cyrier; Dean; Flynn; Goldman; Harris; Hefner; Holland; King, K.; King, P.; Krause; Lang; Leach; Leman; Metcalf; Meyer; Miller; Morrison; Murr; Noble; Oliverson; Parker; Patterson; Sanford; Schaefer; Shaheen; Smith; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; Toth; White; Wilson; Wray.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Kacal; Middleton; Shine; Zedler.

STATEMENTS OF VOTE

When Record No. 1056 was taken, I was shown voting yes. I intended to vote no.

C. Bell

When Record No. 1056 was taken, I was in the house but away from my desk. I would have voted yes.

Kacal

When Record No. 1056 was taken, I was shown voting yes. I intended to vote no.

Klick

When Record No. 1056 was taken, I was shown voting yes. I intended to vote no.

Landgraf

When Record No. 1056 was taken, I was in the house but away from my desk. I would have voted no.

Middleton

When Record No. 1056 was taken, I was shown voting no. I intended to vote yes.

Sanford

When Record No. 1056 was taken, I was shown voting no. I intended to vote yes.

Springer

When Record No. 1056 was taken, I was in the house but away from my desk. I would have voted no.

Zedler

HB 2099 ON THIRD READING

(by Lambert, Sheffield, Zerwas, Oliverson, Lucio, et al.)

HB 2099, A bill to be entitled An Act relating to modification of certain prescription drug benefits and coverage offered by certain health benefit plans.

HB 2099 was passed by (Record 1057): 126 Yeas, 20 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frullo; Geren; Gervin-Hawkins; 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; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Biedermann; Cain; Cyrier; Frank; Goldman; Hefner; Holland; Klick; Krause; Landgraf; Lang; Leach; Middleton; Phelan; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Wilson.

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

Absent, Excused — Johnson, E.

Absent — Sanford.

STATEMENTS OF VOTE

When Record No. 1057 was taken, I was shown voting no. I intended to vote yes.

Holland

When Record No. 1057 was taken, I was shown voting yes. I intended to vote no.

Springer

HB 827 ON THIRD READING (by Rose, Raymond, and Guillen)

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 by (Record 1058): 107 Yeas, 39 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bowers; Bucy; Burns; Burrows; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo;

Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Ortega; Pacheco; Patterson; Perez; Phelan; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zerwas; Zwiener.

Nays — Bell, C.; Bonnen; Buckley; Cain; Capriglione; Cyrier; Darby; Dean; Goldman; Harris; Hefner; Holland; Klick; Krause; Landgraf; Lang; Leach; Leman; Metcalf; Middleton; Oliverson; Paddie; Parker; Paul; Price; Raney; Schaefer; Shaheen; Smith; Smithee; Springer; Stephenson; Stickland; Swanson; Tinderholt; White; Wilson; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — King, P.; Sanford.

STATEMENTS OF VOTE

When Record No. 1058 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1058 was taken, I was in the house but away from my desk. I would have voted no.

P. King

HB 2178 ON THIRD 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 by (Record 1059): 148 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

HB 803 ON THIRD READING

(by Patterson, Canales, Thierry, Toth, Krause, et al.)

HB 803, A bill to be entitled An Act relating to financial reporting requirements of a toll project entity.

HB 803 was passed by (Record 1060): 148 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

HB 3910 ON THIRD 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 was passed by (Record 1061): 110 Yeas, 38 Nays, 1 Present, not voting.

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

Nays — Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Cain; Canales; Clardy; Cyrier; Dean; Goldman; Harris; Hefner; Holland; Klick; Krause; Landgraf; Lang; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Schaefer; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

STATEMENTS OF VOTE

When Record No. 1061 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1061 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 1061 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1061 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1061 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1061 was taken, I was shown voting yes. I intended to vote no.

Shaheen

HB 2586 ON THIRD READING**(by Leach, Klick, Israel, Moody, Burrows, et al.)**

HB 2586, A bill to be entitled An Act relating to political contributions and political expenditures made to or by political committees or other persons.

HB 2586 was passed by (Record 1062): 143 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Howard; Huberty; Hunter; Israel; 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; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thiery; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Bowers; González, J.; Hinojosa; Ramos.

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

Absent, Excused — Johnson, E.

HB 3771 ON THIRD READING**(by Oliverson)**

HB 3771, A bill to be entitled An Act relating to the approval of insurance companies to provide certain structured settlement annuity contracts.

HB 3771 was passed by (Record 1063): 146 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; 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.; 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.

Nays — González, J.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Johnson, J.D.

STATEMENT OF VOTE

When Record No. 1063 was taken, I was shown voting no. I intended to vote yes.

J. González

HB 4695 ON THIRD 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 by (Record 1064): 117 Yeas, 30 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bonnen; Bowers; Bucy; Burns; Burrows; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; 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, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Bell, C.; Biedermann; Buckley; Cain; Capriglione; Cyrier; Dean; Frullo; Hefner; Holland; King, P.; Krause; Lang; Leman; Metcalf; Meyer; Middleton; Miller; Murr; Noble; Parker; Patterson; Schaefer; Shaheen; Stephenson; Stickland; Swanson; Tinderholt; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Bohac.

STATEMENTS OF VOTE

When Record No. 1064 was taken, my vote failed to register. I would have voted no.

Bohac

When Record No. 1064 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1064 was taken, I was shown voting yes. I intended to vote no.

Stucky

HB 3782 ON THIRD READING

(by Harless, S. Davis, Murphy, S. Thompson, and Perez)

HB 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.

HB 3782 was passed by (Record 1065): 134 Yeas, 11 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; 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.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Lemans; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zwiener.

Nays — Biedermann; Bonnen; Cain; Dean; Lang; Patterson; Sanford; Schaefer; Shaheen; Stickland; Tinderholt.

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

Absent, Excused — Johnson, E.

Absent — Krause; Zerwas.

STATEMENTS OF VOTE

When Record No. 1065 was taken, I was in the house but away from my desk. I would have voted no.

Krause

When Record No. 1065 was taken, I was shown voting present, not voting. I intended to vote yes.

Middleton

When Record No. 1065 was taken, I was shown voting no. I intended to vote yes.

Patterson

When Record No. 1065 was taken, I was shown voting yes. I intended to vote no.

Wilson

HB 4246 ON THIRD READING
(by Nevárez)

HB 4246, A bill to be entitled An Act relating to nonsubmetered billing for water or wastewater service.

HB 4246 was passed by (Record 1066): 147 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Meyer.

STATEMENT OF VOTE

When Record No. 1066 was taken, I was in the house but away from my desk. I would have voted yes.

Meyer

HB 2578 ON THIRD READING

(by E. Thompson)

HB 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.

HB 2578 was passed by (Record 1067): 100 Yeas, 44 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bernal; Blanco; Bowers; Buckley; Bucy; Burns; Burrows; Calanni; Canales; Capriglione; Clardy; Coleman; Cortez; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; Goldman; González, J.; González, M.; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales; Morrison; Muñoz; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Shaheen; Sheffield; Sherman; Shine; Smith; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zerwas.

Nays — Ashby; Bell, K.; Biedermann; Bohac; Bonnen; Button; Cain; Cole; Collier; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Goodwin; Harris; Hefner; Holland; King, K.; Krause; Lang; Leach; Leman; Middleton; Miller; Murr; Noble; Parker; Patterson; Ramos; Sanford; Schaefer; Smithee; Springer; Stickland; Stucky; Swanson; Tinderholt; White; Wilson; Zedler; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Geren; Harless; Metcalf; Murphy.

STATEMENTS OF VOTE

When Record No. 1067 was taken, I was shown voting no. I intended to vote yes.

Goodwin

When Record No. 1067 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

When Record No. 1067 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1067 was taken, I was in the house but away from my desk. I would have voted no.

Metcalf

When Record No. 1067 was taken, I was shown voting yes. I intended to vote no.

Phelan

When Record No. 1067 was taken, I was shown voting yes. I intended to vote no.

Shaheen

HB 1584 ON THIRD READING

(by S. Thompson, K. King, Kacal, Zedler, Cole, et al.)

HB 1584, A bill to be entitled An Act relating to health benefit plan coverage of prescription drugs for stage-four advanced, metastatic cancer.

HB 1584 was passed by (Record 1068): 126 Yeas, 19 Nays, 1 Present, not voting.

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

Nays — Biedermann; Bowers; Cain; Cyrier; Flynn; Harless; Harris; Hefner; Holland; King, P.; Krause; Lang; Middleton; Schaefer; Shaheen; Springer; Stickland; Tinderholt; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — King, K.; Klick; Meyer.

STATEMENTS OF VOTE

When Record No. 1068 was taken, I was shown voting no. I intended to vote yes.

Bowers

When Record No. 1068 was taken, my vote failed to register. I would have voted yes.

K. King

When Record No. 1068 was taken, my vote failed to register. I would have voted yes.

Meyer

HB 442 ON THIRD 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 by (Record 1069): 146 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, 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, 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; 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; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Oliverson.

STATEMENT OF VOTE

When Record No. 1069 was taken, I was shown voting no. I intended to vote yes.

Toth

**HB 4070 ON THIRD READING
(by Oliverson, Thierry, and Murr)**

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.

HB 4070 was passed by (Record 1070): 140 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; 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, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; 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; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Anchia; Biedermann; Cain; González, J.; Nevárez; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Springer; Thompson, S.

**HB 24 ON THIRD READING
(by Romero, Neave, Burns, et al.)**

HB 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.

HB 24 - REMARKS

REPRESENTATIVE ROMERO: Members, this is the bill we heard yesterday regarding allowing the prosecutor to enhance the penalty one degree for acts of domestic violence that happened in the presence of a child. I do want to thank Representative Wu and Chairman Canales for the discussion both last night and this morning regarding this bill. I am going to make an amendment to this bill.

Amendment No. 1

Representative Romero offered the following amendment to **HB 24**:

Amend **HB 24** on third reading as follows:

(1) In SECTION 2 of the bill, strike added Section 22.01(b-4), Penal Code, and substitute the following:

(b-4) Notwithstanding Subsection (b), unless the conduct is punishable under Subsection (b)(2) or (b-3), an offense under Subsection (a)(1) is a state jail felony if the offense is committed against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code, and the offense is committed in the physical presence of another person who is younger than 18 years of age.

(2) In SECTION 3 of the bill, strike added Section 22.02(b)(2)(E), Penal Code, and substitute the following:

(E) against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code, and the offense is committed in the physical presence of another person who is younger than 18 years of age; or

AMENDMENT NO. 1 - REMARKS

ROMERO: The reason for this amendment, members, is you heard there's a discussion that **HB 24** would require the child witness' physical presence for the enhancement to apply. This amendment would effectively address concerns that simply requiring a child to hear an act of domestic abuse could potentially allow for prosecutorial overreach. So what we're doing is we're removing the language "to hear." They would have to be in the physical presence. This bill, as amended, still recognizes the victimization of child witnesses, attributes responsibility for that victimization where it belongs, and allows us to build a system to connect children who witness domestic violence to the services that they need.

REPRESENTATIVE WU: Representative Romero, I'm going to ask you some questions about your legislative intent. Is that okay?

ROMERO: Yes.

WU: First of all, I want to start off with saying I really appreciate your willingness to work with us. I sincerely appreciate your passion and your diligence on this issue. I know in talking to you that this is something that's very, very important to you, and I really, really appreciate how much diligence you've given this bill.

ROMERO: Well, I know it's equally important to you. Otherwise, we wouldn't have spent hours talking about it this morning.

WU: Absolutely. You've spoken with other members, and you'd listened to some of the comments on the floor yesterday about concerns that the bill, as written, would wrap up cases where children might be even outside of the home. Correct?

ROMERO: That's correct.

WU: And what your amendment does is it strikes the second subdivision of the bill and requires that the child must be actually present in the room. Correct?

ROMERO: That's correct.

REPRESENTATIVE CANALES: Representative, first I want to thank you for some of the dialogue that you and I had, that you actually listened and that you were trying to craft some better legislation. And I agree that the amendment does make it better. My question is this: Is there any evidence whatsoever that you can point to that can show that enhancing this crime by a child seeing it is actually going to have any deterrent effect on family violence or domestic violence? Because deterrence is one of the primary functions of the criminal justice system.

ROMERO: Chairman Canales, what I can tell you is that in the City of Burleson, they're already gathering this information. The City of Burleson issues a ticket now, and what it's allowed for that city to do is allow their police department to communicate with their local ISD and let the police department and the school district know—hey, Johnny or Billy or little Terry witnessed this act of domestic violence. So there's value in that communication. Currently, as it is right now, a separate act isn't recognized, so there's not a separate charge for that child witnessing that act. So it's not seen. I think you mentioned yesterday that there isn't anything that's physically there—you can't see the harm.

CANALES: And I understand that, but my question is is this—and there's no question, you saw the vote on your bill yesterday, and there's nothing in my mind that believes that this house is not going to vote for it—I just want to have a dialogue between you and I that really establishes this. As I've been here in the legislature, my fourth term, we've moved away from enhancements—and there is no question that this is an enhancement.

ROMERO: There is no question.

CANALES: Okay, so if it's an enhancement, what does it do for us? Is it going to slow down domestic violence in any form or fashion? Is there any evidence? Because all evidence, to the contrary, shows that enhancements have no general reduction in actual crime and they have no general effect on recidivism, which are the general purposes of the criminal justice system. We want to deter people from doing it, and we want to keep them from doing it again, and we want to punish them. But punishment is only one leg. So two legs—this doesn't accomplish any of them.

ROMERO: Well, what it will accomplish, Chairman, is for the first time ever, police officers will be allowed to be trained in how to, when they get to the crime, ask the spouse, where the children witnesses to this crime? If they were, if the answer is yes, then hopefully document that. I want to say that this is what this is about as well. So you're looking for—are we going to deter domestic

violence—how could I potentially answer that? I'm not a prosecutor to tell you what has happened in the past. But what I can tell you is that at that act when it's the first time, they will now know that hey, if this happens and it happens in the presence of your children, you might be locked away for a greater period of time. I would hope that's a deterrent. If it isn't a deterrent, at the very least those children are going to have an interaction with that local police officer. And that local police officer—if we have responsible police departments—they're going to be trained in how to communicate with little Ramon or little Terry or little Johnny. And that interaction, in my belief, is going to be a positive interaction between them.

CANALES: That would be after the occurrence, Representative.

ROMERO: That's correct.

CANALES: What I'm talking about is that the functionality of your bill is to enhance a crime. And having sat on the Criminal Jurisprudence Committee for six years, I can tell you that there is nothing—nothing—that shows enhancements stop or slow down the frequency by which crimes are committed. That's not the driving force. And enhancements do not slow down recidivism once a person's been released. My only point here is this: This is just an enhancement, and it serves as no—no—deterrent, and it serves as nothing that stops recidivism. If you want to stop domestic violence and this house wants to stop domestic violence, then we've got to figure out how to foster a culture outside of enhancing crimes. I appreciate you working with us. I appreciate the intent.

ROMERO: I appreciate your passion as well, Chairman.

CANALES: Like I said, there's no question in my mind this body will vote for it because we have no choice but to vote for it. Because if you vote for something against this, you just look terrible. But with all due respect, this is the kind of legislation that is actually going to harm more people than help them. Thank you.

ROMERO: Chairman, I thank you for those questions. And for the body, currently, if there's an act of domestic violence that occurs where the children are present, it's comparable right now to public lewdness, vehicle burglary, perjury. I think those things aren't even in the same ballpark.

(Goldman in the chair)

Amendment No. 1 was adopted.

REPRESENTATIVE TOTH: Members, I just want to thank Mr. Romero. I know his heart is in the right place. I served with Mr. Canales on the Criminal Jurisprudence Committee, and I was a big believer in all these enhancement bills. I thought they were great, and then you start seeing the statistics and the outcome. I served both Corrections and Criminal Jurisprudence. Criminal Jurisprudence is policy. Corrections is the outcome of that policy. And the outcome of these enhancement policies has been bad all the way across the board. They don't help us. They don't lower recidivism rates; they increase them. This is a bad bill. I think we should vote against it.

REPRESENTATIVE ANCHIA: I just wanted to visit a little bit because I think part of the discussion has been about penalty enhancements, but I wanted to talk to you a little bit more about, kind of, that cycle of violence. I spent a little time looking at the medical journals on this issue and the psychological journals on this issue. And isn't it the case that when children observe domestic violence in their home, that it exponentially increases the chance of that occurring in their generation and in their children's generation? It becomes a cycle of domestic violence where people who observe this abuse commit this abuse. Is that not right?

ROMERO: Not only is that correct, but those children are also 1,500 times more likely to be victims of abuse within that household. Six times—we talk about suicide prevention? They're six times more likely to become victims of suicide. Yet we don't take it seriously when that police officer shows up. We don't even ask them to take the child's name down. And this is the beginning of asking that law enforcement—take these kids' names down. Have an interaction with that child. Don't just be the officer that takes mom and dad away. Be there and talk to that child and say, it's going to be okay, and this is why it's going to be okay.

ANCHIA: And it also opens up the door for interventions for that child, right? If that child has viewed this traumatic event, viewed this family violence, then by recording the incident properly, some social services or even on a private basis—they can seek the type of interventions that child's going to need to not become either abused or an abuser in the future. Is that not correct?

ROMERO: That's correct. We spend lots of dollars on these social service programs, and a lot of times they're not even accessed just because of fear. This is going to remove the stigma from police to child, between the abused to the police department. There's so much value here. This is just a start. I know that there's a lot of concern about enhancements, and I get it. But I think that beating your spouse in front of your children is a lot more severe than theft of a car—not a whole car, even, but just stealing something out of someone's vehicle or some of the other lesser offenses that currently are Class A offenses. So thank you for your questions, Chairman.

ANCHIA: Yes, I just wanted to make sure. I understand and I believe the questions earlier were definitely heartfelt and important public policy questions, but I also wanted to bring the focus back to the children who are seeing this and experiencing the trauma.

ROMERO: So it's three times—to be specific, Chairman Anchia—it's three times more likely to repeat the cycle in adulthood themselves.

HB 24, as amended, was passed by (Record 1071): 127 Yeas, 19 Nays, 3 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen;

Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Allen; Biedermann; Cain; Clardy; Dominguez; Dutton; Hinojosa; King, P.; Klick; Middleton; Morrison; Oliverson; Rose; Schaefer; Springer; Stickland; Swanson; Toth; Wilson.

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

Absent, Excused — Johnson, E.

STATEMENTS OF VOTE

When Record No. 1071 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 1071 was taken, I was shown voting no. I intended to vote yes.

Swanson

HB 2524 ON THIRD READING (by Anderson and Collier)

HB 2524, A bill to be entitled An Act relating to the prosecution of the criminal offense of theft of service.

HB 2524 was passed by (Record 1072): 142 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, 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; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield;

Sherman; Shine; Smith; Smithee; Springer; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Dominguez; Ramos.

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

Absent, Excused — Johnson, E.

Absent — Allen; Stephenson; Stickland.

HB 1365 ON THIRD READING

(by Lucio, Zerwas, S. Thompson, Anchia, Larson, et al.)

HB 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.

HB 1365 was passed by (Record 1073): 128 Yeas, 20 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman(C); González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Middleton; Miller; Minjarez; Moody; 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; Shine; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Bell, C.; Burrows; Cain; Capriglione; Craddick; Flynn; Harris; Hefner; Klick; Leman; Metcalf; Murr; Noble; Paddie; Paul; Shaheen; Smith; Smithee; Springer; Thompson, E.

Present, not voting — Mr. Speaker.

Absent, Excused — Johnson, E.

STATEMENTS OF VOTE

When Record No. 1073 was taken, my machine malfunctioned and I was shown voting no. I intended to vote yes.

Cain

When Record No. 1073 was taken, I was shown voting yes. I intended to vote no.

Frullo

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

SB 752 ON THIRD 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 passed by (Record 1074): 146 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Johnson, E.

Absent — Stephenson.

SB 649 ON THIRD 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.

(Speaker in the chair)

SB 649 was passed by (Record 1075): 120 Yeas, 24 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; 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; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Cain; Cyrier; Harris; Hefner; King, P.; Krause; Landgraf; Lang; Leman; Middleton; Murr; Noble; Patterson; Sanford; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Toth; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Oliverson; Phelan; Springer; Stephenson.

STATEMENTS OF VOTE

When Record No. 1075 was taken, I was in the house but away from my desk. I would have voted yes.

Phelan

When Record No. 1075 was taken, I was in the house but away from my desk. I would have voted no.

Springer

SB 1055 ON THIRD 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 passed by (Record 1076): 131 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; 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.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Biedermann; Cain; Cyrier; Dean; Krause; Lang; Middleton; Noble; Patterson; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Klick.

STATEMENT OF VOTE

When Record No. 1076 was taken, I was shown voting no. I intended to vote yes.

White

SB 1938 ON THIRD 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 passed by (Record 1077): 141 Yeas, 5 Nays, 1 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; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; 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.; King, T.; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach;

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

Nays — Ashby; Cain; Dean; Hefner; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

Absent — Klick; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1077 was taken, my machine malfunctioned and I was shown voting no. I intended to vote yes.

Cain

When Record No. 1077 was taken, I was shown voting yes. I intended to vote no.

Clardy

When Record No. 1077 was taken, my vote failed to register properly and I was shown voting no. I intended to vote yes.

Stickland

When Record No. 1077 was taken, I was shown voting yes. I intended to vote no.

Swanson

When Record No. 1077 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

When Record No. 1077 was taken, I was shown voting yes. I intended to vote no.

VanDeaver

POSTPONED BUSINESS

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

HB 3345 ON SECOND READING **(by Price, Lucio, Paul, Guillen, Lambert, et al.)**

HB 3345, A bill to be entitled An Act relating to health benefit coverage provided by certain health benefit plans for telemedicine medical services and telehealth services.

HB 3345 was read second time on April 24, postponed until May 1, and was again postponed until 10 a.m. today.

HB 3345 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE SCHAEFER: Chairman Price, in your bill where you talk about a platform, are you trying to incorporate that platform definition into the definition of a health benefit plan?

REPRESENTATIVE PRICE: No, what we're trying to do is make sure that there's flexibility so that the health care provider is given the freedom to use whatever modality, whatever platform they want, in order to provide telehealth services. Because the problem that some of the providers have encountered is that insurance companies are restricting them to a certain platform, and so that's been very restrictive. So what we're saying is that if they're going to cover a service and it can be provided through telehealth or telemedicine, that that provider in their own independent medical judgment can choose the platform to deliver that service.

SCHAEFER: Would this in any way interfere with physicians who are providing direct primary care?

PRICE: No.

SCHAEFER: And would it in any way restrict physicians that are using a platform—like you describe it—to provide, say, a concierge program or a subscription-based program for their own direct primary care?

PRICE: No.

SCHAEFER: Okay, so this is more freedom for health care providers?

PRICE: Absolutely.

REMARKS ORDERED PRINTED

Representative Schaefer moved to print remarks between Representative Price and Representative Schaefer on **HB 3345**.

The motion prevailed.

HB 3345 was passed to engrossment.

REMARKS ORDERED PRINTED

Representative Canales moved to print all remarks on **HB 24**.

The motion prevailed.

HB 1839 ON SECOND READING

(by S. Thompson, Rodriguez, Allen, Morales, Farrar, et al.)

HB 1839, A bill to be entitled An Act relating to the allocation of housing tax credits to developments within proximate geographical areas.

HB 1839 was read second time on April 24, postponed until May 1, and was again postponed until 10 a.m. today.

Representative S. Thompson moved to postpone consideration of **HB 1839** until 3:15 p.m. today.

The motion prevailed.

HB 3852 ON SECOND READING
(by Longoria)

HB 3852, A bill to be entitled An Act relating to purchasing and contracting by governmental entities; authorizing fees.

HB 3852 was read second time on May 1 and was postponed until 10 a.m. today.

Representative Longoria moved to postpone consideration of **HB 3852** until 10 a.m. Thursday, May 9.

The motion prevailed.

MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 4621 ON SECOND READING
(by Huberty)

CSHB 4621, A bill to be entitled An Act relating to the state sales tax rate and the use of certain revenue from state sales and use taxes to reduce school district maintenance and operations ad valorem tax rates; increasing the rate of a tax.

CSHB 4621 - REMARKS

REPRESENTATIVE HUBERTY: Before I start, and I've talked to many of you already about this, it's my intent to postpone both of these bills. However, I want an opportunity to explain how we got here. First of all, I would be remiss not to start with thanking all the members of Ways and Means that were supportive of the process of trying to figure out a way to continue to pay for education on a go-forward basis. Many of you know that I've spent my entire career working to try and solve the system that we have, that is, we know, to be broken. We go back home and our school boards tell us that they expect us to pay more of the cost of education. With Chairman Zerwas' leadership this legislative session, the appropriators found the ability for us to find \$9 billion to go back with that actually provides meaningful tax relief in **HB 3**. However, we also said we have to find a meaningful way to continue to pay for education on a go-forward basis, and I know there's going to be some colleagues of mine that are going to be asking some questions. I want to also just thank the body here in the house who have allowed me and our membership to work together to find the right way to do this. I see Chairman C. Turner back there, and I've talked to Representative Martinez Fischer and other members of the democratic caucus along the way to

try to come up with solutions. And I appreciate that opportunity to be able to be thoughtful and open and honest about our discussions. I think that that's important.

But I do want to say a couple of things that are important. Number one, in **HB 3** that we passed over to the senate—now we got it back and we're going to hopefully go to conference—we did have a statewide compression and it lowered taxes by 5.5 percent. So you have members of the senate—in fact, if you watched the debate yesterday, there were members of the senate that have been demanding property tax relief for their entire legislative careers but did not vote for the only bill that provided tax relief this legislative session. And people have asked about long-term property tax relief in their local properties. This is an idea that was brought up, and I filed the bill to talk about this. I believe in a consumption tax versus property taxes. I always have and never walked away from that in the 10 years. But I want to let you all know that we have been working with the governor, the lieutenant governor, and the speaker. The three of them stood out and said this is important for us to provide meaningful tax relief as you go forward. And they stuck their necks out there and said this is something that we think is important, that we think we need to do. We need to have the discussion about how we're going to pay for this on a go-forward basis.

And so while these bills and the HJR would do a one percent increase, the intent of that is that 100 percent of that revenue would go to schools. It'd go to your local districts to pay for maintenance and operation—every school in the State of Texas. And if you looked at that, the values would drop by 18 cents in 2020 and 24 cents statewide, which is a 16 percent and 22 percent decrease in the cost. It would have increased our share of education by up to 50 percent, which is something that we've all said. Chairman Geren filed a bill that said we should pay for 50 percent of the cost of education in the State of Texas. This would be one way for us to accomplish that goal. So I appreciate all of you allowing me to work with you and as we go forward. But what I realize is that we have the opportunity to do something meaningful with **SB 2**, which was passed and Chairman Burrows is working on, and certainly with **HB 3** in actually providing meaningful school finance reform and actually meaningful tax relief as go forward. And so I look forward to working with Chairman Taylor, and I respect the work that they've done. Again, we may have some questions, and we can talk about how we got here. But I think it's important for people to know that.

REPRESENTATIVE K. KING: Chairman Huberty, you just stated that one of the tasks of this legislative session wasn't just to reform school finance but to come up with a sustainable way of funding. Is that correct?

REPRESENTATIVE HUBERTY: That is correct.

K. KING: Chairman Huberty, isn't it also true, though, that conversation of reforming school finance as well as sustainable funding has been going on a lot longer than this session.

HUBERTY: Absolutely. Yes, sir, Mr. King.

K. KING: In fact, in the last session, in the special session following the 85th, didn't we create a school finance commission to study just that thing?

HUBERTY: We absolutely did. Yes, sir.

K. KING: And weren't you and I both a member of that commission?

HUBERTY: Yes, sir, we were.

K. KING: Do you recall, Chairman Huberty, how many times we met during 2018 to discuss this very issue?

HUBERTY: Well, yes. I actually have the facts here. We actually met 15 times in public meetings—and that was the full commission—met 15 times in public meetings, January through December of 2018.

K. KING: And didn't you chair one of the subcommittees?

HUBERTY: Yes, sir. I chaired the expenditures work group.

K. KING: Do you remember how many subcommittees there were?

HUBERTY: There were three.

K. KING: Do you know what the other two were? Can you tell the body?

HUBERTY: Yes, sir. It was outcomes and then the revenues work group.

K. KING: That is the same information I remember, Mr. Chairman. Do you remember which subcommittee I was a member of?

HUBERTY: I believe you were in the subcommittee on revenues.

K. KING: Do you know who chaired that subcommittee?

HUBERTY: Senator Bettencourt.

K. KING: That is correct. Would it surprise you to know that the most important, in my mind, the most important subcommittee only met four times during the entire year of 2018? Would it also surprise you to know that one of those meetings was merely a conference call that lasted minutes? The second meeting happened in June, where the entire subcommittee was allowed to give recommendations that Senator Bettencourt then would add to this report, which is the School Finance Report, as recommendations to the legislature. Further, Mr. Chairman, would it surprise you that we did not have another meeting until the end of November?

HUBERTY: I was aware of that. Yes, sir.

K. KING: And when we had the meetings and we had all the recommendations to Senator Bettencourt, are you aware that he did not take up any of those?

HUBERTY: I am aware of that. Yes, sir.

K. KING: And did you also know, Mr. Chairman, of the almost 60 pages of this report that includes recommendations, your subcommittee recommended 15 ways to improve how money is spent? Are you aware that the revenue subcommittee only recommended three?

HUBERTY: Yes, sir. I am.

K. KING: And just a couple more things, Mr. Chairman. Of the recommendations, the number one recommendation was the increase in general revenue. Can you tell this body how much we increased general revenue in **HB 3**?

HUBERTY: \$9 billion.

K. KING: That's correct. And how much of that was spent to reduce property taxes?

HUBERTY: \$2.7 billion.

K. KING: Absolutely. That's the information I have. The next recommendation was to use money from the Economic Stabilization Fund, or the rainy day fund. Mr. Chairman, did **HB 3** use any money from the ESF?

HUBERTY: No, it did not.

K. KING: The third recommendation that came from Senator Bettencourt was expanding the sales tax base. Did we expand the sales tax base this session?

HUBERTY: We did not.

K. KING: Mr. Chairman, did Senator Bettencourt file one piece of legislation to create sustainable funding for the issue of school finance?

HUBERTY: No, he did not.

K. KING: Thank you, Mr. Chairman. I find it very odd that the expenditures committee can come up with 15 recommendations, but the Texas Senate doesn't want to pay for it. I appreciate your leadership and your work. With that, thank you for the questions.

REPRESENTATIVE BURROWS: Chairman Huberty, I want to make sure the full picture is painted. There was actually a second work group that was formed at the behest of the governor leading on this issue early in session. Is that right?

HUBERTY: That is correct.

BURROWS: And if I remember correctly, it was not only the governor but the speaker, lieutenant governor—everyone working together—you, myself, Chairman Zerwas, and our counterparts in the senate. Is that correct?

HUBERTY: This is correct.

BURROWS: And I think the goal of the meeting was to find a sustainable revenue source to drive down school property taxes M&O funding. Was that the goal?

HUBERTY: That was the goal.

BURROWS: And we wanted to do that to lower every Texans' property tax bill?

HUBERTY: That's correct.

BURROWS: And also to increase the state share of funding for our schools?

HUBERTY: That is correct.

BURROWS: And we had a number of meetings, is that right?

HUBERTY: That is right.

BURROWS: And I think we considered multiple options.

HUBERTY: That's correct.

BURROWS: And I think at least my counterpart in the senate was at every single meeting, every single minute, best I could remember. Is that your memory as well?

HUBERTY: That is my memory as well.

BURROWS: Did you hear anyone at those meetings object a single time to the idea of the swap?

HUBERTY: No, sir, I did not.

BURROWS: Did you hear anybody breathe a word that this might not be something they couldn't live with?

HUBERTY: I did not.

BURROWS: Did you hear them advocate loudly or with any sort of vigor that maybe we should do something else other than the swap when we started to come up with this idea?

HUBERTY: I did not. We had other ideas like the ASF, which we passed the house joint resolution for—which, by the way, they included that—which increases the contribution from the land board and the GLO. That was included in part of their proposal that Senator Watson actually offered as an amendment to the committee substitute for **HB 3** out of the senate. So they did take a couple of the recommendations. But that was another bill that I carried that provides additional revenue.

BURROWS: But with respect to using sales tax to drive down M&O school property taxes, was there a single word uttered at those meetings where someone had any bit of concern over going that potential route?

HUBERTY: No. In fact, as you recall, in the discussions that centered around that, we had a white board talking about different ideas and concepts. The governor was leading that working group in connection with the lieutenant governor and the speaker, who were all very engaged, and Senator Nelson and Representative Zerwas and yourself and Chairman Taylor, and it was collaborative. We were all working together to try to find a solution. That is correct, yes, sir.

BURROWS: And we left those meetings going forward with this idea. In fact, you filed the bill to do this, and our governor, lieutenant governor, and speaker got out in front of it because everybody in those meetings was in agreement that this was the path forward, and we needed to bring it to the body to accomplish the things we set out as a goal. Is that fair?

HUBERTY: That is exactly right. Yes, sir.

BURROWS: All right. You know, I want to thank you. I want to thank the speaker. I want to thank Chairman Zerwas, the lieutenant governor, Senator Nelson, Senator Taylor, and everybody on the team who actually cares about this issue and trying to work forward to finding solutions. I know this is not going to be the solution for this session. I know we're going to continue to work on it. But I appreciate you working in good faith, with candor and honesty, to try to come up with ideas to drive down property taxes and to bring the state share up. I think your objective is very noble, and I appreciate your hard work. Sorry we didn't get there this time.

Representative Huberty moved to postpone consideration of **CSHB 4621** until 12 p.m. Tuesday, January 12, 2021.

The motion prevailed.

**CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING**

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

**CSHJR 3 ON SECOND READING
(by Huberty)**

CSHJR 3, A joint resolution proposing a constitutional amendment to provide property tax relief by reducing school district maintenance and operations ad valorem tax rates and increasing the state sales and use tax rates.

Representative Huberty moved to postpone consideration of **CSHJR 3** until 12 p.m. Tuesday, January 12, 2021.

The motion prevailed.

REMARKS ORDERED PRINTED

Representative Martinez Fischer moved to print all remarks on **HB 4621**.

The motion prevailed.

**POSTPONED BUSINESS
(consideration continued)**

HB 1839 ON SECOND READING

(by S. Thompson, Rodriguez, Allen, Morales, Farrar, et al.)

HB 1839, A bill to be entitled An Act relating to the allocation of housing tax credits to developments within proximate geographical areas.

HB 1839 was read second time on April 24, postponed until May 1, postponed until May 7, and was again postponed until this time.

Amendment No. 1

Representatives S. Thompson and Harless offered the following amendment to **HB 1839**:

Amend **HB 1839** (house committee report) on page 1, lines 11 and 12, by striking "or, if located outside a municipality, the county containing the development".

Amendment No. 1 was adopted. (The vote was reconsidered on May 8 and Amendment No. 1 was withdrawn.)

HB 1839, as amended, was passed to engrossment. (The vote was reconsidered on May 8, **SB 493** was considered in lieu of **HB 1839**, and **HB 1839** was laid on the table subject to call.)

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**CSHB 3703 ON SECOND READING
(by Klick, Zerwas, Oliverson, Sheffield, Coleman, et al.)**

CSHB 3703, A bill to be entitled An Act relating to the dispensing, administration, and use of low-THC cannabis; authorizing low-THC cannabis research; authorizing a fee.

Amendment No. 1

Representative Klick offered the following amendment to **CSHB 3703**:

Amend **CSHB 3703** (house committee report), on page 6, lines 24 and 25, by striking "qualified to prescribe low-THC cannabis under Section 169.002" and substituting "licensed in this state [~~qualified to prescribe low-THC cannabis under Section 169.002~~]".

Amendment No. 1 was adopted.

CSHB 3703, as amended, was passed to engrossment. (Flynn recorded voting no.)

**HB 2362 ON SECOND READING
(by Moody and Price)**

HB 2362, A bill to be entitled An Act relating to the standard of proof in health care liability claims involving emergency medical care.

Amendment No. 1

Representative Moody offered the following amendment to **HB 2362**:

Amend **HB 2362** by striking SECTIONS 1 and 2 and substituting the following:

SECTION 1. Section 74.153, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 74.153. STANDARD OF PROOF IN CASES INVOLVING EMERGENCY MEDICAL CARE. (a) Except as provided by Subsection (b), in [H] a suit involving a health care liability claim against a physician or health care provider for injury to or death of a patient arising out of the provision of emergency medical care in a hospital emergency department, in an [O] obstetrical unit, or in a surgical suite immediately following the evaluation or treatment of a patient in a hospital emergency department, the claimant bringing the suit may prove that the treatment or lack of treatment by the physician or health care provider departed from accepted standards of medical care or health care only if the claimant shows by a preponderance of the evidence that the physician or health care provider, with willful [willful] and wanton negligence, deviated from the degree of care and skill that is reasonably expected of an ordinarily prudent physician or health care provider in the same or similar circumstances.

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

(1) medical care or treatment:

(A) provided after the patient is:

(i) stabilized; and

(ii) receiving medical care or treatment as a nonemergency

patient; or

(B) that is unrelated to a medical emergency; or

(2) a physician or health care provider whose negligent act or omission proximately causes a stable patient to require emergency medical care.

SECTION 2. Section 74.153, Civil Practice and Remedies Code, as amended by this Act, applies only to an action commenced on or after the effective date of this Act. An action commenced before the effective date of this Act is governed by the law applicable to the action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted.

HB 2362, as amended, was passed to engrossment. (Flynn and Hunter recorded voting no.)

LEAVE OF ABSENCE GRANTED

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

S. Davis on motion of Wu.

GENERAL STATE CALENDAR

(consideration continued)

CSHB 4345 ON SECOND READING

(by Sanford, Krause, Flynn, Gervin-Hawkins, Rodriguez, et al.)

CSHB 4345, A bill to be entitled An Act relating to liability for disclosing certain information regarding sexual misconduct by an employee or volunteer of a charitable organization.

Amendment No. 1

Representative Sanford offered the following amendment to **CSHB 4345**:

Amend **CSHB 4345** (house committee report) as follows:

(1) On page 1, line 9, strike "or volunteer" and substitute ", volunteer, or independent contractor".

(2) On page 1, line 10, between "faith" and "is", insert ",".

(3) On page 1, strike lines 13-14 and substitute the following:
about an allegation that an individual who was employed by or served as a volunteer or independent contractor for the charitable organization or its associated charitable organizations:

(4) On page 1, line 18, strike "otherwise".

(5) On page 1, lines 18-19, strike "Chapter 21 or 43, Penal Code" and substitute the following:
any of the following provisions of the Penal Code:

(A) Section 20A.02(a)(3), (4), (7), or (8) (sex trafficking of persons);

(B) Section 20A.03 (continuous trafficking of persons), if based partly or wholly on conduct that constitutes an offense under Section 20A.02(a)(3), (4), (7), or (8);

(C) Section 22.011 (sexual assault) or 22.021 (aggravated sexual assault); or

(D) Chapter 21 (sexual offenses) or 43 (public indecency)

(6) On page 1, between lines 19 and 20, insert the following appropriately lettered subsection and reletter subsequent subsections and cross-references to those subsections accordingly:

() Immunity from civil liability under Subsection (a) applies in relation to an allegation described by that subsection that was required to have been reported as abuse under Chapter 261, Family Code, only if the allegation has been, at the time of the act to disclose, previously reported to an appropriate agency under Section 261.103, Family Code.

(7) On page 2, lines 3-4, strike "Chapter 21 or 43, Penal Code" and substitute the following:
any of the following provisions of the Penal Code:

(i) Section 20A.02(a)(3), (4), (7), or (8) (sex trafficking of persons);

(ii) Section 20A.03 (continuous trafficking of persons), if based partly or wholly on conduct that constitutes an offense under Section 20A.02(a)(3), (4), (7), or (8);

(iii) Section 22.011 (sexual assault) or 22.021 (aggravated sexual assault); or

(iv) Chapter 21 (sexual offenses) or 43 (public indecency)

Amendment No. 1 was adopted.

CSHB 4345, as amended, was passed to engrossment.

HB 292 ON SECOND READING
(by S. Thompson, Landgraf, et al.)

HB 292, A bill to be entitled An Act relating to inclusion of instruction on the trafficking of persons in the basic training curriculum for peace officers.

HB 292 was passed to engrossment.

HB 802 ON SECOND READING
(by Huberty)

HB 802, A bill to be entitled An Act relating to voting rights and eligibility for office of residents of certain districts subject to a strategic partnership agreement.

Representative Huberty moved to postpone consideration of **HB 802** until 7 a.m. tomorrow.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

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

Leman on motion of Sheffield.

GENERAL STATE CALENDAR
(consideration continued)

CSHB 1495 ON SECOND READING
(by Toth, et al.)

CSHB 1495, A bill to be entitled An Act relating to authorization for the creation of a county ethics commission in certain counties.

Amendment No. 1

Representative Toth offered the following amendment to **CSHB 1495**:

Amend **CSHB 1495** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 161.002(8), Local Government Code, is amended to read as follows:

(8) "County public servant" means a person elected, selected, appointed, employed, or otherwise designated as one of the following, even if the person has not yet qualified for or assumed the duties of office:

(A) a county officer or county employee;

(B) a person appointed by the commissioners court or a county officer to a position on one of the following, whether the position is compensated or not:

(i) an authority, board, bureau, commission, committee, council, department, district, division, or office of the county; or

(ii) a multi-jurisdictional board;

(C) an attorney at law or notary public when participating in the performance of a governmental function; or

(D) ~~[a candidate for nomination or election to an elected county office; or~~

~~(E)]~~ a person who is performing a governmental function under a claim of right although the person is not legally qualified or authorized to do so.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Middleton offered the following amendment to **CSHB 1495**:

Amend **CSHB 1495** (house committee printing) as follows:

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

(2) On page 1, line 21, between "River" and the period, insert the following:
; and

(3) a county that has a population of less than 40,000 that is adjacent to a county with a population of more than 3.3 million

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

SECTION _____. Chapter 170, Local Government Code, is amended by adding Section 170.002 to read as follows:

Sec. 170.002. CODE OF ETHICS FOR CERTAIN COMMISSIONERS COURTS. (a) This section applies to a county that has a population of less than 40,000 that is adjacent to a county with a population of more than 3.3 million.

(b) The commissioners court of a county subject to this section may adopt by order a code of ethics that provides standards of conduct for members of the commissioners court.

(c) If a commissioners court of a county subject to this section adopts a code of ethics under this section, the code of ethics must require each member of the commissioners court to file a conflicts disclosure statement that is in addition to the statement required by Section 176.003.

Amendment No. 2 was adopted.

A record vote was requested by Representative Stickland.

CSHB 1495, as amended, was passed to engrossment by (Record 1078): 96 Yeas, 36 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Bucy; Burrows; Button; Calanni; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; King, K.; King, T.; Klick; Larson; Leach; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Perez; Price; Ramos; Raymond;

Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Smithee; Stephenson; Stickland; Swanson; Talarico; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zedler; Zwiener.

Nays — Anderson; Bell, K.; Buckley; Burns; Cain; Canales; Cyrier; Dean; Frank; Harless; Harris; Hefner; Holland; Kacal; King, P.; Krause; Kuempel; Lambert; Landgraf; Lang; Miller; Murr; Noble; Patterson; Paul; Phelan; Raney; Schaefer; Shaheen; Shine; Springer; Stucky; Thompson, E.; Wilson; Wray; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.; Leman.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Capriglione; Davis, Y.; Johnson, J.D.; Johnson, J.E.; Longoria; Meza; Morrison; Pacheco; Reynolds; Sherman; Smith; Thierry; Thompson, S.; Tinderholt.

STATEMENTS OF VOTE

When Record No. 1078 was taken, I was excused because of important business. I would have voted no.

Leman

When Record No. 1078 was taken, I was shown voting yes. I intended to vote no.

Sanford

When Record No. 1078 was taken, I was shown voting yes. I intended to vote no.

Stickland

When Record No. 1078 was taken, I was shown voting yes. I intended to vote present, not voting.

Swanson

When Record No. 1078 was taken, I was in the house but away from my desk. I would have voted no.

Tinderholt

When Record No. 1078 was taken, I was shown voting yes. I intended to vote no.

Zedler

HB 3614 ON SECOND READING (by Rose)

HB 3614, A bill to be entitled An Act relating to caseworker visitation standards for certain child protective services caseworkers.

HB 3614 was passed to engrossment. (Hunter recorded voting no.)

CSHB 2497 ON SECOND READING
(by Cyrier, Israel, Cole, Rodriguez, and Krause)

CSHB 2497, A bill to be entitled An Act relating to rules of and appeals to a municipal board of adjustment.

CSHB 2497 was passed to engrossment.

CSHB 37 ON SECOND READING
(by Minjarez, Larson, Zedler, Pacheco, Kuempel, et al.)

CSHB 37, A bill to be entitled An Act relating to the creation of the criminal offense of mail theft.

CSHB 37 - REMARKS

REPRESENTATIVE MINJAREZ: Mail is one of the most accessible ways to obtain someone's personal information. Theft of this sensitive information could lead to more serious crimes such as, identity theft, check forgery, credit card abuse, and account takeover. Currently in the Texas Penal Code, mail theft is not defined. **CSHB 37** seeks to define mail theft in statute. Mr. Speaker, I have an amendment.

Amendment No. 1

Representative Minjarez offered the following amendment to **CSHB 37**:

Amend **CSHB 37** (house committee report) on page 1, lines 14 and 15, by striking "appropriates mail" and substituting "intentionally appropriates mail from another person's mailbox or premises".

AMENDMENT NO. 1 - REMARKS

MINJAREZ: This clarifying amendment simply strikes " appropriates mail" and substitutes "intentionally appropriates mail from another person's mailbox or premises." This removes any vagueness in the offense itself and strengthens the requisite intent to commit the offense.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Wu offered the following amendment to **CSHB 37**:

Amend **CSHB 37** (house committee report) by striking page 1, lines 12 and 13, and substituting the following:
or other sealed article that:

(1) is delivered by a common carrier or delivery service and not yet received by the addressee; or

(2) has been left to be collected for delivery by a common carrier or delivery service.

AMENDMENT NO. 2 - REMARKS

REPRESENTATIVE WU: A bunch of us actually carried this similar type of bill. This is the porch pirate bill. This is people stealing packages that have been delivered to your home. I don't know if this is a big concern for y'all, but I know

when I go home, the one thing people keep asking me about—after school finance—is, have you guys done something about the porch pirates yet? This is an addition that would basically put my bill into hers. It's just a one-line change that says it's not just deliveries that are being dropped off, but also, if you're leaving a package to be picked up by UPS or another carrier, that should be included as well.

Amendment No. 2 was adopted.

REPRESENTATIVE TINDERHOLT: I want to clarify something. Amazon packages, any packages getting dropped off at my doorstep, doesn't matter what it is—does it have to be in my mailbox or does my front doorstep count?

MINJAREZ: Front doorstep counts. Both count.

REPRESENTATIVE LARSON: So the motivation behind this—San Antonio Police came to me, and they've talked to you. I've had two packages stolen on my front porch while we were in session. It was some sportswear that I bought, and basically the police don't follow up. You've lost whatever those folks have stolen. In our neighborhood, we've got a group of people that follow the UPS truck, the FedEx, the postal service, and when they see packages being dropped off, especially if the property isn't fenced and is unattended, we're having issues. So with this bill, you're trying to raise the profile up and make it something that the police will get out and pursue. Is that what your motivations are?

MINJAREZ: Yes, Representative Larson. In fact, this gives our local law enforcement officers the tools they need to help stop this type of behavior, especially by professional mail thieves, and actually gives teeth to the statute so they can actually prosecute at the local level.

CSHB 37, as amended, was passed to engrossment.

REMARKS ORDERED PRINTED

Representative Wu moved to print all remarks on **CSHB 37**.

The motion prevailed.

CSHB 1116 ON SECOND READING

(by Wray)

CSHB 1116, A bill to be entitled An Act relating to the limitations periods for certain suits against real estate appraisers and appraisal firms.

Amendment No. 1

Representative Wray offered the following amendment to **CSHB 1116**:

Amend **CSHB 1116** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter D, Chapter 154, Civil Practice and Remedies Code, is amended by adding Section 154.074 to read as follows:

Sec. 154.074. RESOLUTION OF DISPUTES BY CONTRACTUAL APPRAISAL PROCESS. A party must invoke a contractual appraisal process that resolves disputes over the amount of loss not later than the 60th day after the date the party receives or submits, as applicable, written notice of the dispute. The parties may invoke the appraisal process after the period described by this section by mutual agreement in a separate written agreement.

Amendment No. 1 was adopted.

CSHB 1116, as amended, was passed to engrossment.

CSHB 1215 ON SECOND READING
(by Collier, Swanson, and Oliverson)

CSHB 1215, A bill to be entitled An Act relating to the allocation of low income housing tax credits.

CSHB 1215 was passed to engrossment.

HB 1387 ON SECOND READING
(by Hefner, Swanson, et al.)

HB 1387, A bill to be entitled An Act relating to the number of school marshals that may be appointed to serve on a public school campus or at a private school.

Amendment No. 1

Representative Hefner offered the following amendment to **HB 1387**:

Amend **HB 1387** (house committee report) as follows:

(1) On page 1, strike lines 8 through 14 and substitute the following: governing body of an open-enrollment charter school may appoint one or more school marshals for each campus [~~not more than the greater of:~~

~~(1) one school marshal per 200 students in average daily attendance per campus; or~~

~~(2) for each campus, one school marshal per building of the campus at which students regularly receive classroom instruction].~~

(2) On page 1, strike lines 17 through 22 and substitute the following:

(a) The governing body of a private school may appoint one or more school marshals [~~not more than the greater of:~~

~~(1) one school marshal per 200 students enrolled in the school; or~~

~~(2) one school marshal per building of the school at which students regularly receive classroom instruction].~~

A record vote was requested by Representative Hinojosa.

Amendment No. 1 was adopted by (Record 1079): 85 Yeas, 57 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Clardy; Craddick; Cyrier; Darby; Dean; Dominguez; Dutton; Flynn; Frank; Frullo; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf;

Lang; Larson; Leach; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

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

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

Absent, Excused — Johnson, E.; Leman.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Bohac; Pacheco; Thompson, S.

STATEMENT OF VOTE

When Record No. 1079 was taken, I was excused because of important business. I would have voted yes.

Leman

A record vote was requested by Representative C. Turner.

HB 1387, as amended, was passed to engrossment by (Record 1080): 82 Yeas, 57 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Johnson, E.; Leman.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Bohac; Guerra; Pacheco; Raymond; Stickland; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1080 was taken, I was in the house but away from my desk. I would have voted yes.

Guerra

When Record No. 1080 was taken, I was excused because of important business. I would have voted yes.

Leman

When Record No. 1080 was taken, my vote failed to register. I would have voted yes.

Raymond

When Record No. 1080 was taken, my vote failed to register. I would have voted yes.

Stickland

HB 1914 ON SECOND READING

(by Moody)

HB 1914, A bill to be entitled An Act relating to prompt payment of claims to certain physicians and health care providers.

HB 1914 was passed to engrossment. (Flynn recorded voting no.)

CSHB 4448 ON SECOND READING

(by Springer)

CSHB 4448, A bill to be entitled An Act relating to the use of unmanned aircraft.

CSHB 4448 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **CSHB 4448** under Rule 8, Section 1(c), of the House Rules on the grounds that the caption fails to include the required statement concerning the general effect of the bill on a criminal offense created by the bill.

The point of order was withdrawn.

Representative Springer moved to postpone consideration of **CSHB 4448** until 5:30 p.m. today.

The motion prevailed.

CSHB 1469 ON SECOND READING

(by Thierry, Blanco, and Cain)

CSHB 1469, A bill to be entitled An Act relating to certain public school workforce training programs funded by the skills development fund.

CSHB 1469 was passed to engrossment.

HB 4183 ON SECOND READING

(by Parker, Zerwas, Miller, S. Thompson, Sanford, et al.)

HB 4183, A bill to be entitled An Act relating to addressing adverse childhood experiences and developing a strategic plan to address those experiences.

HB 4183 was passed to engrossment.

CSHB 3091 ON SECOND READING

(by Deshotel)

CSHB 3091, A bill to be entitled An Act relating to the confidentiality of and prohibiting disclosure of the location or physical layout of a family violence shelter center or victims of trafficking shelter center; creating a criminal offense.

CSHB 3091 was passed to engrossment.

CSHB 1342 ON SECOND READING

(by Leach and Allen)

CSHB 1342, A bill to be entitled An Act relating to a person's eligibility for an occupational license; providing an administrative penalty.

A record vote was requested by Representative Stickland.

CSHB 1342 was passed to engrossment by (Record 1081): 141 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.; Leman.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Johnson, J.D.; Neave; Pacheco; Romero; Walle.

STATEMENTS OF VOTE

When Record No. 1081 was taken, my vote failed to register. I would have voted yes.

J.D. Johnson

When Record No. 1081 was taken, I was excused because of important business. I would have voted yes.

Leman

When Record No. 1081 was taken, I was in the house but away from my desk. I would have voted yes.

Neave

CSHB 3069 ON SECOND READING

(by M. González, Allison, Capriglione, Longoria, and Rose)

CSHB 3069, A bill to be entitled An Act relating to the establishment of a grant program for promoting computer science certification and professional development in coding, technology applications, and computer science for public school teachers.

(Leman now present)

(Goldman in the chair)

CSHB 3069 was passed to engrossment.

HB 2813 ON SECOND READING

(by Price)

HB 2813, A bill to be entitled An Act relating to the statewide behavioral health coordinating council.

Amendment No. 1

Representative Price offered the following amendment to **HB 2813**:

Amend **HB 2813** (house committee report) on page 3, by striking lines 15-19, and substituting the following:

(3) shall annually publish an updated inventory of behavioral health programs and services that are funded by the state that includes a description of how those programs and services further the purpose of the statewide behavioral health strategic plan;

(4) may create subcommittees to carry out the council's duties under this subchapter; and

(5) may facilitate opportunities to increase collaboration for the effective expenditure of available federal and state funds for behavioral and mental health services in this state.

Amendment No. 1 was adopted.

HB 2813, as amended, was passed to engrossment.

HB 739 ON SECOND READING
(by Harless and Guillen)

HB 739, A bill to be entitled An Act relating to tuition and fees for certain military spouses and dependents.

HB 739 was passed to engrossment.

CSHB 2165 ON SECOND READING
(by Hernandez)

CSHB 2165, A bill to be entitled An Act relating to the sale by certain alcoholic beverage permit or license holders of alcoholic beverages at a cost below the cost to the seller.

A record vote was requested by Representative Stickland.

The vote of the house was taken on passage to engrossment of **CSHB 2165** and the vote was announced yeas 70, nays 74.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1082): 75 Yeas, 66 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Beckley; Bernal; Blanco; Bowers; Calanni; Capriglione; Cole; Coleman; Collier; Craddick; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Hunter; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Ortega; Paddie; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Smith; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Canales; Clardy; Cyrier; Darby; Dominguez; Flynn; Frank; Harless; Harris; Hefner; Holland; Howard; Huberty; Israel; King, P.; Klick; Krause; Landgraf; Lang; Leach; Leman; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Nevárez; Noble; Oliverson; Parker; Patterson; Paul; Phelan; Raney; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; White; Wilson; Wray; Zedler.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Bailes; Cortez; Lambert; Pacheco; Zerwas.

The chair stated that **CSHB 2165** was passed to engrossment by the above vote.

STATEMENTS OF VOTE

When Record No. 1082 was taken, I was temporarily out of the house chamber. I would have voted yes.

Bailes

When Record No. 1082 was taken, I was absent because of important business in the district. I would have voted yes.

Cortez

When Record No. 1082 was taken, I was shown voting no. I intended to vote yes.

Raney

(Speaker in the chair)

LEAVES OF ABSENCE GRANTED

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

Zerwas on motion of Wu.

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

Cortez on motion of Zwiener.

**HB 3 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

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

HB 3, A bill to be entitled An Act relating to public school finance and public education.

Representative Huberty moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 3**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 3**: Huberty, chair; Ashby, Bernal, M. González, and K. King.

**POSTPONED BUSINESS
(consideration continued)****CSHB 4448 ON SECOND READING
(by Springer)**

CSHB 4448, A bill to be entitled An Act relating to the use of unmanned aircraft.

CSHB 4448 was read second time earlier today and was postponed until this time.

Representative Springer moved to postpone consideration of **CSHB 4448** until 6:14 p.m. today.

The motion prevailed.

(Goldman in the chair)

HB 4390 - VOTE RECONSIDERED

Representative Capriglione moved to reconsider the vote by which **HB 4390** was passed, as amended, by Record No. 1055.

The motion to reconsider prevailed.

HB 4390 ON THIRD READING

(by Capriglione, Martinez Fischer, Rodriguez, and Collier)

The chair laid before the house, on its third reading and final passage,

HB 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.

HB 4390 was read third time earlier today and was passed, as amended, by Record No. 1055.

Amendment No. 1 - Vote Reconsidered

Representative Capriglione moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

HB 4390 was passed by (Record 1083): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; 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; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman;

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

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

Absent, Excused — Cortez; Johnson, E.

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

Absent — Bailes; Lambert; Pacheco; Schaefer.

STATEMENT OF VOTE

When Record No. 1083 was taken, I was excused because of important business in the district. I would have voted yes.

Cortez

GENERAL STATE CALENDAR (consideration continued)

HB 1850 ON SECOND READING (by Klick)

HB 1850, A bill to be entitled An Act relating to requiring counties to publish voter information during the early voting period.

Amendment No. 1

Representatives Klick and Bucy offered the following amendment to **HB 1850**:

Amend **HB 1850** (house committee printing) as follows:

(1) On page 1, line 6, strike "Subsection (f)" and substitute "Subsections (f) and (g)".

(2) On page 1, line 7, between "provide" and "a current copy", insert ", in a downloadable database format,".

(3) On page 1, between lines 11 and 12, insert the following:

(g) The early voting clerk shall compile the registers and electronically submit to the secretary of state a record of each voter participating in a primary, runoff primary, general election, or any special election ordered by the governor not later than the day the voter votes in person or the early voting clerk receives a ballot voted by mail.

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

SECTION _____. Section 87.121, Election Code, is amended by adding Subsection (i) to read as follows:

(i) The secretary of state shall make any early voting roster created under this section available to the public on the secretary's Internet website.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Klick offered the following amendment to **HB 1850**:

Amend **HB 1850** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 87.121, Election Code, is amended by amending Subsections (g) and (h) and adding Subsection (i) to read as follows:

(g) Information on the roster for a person who votes an early voting ballot by personal appearance shall be made available for public inspection as provided by Subsection (i) not later than 11 a.m. [~~the beginning of regular business hours~~] on the day after the date the information is entered on the roster under Subsection (c).

(h) Information on the roster for a person who votes an early voting ballot by mail shall be made available for public inspection as provided by Subsection (i) not later than 11 a.m. on the day following the day the early voting clerk receives a ballot voted by mail.

(i) The information under Subsections (g) and (h) must be made available:

(1) for an election in which the county clerk is the early voting clerk:

(A) on the publicly accessible Internet website of the county; or

(B) if the county does not maintain a website, on the bulletin board

used for posting notice of meetings of the commissioners court; or

(2) for an election not described by Subdivision (1):

(A) on the publicly accessible Internet website of the authority ordering the election; or

(B) if the authority ordering the election does not maintain a website, on the bulletin board used for posting notice of meetings of the governing body of the authority.

Amendment No. 2 was adopted.

HB 1850, as amended, was passed to engrossment.

CSHB 2184 ON SECOND READING

(by Allen, White, Wu, Phelan, and Morales)

CSHB 2184, A bill to be entitled An Act relating to a public school student's transition from an alternative education program to a regular classroom.

CSHB 2184 was passed to engrossment.

CSHB 2177 ON SECOND READING

(by Miller)

CSHB 2177, A bill to be entitled An Act relating to license terms and fees and registration and listing fees for certain child-care facilities.

CSHB 2177 was passed to engrossment.

CSHB 1941 ON SECOND READING
(by Phelan)

CSHB 1941, A bill to be entitled An Act relating to unconscionable prices charged by certain health care facilities for medical care.

CSHB 1941 was passed to engrossment.

HB 897 ON SECOND READING
(by Ortega, Lucio, Vo, Oliverson, and Lambert)

HB 897, A bill to be entitled An Act relating to safety requirements for a person directly operating an amusement ride.

Amendment No. 1

Representative Ortega offered the following amendment to **HB 897**:

Amend **HB 897** (house committee printing) on page 1 by striking lines 8-19 and substituting the following:

REQUIREMENTS. (a) In this section:

(1) "Dispatcher" means a ride operator stationed at the top of an elevated waterslide to maintain order, direct patrons on when to depart the top of the slide, and ensure patrons begin the ride safely.

(2) "Ride operator" means a person actually engaged in the control of an amusement ride or directly controlling an amusement ride. The term does not include a certified lifeguard, other than a certified lifeguard working as a dispatcher, on a water-based amusement ride.

(b) A ride operator must be:

(1) at least 16 years of age; and

(2) trained in the proper use and operation of the amusement ride the person is operating.

(c) A ride operator may not operate more than one amusement ride simultaneously unless the operator is working as a dispatcher for adjacent or proximate elevated waterslides.

(d) A ride operator may not operate an amusement ride if the operator's operation of the ride constitutes an offense under Section 49.065, Penal Code.

Amendment No. 1 was adopted.

A record vote was requested by Representative Cain.

HB 897, as amended, was passed to engrossment by (Record 1084): 93 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Beckley; Bernal; Biedermann; Blanco; Bohac; Bowers; Bucy; Burrows; Button; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Farrar; Fierro; Flynn; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Kuempel; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave;

Nevárez; Ortega; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bell, C.; Bonnen; Buckley; Burns; Cain; Clardy; Cyrier; Frank; Harris; Hefner; Holland; King, P.; Krause; Landgraf; Lang; Leach; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Paddie; Patterson; Phelan; Sanford; Shaheen; Smithee; Springer; Stephenson; Stickland; Swanson; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler.

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

Absent, Excused — Cortez; Johnson, E.

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

Absent — Bailes; Bell, K.; Craddick; Dutton; King, K.; Klick; Lambert; Pacheco; Schaefer; Stucky.

STATEMENTS OF VOTE

When Record No. 1084 was taken, I was in the house but away from my desk. I would have voted no.

K. Bell

When Record No. 1084 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 1084 was taken, I was excused because of important business in the district. I would have voted yes.

Cortez

When Record No. 1084 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

When Record No. 1084 was taken, I was shown voting no. I intended to vote yes.

Oliverson

When Record No. 1084 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1084 was taken, I was shown voting no. I intended to vote yes.

Patterson

HB 3 - PRINTING RULES SUSPENDED

Representative Huberty moved to suspend Rule 12, Section 1(a)(2), and Rule 13, Section 5(a), of the House Rules to not print the senate amendments to **HB 3**.

The motion prevailed.

(Bailes now present)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Craddick requested permission for the Committee on Land and Resource Management to meet while the house is in session, at 6:30 p.m. today, in 1W.14, to consider referred business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Land and Resource Management, 6:30 p.m. today, 1W.14, for a formal meeting, to consider referred business.

HB 1930 ON SECOND READING

(by White)

HB 1930, A bill to be entitled An Act relating to the establishment of a charter school by the Texas Juvenile Justice Department.

HB 1930 was passed to engrossment.

CSHB 2715 ON SECOND READING

(by Rodriguez)

CSHB 2715, A bill to be entitled An Act relating to a study by the Texas Department of Transportation on shared motor-assisted scooters.

CSHB 2715 was passed to engrossment.

HB 2248 ON SECOND READING

(by Wray)

HB 2248, A bill to be entitled An Act relating to the disposition and removal of a decedent's remains.

(Speaker in the chair)

HB 2248 was passed to engrossment.

CSHB 2478 ON SECOND READING

(by Deshotel)

CSHB 2478, A bill to be entitled An Act relating to driver's licenses, commercial driver's licenses, and other identification certificates; authorizing and increasing fees.

Amendment No. 1

Representative Parker offered the following amendment to **CSHB 2478**:

Amend **CSHB 2478** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 521.165, Transportation Code, is amended by amending Subsection (e) and adding Subsection (f) to read as follows:

(e) The department may authorize and set standards for an entity described by Subsection (a), including a driver education school described by Section 521.1655, to administer, and train and certify examiners to administer, the examination required by Section 521.161(b)(2).

(f) An entity described by Subsection (a) may not issue a temporary receipt under Section 521.1812 to a person who has not passed the testing conducted by the entity under this section.

SECTION _____. Subchapter I, Chapter 521, Transportation Code, is amended by adding Section 521.1812 to read as follows:

Sec. 521.1812. ISSUANCE OF TEMPORARY RECEIPT BY THIRD PARTY. (a) The department may authorize an entity described by Section 521.165, including a driver education school described by Section 521.1655, to issue a temporary receipt to a qualifying applicant who has met all requirements for a driver's license if the qualifying applicant holds a learner license issued by the department under Section 521.222.

(b) A temporary receipt issued under Subsection (a) serves as temporary permission to operate a vehicle until the department provides a driver's license to the qualifying applicant.

(c) The department shall develop a process for an entity under Subsection (a) to electronically transmit to the department the documents and information required by the department for the issuance of a driver's license to a qualifying applicant.

(d) The department shall adopt rules to implement this section.

Amendment No. 1 was adopted.

CSHB 2478, as amended, was passed to engrossment.

CSHB 2210 ON SECOND READING

(by K. Bell, Hinojosa, Darby, Clardy, Springer, et al.)

CSHB 2210, A bill to be entitled An Act relating to the consideration for public school accountability purposes of certain students receiving residential services in state hospitals.

CSHB 2210 was passed to engrossment.

POSTPONED BUSINESS

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

CSHB 4448 ON SECOND READING
(by Springer)

CSHB 4448, A bill to be entitled An Act relating to the use of unmanned aircraft.

CSHB 4448 was read second time earlier today, postponed until 5:30 p.m., and was again postponed until this time.

CSHB 4448 - REMARKS

REPRESENTATIVE SPRINGER: This is the bill we were discussing earlier.

REPRESENTATIVE CAIN: Mr. Speaker?

SPEAKER BONNEN: Mr. Cain, for what purpose?

CAIN: Question for the author.

SPEAKER: Does the gentleman yield for a question?

SPRINGER: Not at this time.

SPEAKER: Not at this time.

CSHB 4448 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **CSHB 4448** under Rule 8, Section 1(c), and Rule 4, Section 32(c), of the House Rules. The point of order was overruled and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on House Bill 4448

Announced in the House on May 7, 2019

Representative Cain raises a point of order against further consideration of **HB 4448** under Rule 8, Section 1(c), of the House Rules on the grounds that the caption fails to include the required statement concerning the general effect of the bill on a criminal offense created by the bill.

Representative Cain argues that the bill creates a new criminal offense because the bill alters a statutory definition that is an element of the offense of operating an unmanned aircraft over certain critical infrastructure facilities. Under current law, a person commits an offense if the person operates unmanned aircraft over six classes of critical infrastructure facilities only if those facilities are fenced or surrounded by another physical barrier to entry. The bill amends the definition for these six classes to provide that a person commits an offense if the person operated unmanned aircraft over those facilities if they are conspicuously marked by signs. Representative Cain argues that changing the statutory definition makes unlawful what was once lawful and thus creates a new criminal offense that is required to be noticed in the caption.

The Chair notes that, in Texas, statutory definitions underlying the elements of an offense do not control, and are not required to be set out in, charging instruments. Crim. Proc. Code arts. 21.03, 21.17; *Sollers v. State*, 664 S.W.2d 726, 727-728 (Tex. App.—Dallas 1983, pet. ref'd). When the Legislature amends a

statutory definition underlying or constituting the elements of an offense, Texas courts look to whether the new definition requires something more than the old definition. See *Sollers*, 664 S.W.2d at 727-728. Under both current law and the bill, the prohibited conduct is operating an unmanned aircraft over the six classes of facilities. While perhaps unclear, the purpose of the fence and physical barrier is to provide notice that the conduct is prohibited. The addition of the sign provisions serves the same purpose of providing notice of the prohibited conduct.

Because the bill does not require a prosecutor to show anything more than a cause and effect relationship between the defendant's conduct and the prohibited result, the change in definitions does not materially alter the elements of the offense. See *id.* Thus, the bill does not create a criminal offense requiring notice in the caption.

Accordingly, the point of order is respectfully overruled.

REMARKS ORDERED PRINTED

Representative Tinderholt moved to print remarks between Representative Springer and Representative Cain on **CSHB 4448**.

The motion prevailed.

Amendment No. 1

Representatives Cain and Canales offered the following amendment to **CSHB 4448**:

Amend **CSHB 4448** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 28.03, Penal Code, is amended by adding Subsection (l) to read as follows:

(l) It is a defense to prosecution under this section that the actor used a shotgun to damage or destroy an unmanned aircraft that was being operated in violation of Section 423.0045, Government Code.

SECTION _____. Section 28.03, Penal Code, as amended by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

(S. Davis and Zerwas now present)

A record vote was requested by Representative Stickland.

Amendment No. 1 failed of adoption by (Record 1085): 56 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Anchia; Ashby; Beckley; Bell, C.; Bell, K.; Biedermann; Blanco; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Cyrier; Flynn; Frullo; Gervin-Hawkins; Goldman; Guerra; Guillen; Harris; Holland; King, K.; Krause; Kuempel; Landgraf; Lang; Leach; Leman; Longoria; Metcalf; Meyer; Middleton;

Minjarez; Morales; Muñoz; Murr; Nevárez; Oliverson; Paddie; Patterson; Phelan; Ramos; Rose; Sanford; Schaefer; Shine; Smithee; Stickland; Swanson; Tinderholt; VanDeaver; White; Wray; Zedler.

Nays — Allen; Allison; Anderson; Bailes; Bernal; Bohac; Bowers; Bucy; Calanni; Capriglione; Clardy; Cole; Coleman; Collier; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Geren; González, J.; González, M.; Goodwin; Gutierrez; Harless; Hefner; Hernandez; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.E.; Kacal; King, P.; King, T.; Larson; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Miller; Moody; Murphy; Neave; Noble; Ortega; Parker; Perez; Price; Raney; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Shaheen; Sheffield; Sherman; Smith; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Toth; Turner, C.; Turner, J.; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cortez; Johnson, E.

Absent — Frank; Herrero; Johnson, J.D.; Klick; Lambert; Morrison; Pacheco; Paul; Thompson, E.; Zerwas.

STATEMENTS OF VOTE

When Record No. 1085 was taken, I was shown voting yes. I intended to vote no.

Blanco

When Record No. 1085 was taken, I was excused because of important business in the district. I would have voted no.

Cortez

When Record No. 1085 was taken, I was shown voting no. I intended to vote yes.

Hefner

When Record No. 1085 was taken, my vote failed to register. I would have voted no.

Paul

When Record No. 1085 was taken, I was shown voting no. I intended to vote yes.

Springer

When Record No. 1085 was taken, I was in the house but away from my desk. I would have voted no.

E. Thompson

A record vote was requested by Representative Stickland.

CSHB 4448 was passed to engrossment by (Record 1086): 105 Yeas, 30 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bernal; Blanco; Bohac; Bonnen; Bucy; Burns; Burrows; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Dutton; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, M.; Goodwin; Guillen; Gutierrez; Harless; Hefner; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meza; Miller; Minjarez; Morales; Morrison; Murphy; Murr; Nevárez; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Perez; Phelan; Price; Raney; Raymond; Rodriguez; Rosenthal; Sanford; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Talarico; Thierry; Toth; Turner, J.; VanDeaver; Vo; Walle; Wilson; Wray; Zerwas; Zwiener.

Nays — Anchia; Bell, K.; Biedermann; Bowers; Buckley; Button; Cain; Dominguez; Farrar; González, J.; Guerra; Harris; Hernandez; Holland; Meyer; Middleton; Moody; Muñoz; Neave; Ramos; Romero; Rose; Schaefer; Stickland; Swanson; Tinderholt; Turner, C.; White; Wu; Zedler.

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

Absent, Excused — Cortez; Johnson, E.

Absent — Davis, Y.; Hunter; Johnson, J.D.; Lambert; Longoria; Pacheco; Paul; Reynolds; Sherman; Stucky; Thompson, E.

STATEMENTS OF VOTE

When Record No. 1086 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 1086 was taken, I was excused because of important business in the district. I would have voted yes.

Cortez

When Record No. 1086 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1086 was taken, my vote failed to register. I would have voted yes.

Paul

When Record No. 1086 was taken, I was in the house but away from my desk. I would have voted yes.

E. Thompson

GENERAL STATE CALENDAR
(consideration continued)
HB 1888 ON SECOND READING
(by G. Bonnen, Noble, Springer, et al.)

HB 1888, A bill to be entitled An Act relating to temporary branch polling place hours of operation.

HB 1888 - REMARKS

REPRESENTATIVE G. BONNEN: Members, this legislation deals with a practice known as rolling polling. The flexibility of polling locations was designed to accommodate more voters near their homes and their workplaces. But some subdivisions of the state have abused this flexibility, targeting desirable voting populations at the exclusion of others. This practice known as rolling polling has resulted in selective vote harvesting. **HB 1888** confronts this problem by requiring that each polling place during any election be located at a set location for the duration of the early voting period. This will ensure that no polling location may target certain populations over others. Additionally, **HB 1888** will deter confusion by establishing that polling locations remain at a single accessible place throughout the early voting period. The predictability in voting places following the implementation of this bill would provide reliability and accessibility for all voters.

Amendment No. 1

Representative Bucy offered the following amendment to **HB 1888**:

Amend **HB 1888** (house committee printing) on page 1 by striking lines 13 and 14 and substituting the following:

SECTION 3. Section 85.062, Election Code, is amended by adding Subsection (c-1) and amending Subsection (e) to read as follows:

(c-1) The early voting clerk may establish temporary branch polling places that may be changed not more than once each day during the early voting period, if the polling places:

(1) are established only for the primary election and the general election for state and county officers;

(2) are adopted by the commissioners court not later than January 15 of the election year; and

(3) are located to ensure access to early voting:

(A) for residents of places that are geographically situated outside the city in which the main early voting polling place is located;

(B) for residents of nursing homes or other long-term care facilities, or retirement centers or similar residences; or

(C) for students enrolled in institutions of higher education.

AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE BUCY: Members, this amendment permits that for primary and general elections for state and county officers an early voting clerk may establish temporary early voting locations if they are adopted by the

commissioners court by January 15 of the election year. This amendment simply will ensure access to early voting for rural voters, for residences of nursing homes, retirement centers or other long-term care facilities, and for students enrolled in institutes of higher education. This amendment does not give new authority to early voting election clerks in terms of establishing temporary early voting locations, also known as mobile voting. Instead it seeks to narrowly address a specific problem we heard about when this bill came before the Elections Committee from stakeholders and citizens who came to testify. This amendment does not affect the purpose of the bill. This amendment simply maintains access to early voting for the primary and general elections especially for our seniors, our rural voters, and our students.

REPRESENTATIVE ANCHIA: Representative Bucy, you walked through the need for your amendment, but I'd like to understand it a little bit better. Can you explain exactly how your amendment fits into the bill and why it's needed?

BUCY: So we've heard a lot of these types of bills in the Elections Committee, and one of the concerns is how mobile voting can be used in certain bond election stuff. We heard a lot of that testimony. This amendment, though, specifically is ensuring—

ANCHIA: Well, can I ask about that testimony? How ubiquitous do you think these abuses are, by the way? Just based on the testimony you heard, is this an isolated case that would cause us to change state law or do you think it's widespread?

BUCY: I've heard about it in a couple of instances. In my county we haven't had any cases of this to my knowledge, and this is why I really bring this amendment. Our county consistently relies on mobile voting, and we use it for our most rural areas and for our colleges and our senior citizen homes. So it's a way to really get out to our small counties that average about 300 to 400 votes—our small cities where we can't really maintain a full-time election center, but we'll take it for a day or two—and it's consistent how we do it to make sure those people have easy access to voting.

ANCHIA: So why did you choose primary elections and general elections only for this amendment?

BUCY: I mean, honestly, I was trying to come up with something that I thought the body would see as a compromise to make sure we're ensuring that those without vehicles and other mobility access could still have easy access to the ballot. This amendment only went so far, with the attempt of trying to find compromise.

ANCHIA: And any fiscal note, any fiscal impact?

BUCY: No, there wouldn't be any on this.

G. BONNEN: I want to say first off, I really appreciate Representative Bucy. He came to me with this earlier in the day, and we had a really good dialogue about it, and he's been very professional and respectful of the process. I certainly appreciate his perspective. However, I want to be clear that in this legislation any

number of places may be used, any location may be used. The only requirement is that they be consistent throughout the early voting period of the election. And for that reason I move to table this.

Representative G. Bonnen moved to table Amendment No. 1.

BUCY: I want to thank Dr. Bonnen as well for meeting with me on this issue. I will ask you to vote against tabling. As I said earlier, in Williamson County, just using my own county, we use this as a way to make sure our rural voters and our senior voters, and our students—people without mobility access—can get out and vote.

REPRESENTATIVE SPRINGER: When you talk about rural—you know, the guy who has 22 counties, I can tell you that is absolutely not a problem in our district. This amendment is not needed to be able to do that. It has been used. We've actually had a challenge where they've tried to move these things around specifically trying to decide local election type of deals. I just see this as being a problem, and it'll be a worse problem in rural Texas.

BUCY: Well, I appreciate you bringing that up. I would say, as you highlighted, they're local elections. This is limited to the primaries and the generals. This doesn't impact—this amendment doesn't impact local elections. And as we heard testimony in committee, it was about issues with local elections. That's why I made this amendment with the intention of it being a compromise tailored to our general and our primaries and does not impact the local elections. As I said earlier and just using my county as an example, we have some of these small cities which will have 300 total voters. If we don't get this amendment on, our elections office will have to pay to keep that site open for two weeks of early voting as opposed to two days or one day as they do now. It's been very consistent. You can go back and look at the records that this is a consistent way that they've done it to make sure these individuals have access to the ballot.

REPRESENTATIVE FIERRO: Representative, can you tell me why your amendment specifically brings out or mentions community colleges and nursing homes?

BUCY: Just as we're trying to hit rural communities—and if you look at the amendment it has to be one of those areas—so it's for our rural communities; it's for our community colleges where a lot of time kids don't have access to mobility, meaning a car or public transportation access; and it's for our senior citizen homes with the same issue. We're trying to hit the three communities where it's harder to get to a place to vote because of lack of transportation to make sure that they still have the right to vote.

FIERRO: Thank you, Representative.

BUCY: Absolutely. Well, I ask you to vote no on tabling, as I think this amendment will ensure that we can make sure that individuals still have access to vote while also not intervening with—what I believe to be the intent of the bill is—the local issue, since this amendment has nothing to do with local elections.

A record vote was requested by Representative Stickland.

The motion to table prevailed by (Record 1087): 80 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Frank; Frullo; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; 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; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Israel; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; 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(C).

Absent, Excused — Cortez; Johnson, E.

Absent — Hernandez; Johnson, J.D.; Lambert; Pacheco.

STATEMENT OF VOTE

When Record No. 1087 was taken, I was excused because of important business in the district. I would have voted no.

Cortez

Amendment No. 2

Representative Zwiener offered the following amendment to **HB 1888**:

Amend **HB 1888** (house committee printing) as follows:

(1) Strike page 2, line 9, and substitute "SECTION 5. Section 85.064, Election Code, is amended by amending Subsection (b) and adding Subsection (b-1) to".

(2) On page 2, line 11, strike "Early" and substitute "Except as provided by Subsection (b-1), early [~~Early~~]".

(3) On page 3, between lines 1 and 2, insert the following:

(b-1) Notwithstanding Subsection (b), the authority establishing a temporary branch polling place in a county located wholly or partly in an area that at any time during the preceding three-month period was declared to be a disaster area by the governor or by the president of the United States shall determine the hours during which the voting is to be conducted at the polling place.

AMENDMENT NO. 2 - REMARKS

REPRESENTATIVE ZWIENER: Members, this is a straightforward amendment that makes sure that our counties and other political subdivisions that have experienced a disaster have more flexibility in implementing elections. It exempts them from the terms of this bill so that they have the flexibility they need to be able to effectively hold an election with facilities that are potentially not entirely operable. I urge you to support this amendment because it allows our counties to hold elections despite any issues.

REPRESENTATIVE MOODY: Your amendment deals with declared disaster? What situations are we talking about? Do we define that in the amendment?

ZWIENER: Yes, it is an area that has experienced a declared disaster as declared by either the governor or the president of the United States. So it's actually quite a high bar.

MOODY: For the body, what instances are we grabbing with that language? What are we getting after?

ZWIENER: Hurricanes, severe tornadoes, severe flooding, severe wildfires.

MOODY: So are there any instances, in the area that you represent that would have qualified for this exemption if it were the law back then?

ZWIENER: Yes, potentially the Halloween floods in Wimberley and the rest of Hays County in 2015 could have triggered this language. It actually could have triggered it for Travis County as well because they were impacted by that flooding, too.

G. BONNEN: And again, I wanted to thank Representative Zwiener for coming to me earlier and having a really good discussion about this. So again, to be clear—and my community has lived through natural disasters so we know what that experience is like—but this bill does not preclude any location from being used. It doesn't preclude any number, more or less, of locations being used. It simply says choose your location and use it throughout the early voting period. I think that's something that is quite manageable.

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

ZWIENER: Members, I want to thank Dr. Bonnen as well for working with me on this amendment despite the fact that we do disagree. Of course, there is nothing in his bill that precludes a location from being open that full two weeks. However, there is also no ability for a county or other jurisdiction holding an election to compel a location to be open for a full two weeks. So the situations I'm concerned about are ones where government buildings are damaged and the only facilities available for the full early voting period are private facilities that may not be willing to be open during that time. So members, I hope that you will vote against the motion to table this amendment, and vote in support of members of our communities being able to vote after a disaster that has damaged traditional polling locations.

A record vote was requested by Representative Stickland.

The motion to table prevailed by (Record 1088): 81 Yeas, 64 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Flynn; Frank; Frullo; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; 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; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; 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(C).

Absent, Excused — Cortez; Johnson, E.

Absent — Lambert; Pacheco.

STATEMENT OF VOTE

When Record No. 1088 was taken, I was excused because of important business in the district. I would have voted no.

Cortez

Amendment No. 3

Representative Zwiener offered the following amendment to **HB 1888**:

Amend **HB 1888** (house committee printing) as follows:

(1) Strike page 2, line 9, and substitute "SECTION 5. Section 85.064, Election Code, is amended by amending Subsection (b) and adding Subsection (b-1) to".

(2) On page 2, line 11, strike "Early" and substitute "Except as provided by Subsection (b-1), early ~~[Early]~~".

(3) On page 3, between lines 1 and 2, insert the following:

(b-1) Notwithstanding Subsection (b), the authority establishing a temporary branch polling place located more than five miles from a publicly owned building shall determine the hours during which the voting is to be conducted at the polling place.

AMENDMENT NO. 3 - REMARKS

ZWIENER: Members, this is an amendment I'm bringing because of the way my district uses temporary polling locations. We use temporary polling locations because there are areas where we have population centers but we do not have government buildings that are consistently available for the full two-week early voting period. Instead, the community utilizes churches in particular—churches that are not willing to give their space up for a full two weeks but are willing to give it up for three or four days. So what my amendment does is it exempts a location from this requirement if that location is at least five miles away from the closest public building. I want to say that I wish every single voting location could be open a full two weeks, but I think we have to recognize some of the practical barriers to that, including centers of population that do not have county buildings that the county can compel to be open for that full time.

BUCY: Representative, could you give us a few examples from your district where this would come into play?

ZWIENER: One example is the entire area of my district that's east of I-35. In particular, the City of Kyle has struggled to find early voting locations east of the interstate. And the one they finally found was a church called Icon Church that has graciously opened its doors to the community, but they don't want to have voting there for a full two weeks. It's disruptive to their services. Another example is east of Dripping Springs. It's an area where everyone in that area commutes into Austin, but the closest polling location is west of there. They would have to drive 45 minutes to an hour out of their way to vote. Instead, a local community center owned by a neighborhood has been gracious enough to open, again, for three days during the early voting period.

BUCY: Are these rural areas or suburban areas?

ZWIENER: These are suburban areas. Though there is actually—in my small towns, Blanco County ends up opening for just two days in the city of Blanco over the weekend because it's not practical for them to be open the full two weeks.

G. BONNEN: To be clear, there's no requirement in this bill that a polling location be a public location. It may be any location. The only requirement is that it be available to the voters throughout the early voting period.

ZWIENER: Members, I respectfully ask you to vote against the motion to table. Again, while I really admire the aims of this bill to ensure that every early voting location is open the full two weeks, unfortunately in some communities that just isn't practical because of the lack of government-owned buildings that the county can compel to be open and available for the full period. So with that, I respectfully ask you to oppose this motion to table.

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

A record vote was requested by Representative Stickland.

The motion to table prevailed by (Record 1089): 81 Yeas, 64 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Flynn; Frank; Frullo; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; 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; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; 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(C).

Absent, Excused — Cortez; Johnson, E.

Absent — Lambert; Pacheco.

STATEMENT OF VOTE

When Record No. 1089 was taken, I was excused because of important business in the district. I would have voted no.

Cortez

Amendment No. 4

Representative C. Turner offered the following amendment to **HB 1888**:

Amend **HB 1888** (house committee printing) as follows:

(1) Strike page 2, line 9, and substitute "SECTION 5. Section 85.064, Election Code, is amended by amending Subsection (b) and adding Subsection (b-1) to".

(2) On page 2, line 11, strike "Early" and substitute "Except as provided by Subsection (b-1), early [Early]".

(3) On page 3, between lines 1 and 2, insert the following:

(b-1) Notwithstanding Subsection (b), the authority establishing a temporary branch polling place located on the campus of an institution of higher education shall determine the hours during which the voting is to be conducted.

AMENDMENT NO. 4 - REMARKS

REPRESENTATIVE C. TURNER: The amendment would remove all institutions of higher learning from this bill, and let me tell you the reason why I'm bringing this amendment. In Tarrant County, which I represent, our Tarrant County elections department does a very good job running the early voting

process, and part of what they do is they do have temporary locations at different college campuses around the county. Now, it's not practical to have an early voting location for the entire two weeks of early voting at every single college campus, but what is practical is to rotate temporary locations two to three days at a time throughout our colleges and community colleges. For instance, last year, October 23rd through 25th, which was Tuesday through Thursday, they had early voting available at Southwestern Baptist Theological Seminary, Texas Wesleyan University, and University of North Texas Health Science Center. Then on the 30th and 31st, they had early voting available at three Tarrant County College campuses—the northeast campus in Representative Stickland's district, the northwest campus, and the south campus. On October 29th and 31st, then, they had early voting at The University of Texas at Arlington, where about 44,000 students attend on campus, and at Texas Christian University. And I gave you those examples because for those of you familiar with Tarrant County, that is all over the county geographically. This is not geographically centered in one part of the county. So everybody in the county is getting access to these temporary locations.

REPRESENTATIVE HINOJOSA: I'm sorry to interrupt you, Chairman Turner, but I'm curious as to why college campuses, in your view because of your amendment, are of particular concern when it comes to Texans voting.

C. TURNER: Sure, and I appreciate the question. I think they're of particular concern and I think they should be treated differently in this bill because college students are different. College students oftentimes live on campus or right near campus. They may not own a vehicle or have access to a vehicle because they walk everywhere or ride a bike. So there is a convenience factor to make voting accessible to college students. When you're a student, you're on campus at class throughout the course of the day, and it may not be practical to get off campus and get to an early voting site down at the grocery store five miles away before they close at 5 p.m. or 7 p.m., whichever time it closes. Offering that convenience so all college students have the ability to vote if they choose to exercise their right, I think, is an important thing to do. And I think increasing opportunities for young people to participate in the electoral process is never a bad thing.

HINOJOSA: One of the things that I've experienced—and I'm not sure if you've experienced this in your district, too—at UT here in the district I represent is college students not being able to wait all that long in line because they have to catch a class. So witnessing college students leaving a polling place and hoping to come back later when it's more convenient because they just can't simply wait in line—is that your experience?

C. TURNER: Well, that's exactly right. Those of us running for office like to see long lines. We like it when people are voting, but obviously we know lines can be a deterrent to some people participating in the election. And at permanent early voting locations, the ones that are there year after year, voters do get used to going to those. They become sort of the go-to places and those are the places that tend to attract long lines. That can be a deterrent to anyone but particularly to a

college student that may have trouble getting there or may be limited on time. Whereas with these temporary locations you don't have a lot of non-college student voters coming to those locations, right? Those are there just for the people on that campus and maybe the employees that work on that campus.

HINOJOSA: And were you aware that young people—age 18 to 24—their voter turnout is not quite maybe what our generation's turnout is now or was at that time. Did you know that?

C. TURNER: Well, that's right. The data shows that younger Americans, including here in Texas, do not participate in elections at the same rate as older Americans do. And that's a shame because the millennial generation is a huge demographic numerically. We need them to be engaged in the political process for the future of our country and the future of our state because they're going to be running this place before too much longer, and we need them engaged in the political process.

HINOJOSA: In fact, in the recent election there was a lot of controversy at Prairie View A&M over early polling places, and they had to decide whether they were going to have people voting. In fact, it has been an issue, and as a result I filed a bill to try to get access to more polling places for students. And it was not successful this session, but I know there have been some issues. I'm sorry, I misspoke. I said our generation, and I was actually comparing our current millennials to baby boomers, and I know you and I aren't quite the baby boomer generation.

C. TURNER: Not quite. You, definitely not. I'm not quite in that generation.

HINOJOSA: I think we're about the same. But yes, 18-to-24-year-olds. Did you know that baby boomer turnout was 26 percent? And in the recent Pew study that I see, it says millennials at that age only turnout at 20 percent?

C. TURNER: Yes, it is substantially lower, certainly compared to baby boomers but even Generation X, our generation, I guess. It is substantially lower. And part of that is access. We know millennials are much less likely to own a car than we were when we were 20 or 22 years old. They don't want to own a car for whatever reason, so transportation becomes an issue. The cost of housing, particularly on or around a college campus, is expensive. So a lot of times they're very much confined to where they can walk to or ride a bike to. Why would we not make an early voting place available to them for two or three days at a time during a major election?

G. BONNEN: Respectfully, I encourage college students to vote, and in this bill the territory that's having the election can put a voting machine on every campus, and they can leave it there for the entire early voting period. If you allow this to become temporary and move them around, how do you decide who benefits from that? You know, people work, they have children—everybody has obligations. Everybody has things in their life that make it difficult for them to stop what they're doing, but voting is critically important. It's just as important for those

who are employed or taking care of their children as it is for students. And again, this doesn't prevent anybody from having a voting machine on the campus. It just requires that it be there throughout the voting period.

Representative G. Bonnen moved to table Amendment No. 4.

C. TURNER: Members, this amendment is about providing college students access to the ballot box. That's what this is about. And I understand what Dr. Bonnen is saying, that we shouldn't allow certain people to be able to have access to this that others don't. But as I went through in my example of Tarrant County, the temporary early voting sites in Tarrant County are in all geographic areas of the county. They're in urban areas, and they're in suburban areas. They're in democratic areas, and they're in republican areas. They're in heavily minority areas, and they're in heavily Anglo areas. They make it available to everyone because the point is everyone should have the right to vote.

G. BONNEN: Chairman Turner, I appreciate your concern. Now, would you agree with me that if a campus was chosen as an early voting location and it was maintained as an early voting location all day throughout the early voting period that would actually provide greater access for those students to vote?

C. TURNER: Undoubtedly, I do agree with that. And I would love it if on all of the college campuses that I listed a few minutes ago, which is a total of eight, that they had early voting sites for the entire 12 days of the early voting period. However, and we asked the county about this, in the November 2018 election just a few months ago, the temporary sites for two or three days would cost an average of \$4,800 to operate those sites. A permanent site for the entire 12 days of early voting costs an average of \$14,500. So if you do the math, that's basically an extra \$77,000 it would cost Tarrant County to be able to run permanent early voting sites at all eight of those colleges and universities.

So again, I think that giving counties the flexibility where there is a demonstrated need to provide early voting accessibility is an efficient way to do it. And it helps them save taxpayer resources while providing additional opportunities for qualified voters to participate in the election. If we saw that, "Oh, my gosh, Tarrant County's only having early voting available at community colleges in this part of town, but it excluded a community college on the other side of the county"—yeah, that would be a problem. But that's not what they do. They make it available everywhere to everyone. UT-Arlington, TCU—the demographics of those student bodies are very different. I haven't analyzed the election results, but I would imagine that their voting preferences are pretty different as well. But they make it available to both because both should have the opportunity to vote in an election. Why we would take that opportunity away, why we would make it more expensive for our county—in other words, more expensive for the taxpayers that we represent—I'm not sure. So all I'm asking is that we vote no on this motion to table to preserve the ability for a county elections office to provide temporary polling locations during early voting at a college or university. I ask you vote no on the motion to table.

A record vote was requested by Representative Stickland.

The motion to table prevailed by (Record 1090): 81 Yeas, 64 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Flynn; Frank; Frullo; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; 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; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; 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(C).

Absent, Excused — Cortez; Johnson, E.

Absent — Lambert; Pacheco.

STATEMENT OF VOTE

When Record No. 1090 was taken, I was excused because of important business in the district. I would have voted no.

Cortez

HB 1888 - REMARKS

REPRESENTATIVE ISRAEL: Thank you for allowing me this time to speak. Members, I serve on the Elections Committee, and I'm operating without notes here, but my heart is telling me that you know what this is. This is voter suppression. And it's going against the grain of what mobile voting is intended to be. Mobile voting is intended to be flexible. Mobile voting means the Asian market in my district doesn't need to have full-day early voting there every day of the week. It means the senior citizen center in Manor, Texas, that only has programming on Tuesdays and Thursdays doesn't need a mobile voting site there every day of the week. What's the problem that we're trying to fix here? If there is a problem with some locals, as we heard in committee with some school districts, then take it up with the school district. Why are we bringing in the big bad state to tell Hays County and Grimes County and Smith County that we know better how your voters move and operate? We know where your voters shop. We know where your senior citizens go. We know where your state employees are. When it's election time, there is at least one mobile voting site

here in the Capitol complex for a lot of my constituents who are state employees for whom it is convenient. I would love to see the day when the State of Texas is actually working to make it easier for our citizens to make their voices heard instead of doing what we're doing today which is squeezing the life out of them. And yes, it upsets me. Some day we're going to get this right. Today is not the day if you're going to vote for this bill. I will leave it there so that my emotions do not get the best of me.

REPRESENTATIVE ROSENTHAL: Thank you, Dr. Bonnen. I appreciate you taking the time to answer a couple of questions. We both have the distinct honor and privilege of representing a constituency on this house floor. Is that right?

G. BONNEN: Yes.

ROSENTHAL: And would you agree that we're both huge proponents of representative democracy, yes?

G. BONNEN: Yes.

ROSENTHAL: Perfect. So since we're aligned on that, I want to ask you about the provision in this bill that allows polling places for early voting in a county of less than 1,000 to be open for a period of three hours. So like they can reduce their voting time to a three-hour period—am I reading that correctly?

G. BONNEN: So it's not a county, and it's not a population. It's under 1,000 registered voters, and it's any territory that's administering an election in which they have fewer than 1,000 registered voters. It doesn't allow them to have a change in the venue or locations, but it does allow them to have fewer hours. It could be three hours instead of eight.

ROSENTHAL: Very good, I appreciate the answer, thank you. So I'm struggling with this time period. How did you come up with this three hours for this?

G. BONNEN: That was a concession to territories that have a relatively small number of registered voters so that they were not required to maintain those locations for eight hours throughout every day of early voting. It's still the same locations throughout early voting, and it's still each day of early voting, but if you have fewer than 1,000 registered voters. And it's discretionary. It's not a requirement, so they still keep them open for eight hours. But if they choose, they could shorten that to three hours each day.

ROSENTHAL: I understand that, and thank you for your answer. Isn't it true that most people who work for a living work periods well in excess of three hours?

G. BONNEN: Certainly.

ROSENTHAL: So doesn't this preclude the consideration that there are going to be some people who will not be able to get to the polls during a three-hour period? That seems amazingly restrictive to me.

G. BONNEN: So the answer to that is that right now they actually would not have to be open every day. They could move the location around during early voting, and that would actually make it more likely that they would not be able to vote. This is an improvement over the status quo, even for those territories with fewer than 1,000 voters.

ROSENTHAL: It's hard for me to see how allowing a polling location to limit its open hours to three is an improvement over anything. So are you saying right now they're allowed to be open for that short amount of time?

G. BONNEN: So what I'm saying right now is that the early voting locations may change throughout the two-week early voting period. So there's not consistency; there's not predictability. And no, they may not be open the entire eight hours.

ROSENTHAL: There's not predictability? So they don't have to file and post the voting locations and schedule ahead of time and all of that?

G. BONNEN: The purpose of this bill is to make it clear that we have the same locations throughout the early voting period, and that those locations are open. And the only exception is if there are fewer than 1,000 registered voters in that territory, they still must have the same locations throughout the early voting period, but they may shorten the hours at their discretion to three hours.

ROSENTHAL: That strikes me as extremely dangerous. I'm sorry to say it like that. But to shorten to three hours—most of the jobs I've worked provide for a break at least once every four hours for at least 30 minutes. I think that's the law of the land. And so what this means is there would be a possibility that some voters could be locked out.

G. BONNEN: Actually what it means is that now because that location has to be open every day, they actually have a greater opportunity to vote.

ROSENTHAL: So if the place is required to be open every day and they choose to be open between 8 and 11, and I have to work from 7 to 12 before I get my first break, does that mean I will not have any opportunity to vote during the early voting period?

G. BONNEN: I think that I can only recite for you what's in the bill so many times.

ROSENTHAL: Okay, I'm not going to take any more of your time. I appreciate you being patient with me. I would urge—I would urge to specify a minimum of eight hours. That's the day that everyone works.

G. BONNEN: So it's actually been pointed out that you're required by federal law to have at least an hour away from work to go and vote.

ROSENTHAL: It is. But does it specify when? Even though that's specified and that's true—and I appreciate that. That's very good, but it's still rural areas we are talking about.

G. BONNEN: So respectfully, again, to speak to your concern, we're actually creating more hours that would be available than what would likely be available under current law.

ROSENTHAL: Under current law, are they allowed to limit the period that they're open to three hours in any location, at any place, at any time?

G. BONNEN: They can limit the days, and they can move the locations.

ROSENTHAL: I'm sorry, what?

G. BONNEN: They can move the locations.

ROSENTHAL: Right. No, so my direct question was under current law, are they allowed to limit their open hours to just three under any particular day?

G. BONNEN: Yes.

ROSENTHAL: Under current law, they are right now?

G. BONNEN: Yes, I believe that's correct.

ROSENTHAL: Okay, well, that answers my question.

ANCHIA: I'm trying to understand the construction of the bill really quickly. So in Sections 1 and 2 of the bill, you are amending Section 42.0621(a) of the Election Code, right? And so there you are limiting the uniform election dates to just the November date. Is that correct? And what exactly are you limiting just to those November election dates?

G. BONNEN: I'm not a lege council drafter, so I'm not prepared to speak to the drafting of the legislation. The intent of the bill is to say during any election that is held—whether it's a bond election, whether it's a general election, whether it's a primary election—during the two weeks of early voting, any number of locations may be chosen. Those locations may be at the discretion of the territory, but they must be held constant, and they must remain open for eight hours unless there are fewer than 1,000 registered voters, in which case they may choose to limit the hours to three hours.

ANCHIA: So I get the hours. I see in Sections 3, and 4, and 5 where you're discussing the hours of operations. But what I'm trying to understand is in Sections 1 and 2, the subject of those is to limit something to November. What is this something that we are limiting to November?

G. BONNEN: And again, understanding that I'm not a lege council attorney drafting this bill, we are actually amended existing statute, and I think without putting all of it together it can be difficult to read these words and then interpret it without the context of the current statute.

ANCHIA: I guess what I'm trying to understand is why not May elections? And why have you limited it in Sections 1 and 2 to November? Because I think that's a different subject that is unrelated to the polling hours.

G. BONNEN: I don't think we're limiting it to November elections.

ANCHIA: Okay, but in Sections 1 and 2, it specifically says "held on November uniform election date." So "held on November uniform election date" as opposed to May, and I'm trying to understand what that limitation is. Because I think that's a different subject than relating to the polling place.

G. BONNEN: I think it's part of the broader context of the existing statute.

HB 1888 - POINT OF ORDER

Representative Anchia raised a point of order against further consideration of **HB 1888** under Rule 8, Section 1, and Rule 8, Section 3 of the House Rules on the grounds that the bill caption does not give adequate notice of the bill's subject and the bill contains more than one subject.

The point of order was withdrawn.

A record vote was requested by Representative Stickland.

HB 1888 was passed to engrossment by (Record 1091): 77 Yeas, 64 Nays, 2 Present, not voting.

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

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; 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; Noble.

Absent, Excused — Cortez; Johnson, E.

Absent — Harris; Lambert; Pacheco; Paul; Thompson, E.

STATEMENTS OF VOTE

When Record No. 1091 was taken, I was excused because of important business in the district. I would have voted no.

Cortez

When Record No. 1091 was taken, I was in the house but away from my desk. I would have voted yes.

Harris

When Record No. 1091 was taken, I was in the house but away from my desk. I would have voted yes.

Paul

When Record No. 1091 was taken, I was in the house but away from my desk. I would have voted yes.

E. Thompson

REMARKS ORDERED PRINTED

Representative Rosenthal moved to print all remarks on **HB 1888**.

The motion prevailed.

CSHB 3759 ON SECOND READING (by Nevárez)

CSHB 3759, A bill to be entitled An Act relating to the type of newspaper required for publication of notice.

CSHB 3759 was passed to engrossment.

CSHB 2613 ON SECOND READING (by Frullo)

CSHB 2613, A bill to be entitled An Act relating to the offense of operation of a stash house and to funding certain crime victim services through the use of money derived from a civil asset forfeiture of contraband related to that offense, human smuggling and trafficking offenses, and certain prostitution offenses; creating a criminal offense.

Amendment No. 1

Representative Moody offered the following amendment to **CSHB 2613**:

Amend **CSHB 2613** (house committee report) as follows:

(1) On page 4, strike line 9 and substitute the following:
"amended by amending Subsections (d-3), (d-4), and (g)(1) and adding Subsection (t) to read as follows:"

(2) On page 4, between lines 9 and 10, insert the following:

(d-3) Except as otherwise provided by this article, an expenditure of proceeds or property received under this chapter is considered to be for a law enforcement purpose if the expenditure is made for an activity of a law enforcement agency that relates to the criminal and civil enforcement of the laws of this state, including an expenditure made for:

(1) equipment, including vehicles, computers, firearms, protective body armor, furniture, software, uniforms, and maintenance equipment;

(2) supplies, including office supplies, mobile phone and data account fees for employees, and Internet services;

(3) investigative and training-related travel expenses, including payment for hotel rooms, airfare, meals, rental of and fuel for a motor vehicle, and parking;

(4) conferences and training expenses, including fees and materials;

(5) investigative costs, including payments to informants and lab expenses;

(6) crime prevention and treatment programs;

(7) facility costs, including building purchase, lease payments, remodeling and renovating, maintenance, and utilities;

(8) witness-related costs, including travel and security; and

(9) audit costs and fees, including:

(A) audit preparation and professional fees paid to a person or entity under a contract or as otherwise authorized by law; and

(B) costs of preparing any reports required to be submitted with the audit form to the attorney general.

(d-4) Except as otherwise provided by this article, an expenditure of proceeds or property received under this chapter is considered to be for an official purpose of an attorney's office if the expenditure is made for an activity of an attorney or office of an attorney representing the state that relates to the preservation, enforcement, or administration of the laws of this state, including an expenditure made for:

(1) equipment, including vehicles, computers, visual aid equipment for litigation, firearms, body armor, furniture, software, and uniforms;

(2) supplies, including office supplies, legal library supplies and access fees, mobile phone and data account fees for employees, and Internet services;

(3) prosecution and training-related travel expenses, including payment for hotel rooms, airfare, meals, rental of and fuel for a motor vehicle, and parking;

(4) conferences and training expenses, including fees and materials;

(5) investigative costs, including payments to informants and lab expenses;

(6) crime prevention and treatment programs;

(7) facility costs, including building purchase, lease payments, remodeling and renovating, maintenance, and utilities;

(8) legal fees, including court costs and [;] witness fees[;] and other witness-related [and related] costs, including travel and security[~~audit costs, and professional fees~~]; [~~and~~]

(9) state bar and legal association dues; and

(10) audit costs and fees, including:

(A) audit preparation and professional fees paid to a person or entity under a contract or as otherwise authorized by law; and

(B) costs of preparing any reports required to be submitted with the audit form to the attorney general.

(g)(1) All law enforcement agencies and attorneys representing the state who receive proceeds or property under this chapter shall account for the seizure, forfeiture, receipt, and specific expenditure of all the proceeds and property in an audit, which is to be performed annually by the commissioners court or

governing body of a municipality, as appropriate. The annual period of the audit for a law enforcement agency is the fiscal year of the appropriate county or municipality and the annual period for an attorney representing the state is the state fiscal year. The audit must be completed on a form provided by the attorney general and must include a detailed report and explanation of all expenditures, including salaries and overtime pay, officer training, investigative equipment and supplies, and other items. The audit must also include a detailed report that itemizes all seizures of proceeds or property under this chapter and that indicates the specific criminal offense for which each seizure was based and, if charges were brought in connection with the offense, the disposition of those charges. Certified copies of the audit shall be delivered by the law enforcement agency or attorney representing the state to the attorney general not later than the 60th day after the date on which the annual period that is the subject of the audit ends.

(3) Insert the following appropriately numbered SECTION of the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 59.06(m), Code of Criminal Procedure, is repealed.

(4) On page 5, line 3, between the period and "The", insert "(a)".

(5) On page 5, between lines 10 and 11, insert the following:

(b) Article 59.06(g)(1), Code of Criminal Procedure, as amended by this Act, applies only to an audit commenced under that section on or after the effective date of this Act. An audit commenced before the effective date of this act is governed by the law in effect on the date the audit was commenced, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted. (The vote was reconsidered on May 8 and Amendment No. 1 was withdrawn.)

Amendment No. 2

Representative Moody offered the following amendment to **CSHB 2613**:

Amend **CSHB 2613** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 59.02, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Except as otherwise provided by Subsection (a-1), property ~~Property~~ that is contraband is subject to seizure and forfeiture under this chapter.

(a-1) Property that is contraband is not subject to seizure and forfeiture under this chapter if:

(1) the property is not otherwise unlawful to possess; and

(2) the admissibility of the property as evidence would be prohibited under Article 38.23 in the prosecution of the underlying offense.

SECTION _____. Article 59.05, Code of Criminal Procedure, is amended by adding Subsection (b-1) to read as follows:

(b-1) In a forfeiture proceeding under this chapter, the attorney representing the state may only present evidence the admissibility of which would not be prohibited under Article 38.23 in the prosecution of the underlying offense giving rise to the forfeiture.

Amendment No. 2 was adopted. (The vote was reconsidered on May 8 and Amendment No. 2 was withdrawn.)

Representative Frullo moved to postpone consideration of **HB 2613** until 12 p.m. Tuesday, January 12, 2021.

The motion prevailed. (The vote was reconsidered on May 8 and **HB 2613** was passed to engrossment.)

HB 3855 ON SECOND READING
(by Longoria and Murphy)

HB 3855, A bill to be entitled An Act relating to methods of computing interest charges on certain consumer loans.

HB 3855 was passed to engrossment.

HB 3059 ON SECOND READING
(by Holland and Landgraf)

HB 3059, A bill to be entitled An Act relating to the requirement that motor vehicle dealers apply for the registration of and title for certain vehicles sold by the dealer.

Representative Holland moved to postpone consideration of **HB 3059** until 10 a.m. Wednesday, December 25.

The motion prevailed.

CSHB 4242 ON SECOND READING
(by Bernal, Talarico, Lopez, and Ramos)

CSHB 4242, A bill to be entitled An Act relating to the consideration of reading level in the adoption of certain assessment instruments and associated student performance levels and to the temporary suspension of accountability sanctions for public schools.

A record vote was requested by Representative Leach.

CSHB 4242 was passed to engrossment by (Record 1092): 127 Yeas, 9 Nays, 1 Present, not voting.

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

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

Nays — Bucy; Cain; Flynn; Schaefer; Shaheen; Swanson; Toth; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cortez; Johnson, E.

Absent — Anderson; Bell, K.; Harless; Hunter; Lambert; Longoria; Pacheco; Raney; Stickland; Tinderholt; Wray.

STATEMENTS OF VOTE

When Record No. 1092 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

When Record No. 1092 was taken, I was in the house but away from my desk. I would have voted yes.

K. Bell

When Record No. 1092 was taken, I was shown voting no. I intended to vote yes.

Bucy

When Record No. 1092 was taken, I was excused because of important business in the district. I would have voted yes.

Cortez

When Record No. 1092 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1092 was taken, I was shown voting yes. I intended to vote no.

Middleton

When Record No. 1092 was taken, I was shown voting no. I intended to vote yes.

Shaheen

When Record No. 1092 was taken, I was in the house but away from my desk. I would have voted no.

Tinderholt

HB 1631 ON SECOND READING
(by Stickland, Collier, Burrows, S. Thompson, et al.)

HB 1631, A bill to be entitled An Act relating to prohibiting the use of photographic traffic signal enforcement systems.

HB 1631 - POINT OF ORDER

Representative Blanco raised a point of order against further consideration of **HB 1631** under Rule 8, Section 1(a)(1), and Rule 8, Section 3, of the House Rules and under Article III, Section 35, of the Texas Constitution. The point of order was overruled and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on House Bill 1631

Announced in the House on May 7, 2019

Representative Blanco raises a point of order against further consideration of **HB 1631** under Article III, Section 35, Texas Constitution, and Rule 8, Sections 1(a)(1) and 3, of the House Rules on the grounds that the bill contains more than one subject and the caption fails to give reasonable notice of the bill's subject.

Representative Blanco argues that the bill's repeal of Section 542.405, Transportation Code, creates an impermissible second subject because that section is not limited to "photographic traffic signal enforcement systems" but instead embraces all "traffic control signals." The bill also repeals Section 542.406 and 542.012 of the code. Reading all three sections together, it is plain that Section 542.405 is the civil enforcement mechanism for photographic traffic signal enforcement systems (also known as "red-light cameras") and its repeal is necessary to implement the bill's provisions completely prohibiting local operation of the cameras.

This reading is supported by the fiscal note, which expressly notes that the bill "repeal[s] provisions that authorize government entities to impose a civil penalty for certain traffic violations recorded by camera" in the identical amounts authorized under the complained-of section.

Section 542.405 is on the same subject as the bill. And because the section is on the same subject as the bill, the caption gives reasonable notice of the bill's subject.

Accordingly, the point of order is respectfully overruled.

Amendment No. 1

Representative Martinez offered the following amendment to **HB 1631**:

Amend **HB 1631** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) The repeal by this Act of Sections 542.405 and 542.406, Transportation Code, and provisions of Chapter 707, Transportation Code, does not affect the validity of a proceeding initiated or a civil or administrative penalty imposed under those provisions before the effective date of this Act. A proceeding initiated or a civil or administrative penalty imposed

under those provisions before the effective date of this Act is governed by the applicable law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(b) Notwithstanding any provision of this Act to the contrary, if before the effective date of this Act a local authority had enacted an ordinance to implement a photographic traffic signal enforcement system under Sections 542.405 and 542.406, Transportation Code, or Chapter 707, Transportation Code, and entered into a contract for the administration and enforcement of the system:

(1) the local authority may continue to operate the system under that ordinance and under the terms of that contract until the expiration date specified in the contract as the contract existed on the effective date of this Act; and

(2) the photographic traffic signal enforcement system, and any proceeding initiated or civil or administrative penalty imposed after the effective date of this Act are governed by the applicable law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Amendment No. 1 - Point of Order

Representative Cain raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 3, of the House Rules on the grounds that the amendment changes the original purpose of the bill.

The point of order was withdrawn.

MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 1 and 2).

SENATE MESSENGER: Mr. Speaker, I am directed by the senate to inform the house that the senate has taken the following action: The senate has refused to concur in the house amendments to the following measures and requests the appointment of a conference committee to address the differences between the two houses: **SB 2**. Senate conferees: Hancock, chair; Bettencourt; Creighton; Hinojosa; Perry. Respectfully, Patsy Spaw, Secretary of the Senate.

SPEAKER BONNEN: Who's the chair of that conference committee?

MESSENGER: Hancock.

SPEAKER: Thank you.

HB 1631 - (consideration continued)

Amendment No. 2

Representatives Cain, Clardy, and Landgraf offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Martinez to **HB 1631** as follows:

(1) On page 1, strike lines 4-13.

(2) On page 1, line 14, strike "(b)" and substitute "SECTION _____. (a)".

(3) On page 1, line 15, strike "the effective date of this Act" and substitute "May 7, 2019".

(4) On page 1, line 24, strike "the effective date of this Act" and substitute "May 7, 2019".

(5) On page 2, following line 1, add the following:

(b) Subsection (a) of this section does not apply to a contract for the administration and enforcement of a photographic traffic signal enforcement system entered into before May 7, 2019, that authorizes termination of the contract on the basis of adverse state legislation.

Amendment No. 2 was adopted.

AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE HUBERTY: Representative, when you offered this, the intent was perhaps that you could extend these contracts for a longer period of time, correct?

REPRESENTATIVE MARTINEZ: That is correct, yes.

HUBERTY: So now you've said—agreeing with Mr. Cain who's now said that he's going to vote for your amendment, at least that's what he told us up at the front mic—that the purpose of this now is to say that if the city needs to unwind their contract they can do it in an orderly fashion, which is the whole premise of what you've spoken to, right? Is that correct?

MARTINEZ: Yes, sir, that is correct.

HUBERTY: So from a legislative intent, it's your intent with this amendment that if they have a term left on their agreement—four years, five years, whatever it would be—during that period of time that they have the ability then to unwind that contract. Correct?

MARTINEZ: Absolutely. Yes, sir, that's correct.

REMARKS ORDERED PRINTED

Representative Huberty moved to print remarks between Representative Martinez and Representative Huberty on Amendment No. 1 to **HB 1631**.

The motion prevailed.

A record vote was requested by Representative Stickland.

Amendment No. 1, as amended, was adopted by (Record 1093): 88 Yeas, 53 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bernal; Blanco; Bowers; Buckley; Bucy; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cyrier; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, J.E.; Kacal; King, T.; Landgraf; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Ortega; Paddie; Perez; Price; Ramos; Raney;

Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Shine; Smithee; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zerwas; Zwiener.

Nays — Anderson; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Burns; Burrows; Cain; Capriglione; Craddick; Darby; Frank; Frullo; Goldman; Harris; Hefner; Holland; Hunter; King, K.; King, P.; Klick; Krause; Kuempel; Lang; Leach; Leman; Metcalf; Middleton; Miller; Morales; Murr; Noble; Oliverson; Parker; Patterson; Paul; Phelan; Schaefer; Shaheen; Sherman; Smith; Springer; Stephenson; Stickland; Swanson; Thompson, E.; Tinderholt; Toth; White; Wilson; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cortez; Johnson, E.

Absent — Dean; Johnson, J.D.; Lambert; Meza; Morrison; Pacheco.

STATEMENTS OF VOTE

When Record No. 1093 was taken, I was excused because of important business in the district. I would have voted yes.

Cortez

When Record No. 1093 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 1093 was taken, my vote failed to register. I would have voted yes.

J.D. Johnson

When Record No. 1093 was taken, I was shown voting no. I intended to vote yes.

Morales

Amendment No. 3

Representative Sherman offered the following amendment to **HB 1631**:

Amend **HB 1631** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Notwithstanding any provision of this Act to the contrary, including Section 707.020, Transportation Code, as added by this Act, a local authority, as defined by Section 541.002, Transportation Code, may operate a photographic traffic signal enforcement system and impose civil or administrative penalties for violations detected using the system if the operation of the system is approved by a majority of voters of the local authority voting at an election on the issue. The implementation of a photographic traffic signal enforcement system authorized under this section and any proceeding initiated or civil or administrative penalty imposed under this section are governed by Sections

542.405 and 542.406, Transportation Code, and Chapter 707, Transportation Code, as those provisions existed immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Amendment No. 3 - Point of Order

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

(Goldman in the chair)

The point of order was withdrawn.

Amendment No. 3 was withdrawn.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Price requested permission for the Committee on Calendars to meet while the house is in session, at 9:45 p.m. today, in 3W.9, to consider a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 9:45 p.m. today, 3W.9, for a formal meeting, to consider a calendar.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Morrison requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 9:50 p.m. today, in 1W.14, to consider a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, 9:50 p.m. today, 1W.14, for a formal meeting, to consider a calendar.

HB 1631 - (consideration continued)

Amendment No. 4

Representative Tinderholt offered the following amendment to **HB 1631**:

Amend **HB 1631** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Beginning on the effective date of this Act, a local authority that operates a photographic traffic signal enforcement system under an ordinance permitted by this Act shall send all revenue derived from civil or administrative penalties collected by the local authority under that ordinance to

the comptroller for deposit to the credit of the designated trauma facility and emergency medical services account established under Section 780.003, Health and Safety Code.

AMENDMENT NO. 4 - REMARKS

REPRESENTATIVE ZWIENER: Mr. Tinderholt, when you were speaking on this amendment, you described it as where the profits of this programs would go, but your amendment reads "revenue." And so I'm wondering if this potentially creates an unintentional problem where a jurisdiction would have to send all of the revenue over to this fund and not have any funds left to cover the cost of implementing the program, of fulfilling the terms of the contract they're under. Is that a potential concern here?

REPRESENTATIVE TINDERHOLT: It's not for me. We just had this drafted over here. Right now, in statute it specifically says that it's all profits from it, so their operating expenses are not included. But if you think that needs to be fixed, I would certainly be open to a clarifying amendment to specifically clarify that in here if you think that's an issue. I don't think it's an issue, but I'm open to it.

ZWIENER: So you are not clear on this, right now, if this might create a situation where cities actually lose funds from implementing these programs. Is that correct?

TINDERHOLT: I don't personally believe that's going to do that, no. But like I said, if you want to clarify that, I'm open to an amendment to the amendment.

REMARKS ORDERED PRINTED

Representative Zwiener moved to print remarks between Representative Tinderholt and Representative Zwiener on Amendment No. 4 to **HB 1631**.

The motion prevailed.

Amendment No. 4 was withdrawn.

A record vote was requested by Representative Sanford.

HB 1631, as amended, was passed to engrossment by (Record 1094): 108 Yeas, 35 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Clardy; Coleman; Collier; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman(C); González, J.; González, M.; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Holland; Huberty; Hunter; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Lang; Larson; Leach; Leman; Longoria; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Ramos; Raymond; Reynolds; Rodriguez; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee;

Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vo; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Bernal; Blanco; Bowers; Calanni; Canales; Davis, S.; Dominguez; Dutton; Farrar; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Israel; King, K.; Lopez; Lozano; Martinez; Moody; Nevárez; Ortega; Perez; Raney; Romero; Rose; Rosenthal; Sherman; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker; Cole.

Absent, Excused — Cortez; Johnson, E.

Absent — Lambert; Lucio; Pacheco.

STATEMENTS OF VOTE

When Record No. 1094 was taken, I was shown voting no. I intended to vote yes.

Calanni

When Record No. 1094 was taken, I was excused because of important business in the district. I would have voted no.

Cortez

When Record No. 1094 was taken, I was shown voting no. I intended to vote yes.

Lozano

When Record No. 1094 was taken, I was shown voting no. I intended to vote yes.

Raney

When Record No. 1094 was taken, I was shown voting no. I intended to vote yes.

Sherman

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

CSHB 4289 ON SECOND READING

(by Coleman)

CSHB 4289, A bill to be entitled An Act relating to the authority of certain local governments to create and operate health care provider participation programs.

CSHB 4289 - POINT OF ORDER

Representative Tinderholt raised a point of order against further consideration of **CSHB 4289** under Rule 8, Section 1(b), of the House Rules on the grounds that the bill caption does not indicate that the bill authorizes a fee.

The point of order was withdrawn.

CSHB 4289 was passed to engrossment. (Hunter recorded voting no.)

CSHB 634 ON SECOND READING
(by Buckley, Shine, Lambert, and Cortez)

CSHB 634, A bill to be entitled An Act relating to the applicability of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of ad valorem tax relief to disabled veterans.

(Speaker in the chair)

CSHB 634 was passed to engrossment.

CSHB 4280 ON SECOND READING
(by Morrison, Landgraf, Nevárez, Craddick, T. King, et al.)

CSHB 4280, A bill to be entitled An Act relating to the grant program distributing money from the transportation infrastructure fund.

Amendment No. 1

Representative Morrison offered the following amendment to **CSHB 4280**:

Amend **CSHB 4280** (house committee report) as follows:

(1) Strike page 1, lines 5 and 6, and substitute the following:

SECTION 1. Sections 256.103(a) and (b), Transportation Code, are amended to

(2) Strike page 1, lines 14-18.

Amendment No. 1 was adopted.

CSHB 4280, as amended, was passed to engrossment.

CSHB 3193 ON SECOND READING
(by Hinojosa)

CSHB 3193, A bill to be entitled An Act relating to the licensing of a home and community support services agency; increasing fees.

Representative Hinojosa moved to postpone consideration of **CSHB 3193** until 9 a.m. Thursday, May 9.

The motion prevailed.

HB 2802 ON SECOND READING
(by Darby)

HB 2802, A bill to be entitled An Act relating to the amounts, availability, and use of certain statutorily dedicated revenue and accounts; reducing or affecting the amounts of certain statutorily dedicated fees.

Amendment No. 1

Representative Darby offered the following amendment to **HB 2802**:

Amend **HB 2802** (house committee printing) by striking SECTION 3 of the bill (page 5, line 11 through page 6, line 10) and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Darby offered the following amendment to **HB 2802**:

Amend **HB 2802** (house committee printing) by striking SECTION 8 of the bill (page 9, line 4 through page 10, line 23) and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Darby offered the following amendment to **HB 2802**:

Amend **HB 2802** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 56.0092(e), Education Code, is amended to read as follows:

(e) An appropriation under Subsection (d) must be made in accordance with a formula, adopted by coordinating board rule, that ~~[the coordinating board determines fairly]~~ allocates the appropriated amount only to those eligible institutions at which the Texas B-On-time student loan program was underutilized. For purposes of this subsection, the Texas B-On-time student loan program is considered to have been underutilized by students of an institution ~~[in any period]~~ if the [institution's percentage of the] total amount of tuition set aside by the institution ~~[all institutions]~~ under the program during the period beginning with the 2007 state fiscal year and ending with the 2015 state fiscal year ~~[during the period]~~ was greater than the total amount of assistance received by the institution's students ~~[institution's percentage of all students who received a Texas B-On-time student loan]~~ under the program during that ~~[for the same]~~ period. The formula must allocate the appropriated amount among those institutions so that each institution receives a percentage of the amount appropriated that is proportional to the institution's share of the total amount of unused set-asides for the period contributed by those institutions. For purposes of this subsection, the amount of an institution's unused set-asides is the amount by which the total amount of tuition set aside by the institution under the program exceeds the total amount of assistance received by the institution's students under the program ~~[The coordinating board shall base the coordinating board's determination on a period of academic years occurring before the 2015-2016 academic year that the coordinating board considers representative of eligible institutions' student participation in the Texas B-On-time student loan program].~~

Amendment No. 3 was adopted.

Amendment No. 4

Representative Kacal offered the following amendment to **HB 2802**:

Amend **HB 2802** (house committee report) as follows:

(1) On page 5, line 8, strike "and".

(2) On page 5, line 10, between "Safety" and the period, insert the following:

; and

(21) a contract with the Texas A&M Transportation Institute to conduct a study as provided by Section 386.252(a)

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

SECTION _____. Section 386.252(a), Health and Safety Code, is amended to read as follows:

(a) Money in the fund may be used only to implement and administer programs established under the plan. Subject to the reallocation of funds by the commission under Subsection (h), money appropriated to the commission to be used for the programs under Section 386.051(b) shall initially be allocated as follows:

(1) four percent may be used for the clean school bus program under Chapter 390;

(2) three percent may be used for the new technology implementation grant program under Chapter 391, from which at least \$1 million will be set aside for electricity storage projects related to renewable energy;

(3) five percent may be used for the Texas clean fleet program under Chapter 392;

(4) not more than \$3 million may be used by the commission to fund a regional air monitoring program in commission Regions 3 and 4 to be implemented under the commission's oversight, including direction regarding the type, number, location, and operation of, and data validation practices for, monitors funded by the program through a regional nonprofit entity located in North Texas having representation from counties, municipalities, higher education institutions, and private sector interests across the area;

(5) 10 percent may be used for the Texas natural gas vehicle grant program under Chapter 394;

(6) not more than \$6 million may be used for the Texas alternative fueling facilities program under Chapter 393, of which a specified amount may be used for fueling stations to provide natural gas fuel, except that money may not be allocated for the Texas alternative fueling facilities program for the state fiscal year ending August 31, 2019;

(7) not more than \$750,000 may be used each year to support research related to air quality as provided by Chapter 387;

(8) not more than \$200,000 may be used for a health effects study;

(9) at least \$6 million but not more than \$8 million is allocated to the commission for administrative costs, including all direct and indirect costs for administering the plan, costs for conducting outreach and education activities, and costs attributable to the review or approval of applications for marketable emissions reduction credits;

(10) six percent may be used by the commission for the seaport and rail yard areas emissions reduction program established under Subchapter D-1;

(11) five percent may be used for the light-duty motor vehicle purchase or lease incentive program established under Subchapter D;

(12) not more than \$216,000 is allocated to the commission to contract with the Energy Systems Laboratory at the Texas A&M Engineering Experiment Station annually for the development and annual computation of creditable statewide emissions reductions obtained through wind and other renewable energy resources for the state implementation plan;

(13) not more than \$500,000 may be used for studies of or pilot programs for incentives for port authorities located in nonattainment areas or affected counties to encourage cargo movement that reduces emissions of nitrogen oxides and particulate matter; ~~and~~

(14) not more than \$250,000 shall be allocated to the commission to contract with the Texas A&M Transportation Institute to conduct a study to evaluate the relationship between traffic congestion and ozone precursors and to identify effective strategies in reducing nitrogen oxide emissions from transportation sources; and

(15) the balance is to be used by the commission for the diesel emissions reduction incentive program under Subchapter C as determined by the commission.

Amendment No. 4 was adopted.

Amendment No. 5

Representative Howard offered the following amendment to **HB 2802**:

Amend **HB 2802** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 102.015, Code of Criminal Procedure, is amended by amending Subsection (g) and adding Subsections (g-1) and (h-1) to read as follows:

(g) The comptroller shall deposit the funds received under this article to the credit of a dedicated account in the general revenue fund to be known as the truancy prevention and diversion fund. Subject to Subsection (g-1), the [The] legislature may appropriate money from the account only to:

(1) the criminal justice division of the governor's office for distribution to local governmental entities for truancy prevention and intervention services; and

(2) the Texas Education Agency for distribution to school districts for truancy prevention and intervention services and programs.

(g-1) The legislature may appropriate money from the truancy prevention and diversion fund to the Texas Education Agency for a state fiscal biennium only if:

(1) the amount of money appropriated from the fund to the criminal justice division of the governor's office for that biennium is at least equal to the amount of money appropriated from the fund to the criminal justice division of the governor's office for the previous state fiscal biennium; and

(2) the amount of money appropriated from the fund for that biennium does not exceed the amount of money that the comptroller will deposit into the fund for that biennium, as estimated by the comptroller's biennial revenue estimate.

(h-1) A school district may request an amount of money from the Texas Education Agency for providing truancy prevention and intervention services and programs. The agency may award the requested amount based on the availability of appropriated money and subject to the application procedures and eligibility requirements as determined by agency rules.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Howard offered the following amendment to **HB 2802**:

Amend **HB 2802** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 134.004(b), Education Code, is amended to read as follows:

(b) Grants may be awarded under this chapter [~~from the Jobs and Education for Texans (JET) fund~~] to defray the start-up costs associated with the development of new career and technical education programs at public junior colleges, public technical institutes, public state colleges, and independent school districts described under Section 134.007 that meet the requirements of Section 134.006.

SECTION _____. The following are repealed:

- (1) Section 134.002, Education Code;
- (2) Section 411.042(e), Government Code; and
- (3) Section 111.060, Human Resources Code.

SECTION _____. As soon as practicable after the effective date of this Act, the comptroller of public accounts shall abolish the following accounts and transfer any unobligated and unexpended balances in those accounts to the general revenue fund:

- (1) the Comprehensive Rehabilitation Account No. 0107;
- (2) the Jobs and Education for Texans (JET) Account No. 5143; and
- (3) the Operators and Chauffeurs License Account No. 0099.

Amendment No. 6 was adopted.

HB 2802, as amended, was passed to engrossment.

LEAVE OF ABSENCE GRANTED

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

Lambert on motion of Stucky.

**GENERAL STATE CALENDAR
(consideration continued)****CSHB 4531 ON SECOND READING
(by Neave)**

CSHB 4531, A bill to be entitled An Act relating to the rights and treatment of and services provided to certain adult sexual assault survivors.

Amendment No. 1

Representative Neave offered the following amendment to **CSHB 4531**:

Amend **CSHB 4531** (house committee report) on page 4 by striking lines 3-4 and substituting "then a notary may sign the release in the manner provided by Section 406.0165."

Amendment No. 1 was adopted.

CSHB 4531, as amended, was passed to engrossment.

**CSHB 2754 ON SECOND READING
(by White, S. Thompson, Krause, et al.)**

CSHB 2754, A bill to be entitled An Act relating to a limitation on the authority to arrest a person for certain misdemeanors punishable by fine only.

Amendment No. 1

Representative White offered the following amendment to **CSHB 2754**:

Amend **CSHB 2754** (house committee printing) as follows:

(1) On page 2, line 6, strike "Section 22.01(a)(2) or (3) or 49.02" and substitute "Section 21.17, 22.01(a)(2) or (3), or 49.02".

(2) On page 2, line 20, strike "Section 22.01(a)(2) or (3) or 49.02" and substitute "Section 21.17, 22.01(a)(2) or (3), or 49.02".

(3) On page 3, line 2, strike "22.01(a)(2) or (3) or 49.02" and substitute "21.17, 22.01(a)(2) or (3), or 49.02".

(4) On page 3, line 27, before "22.01(a)(2)", insert "21.17 or".

Amendment No. 1 was adopted.

Amendment No. 2

On behalf of Representative Pacheco, Representative White offered the following amendment to **CSHB 2754**:

Amend **CSHB 2754** (house committee report) as follows:

(1) In SECTION 1 of the bill, on page 1, lines 9-10, strike "authorized by law to employ peace officers" and substitute "that employs peace officers who, in the routine performance of the officers' duties, conduct custodial or noncustodial arrests of persons suspected of committing criminal offenses."

Amendment No. 2 was adopted.

Amendment No. 3

Representative Moody offered the following amendment to **CSHB 2754**:

Amend **CSHB 2754** (house committee printing) as follows:

(1) On page 1, line 16, between "fine only" and the underlined period, insert "and for misdemeanor offenses punishable under Section 481.121(b)(1), Health and Safety Code".

(2) On page 2, strike lines 23-25 and substitute the following:

SECTION 4. Article 14.06, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsections (b-1) and (c-1) to read as follows:

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

(c-1) Notwithstanding Subsection (c), if the person resides in the county where the offense occurred, a peace officer who is charging a person with committing an offense that is punishable under Section 481.121(b)(1), Health and Safety Code, shall, instead of taking the person before a magistrate, issue a citation to the person that contains written notice of the time and place the person must appear before a magistrate of this state as described by Subsection (a), the name and address of the person charged, and the offense charged.

(d) Subsection (c) applies only to a person charged with committing an offense under:

(1) Section 481.121, Health and Safety Code, if the offense is punishable under Subsection (b)(2) [~~(b)(1) or (2)~~] of that section;

(1-a) Section 481.1161, Health and Safety Code, if the offense is punishable under Subsection (b)(1) or (2) of that section;

(2) Section 28.03, Penal Code, if the offense is punishable under Subsection (b)(2) of that section;

(3) Section 28.08, Penal Code, if the offense is punishable under Subsection (b)(2) or (3) of that section;

(4) Section 31.03, Penal Code, if the offense is punishable under Subsection (e)(2)(A) of that section;

(5) Section 31.04, Penal Code, if the offense is punishable under Subsection (e)(2) of that section;

(6) Section 38.114, Penal Code, if the offense is punishable as a Class B misdemeanor; or

(7) Section 521.457, Transportation Code.

Amendment No. 3 was withdrawn.

CSHB 2754, as amended, was passed to engrossment.

HB 4165 ON SECOND READING**(by Pacheco, Cortez, Allison, Gervin-Hawkins, and Minjarez)**

HB 4165, A bill to be entitled An Act relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.

Representative Stickland moved to postpone consideration of **HB 4165** until 6 p.m. tomorrow.

The motion prevailed.

CSHB 3672 ON SECOND READING**(by Murr)**

CSHB 3672, A bill to be entitled An Act relating to the collection and reporting of data on services provided by chemical dependency treatment facilities.

(Cortez now present)

CSHB 3672 was passed to engrossment.

HB 831 ON SECOND READING**(by Huberty)**

HB 831, A bill to be entitled An Act relating to the residency requirement to be eligible for public office.

Amendment No. 1

Representative Israel offered the following amendment to **HB 831**:

Amend **HB 831** (house committee report) by striking page 1, lines 15-17, and substituting the following:

(a-2) Subsection (a-1) does not apply to:

(1) a person displaced from the person's residence due to a declared local, state, or national disaster; or

(2) a person serving on active duty in a branch of the United States armed services.

Representative Huberty moved to table Amendment No. 1.

The motion to table was withdrawn.

Amendment No. 1 was withdrawn.

HB 831 was passed to engrossment.

CSHB 3683 ON SECOND READING**(by Dutton)**

CSHB 3683, A bill to be entitled An Act relating to authorizing a dropout recovery competency-based educational pilot program provided through a campus or campus program charter or open-enrollment charter school.

CSHB 3683 was passed to engrossment.

CSHB 2872 ON SECOND READING
(by Burrows, Murphy, and Springer)

CSHB 2872, A bill to be entitled An Act relating to the collection, remittance, and administration of certain taxes on motor vehicles rented through a marketplace rental provider.

CSHB 2872 was passed to engrossment.

HB 3824 ON SECOND READING
(by Sherman)

HB 3824, A bill to be entitled An Act relating to an affirmative finding of family violence entered in the trial of certain offenses.

Representative Sherman moved to postpone consideration of **HB 3824** until 3 p.m. tomorrow.

The motion prevailed.

CSHB 3496 ON SECOND READING
(by Sheffield)

CSHB 3496, A bill to be entitled An Act relating to the licensing and regulation of certain pharmacies; providing an administrative penalty.

Amendment No. 1

On behalf of Representative Dean, Representative Sheffield offered the following amendment to **CSHB 3496**:

Amend **CSHB 3496** (house committee printing) as follows:

(1) On page 7, line 5, strike "Section 565.0551" and substitute "Sections 565.0551 and 565.0591".

(2) On page 7, between lines 15 and 16, insert the following:

Sec. 565.0591. REVOCATION OF PHARMACY LICENSE FOR FAILURE TO OPERATE. (a) On discovery by the board that a pharmacy licensed under Chapter 560 has ceased to operate for a period of 30 days or longer, the board shall notify the pharmacy that the license will be revoked.

(b) The notice must:

(1) include a statement that the pharmacy license is being revoked for violation of Section 565.002(a)(7); and

(2) inform the license holder of the license holder's right to a hearing to contest the revocation.

(c) Not later than the 20th day after the date the license holder receives the notice of revocation under this section, the license holder may submit a written request for a hearing to contest the revocation.

(d) If the license holder does not request a hearing within the period prescribed by Subsection (c), the board shall:

(1) enter an order revoking the license; and

(2) notify the license holder of the order.

(e) If the license holder requests a hearing within the period prescribed by Subsection (c), a panel of three board members appointed by the president of the board shall conduct the hearing. At the hearing the panel shall determine whether the license holder has violated Section 565.002(a)(7).

(f) If the panel determines that the license holder committed the violation, the board shall promptly:

(1) enter an order revoking the license; and

(2) notify the license holder of the order.

(g) Chapter 2001, Government Code, does not apply to a determination under Subsection (e).

Amendment No. 1 was adopted.

CSHB 3496, as amended, was passed to engrossment.

HB 1401 ON SECOND READING

(by Howard and Zerwas)

HB 1401, A bill to be entitled An Act relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs.

HB 1401 was passed to engrossment.

CSHB 2503 ON SECOND READING

(by Kacal)

CSHB 2503, A bill to be entitled An Act relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.

Amendment No. 1

Representative Bailes offered the following amendment to **CSHB 2503**:

Amend **CSHB 2503** (house committee report) on page 1, line 10, between "Code," and "who", by inserting "or Section 501.001(5)(F),".

Amendment No. 1 was adopted.

CSHB 2503, as amended, was passed to engrossment.

CSHB 2898 ON SECOND READING

(by Fierro)

CSHB 2898, A bill to be entitled An Act relating to voting outside of the polling place.

CSHB 2898 was passed to engrossment. (Flynn recorded voting no.)

CSHB 3991 ON SECOND READING

(by Bohac and M. González)

CSHB 3991, A bill to be entitled An Act relating to the deaf-blind with multiple disabilities waiver program.

CSHB 3991 was passed to engrossment.

CSHB 4132 ON SECOND READING
(by Rodriguez)

CSHB 4132, A bill to be entitled An Act relating to maintenance and production of electronic public information under the public information law.

Amendment No. 1

Representative Rodriguez offered the following amendment to **CSHB 4132**:

Amend **CSHB 4132** (house committee report) as follows:

(1) On page 1, strike lines 8 through 10, and substitute the following:
section "electronic public information" means public information that is produced and maintained in an electronic spreadsheet or database that is a searchable or sortable.

(2) On page 1, line 15, between "information" and "applies", insert "and the requestor requests the electronic public information in a searchable or sortable format".

(3) On page 1, lines 16 and 17 and substitute "provide an electronic copy of the requested electronic public information, in the searchable or sortable format requested, using computer".

(4) On page 2, strike lines 18 through 20.

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

(6) On page 2, line 24, strike "(3)" and substitute "(2)".

Amendment No. 1 was adopted.

CSHB 4132, as amended, was passed to engrossment.

CSHB 993 ON SECOND READING
(by Coleman)

CSHB 993, A bill to be entitled An Act relating to notice to a prospective residential tenant regarding flooding and flood insurance.

Amendment No. 1

Representative Farrar offered the following amendment to **CSHB 993**:

Amend **CSHB 993** (house committee printing) as follows:

(1) Strike page 1, line 24, through page 2, line 3, and substitute the following:

(c) In addition to the notice required by Subsection (a) and before entering into a lease for residential property with a prospective tenant, a landlord or landlord's representative must, if applicable, inform the prospective tenant in a written notice, signed by the landlord and the prospective tenant, that, based on the landlord's knowledge, a structure on the property has previously received water penetration from flooding caused by rainfall that occurred during the four years preceding the date of the lease.

(d) If a landlord or a landlord's representative fails to provide the notices required by Subsections (a) and (c) and a tenant suffers substantial loss of or damage to the tenant's personal property located in the tenant's leased premises

as a result of water penetration into the leased premises from flooding caused by rainfall, the tenant may terminate the lease by providing written notice of the termination to the landlord.

(e) Termination of a lease under this section is effective when the tenant surrenders possession of the property. Notice of the termination must be given not later than the 30th day after the date of the loss described by Subsection (c).

(f) Not later than the 30th day after the effective date of the termination of the lease under this section, the landlord shall refund to the tenant terminating the lease all rent or other amounts paid in advance under the lease for any period after the effective date of the termination of the lease.

(g) This section does not affect a tenant's liability for delinquent, unpaid rent or other sums owed to the landlord before the lease was terminated by the tenant under this section.

(2) On page 2, line 10, strike "September 1, 2019" and substitute "January 1, 2020".

Amendment No. 1 was adopted.

CSHB 993, as amended, was passed to engrossment. (Flynn recorded voting no.)

CSHB 4298 ON SECOND READING

(by Murr)

CSHB 4298, A bill to be entitled An Act relating to the licensing of satellite offices of outpatient chemical dependency care facilities.

CSHB 4298 was passed to engrossment.

PROVIDING FOR ADJOURNMENT

At 11:39 p.m., Representative Hefner moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

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)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:45 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

- SB 232** to Public Education.
- SB 504** to Public Education.
- SB 545** to Urban Affairs.
- SB 696** to Homeland Security and Public Safety.
- SB 1016** to Public Education.
- SB 1024** to Land and Resource Management.
- SB 1045** to Public Education.
- SB 1105** to Human Services.
- SB 1130** to Human Services.
- SB 1147** to Corrections.
- SB 1177** to Human Services.
- SB 1180** to Defense and Veterans' Affairs.
- SB 1192** to Higher Education.
- SB 1331** to Homeland Security and Public Safety.
- SB 1374** to Public Education.
- SB 1400** to Culture, Recreation, and Tourism.
- SB 1422** to Natural Resources.
- SB 1454** to Public Education.
- SB 1519** to Human Services.
- SB 1540** to Higher Education.
- SB 1552** to Human Services.
- SB 1649** to Judiciary and Civil Jurisprudence.
- SB 1659** to Public Education.
- SB 1734** to Higher Education.
- SB 1754** to Criminal Jurisprudence.
- SB 1783** to Judiciary and Civil Jurisprudence.

SB 1854 to Public Education.

SB 1943 to Ways and Means.

SB 2072 to International Relations and Economic Development.

SB 2126 to Culture, Recreation, and Tourism.

SB 2318 to County Affairs.

SB 2354 to Environmental Regulation.

SB 2456 to Urban Affairs.

SB 2480 to House Administration.

SB 2530 to Land and Resource Management.

SCR 58 to Culture, Recreation, and Tourism.

SCR 59 to Defense and Veterans' Affairs.

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, May 7, 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 451 Powell

Relating to the permissible uses of the bilingual education allotment provided under the foundation school program.

SB 629 Fallon

Relating to the availability of certain school district or open-enrollment charter school financial information on certain districts' or schools' Internet websites.

SB 756 Hinojosa

Relating to the administration of the Jobs and Education for Texans (JET) Grant Program.

SB 815 Rodríguez

Relating to the creation and preservation of certain records of criminal proceedings.

SB 968 Hancock

Relating to the applicability of certain laws to open-enrollment charter schools.

SB 1109 Lucio

Relating to a public outreach campaign for aging adults with visual impairments.

SB 1182 Campbell

Relating to review and approval by the attorney general of certain bonds financing an educational facility for certain charter schools.

SB 1404 Powell

Relating to consent to the disclosure of certain information and to other matters relating to newborn and infant screening tests.

SB 1441 Zaffirini

Relating to a study by the Texas Higher Education Coordinating Board comparing postsecondary educational outcomes for certain traditional and nontraditional students.

SB 1600 Hall

Relating to the resignation or termination or nonrenewal of the contract of a superintendent of a school district.

SB 1913 Johnson

Relating to authorizing certain cities to change the date on which their general election for officers is held.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, May 7, 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 REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 2

Senate Conferees: Hancock - Chair/Bettencourt/Creighton/Hinojosa/Perry

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, May 7, 2019 - 3

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 911 Hinojosa

Relating to the supervision of water districts by the Texas Commission on Environmental Quality.

SB 970 Creighton

Relating to the review and approval of contingent fee contracts for certain public agencies.

SB 1033 Hancock

Relating to information regarding perinatal palliative care and prohibiting discriminatory abortions; creating an administrative penalty, a civil remedy, and a criminal offense.

SB 1663 Creighton

Relating to the removal, relocation, alteration, or construction of certain monuments, memorials, or designations located on public property; authorizing a civil penalty.

SB 1728 Huffman

Relating to an interim study by the Texas Commission on Judicial Selection regarding the method by which certain trial and appellate judges are selected.

SB 1732 Paxton

Relating to a requirement that certain water districts make audio and video recordings of open meetings available on the Internet.

SB 1788 Zaffirini

Relating to the payment of certain costs associated with certain programs of The University of Texas Health Science Center at San Antonio.

SB 1884 Kolkhorst

Relating to the protection of animal and crop facilities; creating a criminal offense.

SB 2136 Powell

Relating to the admissibility of evidence in the prosecution of an offense committed against a member of the defendant's family or household or person in a dating relationship with the defendant.

SB 2254 Miles

Relating to creation of magistrates in Fort Bend County.

SB 2283 Campbell

Relating to the eligibility of persons convicted of certain offenses to serve as a member of a board of trustees of a school district.

SB 2551 Hinojosa

Relating to liability, payment, and death benefits for certain workers' compensation claims.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 6

Corrections - **HB 2158, HB 4044**

County Affairs - **HB 4125, SB 1545, SB 1720, SB 1835**

Criminal Jurisprudence - **HB 1231, HB 1573, HB 3135**

Culture, Recreation, and Tourism - **HB 1400, HB 2492, HB 3730, SB 317, SB 1438, SB 2309, SCR 18**

Defense and Veterans' Affairs - **HB 620, HB 1045, HB 3359, HB 4047, HB 4514, SB 1819, SB 2048, SB 2104**

Elections - **HB 2554, HB 2628, HB 4129**

Higher Education - **SB 16**

Homeland Security and Public Safety - **HB 257**

Insurance - **SB 442, SB 1037, SB 1852**

International Relations and Economic Development - **HB 4753**

Judiciary and Civil Jurisprudence - **HB 3021, HB 3605, HCR 78, SB 27, SB 370, SB 395, SB 440, SB 467, SB 811, SB 1370, SB 1794, SB 1928, SCR 21**

Juvenile Justice and Family Issues - **HB 3879**

Land and Resource Management - **HB 1367, HB 1987**

Licensing and Administrative Procedures - **HB 2403, HB 3222**

Natural Resources - **HB 4747**

Pensions, Investments, and Financial Services - **HB 183**

Public Education - **HB 1730, SB 364, SB 668, SB 1376**

Public Health - **HB 2725**

Transportation - **HB 4762, SB 969, SB 1092, SB 1959**

Urban Affairs - **HB 3293, SB 493**

Ways and Means - **HB 1607**

SENT TO THE GOVERNOR

May 6 - 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