

# HOUSE JOURNAL

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EIGHTY-SIXTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SIXTY-FIFTH DAY — TUESDAY, MAY 14, 2019

The house met at 1:20 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 1360).

Present — Mr. Speaker; Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; 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(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; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Stickland.

### **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 1:30 p.m. today, in 1W.14, to consider pending and referred business.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

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

### 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 1361): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Stickland.

Absent — Fierro; Pacheco.

**HB 4665** (Middleton - no) (140 - 1 - 2)

**SB 124** (Krause - no) (140 - 1 - 2)

**SB 228**

**SB 285** (Middleton and Schaefer - no) (139 - 2 - 2)

**SB 317** (Ramos - no) (140 - 1 - 2)

**SB 354** (G. Bonnen, Burrows, Goldman, Krause, and Ramos - no) (136 - 5 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 435** (Schaefer - no) (140 - 1 - 2)

**SB 822** (Schaefer - no) (140 - 1 - 2)

**SB 874**

**SB 893**

**SB 932** (Ramos - no) (140 - 1 - 2)

**SB 969** (Biedermann, Cain, Krause, Schaefer, Tinderholt, Toth, and Wilson - no) (134 - 7 - 2)

**SB 1037** (Biedermann, Cain, Krause, Middleton, Schaefer, Tinderholt, Toth, and Wilson - no) (133 - 8 - 2)

**SB 1038** (Allison, K. Bell, Biedermann, G. Bonnen, Burrows, Cain, Darby, Dean, Goldman, Hefner, Holland, Lang, Middleton, Noble, Patterson, Shaheen, Shine, Swanson, Tinderholt, Toth, and Zedler - no) (121 - 20 - 2)

**SB 1041** (Biedermann, Cain, Schaefer, Tinderholt, and Toth - no) (136 - 5 - 2)

**SB 1236** (G. Bonnen - no) (140 - 1 - 2)

**SB 1350** (Biedermann, G. Bonnen, Cain, Darby, Dean, Hefner, Krause, Lang, Middleton, Noble, Patterson, Schaefer, Shine, Swanson, Tinderholt, Toth, and Wilson - no) (124 - 17 - 2)

**SB 1402** (Biedermann, Cain, Dean, Krause, Lang, Middleton, Schaefer, Shaheen, Swanson, Tinderholt, Toth, Wilson, and Zedler - no) (129 - 12 - 2)

**SB 1413**

**SB 1420**

**SB 1510** (Allison, K. Bell, and Ramos - no) (138 - 3 - 2)

**SB 1512** (Allison, K. Bell, Biedermann, Cain, Krause, Tinderholt, and Toth - no) (134 - 7 - 2)

**SB 1545** (Biedermann, G. Bonnen, Cain, Darby, Dean, Hefner, Krause, Lang, Middleton, Noble, Patterson, Schaefer, Shine, Tinderholt, Toth, and Wilson - no) (125 - 16 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1557** (Schaefer - no) (140 - 1 - 2)

**SB 1720** (Biedermann, G. Bonnen, Burrows, Cain, Dean, Goldman, Lang, Middleton, Patterson, Schaefer, Shaheen, Swanson, Tinderholt, Toth, and Zedler - no) (126 - 15 - 2)

**SB 1751** (Biedermann, G. Bonnen, Cain, Darby, Dean, Hefner, Krause, Lang, Noble, Patterson, Schaefer, Shine, Tinderholt, Toth, and Wilson - no) (126 - 15 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 1780** (Swanson and Zedler - no) (139 - 2 - 2)

**SB 1802**

**SB 1820** (Schaefer - no) (140 - 1 - 2)

**SB 1821**

**SB 1950** (Biedermann, Cain, Tinderholt, and Toth - no) (137 - 4 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2018**

**SB 2038**

**SB 2131** (Allison, Krause, and Schaefer - no) (138 - 3 - 2)

**SB 2286** (Biedermann, G. Bonnen, Cain, Darby, Dean, Hefner, Krause, Lang, Noble, Patterson, Shine, Tinderholt, Toth, and Wilson - no) (127 - 14 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**SB 2449** (Allison, K. Bell, Biedermann, G. Bonnen, Burrows, Cain, Darby, Dean, Goldman, Hefner, Holland, Krause, Lang, Middleton, Noble, Patterson, Shaheen, Shine, Swanson, Tinderholt, Toth, and Zedler - no) (119 - 22 - 2)

**SB 2469** (Allison, K. Bell, Biedermann, G. Bonnen, Burrows, Cain, Darby, Dean, Goldman, Hefner, Holland, Krause, Lang, Middleton, Noble, Patterson, Shaheen, Shine, Swanson, Tinderholt, Toth, and Zedler - no) (119 - 22 - 2)

**SB 2481** (Allison, K. Bell, Biedermann, G. Bonnen, Burrows, Cain, Darby, Dean, Goldman, Hefner, Holland, Krause, Lang, Middleton, Noble, Patterson, Shaheen, Shine, Swanson, Tinderholt, Toth, and Zedler - no) (119 - 22 - 2)

**SB 2517** (Allison, K. Bell, Biedermann, G. Bonnen, Burrows, Cain, Darby, Dean, Goldman, Hefner, Holland, Krause, Lang, Middleton, Noble, Patterson, Shaheen, Shine, Swanson, Tinderholt, Toth, and Zedler - no) (119 - 22 - 2)

**SB 2527** (Allison, K. Bell, Biedermann, G. Bonnen, Burrows, Cain, Darby, Dean, Goldman, Hefner, Holland, Krause, Lang, Middleton, Noble, Patterson, Shaheen, Shine, Swanson, Tinderholt, Toth, and Zedler - no) (119 - 22 - 2)

**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.

**GENERAL STATE CALENDAR  
SENATE BILLS  
THIRD READING**

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

**SB 14 ON THIRD READING**

**(Kuempel, Ashby, K. Bell, P. King, Price, et al. - House Sponsors)**

**SB 14**, A bill to be entitled An Act relating to broadband service or facilities provided by an electric cooperative.

**SB 14** was passed by (Record 1362): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; 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; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; 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; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Stickland.

Absent — Farrar; Johnson, J.D.; Pacheco; VanDeaver.

**SB 281 ON THIRD READING  
(M. González - House Sponsor)**

**SB 281**, A bill to be entitled An Act relating to the use of certain language regarding a person who is deaf or hard of hearing in statutes or resolutions.

**SB 281** was passed by (Record 1363): 130 Yeas, 7 Nays, 2 Present, not voting.

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

Nays — Cain; Dean; Harris; Lang; Patterson; Tinderholt; Wilson.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Stickland.

Absent — Farrar; Lozano; Middleton; Pacheco; Shaheen; Stephenson.

#### STATEMENTS OF VOTE

When Record No. 1363 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1363 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 1363 was taken, I was in the house but away from my desk. I would have voted yes.

Middleton

When Record No. 1363 was taken, I was in the house but away from my desk. I would have voted no.

Shaheen

#### LEAVE OF ABSENCE GRANTED

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

Middleton on motion of Lang.

**GENERAL STATE CALENDAR**  
**(consideration continued)**

**SB 198 ON THIRD READING**  
**(Canales - House Sponsor)**

**SB 198**, A bill to be entitled An Act relating to payment for the use of a highway toll project.

**SB 198** was passed by (Record 1364): 138 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; 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; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; 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 — Ramos.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent — Farrar; Pacheco; Stephenson.

**SB 27 ON THIRD READING**  
**(Hefner - House Sponsor)**

**SB 27**, A bill to be entitled An Act relating to recovery of damages, attorney's fees, and costs related to frivolous claims and regulatory actions by state agencies.

**SB 27** was passed by (Record 1365): 136 Yeas, 3 Nays, 3 Present, not voting.

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

Goldman; González, M.; Goodwin; 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; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — González, J.; Ramos; Thompson, S.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent — Farrar; Pacheco.

**SB 370 ON THIRD READING**  
**(Smithee - House Sponsor)**

**SB 370**, A bill to be entitled An Act relating to employment protections for jury service.

**SB 370** was passed by (Record 1366): 139 Yeas, 0 Nays, 2 Present, not voting.

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

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



Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent — Biedermann; Farrar; Pacheco.

**SB 1438 ON THIRD READING**  
**(Bailes and E. Thompson - House Sponsors)**

**SB 1438**, A bill to be entitled An Act relating to prohibitions on the disposition of property interests by navigation districts for certain purposes.

**SB 1438** was passed by (Record 1367): 139 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent — Biedermann; Farrar; Pacheco.

**LEAVE OF ABSENCE GRANTED**

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

Biedermann on motion of Rodriguez.

**GENERAL STATE CALENDAR**  
**(consideration continued)**

**SB 467 ON THIRD READING**  
**(Leach - House Sponsor)**

**SB 467**, A bill to be entitled An Act relating to the procedures of the State Commission on Judicial Conduct.

**SB 467** was passed by (Record 1368): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; 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, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; 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.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent, Excused, Committee Meeting — Biedermann.

Absent — Farrar; Hinojosa; Pacheco.

**SB 479 ON THIRD READING**  
**(Longoria - House Sponsor)**

**SB 479**, A bill to be entitled An Act relating to the inclusion in the definition of a medical and dental unit of the Dell Medical School at The University of Texas at Austin and the School of Medicine at The University of Texas Rio Grande Valley and the participation of those schools in certain programs and funding.

**SB 479** was passed by (Record 1369): 135 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; 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; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Morales;

Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Perez; Phelan; 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; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Lang; Wilson.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent, Excused, Committee Meeting — Biedermann.

Absent — Farrar; Pacheco; Price.

**SB 747 ON THIRD READING**  
**(Lucio - House Sponsor)**

**SB 747**, A bill to be entitled An Act relating to required notice of the cost and health benefit plan coverage of newborn screening tests.

**SB 747** was passed by (Record 1370): 139 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent, Excused, Committee Meeting — Biedermann.

Absent — Farrar; Pacheco.

### STATEMENT OF VOTE

When Record No. 1370 was taken, I was shown voting yes. I intended to vote no.

Rose

#### **SB 2140 ON THIRD READING (Burrows - House Sponsor)**

**SB 2140**, A bill to be entitled An Act relating to the amount of civil penalties the attorney general may seek to recover under the Deceptive Trade Practices-Consumer Protection Act.

**SB 2140** was passed by (Record 1371): 134 Yeas, 5 Nays, 2 Present, not voting.

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

Nays — Dominguez; González, J.; Hinojosa; Neave; Ramos.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent, Excused, Committee Meeting — Biedermann.

Absent — Farrar; Pacheco.

#### **SB 979 ON THIRD READING (Kacal - House Sponsor)**

**SB 979**, A bill to be entitled An Act relating to including cuttings as a form of propagation for citrus budwood and citrus nursery stock certification programs.

**SB 979** was passed by (Record 1372): 139 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent, Excused, Committee Meeting — Biedermann.

Absent — Farrar; Pacheco.

### **SB 1582 ON THIRD READING**

**(Wray, Blanco, Burns, Guillen, et al. - House Sponsors)**

**SB 1582**, A bill to be entitled An Act relating to benefits for peace officers relating to certain diseases or illnesses.

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

Representative Wray offered the following amendment to **SB 1582**:

Amend **SB 1582** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 409.022(d), Labor Code, is amended to read as follows:

(d) In this subsection, the terms "emergency medical technician," "firefighter," and "peace officer" [~~technician~~ and "~~firefighter~~"] have the meanings assigned by Section 607.051, Government Code. In addition to the other requirements of this section, if an insurance carrier's notice of refusal to pay benefits under Section 409.021 is sent in response to a claim for compensation resulting from an emergency medical technician's, [~~or~~] a firefighter's, or a peace officer's disability or death for which a presumption is claimed to be applicable under Subchapter B, Chapter 607, Government Code, the notice must include a statement by the carrier that:

(1) explains why the carrier determined a presumption under that subchapter does not apply to the claim for compensation; and

(2) describes the evidence that the carrier reviewed in making the determination described by Subdivision (1).

Amendment No. 1 was adopted.

**SB 1582**, as amended, was passed by (Record 1373): 138 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent, Excused, Committee Meeting — Biedermann.

Absent — Collier; Farrar; Pacheco.

### STATEMENT OF VOTE

When Record No. 1373 was taken, I was in the house but away from my desk. I would have voted yes.

Collier

### SB 670 ON THIRD READING

**(Price, Guillen, Sheffield, Ashby, M. González, et al. - House Sponsors)**

**SB 670**, A bill to be entitled An Act relating to Medicaid telemedicine and telehealth services.

**SB 670** was passed by (Record 1374): 138 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Middleton; Stickland.

Absent, Excused, Committee Meeting — Biedermann.

Absent — Bell, K.; Farrar; Pacheco.

#### STATEMENT OF VOTE

When Record No. 1374 was taken, I was in the house but away from my desk. I would have voted yes.

K. Bell

#### POSTPONED BUSINESS

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

#### **SB 683 ON SECOND READING** **(Allison - House Sponsor)**

**SB 683**, A bill to be entitled An Act relating to the licensing and regulation of pharmacists and pharmacies.

**SB 683** was read second time on May 13 and was postponed until 10 a.m. today.

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

Representative Dean offered the following amendment to **SB 683**:

Amend **SB 683** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 565, Occupations Code, is amended by adding Section 565.0591 to read as follows:

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.

**SB 683**, as amended, was passed to third reading.

### **RULES SUSPENDED FLOOR PRIVILEGES**

Representative Paddie moved to suspend Rule 5, Section 11, of the House Rules to entitle necessary staff from the Sunset Advisory Commission privileges of the floor of the house during consideration of **SB 601**, **SB 604**, **SB 621**, **SB 624**, and **SB 646**.

The motion prevailed.

(Middleton now present)

### **MAJOR STATE CALENDAR SENATE BILLS SECOND READING**

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



**CSSB 601 ON SECOND READING**  
**(Flynn - House Sponsor)**

**CSSB 601**, A bill to be entitled An Act relating to the continuation and functions of the Texas Veterans Commission.

**Amendment No. 1**

Representative Paddie offered the following amendment to **CSSB 601**:

Amend **CSSB 601** (house committee report) as follows:

(1) Strike SECTIONS 7 and 8 of the bill (page 9, line 16, through page 10, line 15).

(2) Strike SECTION 13 of the bill (page 12, lines 3-8).

(3) Renumber SECTIONS of the bill accordingly.

(Biedermann now present)

(Speaker in the chair)

Amendment No. 1 was withdrawn.

**CSSB 601** was passed to third reading.

**CSSB 604 ON SECOND READING**  
**(Paddie - House Sponsor)**

**CSSB 604**, A bill to be entitled An Act relating to the continuation and functions of the Texas Department of Motor Vehicles and to the operations of certain other entities performing functions associated with the department.

Representative Paddie moved to postpone consideration of **CSSB 604** until 10 a.m. Thursday, May 16.

The motion prevailed.

**BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 22).

**MAJOR STATE CALENDAR**  
**(consideration continued)**

**SB 621 ON SECOND READING**  
**(Lambert - House Sponsor)**

**SB 621**, A bill to be entitled An Act relating to the transfer of the regulation of plumbing to the Texas Department of Licensing and Regulation, following recommendations of the Sunset Advisory Commission; requiring an occupational license; authorizing a fee.

**Amendment No. 1**

Representative Schaefer offered the following amendment to **SB 621**:

Amend **SB 621** (house committee printing) as follows:

(1) On page 5, strike lines 14 through 16 and substitute the following:

(A) has:

(i) completed at least 4,000 hours working under the direct supervision of a journeyman or master plumber as a plumber's apprentice; or  
(ii) successfully completed a coherent sequence of courses in the plumbing trade that are offered through a career and technology education program, as described by Section 1301.3542;

(2) On page 22, between lines 12 and 13, add the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. Subchapter G, Chapter 1301, Occupations Code, is amended by adding Section 1301.3542 to read as follows:

Sec. 1301.3542. CAREER AND TECHNOLOGY EDUCATION PROGRAM FOR TRADESMAN PLUMBER-LIMITED LICENSE; INSTRUCTORS. (a) Notwithstanding Section 1301.354, a person who successfully completes a coherent sequence of courses in the plumbing trade that are offered through a career and technology education program in accordance with Subchapter F, Chapter 29, Education Code, may apply for and take an examination for a license as a tradesman plumber-limited license holder. The department may not require the person to register as a plumber's apprentice, pay any fee, or comply with Section 1301.354 or any other requirement of this chapter that applies to a person's eligibility to apply for and take the examination.

(b) A student of any age enrolled in a high school is eligible to take the sequence of courses described by Subsection (a) without registering as a plumber's apprentice, paying any registration fee, or complying with Section 1301.354 or any other requirement of this chapter that applies to enrolling or participating in those courses.

(c) If an applicant described by Subsection (a) successfully passes the examination for a license as a tradesman plumber-limited license holder, the department shall issue the license to the applicant.

(d) The commission shall develop the courses described by Subsection (a). The courses must be approved by the State Board of Education.

(e) The courses must include an appropriate number of hours of classroom instruction and a practical component. The department may credit on-the-job training toward meeting the requirements under the practical component.

(f) A person may not provide instruction in a career and technology education program described by this section unless the person is licensed under this chapter as a master plumber, journeyman plumber, or plumbing inspector.

(g) A person described by Subsection (f) may provide the instruction in a full-time or part-time capacity as an employee, contractor, or volunteer of a high school.

(h) The commission may adopt rules necessary to implement this section, including procedures to verify a student's successful completion of the sequence of courses described by Subsection (a).

(3) On page 26, between lines 13 and 14, insert the following:

(D) A person who is employed by, under contract with, or engaged as a volunteer by a school to provide instruction in a career and technology education program described by Section 1301.3542 and provides meaningful course

instruction in the program, as determined in accordance with rules adopted under Section 1301.407, is not required to pay a fee to renew the person's license under this chapter.

(4) On page 26, strike lines 14 and 15 and substitute the following:

SECTION 35. Section 1301.404, Occupations Code, is amended by amending Subsections (a), (c), (d), (e), and (f) and adding Subsection (g) to read as follows:

(5) On page 27, between lines 16 and 17, insert the following:

(g) A person who is employed by, under contract with, or engaged as a volunteer by a school to provide instruction in a career and technology education program described by Section 1301.3542 and provides meaningful course instruction in the program, as determined in accordance with rules adopted under Section 1301.407, may renew the person's license and any endorsement without complying with Subsection (b) if the person completes the hours of continuing professional education required by that subsection every three years.

(6) On page 28, between lines 26 and 27, insert the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. Subchapter H, Chapter 1301, Occupations Code, is amended by adding Section 1301.407 to read as follows:

Sec. 1301.407. PROCEDURES FOR VERIFYING CERTAIN EXEMPTIONS. The commission, in consultation with the State Board of Education, may adopt rules as necessary to verify whether a person qualifies for an exemption from the required renewal fee, as described by Section 1301.401(d), or an exemption from required continuing professional education, as described by Section 1301.404(g), including rules for obtaining and evaluating written verification from the applicable school of the person's provision of meaningful course instruction in a career and technology education program described by Section 1301.3542.

(7) Renumber the SECTIONS of the bill accordingly.

Representative Lambert moved to table Amendment No. 1.

The motion to table was lost.

Amendment No. 1 was adopted.

## **Amendment No. 2**

Representative S. Thompson offered the following amendment to **SB 621**:

Amend **SB 621** (house committee printing) as follows:

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

SECTION \_\_\_\_\_. Section 1301.003, Occupations Code, is amended to read as follows:

Sec. 1301.003. APPLICATION OF SUNSET ACT. The Texas State Board of Plumbing Examiners is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2021 [~~2019~~].

(2) On page 44, strike line 20 and renumber the subdivisions of SECTION 59 of the bill accordingly.

(3) On page 46, line 13, strike "2020" and substitute "2022".

(4) On page 47, line 1, strike "2020" and substitute "2022".

(5) On page 47, line 22, strike "2019" and substitute "2021".

(6) On page 47, line 23, strike "2020" and substitute "2022".

(7) On page 47, line 26, strike "2020" and substitute "2022".

(8) On page 48, line 1, strike "2019" and substitute "2021".

(9) On page 48, line 3, strike "2020, and after September 1, 2020," and substitute "2022, and after September 1, 2022,".

(10) On page 48, line 6, strike "2019" and substitute "2021".

(11) On page 48, line 21, strike "2019" and substitute "2021".

(12) On page 48, line 26, strike "2023" and substitute "2025".

(13) On page 49, line 2, strike "2019" and substitute "2021".

(14) On page 49, line 19, strike "2019" and substitute "2021".

(15) On page 49, line 25, strike "2019" and substitute "2021".

Representative Lambert moved to table Amendment No. 2.

A record vote was requested by Representative S. Thompson.

The motion to table was lost by (Record 1375): 50 Yeas, 93 Nays, 1 Present, not voting.

Yeas — Allison; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Capriglione; Craddick; Cyrier; Darby; Davis, S.; Dean; Frank; Frullo; Geren; Goldman; Harris; Hefner; Holland; Huberty; Hunter; Klick; Kuempel; Lambert; Landgraf; Lang; Larson; Leman; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Price; Schaefer; Shaheen; Shine; Smith; Smithee; Springer; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Wilson; Zerwas.

Nays — Allen; Anchia; Anderson; Ashby; Bailes; Beckley; Bernal; Blanco; Bohac; Bucy; Burrows; Button; Cain; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Paul; Perez; Phelan; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Sherman; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wray; Wu; Zedler; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Stickland.

Absent — Pacheco.

**STATEMENTS OF VOTE**

When Record No. 1375 was taken, I was shown voting no. I intended to vote yes.

Krause

When Record No. 1375 was taken, I was shown voting no. I intended to vote yes.

Meyer

A record vote was requested by Representative S. Thompson.

Amendment No. 2 was adopted by (Record 1376): 81 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Anderson; Ashby; Bailes; Beckley; Bernal; Blanco; Bohac; Bucy; Button; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; King, K.; King, P.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meza; Miller; Minjarez; Moody; Morales; Muñoz; Neave; Ortega; Paul; Perez; Phelan; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Smithee; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zedler; Zwiener.

Nays — Allison; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Cain; Capriglione; Craddick; Cyrier; Darby; Davis, S.; Dean; Frank; Frullo; Geren; Goldman; Harris; Hefner; Holland; Huberty; Hunter; Kacal; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lozano; Meyer; Middleton; Morrison; Murphy; Murr; Nevárez; Noble; Oliverson; Paddie; Parker; Patterson; Price; Raney; Sanford; Schaefer; Shaheen; Shine; Smith; Springer; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Wilson; Wray; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Stickland.

Absent — Pacheco; White.

**STATEMENT OF VOTE**

When Record No. 1376 was taken, my vote failed to register. I would have voted yes.

White

**SB 621**, as amended, was passed to third reading.

**SB 624 ON SECOND READING  
(S. Thompson - House Sponsor)**

**SB 624**, A bill to be entitled An Act relating to the continuation and functions of the Texas Real Estate Commission and the Texas Appraiser Licensing and Certification Board; changing fees.

**SB 624** was passed to third reading.

**SB 646 ON SECOND READING  
(S. Thompson - House Sponsor)**

**SB 646**, A bill to be entitled An Act relating to approval for purchases of property or construction projects by a state agency with self-directed semi-independent status.

**SB 646** was passed to third reading.

**GENERAL STATE CALENDAR  
SENATE BILLS  
SECOND READING**

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

**SB 21 ON SECOND READING  
(Zerwas, S. Thompson, Sheffield, Anchia, Oliverson, et al. - House Sponsors)**

**SB 21**, A bill to be entitled An Act relating to the distribution, possession, purchase, consumption, and receipt of cigarettes, e-cigarettes, and tobacco products.

**Amendment No. 1**

Representative Zerwas offered the following amendment to **SB 21**:

Amend **SB 21** (house committee report) on page 2, line 18, by striking "prosecution under" and substituting "the application of".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Zerwas offered the following amendment to **SB 21**:

Amend **SB 21** (house committee printing) as follows:

(1) On page 4, line 3, between "PROHIBITIONS" and "DESCRIBED", insert "ON THE PURCHASE OR ATTEMPT TO PURCHASE".

(2) On page 4, line 9, between "PROHIBITIONS" and "DESCRIBED", insert "ON THE PURCHASE OR ATTEMPT TO PURCHASE".

(3) On page 13, line 26, between "Code," and "do", insert "regarding the prohibitions on purchasing or attempting to purchase cigarettes, e-cigarettes, or tobacco products".

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Schaefer offered the following amendment to **SB 21**:

Amend **SB 21** (house committee printing) as follows:

- (1) On page 2, line 21, after the underlined semicolon, insert "and".
- (2) On page 2, strike lines 22 and 23.
- (3) On page 2, line 24, strike "(3)" and substitute "(2)".

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Dutton offered the following amendment to **SB 21**:

Amend **SB 21** (house committee report) as follows:

- (1) Strike page 5, line 10, and substitute the following:  
SECTION 9. Sections 161.086(a) and (b), Health and Safety Code, are
- (2) On page 5, between lines 11 and 12, insert the following:
  - (a) Except as provided by Subsection (b), a retailer or other person may not:
    - (1) offer cigarettes, e-cigarettes, or tobacco products for sale in a manner that permits a customer direct access to the cigarettes, e-cigarettes, or tobacco products; ~~[or]~~
    - (2) install or maintain a vending machine containing cigarettes, e-cigarettes, or tobacco products; or
    - (3) offer for sale a product containing nicotine for use in an e-cigarette.

Amendment No. 4 was adopted.

**Amendment No. 5**

Representatives Holland and Canales offered the following amendment to **SB 21**:

Amend **SB 21** (house committee report) as follows:

- (1) On page 1, line 6, between "(1-b)" and "to", insert "and amending Subdivision (5)".
- (2) On page 1, between lines 7 and 8, insert the following:
  - (5) "Tobacco product" means:
    - (A) smoking tobacco, including granulated, plug-cut, crimp-cut, ready-rubbed, and any form of tobacco suitable for smoking in a pipe or as a cigarette;
    - (B) chewing tobacco, including Cavendish, Twist, plug, scrap, and any kind of tobacco suitable for chewing;
    - (C) snuff or other preparations of pulverized tobacco; or
    - (D) an article or product that is made of tobacco or a tobacco substitute and that is not a cigar ~~[has the meaning assigned by Section 155.001, Tax Code].~~
- (3) On page 8, line 11, between "(1-b)" and "to", insert "and amending Subdivision (2)".
- (4) On page 8, between lines 12 and 13, insert the following:
  - (2) "Tobacco product" means:

(A) smoking tobacco, including granulated, plug-cut, crimp-cut, ready-rubbed, and any form of tobacco suitable for smoking in a pipe or as a cigarette;

(B) chewing tobacco, including Cavendish, Twist, plug, scrap, and any kind of tobacco suitable for chewing;

(C) snuff or other preparations of pulverized tobacco; or

(D) an article or product that is made of tobacco or a tobacco substitute and that is not a cigar [has the meaning assigned by Section 155.001, Tax Code].

Representative Zerwas moved to table Amendment No. 5.

A record vote was requested by Representative Cain.

The motion to table prevailed by (Record 1377): 93 Yeas, 44 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anderson; Beckley; Bernal; Bohac; Bonnen; Buckley; Bucy; Burrows; Calanni; Capriglione; Cole; Coleman; Collier; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Farrar; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; King, K.; King, P.; Lambert; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Murphy; Nevárez; Oliverson; Ortega; Parker; Perez; Phelan; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zerwas; Zwiener.

Nays — Bailes; Bell, K.; Biedermann; Burns; Button; Cain; Canales; Cortez; Dean; Dutton; Fierro; Flynn; Frank; Guerra; Guillen; Harris; Hefner; Holland; Kacal; King, T.; Klick; Krause; Kuempel; Landgraf; Lang; Larson; Leach; Longoria; Metcalf; Middleton; Muñoz; Murr; Noble; Paddie; Patterson; Paul; Raney; Schaefer; Shaheen; Stephenson; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Stickland.

Absent — Ashby; Neave; Pacheco; Sanford; Thompson, S.

### STATEMENT OF VOTE

When Record No. 1377 was taken, I was shown voting yes. I intended to vote no.

Leman

### Amendment No. 6

Representative Tinderholt offered the following amendment to **SB 21**:

Amend **SB 21** (house committee printing) as follows:

(1) On page 1, line 7, strike "21 years of" and substitute "voting".



(2) Strike "21 [~~48~~] YEARS OF" in each instance in which it appears in the bill (page 1, line 20; page 3, lines 22-23 and lines 24-25) and substitute "VOTING [~~48 YEARS OF~~]".

(3) Strike "21 [~~48~~] years of" in each instance in which it appears in the bill (page 2, lines 5, 8-9, and 13; page 4, line 20; page 5, line 14; page 6, line 18; page 7, lines 7-8 and 15; page 8, lines 17, 21-22, and 27; page 9, line 9; page 12, line 7; page 13, line 9) and substitute "voting [~~48 years of~~]".

(4) On page 1, strike lines 22-24 and substitute the following:

SECTION 4. Sections 161.082(a) and (e), Health and Safety Code, are amended to read as follows:

(5) On page 2, strike lines 18-25.

(6) On page 4, strike lines 3-5 and substitute "PREMATURE OR WITH LOW BIRTH WEIGHT."

(7) On page 5, line 18, strike "21 years of" and substitute "voting".

(8) On page 5, line 21, strike "21 years of" and substitute "voting".

(9) On page 6, lines 6 and 7, strike "21 years of" and substitute "voting".

(10) On page 7, line 25, strike "21 [~~47~~] years of" and substitute "voting [~~47 years of~~]".

(11) On page 8, line 12, strike "21 years of" and substitute "voting".

(12) On page 9, strike lines 12-18.

(13) On page 9, lines 24 and 25, strike "individual's 21st birthday" and substitute "date the individual reaches voting age".

(14) On page 10, line 3, strike "individual's 21st birthday" and substitute "date the individual reaches voting age".

Representative Zerwas moved to table Amendment No. 6.

A record vote was requested by Representative Biedermann.

The motion to table prevailed by (Record 1378): 102 Yeas, 36 Nays, 1 Present, not voting.

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

Nays — Ashby; Bailes; Bell, K.; Biedermann; Blanco; Burns; Cain; Cole; Dean; Fierro; Goldman; Guillen; Harris; Hefner; Holland; King, T.; Krause; Landgraf; Lang; Lozano; Metcalf; Middleton; Muñoz; Murr; Noble; Parker; Patterson; Paul; Sanford; Schaefer; Shaheen; Tinderholt; Toth; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Stickland.

Absent — Canales; Farrar; Klick; Leach; Pacheco; Thompson, S.

### STATEMENTS OF VOTE

When Record No. 1378 was taken, I was shown voting no. I intended to vote yes.

Blanco

When Record No. 1378 was taken, I was shown voting no. I intended to vote yes.

Fierro

When Record No. 1378 was taken, I was shown voting no. I intended to vote yes.

Guillen

When Record No. 1378 was taken, I was shown voting yes. I intended to vote no.

Leman

### SB 21 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **SB 21** under Rule 4, Section 32(c)(2), of the House Rules. The point of order was overruled and the speaker submitted the following ruling:

#### RULING BY THE SPEAKER

on Senate Bill 21

Announced in the House on May 14, 2019

Representative Cain raises a point of order against further consideration of **SB 21** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is inaccurate.

Mr. Cain notes that the bill analysis provides a narrative discussion of the effect for only two of the three statutes being expressly repealed by the bill and that this omission is materially misleading. Mr. Cain agrees that the analysis complies with the requirement that it "list[ ] each statute . . . expressly repealed by the bill[.]"

The cited section of the rule was amended by the House in 2009 to require the list of express repeals to ensure that members and the public would have sufficient notice to enable an independent determination of a repeal's effect. See

81 H. Jour. 112 (2009). Because the analysis includes the required list, it provides "a detailed analysis of the subject matter of the bill" and is neither substantially nor materially misleading.

Accordingly, the point of order is respectfully overruled.

### **Amendment No. 7**

Representative Cain offered the following amendment to **SB 21**:

Amend **SB 21** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 161.089, Health and Safety Code, is amended to read as follows:

Sec. 161.089. **PREEMPTION OF LOCAL LAW.** (a) Except as provided by Subsection (b), this [This] subchapter does not preempt a local regulation of the sale, distribution, or use of cigarettes or tobacco products or affect the authority of a political subdivision to adopt or enforce an ordinance or requirement relating to the sale, distribution, or use of cigarettes or tobacco products if the regulation, ordinance, or requirement:

(1) is compatible with and equal to or more stringent than a requirement prescribed by this subchapter; or

(2) relates to an issue that is not specifically addressed by this subchapter or Chapter 154 or 155, Tax Code.

(b) A political subdivision may not adopt or enforce an ordinance or requirement relating to the lawful age to sell, distribute, or use cigarettes, e-cigarettes, or tobacco products that is more stringent than a requirement prescribed by this subchapter.

Amendment No. 7 was adopted.

**SB 21**, as amended, was passed to third reading.

### **LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of illness in the family:

Pacheco on motion of Guillen.

### **GENERAL STATE CALENDAR**

**(consideration continued)**

### **CSSB 475 ON SECOND READING**

**(Hernandez and Flynn - House Sponsors)**

**CSSB 475**, A bill to be entitled An Act relating to an advisory body on the security of the electric grid.

**CSSB 475** was passed to third reading.

### **MESSAGE FROM THE SENATE**

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

**GENERAL STATE CALENDAR**  
**(consideration continued)**

**CSSB 300 ON SECOND READING**  
**(E. Thompson - House Sponsor)**

**CSSB 300**, A bill to be entitled An Act relating to indefinite quantity contracts for the provision of certain services to declared disaster areas following a natural disaster.

**CSSB 300** was passed to third reading.

**SB 442 ON SECOND READING**  
**(Perez, Lucio, and Oliverson - House Sponsors)**

**SB 442**, A bill to be entitled An Act relating to a disclosure regarding flood coverage under a commercial or residential property insurance policy.

**SB 442** was passed to third reading.

**SB 944 ON SECOND READING**  
**(Capriglione - House Sponsor)**

**SB 944**, A bill to be entitled An Act relating to the public information law.

**Amendment No. 1**

Representative Moody offered the following amendment to **SB 944**:

Amend **SB 944** (house committee report) as follows:

(1) On page 6, line 20, strike "The" and substitute "Except as otherwise provided by this Act, the".

(2) Add the following appropriately numbered SECTIONS to the bill and renumber SECTIONS of the bill as appropriate:

SECTION \_\_\_\_\_. Section 552.108, Government Code, is amended by adding Subsections (d), (e), and (f) to read as follows:

(d) The exceptions to disclosure provided by Subsections (a)(2) and (b)(2) do not apply to information, records, or notations if:

(1) a person who is a subject of the information, record, or notation, other than a peace officer, is deceased or incapacitated; or

(2) each person who is a subject of the information, record, or notation consents to the release of the information, record, or notation.

(e) The exceptions to disclosure provided by Subsections (a)(2) and (b)(2) do not apply to a letter, memorandum, or document regarding a police officer's alleged misconduct in the police officer's personnel file under Section 143.089, Local Government Code, if:

(1) a person who is a subject of the letter, memorandum, or document, other than the police officer, is deceased or incapacitated; or

(2) each person who is a subject of the letter, memorandum, or document consents to the release of the letter, memorandum, or document.

(f) A governmental body that releases information, records, or notations to a family member of a deceased or incapacitated person who is a subject of the information, record, or notation is not considered to have voluntarily made that

information available to the public for purposes of Section 552.007 and does not waive the ability to assert in the future that the information is excepted from required disclosure under this section or other law.

SECTION \_\_\_\_\_. Section 143.089(g), Local Government Code, is amended to read as follows:

(g) A fire or police department may maintain a personnel file on a fire fighter or police officer employed by the department for the department's use, but the department may not release any information contained in the department file to any agency or person requesting information relating to a fire fighter or police officer, other than information relating to a police officer's alleged misconduct in the police officer's personnel file, as permitted by Section 552.108, Government Code. The department shall refer to the director or the director's designee a person or agency that requests information that is maintained in the fire fighter's or police officer's personnel file.

SECTION \_\_\_\_\_. Sections 552.108(d), (e), and (f), Government Code, as added by this Act, and Section 143.089(g), Local Government Code, as amended by this Act, apply to information, records, notations, letters, memoranda, and documents collected, made, assembled, or maintained before, on, or after the effective date of this Act.

Representative Capriglione moved to table Amendment No. 1.

A record vote was requested by Representative Wu.

The motion to table was lost by (Record 1379): 57 Yeas, 78 Nays, 1 Present, not voting.

Yeas — Allison; Bailes; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Capriglione; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Geren; Goldman; Guerra; Harless; Harris; Hefner; Holland; Hunter; Kacal; Klick; Lambert; Landgraf; Lang; Larson; Leman; Lozano; Miller; Muñoz; Murr; Noble; Paddie; Parker; Patterson; Paul; Price; Raney; Schaefer; Shaheen; Sheffield; Shine; Smith; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Biedermann; Blanco; Bohac; Bucy; Cain; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Dominguez; Dutton; Farrar; Fierro; Frullo; Gervin-Hawkins; González, J.; González, M.; Goodwin; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, J.D.; Johnson, J.E.; King, K.; King, T.; Krause; Kuempel; Leach; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales; Murphy; Neave; Nevárez; Oliverson; Ortega; Perez; Phelan; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sherman; Smithee; Talarico; Thierry; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Pacheco; Stickland.

Absent — Anderson; Ashby; Deshotel; Guillen; King, P.; Morrison; Thompson, S.; Wilson.

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative Middleton offered the following amendment to **SB 944**:

Amend **SB 944** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 552.137, Government Code, is repealed.

Representative Capriglione moved to table Amendment No. 2.

The motion to table prevailed.

### **Amendment No. 3**

Representative P. King offered the following amendment to **SB 944**:

Amend **SB 944** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 552, Government Code, is amended by adding Section 552.1177 to read as follows:

Sec. 552.1177. EXCEPTION: CONFIDENTIALITY OF CERTAIN INFORMATION RELATED TO HUMANE DISPOSITION OF ANIMAL. (a) Except as provided by Subsection (b), information is confidential and excepted from the requirements of Section 552.021 if the information relates to the name, address, telephone number, e-mail address, driver's license number, social security number, or other personally identifying information of a person who obtains ownership or control of an animal from a municipality or county making a humane disposition of the animal under a municipal ordinance or an order of the commissioners court.

(b) A governmental body may disclose information made confidential by Subsection (a) to a governmental entity, or to a person who under a contract with a governmental entity provides animal control services, animal registration services, or related services to the governmental entity, for purposes related to the protection of public health and safety.

(c) A governmental entity or other person that receives information under Subsection (b):

(1) must maintain the confidentiality of the information;

(2) may not disclose the information under this chapter; and

(3) may not use the information for a purpose that does not directly relate to the protection of public health and safety.

(d) A governmental body, by providing public information under Subsection (b) that is confidential or otherwise excepted from required disclosure under law, does not waive or affect the confidentiality of the information for purposes of state or federal law or waive the right to assert exceptions to required disclosure of the information in the future.

Amendment No. 3 was adopted.

**SB 944**, as amended, was passed to third reading.

**SB 579 ON SECOND READING**  
**(VanDeaver - House Sponsor)**

**SB 579**, A bill to be entitled An Act relating to the exemption from ad valorem taxation of certain property owned by the TexAmericas Center.

**SB 579** was passed to third reading.

**CSSB 709 ON SECOND READING**  
**(Frullo, Stucky, Zerwas, Walle, et al. - House Sponsors)**

**CSSB 709**, A bill to be entitled An Act relating to the allocation and use of the annual constitutional appropriation to certain agencies and institutions of higher education.

**CSSB 709** was passed to third reading.

**CSSB 362 ON SECOND READING**  
**(Price - House Sponsor)**

**CSSB 362**, A bill to be entitled An Act relating to court-ordered mental health services.

**CSSB 362** was passed to third reading.

**SB 1113 ON SECOND READING**  
**(Springer - House Sponsor)**

**SB 1113**, A bill to be entitled An Act relating to a waiver authorizing the application of pesticides for mosquito control by certain municipal or county employees in an emergency.

**SB 1113** was passed to third reading.

**SB 1306 ON SECOND READING**  
**(Burns - House Sponsor)**

**SB 1306**, A bill to be entitled An Act relating to requiring a school district to post on the district's Internet website the contact information of the school administrator primarily responsible for student discipline at a district campus.

**Amendment No. 1**

Representative Springer offered the following amendment to **SB 1306**:

Amend **SB 1306** (house committee report) on page 1, line 11, between "district" and "shall", by inserting "that has a student enrollment of 2,500 or more".

(Goldman in the chair)

Amendment No. 1 failed of adoption.

**SB 1306** was passed to third reading.

**SB 1571 ON SECOND READING**  
**(Stucky - House Sponsor)**

**SB 1571**, A bill to be entitled An Act relating to recovery audits of payments made by state agencies to vendors.

**SB 1571** was passed to third reading.

**SB 1276 ON SECOND READING**  
**(Frullo - House Sponsor)**

**SB 1276**, A bill to be entitled An Act relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

**SB 1276** was passed to third reading.

**SB 1928 ON SECOND READING**  
**(Krause - House Sponsor)**

**SB 1928**, A bill to be entitled An Act relating to a certificate of merit in certain actions against certain licensed or registered professionals.

**SB 1928** was passed to third reading.

**SB 1063 ON SECOND READING**  
**(Paul - House Sponsor)**

**SB 1063**, A bill to be entitled An Act relating to the operation of the Texas Property and Casualty Insurance Guaranty Association.

**SB 1063** was passed to third reading.

**RESOLUTIONS CALENDAR**

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

**SCR 2**  
**(Cyrier and J.D. Johnson - House Sponsors)**

**SCR 2**, Recognizing the game wardens of the Texas Parks and Wildlife Department as the "Texas Navy" and commending them for their service to the Lone Star State.

**SCR 2** was adopted by (Record 1380): 136 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; 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; 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; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; 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; Zedler; Zerwas; Zwiener.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Pacheco; Stickland.

Absent — Deshotel; Krause; Sanford; Schaefer; Wu.

### STATEMENTS OF VOTE

When Record No. 1380 was taken, I was temporarily out of the house chamber. I would have voted yes.

Krause

When Record No. 1380 was taken, I was in the house but away from my desk. I would have voted yes.

Schaefer

### HB 1326 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

**HB 1326**, A bill to be entitled An Act relating to the continuation and functions of the Texas Military Department.

Representative Flynn moved to concur in the senate amendments to **HB 1326**.

The motion to concur in the senate amendments to **HB 1326** prevailed by (Record 1381): 137 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Dominguez; 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, 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; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos;

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

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Pacheco; Stickland.

Absent — Davis, Y.; Dutton; Reynolds; Schaefer.

### STATEMENT OF VOTE

When Record No. 1381 was taken, I was in the house but away from my desk. I would have voted yes.

Schaefer

### Senate Committee Substitute

**CSHB 1326**, A bill to be entitled An Act relating to the continuation and functions of the Texas Military Department.

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

SECTION 1. Section 437.001(6), Government Code, is amended to read as follows:

(6) "Director of state administration" [~~"Executive director"~~] means the administrative head of the department who is responsible for managing the department.

SECTION 2. Section 437.051, Government Code, is amended to read as follows:

Sec. 437.051. SUNSET PROVISION. The department is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished [~~and this subchapter expires~~] September 1, 2031 [~~2019~~].

SECTION 3. Section 437.052(b), Government Code, is amended to read as follows:

(b) The adjutant general shall adopt and implement regulations or policies that clearly separate the adjutant general's responsibilities from the administrative responsibilities of the department's [~~executive~~] director of state administration and staff.

SECTION 4. Section 437.053, Government Code, is amended to read as follows:

Sec. 437.053. ADJUTANT GENERAL: DUTIES. The adjutant general shall:

(1) perform duties assigned by the governor relating to the military affairs of this state;

(2) assume responsibility for the overall leadership, management, accountability, and operations of the Texas military forces, including the transportation of troops, munitions, military equipment, and property in this state;

(3) assume responsibility for all administration of the department, including ensuring compliance with applicable state law and priorities and overseeing state employees;

(4) oversee the preparation of returns and reports required of this state by the United States;

(5) [(4)] maintain a register of all officers of the Texas military forces;

(6) [(5)] publish at state expense, when necessary, state military law and regulations;

(7) [(6)] make available annual reports concerning the Texas military forces;

(8) [(7)] establish reasonable and necessary fees for the administration of this subtitle;

(9) [(8)] employ and arm, as the adjutant general determines appropriate, persons licensed under Title 10, Occupations Code, to protect property that is under the adjutant general's authority and to satisfy applicable security requirements;

(10) [(9)] define and prescribe the kind and amount of supplies, including operational munitions for use in this state, to be purchased for the Texas military forces;

(11) [(10)] prescribe general regulations for the maintenance of supplies and for the transportation and distribution of supplies from the place of purchase to camps, stations, companies, or other necessary places of safekeeping;

(12) [(11)] have supplies, whether the property of the United States or this state, properly cared for and kept in good order and ready for use; and

(13) [(12)] as the adjutant general determines appropriate, sell or destroy property and supplies or exchange property and supplies for other military property and supplies.

SECTION 5. Sections 437.060(a), (b), and (c), Government Code, are amended to read as follows:

(a) A person may not be appointed adjutant general, a deputy adjutant general, a general officer, judge advocate general, or ~~[executive]~~ director of state administration if the person is required to register as a lobbyist under Chapter 305 because of the person's activities for compensation on behalf of a profession related to the operation of the department.

(b) An officer, employee, or paid consultant of a Texas trade association in the field of defense or veterans affairs may not be appointed adjutant general, a deputy adjutant general, a general officer, judge advocate general, or ~~[executive]~~ director of state administration.

(c) A person who is the spouse of an officer, manager, or paid consultant of a Texas trade association in the field of defense or veterans affairs may not be appointed adjutant general, a deputy adjutant general, a general officer, judge advocate general, or ~~[executive]~~ director of state administration.

SECTION 6. Section 437.062(b), Government Code, is amended to read as follows:

(b) A deputy adjutant general, general officer, or ~~[executive]~~ director of state administration employed under this chapter is entitled to a salary subject to the classification and salary schedule provisions defined in the General Appropriations Act.

SECTION 7. Section 437.063, Government Code, is amended to read as follows:

Sec. 437.063. ADJUTANT GENERAL: DELEGATION OF EXPENDITURE APPROVAL AUTHORITY. The adjutant general may delegate the authority to approve department expenditures to the ~~[executive]~~ director of state administration.

SECTION 8. Section 437.101, Government Code, is amended to read as follows:

Sec. 437.101. ~~[EXECUTIVE]~~ DIRECTOR OF STATE ADMINISTRATION. (a) The ~~[executive]~~ director of state administration is a senior-level ~~[an]~~ employee of the department and is appointed by and serves at the pleasure of the adjutant general.

(b) Subject to Sections 437.052 and 437.054, the ~~[executive]~~ director of state administration may enter into contracts related to the purposes or duties of the department and may have and use a corporate seal.

(c) The ~~[executive]~~ director of state administration is responsible for the daily administration of the department's state support operations ~~[department]~~ and the operational compliance with the cooperative agreements between the department and the National Guard Bureau.

(d) The adjutant general shall adopt and implement a policy outlining the director of state administration's responsibility for state administrative interests across all department programs, including evaluating procedures for oversight of state employees and mitigating administrative and other compliance risks.

SECTION 9. Section 437.102, Government Code, is amended to read as follows:

Sec. 437.102. DEPARTMENT PERSONNEL. (a) The ~~[executive]~~ director of state administration may hire employees as necessary to carry on the state support operations of the department.

(b) The ~~[executive]~~ director of state administration or the director of state administration's ~~[executive director's]~~ designee shall provide to the adjutant general and to department employees, as often as necessary, information regarding the requirements for office or employment under this chapter, including information regarding a person's responsibilities under applicable laws relating to standards of conduct for state officers or employees.

SECTION 10. Section 437.104, Government Code, is amended to read as follows:

Sec. 437.104. CAREER LADDER PROGRAM; PERFORMANCE EVALUATIONS. (a) The ~~[executive]~~ director of state administration shall develop a career ladder program. The program must require intra-agency postings of all non-entry level positions concurrently with any public posting.

(b) The ~~[executive]~~ director of state administration shall develop a system of employee performance evaluations. The system must require that evaluations be conducted at least annually. All merit pay for department employees must be based on the system established under this subsection.

SECTION 11. Section 437.108, Government Code, is amended to read as follows:

Sec. 437.108. TECHNOLOGY POLICY. The department shall develop and implement a policy requiring the ~~[executive]~~ director of state administration and department's employees to research and propose appropriate technological solutions to improve the department's ability to perform its functions. The technological solutions must:

(1) ensure that the public is able to easily find information about the department on the Internet;

(2) ensure that persons who want to use the department's services are able to:

(A) interact with the department through the Internet; and

(B) access any service that can be provided effectively through the Internet; and

(3) be cost-effective and developed through the department's planning processes.

SECTION 12. Section 437.151(a), Government Code, is amended to read as follows:

(a) The real property advisory council is composed of the following eight members:

(1) two deputy adjutants general;

(2) the ~~[executive]~~ director of state administration; and

(3) five public members who are not actively serving in the Texas National Guard and who have experience in architecture, construction management, engineering, property management, facilities maintenance management, real estate services, or real property law.

SECTION 13. This Act takes effect September 1, 2019.

## **HB 1628 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 1628**, A bill to be entitled An Act relating to the authority of coastal counties to adopt certain rules for island parks, beach parks, and public beaches; creating a criminal offense.

Representative Morrison moved to concur in the senate amendments to **HB 1628**.

The motion to concur in the senate amendments to **HB 1628** prevailed by (Record 1382): 137 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Pacheco; Stickland.

Absent — Burrows; Dominguez; Farrar; Klick; Schaefer.

### STATEMENT OF VOTE

When Record No. 1382 was taken, I was in the house but away from my desk. I would have voted yes.

Schaefer

### Senate Committee Substitute

**CSHB 1628**, A bill to be entitled An Act relating to the authority of coastal counties to adopt certain rules for island parks, beach parks, and public beaches; creating a criminal offense.

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

SECTION 1. Chapter 321, Local Government Code, is amended by adding Subchapter E to read as follows:

#### SUBCHAPTER E. COASTAL COUNTY ISLAND PARK, BEACH PARK, AND PUBLIC BEACH RULES

Sec. 321.101. APPLICABILITY. Notwithstanding Section 321.001, this subchapter applies only to:

(1) a county described by Section 321.001; and  
(2) a county that borders on the Gulf of Mexico and has within its boundaries a beach that:

- (A) is wholly or partly operated by the county as a park; or  
(B) is otherwise controlled or maintained by the county.

Sec. 321.102. RULES. The commissioners court of a county by order may adopt reasonable rules on camping, access, litter, resource protection, or waste disposal if the rules:

(1) are consistent with Chapter 352 of this code, Chapters 61 and 63, Natural Resources Code, and rules adopted under those chapters; and

(2) apply only in the following locations controlled or maintained by the county:

(A) an island park;

(B) a beach park; or

(C) any part of a public beach.

Sec. 321.103. OFFENSE. (a) A person commits an offense if the person violates a rule adopted under Section 321.102.

(b) An offense under this section is a Class C misdemeanor.

SECTION 2. The heading to Chapter 321, Local Government Code, is amended to read as follows:

CHAPTER 321. [~~PARKS BOARD AND PARK BONDS;~~] ISLAND PARKS, BEACH PARKS, AND PUBLIC BEACHES OF COASTAL COUNTIES

SECTION 3. This Act takes effect September 1, 2019.

### **HB 1960 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 1960**, A bill to be entitled An Act relating to the creation of the governor's broadband development council.

Representative Price moved to concur in the senate amendments to **HB 1960**.

The motion to concur in the senate amendments to **HB 1960** prevailed by (Record 1383): 127 Yeas, 14 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; 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; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; 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.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Bonnen; Cain; Davis, S.; Dominguez; Dutton; Hefner; Krause; Lang; Middleton; Murr; Sanford; Shaheen; Tinderholt; Toth.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Pacheco; Stickland.

Absent — Schaefer.

### STATEMENT OF VOTE

When Record No. 1383 was taken, I was in the house but away from my desk. I would have voted no.

Schaefer

### Senate Committee Substitute

**CSHB 1960**, A bill to be entitled An Act relating to the creation of the governor's broadband development council.

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

SECTION 1. Subtitle F, Title 4, Government Code, is amended by adding Chapter 490H to read as follows:

#### CHAPTER 490H. GOVERNOR'S BROADBAND DEVELOPMENT COUNCIL

Sec. 490H.001. DEFINITIONS. In this chapter:

(1) "Broadband" means a service that provides advanced telecommunications capability and Internet access.

(2) "Council" means the governor's broadband development council.

(3) "Unserved area" means a census block without access to broadband capable of providing:

(A) a download speed of at least 25 megabits per second; and

(B) an upload speed of at least three megabits per second.

Sec. 490H.002. COMPOSITION. (a) The council is composed of the following 17 voting members:

(1) two representatives of separate Internet service provider industry associations, including at least one representative of an association that primarily represents small providers, as defined by Section 56.032, Utilities Code, appointed by the governor;

(2) one representative of the health information technology industry, appointed by the governor;

(3) two representatives of unaffiliated nonprofit organizations that advocate for elderly persons statewide, appointed by the governor;

(4) two representatives of unaffiliated nonprofit organizations that have a demonstrated history of working with the legislature and the public to identify solutions for expanding broadband to rural, unserved areas of this state, appointed by the governor;

(5) one representative of an agricultural advocacy organization in this state, appointed by the governor;



(6) one representative of a hospital advocacy organization in this state, appointed by the governor;

(7) one representative of a medical advocacy organization in this state, appointed by the governor;

(8) one county official who serves in an elected office of a county with a population of less than 35,000, appointed by the governor;

(9) one municipal official who serves in an elected office of a municipality with a population of less than 20,000 located in a county with a population of less than 60,000, appointed by the governor;

(10) one representative of an institution of higher education that has its main campus in a county with a population of less than 60,000, appointed by the governor;

(11) one representative of a school district with a territory that includes only counties with a population of less than 60,000, appointed by the governor;

(12) one representative from a library association, appointed by the governor;

(13) one member of the house of representatives, appointed by the speaker of the house of representatives; and

(14) one state senator, appointed by the lieutenant governor.

(b) A member of the council appointed under Subsection (a) serves for a five-year term.

(c) A vacancy on the council is filled in the same manner as the original appointment.

Sec. 490H.003. COUNCIL PRESIDING OFFICER. The governor shall designate the presiding officer of the council.

Sec. 490H.004. MEETINGS. (a) The council shall convene at least once every quarter.

(b) The council shall convene at the call of the presiding officer.

Sec. 490H.005. ADMINISTRATIVE SUPPORT. The office of the governor shall provide administrative support to the council.

Sec. 490H.006. DUTIES. (a) The council shall:

(1) research the progress of broadband development in unserved areas;

(2) identify barriers to residential and commercial broadband deployment in unserved areas;

(3) study technology-neutral solutions to overcome barriers identified under Subdivision (2); and

(4) analyze how statewide access to broadband would benefit:

(A) economic development;

(B) the delivery of educational opportunities in higher education and public education;

(C) state and local law enforcement;

(D) state emergency preparedness; and

(E) the delivery of health care services, including telemedicine and telehealth.

(b) The council may research another matter related to broadband only if a majority of the council approves researching the matter.

(c) For the purpose of performing its duties under this section, the council may consult with a representative of an institution of higher education who has published scholarly research on broadband.

Sec. 490H.007. ANNUAL REPORT. Not later than November 1 of each year, the council shall prepare and deliver an electronic report of its findings and recommendations to the governor, the lieutenant governor, and each member of the legislature.

Sec. 490H.008. EXPIRATION. This chapter expires September 1, 2029.

SECTION 2. The first report described by Section 490H.007, Government Code, as added by this Act, is due November 1, 2020.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

### **HB 1142 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 1142**, A bill to be entitled An Act relating to the creation and operations of health care provider participation programs in certain counties.

Representative Lambert moved to concur in the senate amendments to **HB 1142**.

The motion to concur in the senate amendments to **HB 1142** prevailed by (Record 1384): 125 Yeas, 16 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; 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; 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; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Cain; Hefner; Krause; Lang; Middleton; Murr; Noble; Oliverson; Patterson; Schaefer; Swanson; Tinderholt; Toth; Wilson; Zedler.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Pacheco; Stickland.

Absent — Sanford.

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

Amend **HB 1142** (senate committee report) by inserting the appropriately numbered sections and renumbering the remaining sections accordingly:

SECTION \_\_\_\_\_. Subtitle D, Title 4, Health and Safety Code, is amended by adding Chapter 298E to read as follows:

#### CHAPTER 298E. HEALTH CARE PROVIDER PARTICIPATION PROGRAM IN CERTAIN HOSPITAL DISTRICTS

##### SUBCHAPTER A. GENERAL PROVISIONS

Sec. 298E.001. DEFINITIONS. In this chapter:

- (1) "Board" means the board of hospital managers of a district.
- (2) "District" means a hospital district to which this chapter applies.
- (3) "Institutional health care provider" means a hospital that is not owned and operated by a federal, state, or local government and provides inpatient hospital services.

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

(5) "Program" means a health care provider participation program authorized by this chapter.

Sec. 298E.002. APPLICABILITY. This chapter applies only to a hospital district created in a county with a population of more than 800,000 that was not included in the boundaries of a hospital district before September 1, 2003.

Sec. 298E.003. HEALTH CARE PROVIDER PARTICIPATION PROGRAM; PARTICIPATION IN PROGRAM. The board of a district may authorize the district to participate in a health care provider participation program on the affirmative vote of a majority of the board, subject to the provisions of this chapter.

Sec. 298E.004. EXPIRATION. (a) Subject to Section 298E.153(d), the authority of a district to administer and operate a program under this chapter expires December 31, 2023.

(b) This chapter expires December 31, 2023.

##### SUBCHAPTER B. POWERS AND DUTIES OF BOARD

Sec. 298E.051. LIMITATION ON AUTHORITY TO REQUIRE MANDATORY PAYMENT. The board of a district may require a mandatory payment authorized under this chapter by an institutional health care provider located in the district only in the manner provided by this chapter.

Sec. 298E.052. RULES AND PROCEDURES. The board of a district may adopt rules relating to the administration of the program, including collection of the mandatory payments, expenditures, audits, and any other administrative aspects of the program.

Sec. 298E.053. INSTITUTIONAL HEALTH CARE PROVIDER REPORTING. If the board of a district authorizes the district to participate in a program under this chapter, the board shall require each institutional health care

provider located in the district to submit to the district a copy of any financial and utilization data required by and reported to the Department of State Health Services under Sections 311.032 and 311.033 and any rules adopted by the executive commissioner of the Health and Human Services Commission to implement those sections.

#### SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 298E.101. HEARING. (a) In each year that the board of a district authorizes a program under this chapter, the board shall hold a public hearing on the amounts of any mandatory payments that the board intends to require during the year and how the revenue derived from those payments is to be spent.

(b) Not later than the fifth day before the date of the hearing required under Subsection (a), the board shall publish notice of the hearing in a newspaper of general circulation in the district and provide written notice of the hearing to each institutional health care provider located in the district.

Sec. 298E.102. DEPOSITORY. (a) If the board of a district requires a mandatory payment authorized under this chapter, the board shall designate one or more banks as a depository for the district's local provider participation fund.

(b) All funds collected by a district under this chapter shall be secured in the manner provided for securing other funds of the district.

Sec. 298E.103. LOCAL PROVIDER PARTICIPATION FUND; AUTHORIZED USES OF MONEY. (a) If a district requires a mandatory payment authorized under this chapter, the district shall create a local provider participation fund.

(b) A district's local provider participation fund consists of:

(1) all revenue received by the district attributable to mandatory payments authorized under this chapter;

(2) money received from the Health and Human Services Commission as a refund of an intergovernmental transfer under the program, provided that the intergovernmental transfer does not receive a federal matching payment; and

(3) the earnings of the fund.

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

(1) fund intergovernmental transfers from the district to the state to provide the nonfederal share of Medicaid payments for:

(A) uncompensated care payments to hospitals in the Medicaid managed care service area in which the district is located, if those payments are authorized under the Texas Healthcare Transformation and Quality Improvement Program waiver issued under Section 1115 of the federal Social Security Act (42 U.S.C. Section 1315);

(B) uniform rate enhancements for hospitals in the Medicaid managed care service area in which the district is located;

(C) payments available under another waiver program authorizing payments that are substantially similar to Medicaid payments to hospitals described by Paragraph (A) or (B); or

(D) any reimbursement to hospitals for which federal matching funds are available;

(2) subject to Section 298E.151(d), pay the administrative expenses of the district in administering the program, including collateralization of deposits;

(3) refund a mandatory payment collected in error from a paying provider;

(4) refund to paying providers a proportionate share of the money that the district:

(A) receives from the Health and Human Services Commission that is not used to fund the nonfederal share of Medicaid supplemental payment program payments; or

(B) determines cannot be used to fund the nonfederal share of Medicaid supplemental payment program payments;

(5) transfer funds to the Health and Human Services Commission if the district is legally required to transfer the funds to address a disallowance of federal matching funds with respect to programs for which the district made intergovernmental transfers described by Subdivision (1); and

(6) reimburse the district if the district is required by the rules governing the uniform rate enhancement program described by Subdivision (1)(B) to incur an expense or forego Medicaid reimbursements from the state because the balance of the local provider participation fund is not sufficient to fund that rate enhancement program.

(d) Money in the local provider participation fund of a district may not be commingled with other district funds.

(e) Notwithstanding any other provision of this chapter, with respect to an intergovernmental transfer of funds described by Subsection (c)(1) made by a district, any funds received by the state, district, or other entity as a result of that transfer may not be used by the state, district, or any other entity to:

(1) expand Medicaid eligibility under the Patient Protection and Affordable Care Act (Pub. L. No. 111-148) as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152); or

(2) fund the nonfederal share of payments to hospitals available through the Medicaid disproportionate share hospital program or the delivery system reform incentive payment program.

#### SUBCHAPTER D. MANDATORY PAYMENTS

Sec. 298E.151. MANDATORY PAYMENTS BASED ON PAYING PROVIDER NET PATIENT REVENUE. (a) Except as provided by Subsection (e), if the board of a district authorizes a health care provider participation program under this chapter, the board may require an annual mandatory payment to be assessed on the net patient revenue of each institutional health care provider located in the district. The board may provide for the mandatory payment to be assessed quarterly. In the first year in which the mandatory payment is required, the mandatory payment is assessed on the net patient revenue of an institutional health care provider as reported in the provider's Medicare cost report submitted for the most recent fiscal year for which the provider submitted a Medicare cost report. If the mandatory payment is required, the district shall update the amount of the mandatory payment on an annual basis.

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

(c) If the board of a district requires a mandatory payment authorized under this chapter, the board shall set the amount of the mandatory payment, subject to the limitations of this chapter. The aggregate amount of the mandatory payments required of all paying providers in the district may not exceed six percent of the aggregate net patient revenue from hospital services provided by all paying providers in the district.

(d) Subject to Subsection (c), if the board of a district requires a mandatory payment authorized under this chapter, the board shall set the mandatory payments in amounts that in the aggregate will generate sufficient revenue to cover the administrative expenses of the district for activities under this chapter and to fund an intergovernmental transfer described by Section 298E.103(c)(1). The annual amount of revenue from mandatory payments that shall be paid for administrative expenses by the district is \$150,000, plus the cost of collateralization of deposits, regardless of actual expenses.

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

(f) A mandatory payment assessed under this chapter is not a tax for hospital purposes for purposes of Section 4, Article IX, Texas Constitution, or Section 281.045 of this code.

Sec. 298E.152. ASSESSMENT AND COLLECTION OF MANDATORY PAYMENTS. (a) A district may designate an official of the district or contract with another person to assess and collect the mandatory payments authorized under this chapter.

(b) The person charged by the district with the assessment and collection of mandatory payments shall charge and deduct from the mandatory payments collected for the district a collection fee in an amount not to exceed the person's usual and customary charges for like services.

(c) If the person charged with the assessment and collection of mandatory payments is an official of the district, any revenue from a collection fee charged under Subsection (b) shall be deposited in the district general fund and, if appropriate, shall be reported as fees of the district.

Sec. 298E.153. PURPOSE; CORRECTION OF INVALID PROVISION OR PROCEDURE; LIMITATION OF AUTHORITY. (a) The purpose of this chapter is to authorize a district to establish a program to enable the district to collect mandatory payments from institutional health care providers to fund the nonfederal share of a Medicaid supplemental payment program or the Medicaid managed care rate enhancements for hospitals to support the provision of health care by institutional health care providers located in the district to district residents in need of health care.

(b) This chapter does not authorize a district to collect mandatory payments for the purpose of raising general revenue or any amount in excess of the amount reasonably necessary to fund the nonfederal share of a Medicaid supplemental payment program or Medicaid managed care rate enhancements for hospitals and to cover the administrative expenses of the district associated with activities under this chapter.

(c) To the extent any provision or procedure under this chapter causes a mandatory payment authorized under this chapter to be ineligible for federal matching funds, the board of a district may provide by rule for an alternative provision or procedure that conforms to the requirements of the federal Centers for Medicare and Medicaid Services. A rule adopted under this section may not create, impose, or materially expand the legal or financial liability or responsibility of the district or an institutional health care provider in the district beyond the provisions of this chapter. This section does not require the board to adopt a rule.

(d) A district may only assess and collect a mandatory payment authorized under this chapter if a waiver program, uniform rate enhancement, or reimbursement described by Section 298E.103(c)(1) is available to the district.

SECTION \_\_\_\_\_. As soon as practicable after the expiration of the authority of a hospital district to administer and operate a health care provider participation program under Chapter 298E, Health and Safety Code, as added by this Act, the board of hospital managers of the hospital district shall transfer to each institutional health care provider in the district that provider's proportionate share of any remaining funds in any local provider participation fund created by the district under Section 298E.103, Health and Safety Code, as added by this Act.

### **HB 2196 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS**

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

**HB 2196**, A bill to be entitled An Act relating to the sale of alcoholic beverages on certain property owned by the Texas State Railroad Authority.

Representative Harris moved to concur in the senate amendments to **HB 2196**.

The motion to concur in the senate amendments to **HB 2196** prevailed by (Record 1385): 137 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; 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; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Ortega; 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; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Meza; Oliverson; Wilson.

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

Absent, Excused — Bell, C.; Bowers; Clardy; Johnson, E.; Pacheco; Stickland.

Absent — Nevárez.

### Senate Committee Substitute

**CSHB 2196**, A bill to be entitled An Act relating to the sale of alcoholic beverages on certain property owned or leased by the Texas State Railroad Authority.

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

SECTION 1. Section 48.01, Alcoholic Beverage Code, is amended to read as follows:

Sec. 48.01. AUTHORIZED ACTIVITIES. (a) The holder of a passenger train beverage permit has the same rights with respect to the sale of alcoholic beverages on a passenger train to which this chapter applies as the holder of an airline beverage permit has with respect to the sale of alcoholic beverages on a commercial passenger airplane under Section 34.01 [~~of this code~~].

(b) This subsection applies only to a passenger train operated by or on behalf of the Texas State Railroad Authority. An alcoholic beverage purchased by a consumer on a passenger train for present consumption may be removed from the train for consumption on property that is part of a public entertainment facility owned or leased by the Texas State Railroad Authority. An alcoholic beverage in an open container purchased by a consumer on property that is part of a public entertainment facility owned or leased by the Texas State Railroad Authority may be consumed on a passenger train.

SECTION 2. Section 108.73(2), Alcoholic Beverage Code, is amended to read as follows:

(2) "Public entertainment facility" means an arena, stadium, automobile race track, amphitheater, auditorium, theater, civic center, convention center, or similar facility that is primarily designed and used for live artistic, theatrical, cultural, educational, charitable, musical, sporting, nationally sanctioned automobile racing, or entertainment events. The term includes a facility that is owned or leased by the Texas State Railroad Authority and used as a station for passenger rail services. The term also includes a facility that is part of an



approved venue project, including the venue and related infrastructure, as those terms are defined by Section 334.001, Local Government Code. The term does not include a facility the primary purpose of which is the sale of food or alcoholic beverages, including a bar, nightclub, restaurant, hotel, bowling alley, pool hall, or dance hall, or a facility that derives 75 percent or more of the facility's annual gross revenue from the on-premise sale of alcoholic beverages, except for a facility that is part of an approved venue project, including the venue and related infrastructure, as those terms are defined by Section 334.001, Local Government Code.

SECTION 3. Section 108.82, Alcoholic Beverage Code, is amended to read as follows:

Sec. 108.82. ALCOHOLIC BEVERAGE CONSUMPTION IN PUBLIC ENTERTAINMENT FACILITIES. (a) This section applies only to a public entertainment facility:

(1) that is owned or leased by the Texas State Railroad Authority and used as a station for passenger rail services; or

(2) that is a stadium, arena, or other permanent structure that is used for sporting events and:<sup>[§]</sup>

(A) ~~[(2)]~~ relating to which an agreement approved by the administrator under Section 108.79 is in force; and

(B) ~~[(3)]~~ for which all alcoholic beverage permits and licenses are held by a single holder.

(b) Notwithstanding Section 28.10, the concessionaire for a public entertainment facility described by Subsection (a) may allow a patron who possesses an alcoholic beverage to enter or leave a licensed or permitted premises within the facility if the alcoholic beverage:

(1) is in an open container, as defined by Section 49.031, Penal Code;

(2) appears to be possessed for present consumption;

(3) except as provided by Section 48.01(b), remains within the confines of the facility, excluding a parking lot; and

(4) was purchased legally at a licensed or permitted premises within the facility.

(c) A license or permit may be issued for a premises located in a facility described by Subsection (a)(1) in an area in which the sale of alcoholic beverages has not been authorized by a local option election if the area has been annexed by a municipality in which the sale of alcoholic beverages has been authorized by a local option election. A facility described by this subsection has the same local option status as the municipality.

(d) For a facility described by Subsection (a)(1), a concessionaire under Subsection (b) may include a licensee or permittee of the manufacturing tier.

SECTION 4. Subchapter C, Chapter 4501, Special District Local Laws Code, is amended by adding Section 4501.1021 to read as follows:

Sec. 4501.1021. SALE OF ALCOHOLIC BEVERAGES ON AUTHORITY PROPERTY. The authority may contract with a person for the retail sale of alcoholic beverages and a person may sell alcoholic beverages at retail on authority property that is used as a station for passenger rail services if the person holds or obtains the appropriate permit or license authorizing the sale of the alcoholic beverages.

SECTION 5. This Act takes effect September 1, 2019.

**SB 12 - REQUEST OF SENATE GRANTED  
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative G. Bonnen, the house granted the request of the senate for the appointment of a Conference Committee on **SB 12**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 12**: G. Bonnen, chair; Gervin-Hawkins, Murphy, Walle, and Zerwas.

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

Representative Morrison moved to set a local, consent, and resolutions calendar for 9 a.m. Friday, May 17.

The motion prevailed.

**PROVIDING FOR A CONGRATULATORY  
AND MEMORIAL CALENDAR**

Representative Guillen moved to set a congratulatory and memorial calendar for 9 a.m. Friday, May 17.

The motion prevailed.

**COMMITTEES GRANTED PERMISSION TO MEET**

Representative Morrison moved that the house grant permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings or recess motions.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Human Services, upon final adjournment or during bill referral, if permission granted, today, 3W.3, for a formal meeting, to consider referred business.

Local and Consent Calendars, upon final adjournment or during bill referral, if permission granted, today, 1W.14, for a formal meeting, to consider a calendar.

Transportation, upon final adjournment or during bill referral, if permission granted, today, 3W.15, for a formal meeting, to consider **SB 511**, **SB 549**, **SB 575**, **SB 1193**, **SB 1593**, **SB 2015**, **SB 2168**, and pending and referred business.

### **PROVIDING FOR ADJOURNMENT**

At 4:57 p.m., Representative Morrison 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.)

### **ADJOURNMENT**

In accordance with a previous motion, the house, at 5:02 p.m., adjourned until 10 a.m. tomorrow.

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### **ADDENDUM**

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### **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**

**HR 1517** (By Murr), Congratulating Professor M. Mort Kothmann on his retirement from Texas A&M University.

To Resolutions Calendars.

**HR 1518** (By Murr), Congratulating Matt Brown on his retirement as Schleicher County commissioner for Precinct 4.

To Resolutions Calendars.

**HR 1520** (By Guillen), In memory of Benito Alvarado of San Isidro.

To Resolutions Calendars.

**HR 1521** (By Bucy), In memory of Leroy "Ted" Nagel Jr. of Austin.

To Resolutions Calendars.

**HR 1522** (By Canales), Congratulating Noah Sekinger of Vela High School on being named the Boys Basketball Player of the Year by the Monitor newspaper.

To Resolutions Calendars.

**HR 1523** (By Canales), Congratulating Carlos Ramos of Economedes High School in Edinburg on being named Boys Basketball Coach of the Year by the Monitor newspaper.

To Resolutions Calendars.

**HR 1524** (By Canales), Congratulating the Barrientes Middle School cheerleading team on winning a title at the 2019 NCA Senior and Junior High School National Championship.

To Resolutions Calendars.

**HR 1525** (By Canales), Congratulating Hargill Elementary School of Edinburg on being named a 2018 National Blue Ribbon School.

To Resolutions Calendars.

**HR 1526** (By Canales), Congratulating Magee Elementary School in Edinburg on being named a 2018 National Blue Ribbon School.

To Resolutions Calendars.

**HR 1527** (By Canales), Congratulating Crystal Pacheco of Monte Cristo Elementary School in Edinburg on receiving a Student Heroes Award from the State Board of Education.

To Resolutions Calendars.

**HR 1528** (By Canales), Congratulating Magee Elementary School in Edinburg on its designation as a National ESEA Distinguished School by the Texas Education Agency.

To Resolutions Calendars.

**HR 1529** (By Canales), In memory of Luis Antonio Alamia Jr. of Edinburg.

To Resolutions Calendars.

**HR 1530** (By Vo), Commending Lieutenant Colonel Truong Van Tuc on the occasion of Vietnamese American Day at the State Capitol.

To Resolutions Calendars.

**HR 1532** (By White), Congratulating C. Glen Conner on his retirement as superintendent of the Woodville Independent School District.

To Resolutions Calendars.

**HR 1533** (By Landgraf), In memory of Raymon Charles Stoker Jr. of Odessa.

To Resolutions Calendars.

**HR 1534** (By Leach), Commemorating the 40th anniversary of the Wellness Center for Older Adults in Plano.

To Resolutions Calendars.

**HR 1537** (By Vo), Commending Major General (Ret.) John H. Bailey II on the occasion of Vietnamese American Day at the State Capitol.

To Resolutions Calendars.

**HR 1538** (By Bucy), Congratulating Adeleine Bates of Cedar Park on a successful 2018-2019 season in the Texas High School Bowling Club.

To Resolutions Calendars.

**HR 1541** (By Hefner), In memory of Olin "Cliff" Hand of Royse City.

To Resolutions Calendars.

**HR 1543** (By Holland), Congratulating Lieutenant Marsha Phillips of the Farmersville Police Department on her graduation from the 56th School of Executive Leadership of the Institute for Law Enforcement Administration.

To Resolutions Calendars.

**HR 1544** (By Romero), Congratulating Jason C. N. Smith of Fort Worth on his election as a director of the State Bar of Texas.

To Resolutions Calendars.

**HR 1545** (By Hinojosa), Commemorating the 50th anniversary of Austin Junior Forum.

To Resolutions Calendars.

**HR 1546** (By Goldman), Congratulating Patricia Wright on her retirement from Trinity Valley School in Fort Worth.

To Resolutions Calendars.

**HR 1548** (By Fierro), In memory of El Paso County Sheriff's Deputy Peter John Herrera.

To Resolutions Calendars.

**HR 1549** (By K. Bell), Commending Margaret Taylor Smith for her efforts in behalf of Texans with learning disabilities.

To Resolutions Calendars.

**HR 1550** (By Murr), In memory of Charles Driver "Buddy" Clark of Menard.

To Resolutions Calendars.

**HR 1551** (By Herrero, Hunter, and Lozano), Honoring John P. LaRue for his service to the Port of Corpus Christi.

To Resolutions Calendars.

**HR 1552** (By Rose), Recognizing April 22, 2019, as Red and White Day at the State Capitol in honor of the advocacy efforts of the Delta Sigma Theta Sorority.

To Resolutions Calendars.

**HR 1553** (By Cyrier), In memory of Marvin Lee James Kipp of Winchester.

To Resolutions Calendars.

**HR 1555** (By Beckley), In memory of Clifford "Gail" Rutledge of Lewisville.

To Resolutions Calendars.

**HR 1556** (By Geren), Congratulating Dr. Kay K. Sanders on her receipt of the 2019 Helen Lamb Outstanding Educator Award and on her retirement from Texas Christian University.

To Resolutions Calendars.

**HR 1557** (By Raymond), Congratulating Oscar "O. J." Hale on his retirement from the Office of the District Attorney for the 49th Judicial District of Texas in Webb County.

To Resolutions Calendars.

**HR 1559** (By Dutton), Congratulating the Gamma Sigma Philo Affiliate of Sigma Gamma Rho Sorority on its 70th anniversary.

To Resolutions Calendars.

**HR 1560** (By D. Bonnen), Commending Wilhelm Williams Moye and Tena Williams Simien for their decades of service as educators in Matagorda and Brazoria Counties.

To Resolutions Calendars.

**HR 1561** (By Clardy), Congratulating the Stephen F. Austin State University bowling team on winning the title at the 2019 National Collegiate Women's Bowling Championship.

To Resolutions Calendars.

**HR 1562** (By Hunter and Herrero), In memory of Edward Samuel Hicks Sr. of Corpus Christi.

To Resolutions Calendars.

**HR 1563** (By Morrison), In memory of Dr. John M. Richardson of Fort Worth.

To Resolutions Calendars.

**HR 1564** (By Morrison), Commemorating the reopening of the Victoria Islamic Center.

To Resolutions Calendars.

**HR 1567** (By Frullo), Congratulating Texas Tech University basketball player Jarrett Culver on declaring for the 2019 NBA Draft.

To Resolutions Calendars.

**HR 1568** (By Leach), Congratulating Peter H. Vargas on his retirement as Allen city manager.

To Resolutions Calendars.

**HR 1569** (By Herrero), Congratulating Evelyn Camacho on graduating as salutatorian of the Robstown Early College High School Class of 2019.

To Resolutions Calendars.

**HR 1570** (By Herrero), Congratulating Agustin Barrera Jr. on graduating as valedictorian of the Robstown Early College High School Class of 2019.

To Resolutions Calendars.

**HR 1571** (By Herrero), Congratulating Madison Singh on graduating as valedictorian of the Class of 2019 at Veterans Memorial High School in Corpus Christi.

To Resolutions Calendars.

**HR 1572** (By Herrero), Congratulating Juliet Jones on graduating as salutatorian of the Class of 2019 at W. B. Ray High School in Corpus Christi.

To Resolutions Calendars.

**HR 1573** (By Herrero), Congratulating Anahita Shadaab Farishta on graduating as valedictorian of the Class of 2019 at W. B. Ray High School in Corpus Christi.

To Resolutions Calendars.

**HR 1574** (By Herrero), Congratulating Mohammad Haque on being named salutatorian of the Class of 2019 at London High School in Corpus Christi.

To Resolutions Calendars.

**HR 1575** (By Herrero), Congratulating Anthony Johan Sutanto on being named valedictorian of the Class of 2019 at London High School in Corpus Christi.

To Resolutions Calendars.

**HR 1576** (By Clardy), In memory of George Houston White of Rusk.

To Resolutions Calendars.

**HR 1577** (By Bucy), Commending Jose Ricardo Reyes of Houston for his service as a legislative aide in the office of State Representative John H. Bucy III.

To Resolutions Calendars.

**HR 1578** (By Bucy), Commending Emily Richmond Gilby of Cedar Park for her service as a legislative aide in the office of State Representative John H. Bucy III.

To Resolutions Calendars.

**HR 1579** (By Metcalf), Honoring the participants in the 2019 Sam Houston State University Austin Internship Program.

To Resolutions Calendars.

**HR 1580** (By Smith), Congratulating Michael Andrew Day of Van Alstyne on attaining the rank of Eagle Scout.

To Resolutions Calendars.

**HR 1582** (By Springer), Commemorating the 70th anniversary of the Santa Rosa Palomino Club of Vernon.

To Resolutions Calendars.

**HR 1583** (By Springer), Congratulating Childress High School teacher Cliff Johnson and his students for their contributions to the Ramps Across Texas program.

To Resolutions Calendars.

**HR 1584** (By Springer), Commending Dr. Ben Ed Hillhouse for his contributions as scoutmaster of Boy Scout Troop No. 472 in Wheeler.

To Resolutions Calendars.

**HR 1585** (By Herrero), Congratulating Christine Sanchez on graduating as salutatorian of the Tuloso-Midway High School Class of 2019 in Corpus Christi.

To Resolutions Calendars.

**HR 1586** (By Herrero), Congratulating Abigail Comstock on graduating as valedictorian of the Class of 2019 at Tuloso-Midway High School in Corpus Christi.

To Resolutions Calendars.

**HR 1587** (By Herrero), Congratulating Abel Gonzalez IV on graduating as salutatorian of the Class of 2019 at Harold T. Branch Academy in Corpus Christi.

To Resolutions Calendars.

**HR 1588** (By Herrero), Congratulating Amanda Villarreal on graduating as valedictorian of the Class of 2019 at Harold T. Branch Academy in Corpus Christi.

To Resolutions Calendars.

**HR 1589** (By Herrero), Congratulating Matthew Cho on graduating as salutatorian of the Class of 2019 at Veterans Memorial High School in Corpus Christi.

To Resolutions Calendars.

**HR 1590** (By Herrero), Congratulating Katelynn Odvina on being named valedictorian of the Class of 2019 at Foy H. Moody High School.

To Resolutions Calendars.

**HR 1591** (By Herrero), Congratulating Ramsey Tapia on being named salutatorian of the Class of 2019 at Foy H. Moody High School.

To Resolutions Calendars.

**HR 1592** (By Rodriguez), Congratulating the Del Valle Independent School District Board of Trustees on winning the 2019 H-E-B Excellence in Education Award in the school board category.

To Resolutions Calendars.

**HR 1593** (By Herrero), Congratulating Stephen Anthony Mack on being named salutatorian of the Class of 2019 at Richard King High School.

To Resolutions Calendars.

**HR 1594** (By Herrero), Congratulating Ejiro Gosa David Omoruyi on being named valedictorian of the Class of 2019 at Richard King High School.

To Resolutions Calendars.

**HR 1601** (By Cain), Honoring the commitment of the Texas Young Republican Federation Policy Committee during the 86th Legislative Session.

To Resolutions Calendars.



**HR 1602** (By D. Bonnen), Congratulating the Brazoswood High School welding team on winning the 2019 Technology Students Association state championship.

To Resolutions Calendars.

**HR 1604** (By Goldman), Honoring Katie Lynn Marshall for her dedicated work as an intern in the district office of State Representative Craig Goldman.

To Resolutions Calendars.

**HR 1606** (By Bohac), In memory of Regan Susannah Moger.

To Resolutions Calendars.

**HR 1607** (By Bohac), Commending the House Research Organization for its work during the 86th Legislative Session.

To Resolutions Calendars.

**HR 1608** (By Bohac), In memory of Lynda G. Lindinger Griffin of Katy.

To Resolutions Calendars.

**HR 1609** (By Neave), In memory of Officer Rogelio Santander Jr. of the Dallas Police Department.

To Resolutions Calendars.

**HR 1610** (By Hunter and Herrero), Commemorating the 2019 Corpus Christi Under 40 event hosted by the Young Business Professionals of the Coastal Bend.

To Resolutions Calendars.

**HR 1611** (By Minjarez), Congratulating Endeavors on its 50th anniversary and on the 15th anniversary of its Fairweather Family Lodge in San Antonio.

To Resolutions Calendars.

**HR 1614** (By D. Bonnen), Congratulating Brazosport High School welding students on their 2018 Texas Technology Students Association state championship awards.

To Resolutions Calendars.

**SB 740** to Public Education.

**SB 804** to Corrections.

### SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

#### Senate List No. 22

**SB 239, SB 440, SB 586, SB 746, SB 755, SB 871, SB 1055, SB 1234, SB 1258, SB 1349, SB 1500, SB 1565, SB 1739, SB 1794, SB 1819, SB 2245, SB 2504**

### 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 14, 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:

**HB 337**                                      Larson                                      SPONSOR: Campbell  
Relating to the use of emergency engine cutoff switches on motorboats.  
(Amended)

**HB 440**                                      Murphy                                      SPONSOR: Lucio  
Relating to general obligation bonds issued by political subdivisions.  
(Amended)

**HB 684**                                      Clardy                                      SPONSOR: Hughes  
Relating to the care of students with seizure disorders and the training requirements for certain school personnel regarding seizure recognition and related first aid.  
(Committee Substitute)

**HB 700**                                      Guillen                                      SPONSOR: Powell  
Relating to the use of the skills development fund by certain entities.  
(Amended)

**HB 1065**                                      Ashby                                      SPONSOR: Kolkhorst  
Relating to the establishment of a rural resident physician grant program.  
(Committee Substitute)

**HB 1501**                                      Nevárez                                      SPONSOR: Nichols  
Relating to the creation of the Texas Behavioral Health Executive Council and to the continuation and transfer of the regulation of psychologists, marriage and family therapists, professional counselors, and social workers to the Texas Behavioral Health Executive Council; providing civil and administrative penalties; authorizing a fee.  
(Committee Substitute/Amended)

**HB 1592**                                      Smithee                                      SPONSOR: West  
Relating to health care professional liability coverage for certain public institutions of higher education.

**HB 1767**                                      Murphy                                      SPONSOR: Birdwell  
Relating to the consideration of employee compensation and benefits in establishing the rates of gas utilities.  
(Committee Substitute/Amended)

**HB 1769** Bonnen, Greg SPONSOR: Taylor  
Relating to the creation of a statewide alert system for certain missing adults and to a study of the alert system.

**HB 2119** Cortez SPONSOR: Campbell  
Relating to the application for and loans from the Texas military value revolving loan account.  
(Amended)

**HB 2496** Cyrier SPONSOR: Buckingham  
Relating to the designation of a property as a historic landmark by a municipality.

**HB 3106** Goldman SPONSOR: Huffman  
Relating to a requirement that law enforcement agencies enter into a certain database information related to investigations of sexual assault or other sex offenses.  
(Committee Substitute)

**HB 3655** Turner, Chris SPONSOR: Buckingham  
Relating to the administration and operation of the state's programs for paying, prepaying, or saving toward the costs of attending an institution of higher education, including the powers and duties of the Prepaid Higher Education Tuition Board.  
(Amended)

**HCR 171** Neave SPONSOR: West  
Recognizing the Lipan Apache Tribe of Texas for its contributions to this state.

**SB 2086** Hinojosa  
Relating to a single Internet portal or equivalent electronic system through which Medicaid providers may submit and receive information.

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 12**  
Senate Conferees: Huffman - Chair/Kolkhorst/Nelson/Taylor/West

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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## APPENDIX

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### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**May 13**

Agriculture and Livestock - **SB 1947**

County Affairs - **HB 4337, HB 4765, SB 390, SB 1579, SB 2502**

Defense and Veterans' Affairs - **SB 1091**

Higher Education - **SB 37**

Homeland Security and Public Safety - **SB 616, SB 1804**

House Administration - **SB 1082**

Human Services - **SB 952, SB 1535, SB 1834**

Insurance - **SB 1207, SB 1264**

Land and Resource Management - **SB 175, SB 608, SB 1024, SB 1083, SB 1303, SB 1304, SB 2506, SB 2530, SB 2535**

Pensions, Investments, and Financial Services - **HR 1439, SB 30, SB 1182, SB 1184, SB 1474, SB 1682, SB 1822, SB 2224, SB 2270**

Public Health - **SB 430, SB 436, SB 1056, SB 1827, SB 2151, SB 2316**

State Affairs - **SB 241, SB 619**

Ways and Means - **SB 1013, SB 1467**

#### ENGROSSED

May 13 - **HB 324, HB 464, HB 496, HB 744, HB 769, HB 873, HB 1381, HB 1493, HB 1607, HB 1681, HB 1771, HB 1790, HB 1791, HB 1938, HB 2020, HB 2143, HB 2250, HB 2463, HB 2504, HB 2536, HB 2609, HB 2782, HB 2784, HB 2831, HB 2835, HB 2863, HB 3152, HB 3390, HB 3657, HB 3738, HB 3750, HB 3755, HB 3810, HB 3863, HB 3879, HB 3984, HB 4130, HB 4258, HB 4441, HB 4468, HB 4533, HB 4566, HCR 76, HCR 135**

#### ENROLLED

May 13 - **HB 303, HB 347, HB 435, HB 638, HB 650, HB 1422, HB 1689, HB 1828, HB 2137**