

HOUSE JOURNAL

EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTIETH DAY — WEDNESDAY, MAY 5, 2021

The house met at 10:44 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 716).

Present — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Absent, Excused — Coleman; Smithee.

Absent — Gates; Minjarez.

The invocation was offered by Representative Burns as follows:

Our most gracious, heavenly Father, we bow before you and praise you as our creator and sustainer. You are all knowing, all powerful, and importantly, all loving. Please help us to seek, find, and remain on your path for our own lives as well as those we represent. You set the ultimate example and demonstration of love through your son, our savior, Jesus, who in his own words explained that even he was sent here not to be served but rather to serve and lay down his life as a ransom for many. May we also serve in that way. May we reflect your love and grace. And I ask for your continued blessings on the great State of Texas. Please forgive us our failures. It's in the wonderful name of Jesus I pray. Amen.

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

(Gates and Minjarez now present)

LEAVES OF ABSENCE GRANTED

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

Coleman on motion of Herrero.

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

Smithee on motion of Darby.

HR 687 - INTRODUCTION OF GUEST

The chair recognized Representative Raymond who introduced Drew Pearson congratulating the former Dallas Cowboy on his induction into the Pro Football Hall of Fame as a member of the Class of 2021.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 15).

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.)

HB 1118 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 1118, A bill to be entitled An Act relating to state agency and local government compliance with cybersecurity training requirements.

Representative Capriglione moved to concur in the senate amendments to **HB 1118**.

The motion to concur in the senate amendments to **HB 1118** prevailed by (Record 717): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton;

Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Bernal; Burns; Deshotel; Turner, J.

STATEMENTS OF VOTE

When Record No. 717 was taken, I was in the house but away from my desk. I would have voted yes.

Burns

When Record No. 717 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 717 was taken, my vote failed to register. I would have voted yes.

J. Turner

Senate Committee Substitute

CSHB 1118, A bill to be entitled An Act relating to state agency and local government compliance with cybersecurity training requirements.

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

SECTION 1. Subchapter A, Chapter 772, Government Code, is amended by adding Section 772.012 to read as follows:

Sec. 772.012. COMPLIANCE WITH CYBERSECURITY TRAINING REQUIREMENTS. (a) In this section, "local government" has the meaning assigned by Section 2054.003.

(b) To apply for a grant under this chapter, a local government must submit with the grant application a written certification of the local government's compliance with the cybersecurity training required by Section 2054.5191.

(c) On a determination by the criminal justice division established under Section 772.006 that a local government awarded a grant under this chapter has not complied with the cybersecurity training required by Section 2054.5191, the local government shall pay to this state an amount equal to the amount of the

grant award. A local government that is the subject of a determination described by this subsection is ineligible for another grant under this chapter until the second anniversary of the date the local government is determined ineligible.

SECTION 2. The heading to Section 2054.5191, Government Code, is amended to read as follows:

Sec. 2054.5191. **CYBERSECURITY TRAINING REQUIRED: CERTAIN EMPLOYEES AND OFFICIALS.**

SECTION 3. Section 2054.5191, Government Code, is amended by amending Subsections (a-1) and (b) and adding Subsections (a-2), (e), and (f) to read as follows:

(a-1) At least once each year, a local government shall:

(1) identify local government employees and elected and appointed officials who have access to a local government computer system or database and use a computer to perform at least 25 percent of the employee's or official's required duties; and

(2) require the [those] employees and [elected] officials identified under Subdivision (1) [of the local government] to complete a cybersecurity training program certified under Section 2054.519 [or offered under Section 2054.519(f)].

(a-2) The governing body of a local government or the governing body's designee may deny access to the local government's computer system or database to an individual described by Subsection (a-1)(1) who the governing body or the governing body's designee determines is noncompliant with the requirements of Subsection (a-1)(2).

(b) The governing body of a local government may select the most appropriate cybersecurity training program certified under Section 2054.519 ~~[or offered under Section 2054.519(f)]~~ for employees and officials of the local government to complete. The governing body shall:

(1) verify and report on the completion of a cybersecurity training program by employees and officials of the local government to the department; and

(2) require periodic audits to ensure compliance with this section.

(e) The department shall develop a form for use by state agencies and local governments in verifying completion of cybersecurity training program requirements under this section. The form must allow the state agency and local government to indicate the percentage of employee completion.

(f) The requirements of Subsections (a) and (a-1) do not apply to employees and officials who have been:

(1) granted military leave;

(2) granted leave under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Section 2601 et seq.);

(3) granted leave related to a sickness or disability covered by workers' compensation benefits, if that employee no longer has access to the state agency's or local government's database and systems;

(4) granted any other type of extended leave or authorization to work from an alternative work site if that employee no longer has access to the state agency's or local government's database and systems; or

(5) denied access to a local government's computer system or database by the governing body of the local government or the governing body's designee under Subsection (a-2) for noncompliance with the requirements of Subsection (a-1)(2).

SECTION 4. Section 2056.002(b), Government Code, is amended to read as follows:

(b) The Legislative Budget Board and the governor's office shall determine the elements required to be included in each agency's strategic plan. Unless modified by the Legislative Budget Board and the governor's office, and except as provided by Subsection (c), a plan must include:

- (1) a statement of the mission and goals of the state agency;
- (2) a description of the indicators developed under this chapter and used to measure the output and outcome of the agency;
- (3) identification of the groups of people served by the agency, including those having service priorities, or other service measures established by law, and estimates of changes in those groups expected during the term of the plan;
- (4) an analysis of the use of the agency's resources to meet the agency's needs, including future needs, and an estimate of additional resources that may be necessary to meet future needs;
- (5) an analysis of expected changes in the services provided by the agency because of changes in state or federal law;
- (6) a description of the means and strategies for meeting the agency's needs, including future needs, and achieving the goals established under Section 2056.006 for each area of state government for which the agency provides services;
- (7) a description of the capital improvement needs of the agency during the term of the plan and a statement, if appropriate, of the priority of those needs;
- (8) identification of each geographic region of this state, including the Texas-Louisiana border region and the Texas-Mexico border region, served by the agency, and if appropriate the agency's means and strategies for serving each region;
- (9) a description of the training of the agency's contract managers under Section 656.052;
- (10) an analysis of the agency's expected expenditures that relate to federally owned or operated military installations or facilities, or communities where a federally owned or operated military installation or facility is located;
- (11) an analysis of the strategic use of information resources as provided by the instructions prepared under Section 2054.095; ~~and~~
- (12) a written certification of the agency's compliance with the cybersecurity training required under Sections 2054.5191 and 2054.5192; and
- (13) other information that may be required.

SECTION 5. Section 2054.519(f), Government Code, as added by Chapter 1308 (**HB 3834**), Acts of the 86th Legislature, Regular Session, 2019, is repealed.

SECTION 6. (a) Section 772.012, Government Code, as added by this Act, applies only to a grant application submitted by a local government on or after September 1, 2021.

(b) Section 2056.002(b), Government Code, as amended by this Act, applies only to a strategic plan submitted by a state agency on or after January 1, 2022.

SECTION 7. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

HB 390 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative S. Thompson called up with senate amendments for consideration at this time,

HB 390, A bill to be entitled An Act relating to requirements for human trafficking awareness and prevention in commercial lodging establishments; authorizing a civil penalty.

Representative S. Thompson moved to concur in the senate amendments to **HB 390**.

The motion to concur in the senate amendments to **HB 390** prevailed by (Record 718): 125 Yeas, 17 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Sherman; Shine; Smith; Spiller; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Dean; Gates; Hefner; Holland; Krause; Leman; Patterson; Paul; Shaheen; Slaton; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Middleton; Perez; Schofield; Slawson; Stephenson.

STATEMENTS OF VOTE

When Record No. 718 was taken, I was shown voting no. I intended to vote yes.

Leman

When Record No. 718 was taken, I was in the house but away from my desk. I would have voted no.

Middleton

When Record No. 718 was taken, I was in the house but away from my desk. I would have voted no.

Slawson

When Record No. 718 was taken, I was temporarily out of the house chamber. I would have voted yes.

Stephenson

Senate Committee Substitute

CSHB 390, A bill to be entitled An Act relating to requirements for human trafficking awareness and prevention in commercial lodging establishments; authorizing a civil penalty.

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

SECTION 1. Subtitle C, Title 5, Business & Commerce Code, is amended by adding Chapter 114 to read as follows:

CHAPTER 114. HUMAN TRAFFICKING AWARENESS AND PREVENTION
IN COMMERCIAL LODGING ESTABLISHMENTS
SUBCHAPTER A. GENERAL PROVISIONS

Sec. 114.0001. DEFINITIONS. In this chapter:

(1) "Commercial lodging establishment" means a hotel, motel, inn, or similar business entity that offers more than 10 rooms to the public for temporary lodging for a fee.

(2) "Human trafficking" means conduct that constitutes an offense under Section 20A.02, Penal Code.

(3) "Operator" means a person who owns, operates, manages, or controls a business entity.

(4) "Peace officer" means a peace officer described by Article 2.12, Code of Criminal Procedure, appointed or employed to serve as a peace officer for a law enforcement agency of a political subdivision.

Sec. 114.0002. RULES. The attorney general by rule shall:

(1) establish the requirements for operators of commercial lodging establishments to comply with the training required under Section 114.0051;

(2) create and make available to commercial lodging establishments a template for the sign required under Section 114.0053; and

(3) designate a telephone number for reporting a suspected act of human trafficking or a violation of this chapter.

Sec. 114.0003. EFFECT ON MUNICIPAL ORDINANCES. (a) This chapter does not preempt a municipal ordinance, rule, or other regulation related to human trafficking awareness and prevention in commercial lodging establishments, including training and certification requirements.

(b) If a municipal ordinance described by Subsection (a) conflicts with a provision of this chapter, the more stringent regulation controls to the extent of the conflict.

SUBCHAPTER B. MEASURES TO PREVENT HUMAN TRAFFICKING

Sec. 114.0051. TRAINING REQUIRED. (a) The operator of a commercial lodging establishment shall require each employee who is directly employed by the establishment to complete an annual human trafficking awareness and prevention training program. The training program, including any supporting supplemental training material, must:

- (1) be not less than 20 minutes in duration;
- (2) be approved by the attorney general or appear on the list of preapproved training programs published by the attorney general;
- (3) be completed by a new employee of the establishment not later than the 90th day after the date the employee is hired;
- (4) provide a certificate of completion for an employee who completes the training; and

(5) include:

- (A) an overview of human trafficking, including a description of:
 - (i) the experience of human trafficking victims;
 - (ii) how and why human trafficking takes place in the hospitality industry; and

(iii) how human trafficking is defined;

(B) guidance on how to identify individuals who are most at risk for human trafficking;

(C) information on the difference between labor and sex trafficking as that relates to identification of human trafficking in the hospitality industry;

(D) guidance on the role of an employee in reporting and responding to human trafficking; and

(E) the contact information of appropriate entities for reporting human trafficking, including:

(i) the National Human Trafficking Hotline toll-free telephone number and text line;

(ii) appropriate local law enforcement agencies; and

(iii) a telephone number designated by the attorney general for reporting suspected human trafficking.

(b) The training required under this section may be offered in person or online. Online training must include a pacing mechanism that requires the employee to read all course materials, view all videos, complete all coursework, and certify that the employee has completed all coursework before issuing a certificate of completion.

(c) The attorney general shall publish on the attorney general's Internet website a list of preapproved training programs that satisfy the requirements for the human trafficking awareness and prevention training program required by this section.

Sec. 114.0052. TRAINING COMPLIANCE; RECORD RETENTION. (a) The operator of a commercial lodging establishment shall maintain, in the form and manner prescribed by the attorney general, all documentation and certificates of completion for all current and former employees of the establishment who have completed the human trafficking training required by Section 114.0051.

(b) The operator shall maintain sufficient records to show the operator's compliance with Section 114.0051 and shall provide the records to the attorney general, in the form and manner prescribed by the attorney general, not later than 72 hours after the attorney general requests the records.

Sec. 114.0053. SIGN REQUIRED. The operator of a commercial lodging establishment shall display at the commercial lodging establishment a sign, in the form prescribed by the attorney general, that:

(1) includes a statement that employees of the commercial lodging establishment are required to receive annual human trafficking training and may not be disciplined, retaliated against, or otherwise discriminated against for making a good faith report of a suspected act of human trafficking;

(2) includes information on how to recognize and report human trafficking, including a list of indicators of human trafficking;

(3) includes a phone number designated by the attorney general for reporting a suspected act of human trafficking or a violation of this chapter;

(4) is at least 11 inches by 17 inches in size and written in at least a 16-point font;

(5) is posted separately in English, Spanish, and any other primary language spoken by 10 percent or more of the establishment's employees; and

(6) is posted in a location that is easily visible to all employees.

Sec. 114.0054. DISCRIMINATION AND RETALIATION PROHIBITED. The operator of a commercial lodging establishment may not discipline, retaliate against, or otherwise discriminate against an employee who in good faith reports a suspected act of human trafficking to the operator, a law enforcement agency, the National Human Trafficking Resource Center, the attorney general, or any other appropriate authority.

SUBCHAPTER C. ENFORCEMENT

Sec. 114.0101. ENTRY BY PEACE OFFICER. A peace officer may enter the premises of a commercial lodging establishment between the hours of 9 a.m. and 5 p.m. Monday through Friday to ensure compliance with this chapter.

Sec. 114.0102. OPPORTUNITY TO CURE. If the attorney general has reason to believe an operator of a commercial lodging establishment has violated this chapter, the attorney general shall provide written notice to the operator that:

(1) describes the operator's violation;

(2) states that the commercial lodging establishment may be liable for a civil penalty if the operator does not cure the violation before the 30th day after the date the operator receives the notice; and

(3) includes the maximum potential civil penalty that may be imposed for the violation.

Sec. 114.0103. CIVIL PENALTY. (a) If the operator of a commercial lodging establishment fails to cure a violation of this chapter before the 30th day after the date the operator receives notice of the violation under Section 114.0102, the establishment is liable to this state for a civil penalty in an amount not to exceed \$500 for each violation. Each day a violation continues is a separate violation for purposes of imposing the civil penalty.

(b) In determining the amount of a civil penalty to impose under this section, a court must consider:

- (1) the seriousness of a violation;
- (2) a history of previous violations;
- (3) the amount necessary to deter a future violation;
- (4) efforts made to correct a violation; and
- (5) any other matter that justice may require.

Sec. 114.0104. ACTION BY ATTORNEY GENERAL. (a) The attorney general may bring an action in the name of the state:

- (1) to recover a civil penalty imposed under Section 114.0103; or
- (2) for injunctive relief to require compliance with this chapter.

(b) An action under this section may be brought in a district court in:

- (1) Travis County; or
- (2) a county in which any part of the violation or threatened violation

occurs.

(c) The attorney general may recover reasonable expenses incurred in obtaining injunctive relief or a civil penalty under this section, including court costs, reasonable attorney's fees, and investigatory costs.

SECTION 2. Not later than December 1, 2021, the attorney general shall adopt rules necessary to implement Chapter 114, Business & Commerce Code, as added by this Act.

SECTION 3. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2021.

(b) Chapter 114, Business & Commerce Code, as added by this Act, takes effect January 1, 2022.

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

Amend **CSHB 390** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 114.0001(4), Business & Commerce Code (page 1, lines 37 through 38), strike "of a political subdivision".

(2) In SECTION 1 of the bill, in added Section 114.0051(a)(5)(E)(ii), Business & Commerce Code (page 2, line 31), strike "local".

(3) In SECTION 1 of the bill, in added Section 114.0053, Business & Commerce Code (page 3, between lines 1 and 2), insert a new Subdivision (4) as follows and renumber subsequent subdivisions of Section 114.0053 and cross-references to those subdivisions accordingly:

(4) includes the contact information for reporting suspicious activity to the Department of Public Safety;

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 1064 ON THIRD READING
(Schofield - House Sponsor)**

SB 1064, A bill to be entitled An Act relating to the extended registration of certain county fleet vehicles.

SB 1064 was passed by (Record 719): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Slawson.

STATEMENT OF VOTE

When Record No. 719 was taken, I was in the house but away from my desk. I would have voted yes.

Slawson

**SB 295 ON THIRD READING
(Minjarez - House Sponsor)**

SB 295, A bill to be entitled An Act relating to the confidential and privileged communications and records of victims of certain sexual assault offenses.

Amendment No. 1

Representative Minjarez offered the following amendment to **SB 295**:

Amend **SB 295** on third reading as follows:

(1) In amended Section 420.072(a)(5), Government Code, strike:

~~[(4) a person authorized to receive the disclosure as a result of written consent obtained under Section 420.073 or 420.0735;] or~~

(2) In amended Section 420.072(a)(6), Government Code, strike "~~[(5)]~~" and substitute the following:

~~[(4) a person authorized to receive the disclosure as a result of written consent obtained under Section 420.073 or 420.0735; or~~

~~[(5)]~~

(3) In amended Section 420.072(a)(6), Government Code, between "survivor" and the period, insert the following:

; or

(7) the communication or record is in the possession, custody, or control of the state and a court, after conducting an in camera review of the communication or record, determines the communication or record is exculpatory, provided that the disclosure is limited to the specific portion of the communication or record that was determined to be exculpatory in relation to a defendant in a criminal case

(4) Strike the SECTION of the bill repealing Section 420.074, Government Code, and substitute the following appropriately numbered SECTION:

SECTION ____ . Section 420.074, Government Code, is amended to read as follows:

Sec. 420.074. DISCLOSURE OF PRIVILEGED COMMUNICATIONS OR OTHER INFORMATION IN CRIMINAL PROCEEDING [SUBPOENA].

(a) Subject to the provisions [Notwithstanding any other provision] of this chapter, not later than the 30th day before the date of the trial, a defendant in a criminal proceeding may make a motion for disclosure of a communication or record that is privileged under this chapter. The motion must include a supporting affidavit showing reasonable grounds to believe the privileged communication or record contains exculpatory evidence.

(b) The defendant shall serve the motion on the attorney representing the state and the person who holds the privilege with regard to the communication or record at issue.

(c) The court shall order the privileged communication or record to be produced for the court under seal and shall examine the communication or record in camera if the court finds by a preponderance of the evidence that:

(1) there is a good-faith, specific, and reasonable basis for believing that the privileged communication or record is relevant, material, and exculpatory upon the issue of guilt for the offense charged; and

(2) the privileged communication or record would not be duplicative of other evidence or information available or already obtained by the defendant.

(d) The court ~~[a person]~~ shall disclose to the defendant and to the state only the evidence that the court finds to be exculpatory on the issue of guilt for the offense charged ~~[a communication, a record, or evidence that is confidential under this chapter for use in a criminal investigation or proceeding in response to a subpoena issued in accordance with law].~~

Amendment No. 1 was adopted.

SB 295, as amended, was passed by (Record 720): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Johnson, J.D.; Pacheco.

SB 1334 ON THIRD READING (Canales - House Sponsor)

SB 1334, A bill to be entitled An Act relating to the lease, rental, and donation to the United States of certain facilities relating to a toll bridge by certain counties and municipalities.

SB 1334 was passed by (Record 721): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard;

Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Harless; Slawson.

STATEMENTS OF VOTE

When Record No. 721 was taken, my vote failed to register. I would have voted yes.

Harless

When Record No. 721 was taken, I was in the house but away from my desk. I would have voted yes.

Slawson

SB 1555 ON THIRD READING (Raney and Button - House Sponsors)

SB 1555, A bill to be entitled An Act relating to establishing reimbursement rates for certain child-care providers participating in the subsidized child-care program administered by the Texas Workforce Commission.

SB 1555 was passed by (Record 722): 120 Yeas, 23 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond;

Rodriguez; Rogers; Romero; Rosenthal; Schofield; Sherman; Shine; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Bell, C.; Biedermann; Burns; Cain; Cason; Hefner; Holland; Krause; Leman; Middleton; Noble; Oliverson; Patterson; Sanford; Schaefer; Shaheen; Slaton; Smith; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Reynolds; Rose; Slawson; Spiller.

STATEMENTS OF VOTE

When Record No. 722 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 722 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 722 was taken, I was in the house but away from my desk. I would have voted yes.

Reynolds

When Record No. 722 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

When Record No. 722 was taken, I was in the house but away from my desk. I would have voted no.

Slawson

When Record No. 722 was taken, my vote failed to register. I would have voted yes.

Spiller

SB 43 ON THIRD READING

(Ortega, Parker, Capriglione, Muñoz, and Rodriguez - House Sponsors)

SB 43, A bill to be entitled An Act relating to residential mortgage loans, including the financing of residential real estate purchases by means of a wrap mortgage loan; providing licensing and registration requirements; authorizing an administrative penalty.

SB 43 was passed by (Record 723): 101 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bernal; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel;

Dominguez; Dutton; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Stephenson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Bell, C.; Bell, K.; Biedermann; Bonnen; Burns; Cain; Cason; Cyrier; Ellzey; Gates; Goldman; Harris; Hefner; Holland; Hull; King, P.; Krause; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Patterson; Paul; Price; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

STATEMENTS OF VOTE

When Record No. 723 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 723 was taken, I was shown voting yes. I intended to vote no.

Morrison

MAJOR STATE CALENDAR

SENATE BILLS

SECOND READING

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

SB 8 ON SECOND READING

(Slawson, Burrows, Klick, Cain, Leach, et al. - House Sponsors)

SB 8, A bill to be entitled An Act relating to abortion, including abortions after detection of an unborn child's heartbeat; authorizing a private civil right of action.

Representative Slawson moved to postpone consideration of **SB 8** until the end of the third reading calendar.

The motion prevailed.

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

HB 4139 ON THIRD READING

(by Coleman, Rose, J.D. Johnson, Howard, S. Thompson, et al.)

HB 4139, A bill to be entitled An Act relating to the Office for Health Equity.

HB 4139 was passed by (Record 724): 77 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Beckley; Bernal; Bowers; Buckley; Bucy; Campos; Cole; Collier; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Raney; Raymond; Rodrigue; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Burns; Burrows; Cain; Capriglione; Cason; Clardy; Cyrier; Darby; Ellzey; Frank; Goldman; Harless; Harris; Hefner; Holland; Hull; Jetton; King, P.; Krause; Landgraf; Leach; Metcalf; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Rogers; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

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

Absent, Excused — Coleman; Smithee.

Absent — Anchia; Bailes; Button; Canales; Cook; Cortez; Craddick; Dean; Frullo; Geren; Larson; Leman; Reynolds; Sanford; Shine; Stephenson; Turner, C.; VanDeaver.

STATEMENTS OF VOTE

When Record No. 724 was taken, I was in the house but away from my desk. I would have voted no.

Bailes

When Record No. 724 was taken, I was in the house but away from my desk. I would have voted yes.

Button

When Record No. 724 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 724 was taken, my vote failed to register. I would have voted no.

Cook

When Record No. 724 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

When Record No. 724 was taken, my vote failed to register. I would have voted no.

Frullo

When Record No. 724 was taken, I was in the house but away from my desk. I would have voted no.

Geren

When Record No. 724 was taken, I was in the house but away from my desk. I would have voted no.

Leman

When Record No. 724 was taken, I was in the house but away from my desk. I would have voted yes.

Reynolds

When Record No. 724 was taken, I was in the house but away from my desk. I would have voted no.

Sanford

When Record No. 724 was taken, I was excused because of important business in the district. I would have voted no.

Smithee

When Record No. 724 was taken, I was in the house but away from my desk. I would have voted yes.

C. Turner

When Record No. 724 was taken, I was in the house but away from my desk. I would have voted no.

VanDeaver

HB 3702 ON THIRD READING
(by Paddie, Meyer, et al.)

HB 3702, A bill to be entitled An Act relating to prohibiting the enactment of a law that imposes a tax on certain transactions that either convey a security or involve specified derivative contracts.

HB 3702 was passed by (Record 725): 134 Yeas, 7 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Raymond; Reynolds; Rodriguez; Rogers; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — González, J.; Goodwin; Leach; Morales, C.; Ramos; Rose; Tinderholt.

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

Absent, Excused — Coleman; Smithee.

Absent — González, M.; Martinez Fischer; Morales Shaw; Romero; Toth.

STATEMENTS OF VOTE

When Record No. 725 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 725 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

When Record No. 725 was taken, my vote failed to register. I would have voted present, not voting.

Morales Shaw

When Record No. 725 was taken, I was shown voting yes. I intended to vote no.

Neave

When Record No. 725 was taken, I was in the house but away from my desk. I would have voted no.

Romero

When Record No. 725 was taken, I was in the house but away from my desk. I would have voted yes.

Toth

HB 3924 ON THIRD READING

(by Oliverson, Anderson, Middleton, Frank, T. King, et al.)

HB 3924, A bill to be entitled An Act relating to health benefits offered by certain nonprofit agricultural organizations.

Amendment No. 1

Representatives Oliverson and Martinez Fischer offered the following amendment to **HB 3924**:

Amend **HB 3924** on third reading on page 4, between lines 16 and 17, by inserting the following appropriately numbered section:

Sec. ____ . APPLICABILITY OF CERTAIN LAWS TO NONPROFIT AGRICULTURAL ORGANIZATION HEALTH BENEFITS. Notwithstanding Section 1682.004, a nonprofit agricultural organization that offers nonprofit agricultural organization health benefits that are determined by the commissioner to be structured in the manner of a preferred provider benefit plan or an exclusive provider benefit plan, as those terms are defined by Section 1301.001, is subject to the following laws and rules as if the nonprofit agricultural organization were an insurer, individuals entitled to nonprofit agricultural organization health benefits were insureds, and the nonprofit agricultural organization health benefits were provided through an insurance policy subject to Chapter 1301:

- (1) Section 1301.005;
- (2) Section 1301.0053;
- (3) Section 1301.0055;
- (4) Section 1301.006;
- (5) Section 1301.010;
- (6) Section 1301.155;
- (7) Section 1301.164;
- (8) Section 1301.165;
- (9) Chapter 1467; and
- (10) 28 T.A.C. Chapter 3, Subchapter X.

Amendment No. 1 was adopted.

HB 3924, as amended, was passed by (Record 726): 106 Yeas, 39 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, M.; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Metcalf;

Meyer; Middleton; Morales, E.; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Ordaz Perez; Pacheco; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Reynolds; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Collier; Fierro; González, J.; Goodwin; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Lopez; Meza; Minjarez; Moody; Morales, C.; Neave; Ortega; Perez; Ramos; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Martinez Fischer; Morales Shaw.

STATEMENTS OF VOTE

When Record No. 726 was taken, I was shown voting yes. I intended to vote no.

Crockett

When Record No. 726 was taken, my vote failed to register. I would have voted no.

Martinez Fischer

When Record No. 726 was taken, my vote failed to register. I would have voted no.

Morales Shaw

HB 3752 ON THIRD READING (by Frank, Oliverson, Raymond, White, et al.)

HB 3752, A bill to be entitled An Act relating to the offering of health benefits by subsidiaries of the Texas Mutual Insurance Company.

HB 3752 was passed by (Record 727): 100 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cook; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Morales, E.; Morrison; Murphy; Murr; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Raymond; Reynolds; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson; Zwiener.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Cole; Collier; Cortez; Deshotel; Dominguez; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Muñoz; Neave; Ordaz Perez; Ortega; Ramos; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Turner, C.; Turner, J.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Morales Shaw.

STATEMENTS OF VOTE

When Record No. 727 was taken, I was shown voting yes. I intended to vote no.

Crockett

When Record No. 727 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 727 was taken, my vote failed to register. I would have voted no.

Morales Shaw

HB 1340 ON THIRD READING

(by Leach, S. Thompson, Dutton, Smithee, Collier, et al.)

HB 1340, A bill to be entitled An Act relating to the extent of a defendant's criminal responsibility for the conduct of a coconspirator in a capital murder case.

HB 1340 was passed by (Record 728): 135 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wu; Zwiener.

Nays — Hefner; Holland; Leman; Murr; Shaheen; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Bailes; Biedermann; Johnson, A.; Martinez Fischer; Rodriguez; Swanson.

STATEMENTS OF VOTE

When Record No. 728 was taken, I was in the house but away from my desk. I would have voted yes.

Biedermann

When Record No. 728 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

When Record No. 728 was taken, I was in the house but away from my desk. I would have voted yes.

Rodriguez

When Record No. 728 was taken, my vote failed to register. I would have voted yes.

Swanson

HB 1869 ON THIRD READING

(by Burrows, Bonnen, Middleton, Tinderholt, et al.)

HB 1869, A bill to be entitled An Act relating to the definition of debt for the purposes of calculating certain ad valorem tax rates of a taxing unit.

Representative Burrows moved to postpone consideration of **HB 1869** until 12 p.m. today.

The motion prevailed.

HB 3354 ON THIRD READING

(by Burrows)

HB 3354, A bill to be entitled An Act relating to the location of certain justice courts.

HB 3354 was passed by (Record 729): 146 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Slaton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

HB 1300 ON THIRD READING
(by Guillen, Ramos, Muñoz, and Raymond)

HB 1300, A bill to be entitled An Act relating to the reading and marking of a ballot by a person occupying a voting station or by the person's child.

HB 1300 was passed by (Record 730): 125 Yeas, 17 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paul; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wu; Zwiener.

Nays — Ashby; Bell, C.; Cain; Cason; Clardy; Ellzey; Harris; Hefner; Holland; Krause; Middleton; Murr; Noble; Paddie; Patterson; Price; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Geren; Parker; Rogers; Rose; Thompson, S.

STATEMENTS OF VOTE

When Record No. 730 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 730 was taken, I was in the house but away from my desk. I would have voted no.

Geren

When Record No. 730 was taken, my vote failed to register. I would have voted no.

Parker

When Record No. 730 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

When Record No. 730 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 730 was taken, I was shown voting yes. I intended to vote no.

Slaton

When Record No. 730 was taken, I was shown voting yes. I intended to vote no.

Toth

**HB 3535 ON THIRD READING
(by Hunter)**

HB 3535, A bill to be entitled An Act relating to the availability of dates of birth under the public information law.

HB 3535 was passed by (Record 731): 143 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega;

Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Noble; Schaefer; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Dutton.

STATEMENT OF VOTE

When Record No. 731 was taken, I was shown voting yes. I intended to vote no.

Toth

HB 2924 ON THIRD READING (by Dutton)

HB 2924, A bill to be entitled An Act relating to certain grounds for the involuntary termination of the parent-child relationship.

HB 2924 was passed by (Record 732): 133 Yeas, 14 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Shaheen; Sherman; Shine; Slaton; Spiller; Stephenson; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Cain; Cyrier; Hefner; Krause; Murr; Patterson; Schaefer; Schofield; Slawson; Smith; Stucky; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

HB 1509 ON THIRD READING
(by Murphy)

HB 1509, A bill to be entitled An Act relating to enhancing the criminal penalties for certain repeat and habitual offenders.

HB 1509 was passed by (Record 733): 102 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Deshotel; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Johnson, A.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, E.; Morrison; Murphy; Murr; Neave; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Reynolds; Rogers; Rose; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Cole; Collier; Cortez; Crockett; Davis; Dean; Dominguez; González, J.; González, M.; Goodwin; Hinojosa; Howard; Israel; Johnson, J.E.; Lopez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Ordaz Perez; Ortega; Perez; Ramos; Rodriguez; Romero; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Dutton; Guerra; Johnson, J.D.; Muñoz.

STATEMENTS OF VOTE

When Record No. 733 was taken, I was shown voting yes. I intended to vote no.

Deshotel

When Record No. 733 was taken, I was in the house but away from my desk. I would have voted yes.

Guerra

When Record No. 733 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

When Record No. 733 was taken, I was shown voting yes. I intended to vote no.

Neave

When Record No. 733 was taken, I was shown voting yes. I intended to vote no.

Rose

HB 3923 ON THIRD READING
(by Oliverson, Shaheen, Rogers, et al.)

HB 3923, A bill to be entitled An Act relating to multiple employer welfare arrangements.

HB 3923 was passed by (Record 734): 93 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Crockett; Cyrier; Darby; Dean; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Johnson, A.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Middleton; Morales, E.; Morales Shaw; Muñoz; Murphy; Murr; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Rose; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Deshotel; Dominguez; Gervin-Hawkins; González, J.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, J.D.; Lopez; Lucio; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Neave; Ordaz Perez; Ortega; Perez; Ramos; Reynolds; Rodriguez; Romero; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — González, M.; Guerra; Johnson, J.E.; Martinez; Morrison; Thompson, E.

STATEMENTS OF VOTE

When Record No. 734 was taken, I was shown voting yes. I intended to vote no.

Crockett

When Record No. 734 was taken, I was in the house but away from my desk. I would have voted no.

Guerra

When Record No. 734 was taken, I was in the house but away from my desk. I would have voted no.

Martinez

When Record No. 734 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 734 was taken, I was shown voting yes. I intended to vote no.

Rose

HB 1518 ON THIRD READING
(by Dutton)

HB 1518, A bill to be entitled An Act relating to the hours for selling alcoholic beverages in certain establishments.

HB 1518 was passed by (Record 735): 126 Yeas, 19 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Cason; Cole; Collier; Cortez; Crockett; Cyrier; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Sherman; Shine; Slaton; Spiller; Stephenson; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Ashby; Cain; Capriglione; Clardy; Cook; Craddick; Darby; Hefner; King, P.; Klick; Noble; Paul; Rogers; Shaheen; Slawson; Smith; Stucky; Thompson, E.; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Schofield; Wilson.

STATEMENTS OF VOTE

When Record No. 735 was taken, I was shown voting no. I intended to vote yes.

Darby

When Record No. 735 was taken, I was shown voting yes. I intended to vote no.

Oliverson

When Record No. 735 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 735 was taken, I was shown voting yes. I intended to vote no.

Swanson

When Record No. 735 was taken, I was shown voting yes. I intended to vote no.

Toth

HB 3046 ON THIRD READING
(by Middleton, Burrows, Metcalf, Harris, et al.)

HB 3046, A bill to be entitled An Act relating to the identification of and prohibited cooperation by state and local entities with certain federal acts that violate the United States Constitution.

HB 3046 was passed by (Record 736): 95 Yeas, 50 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Crockett; Cyrier; Darby; Dean; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Middleton; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Ordaz Perez; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Rose; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Vo; White; Wilson.

Nays — Allen; Anchia; Beckley; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Deshotel; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Johnson, A.; Johnson, J.E.; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave; Ortega; Perez; Ramos; Reynolds; Rodriguez; Romero; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Dominguez; Pacheco.

STATEMENTS OF VOTE

When Record No. 736 was taken, I was shown voting yes. I intended to vote no.

Crockett

When Record No. 736 was taken, I was shown voting yes. I intended to vote no.

J.D. Johnson

When Record No. 736 was taken, I was shown voting yes. I intended to vote no.

Israel

When Record No. 736 was taken, I was shown voting yes. I intended to vote no.

Rose

HB 1564 ON THIRD READING
(by M. González)

HB 1564, A bill to be entitled An Act relating to the appointment of a receivership for and disposition of certain platted lots that are abandoned, unoccupied, and undeveloped in certain counties.

HB 1564 was passed by (Record 737): 122 Yeas, 24 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Landgraf; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Parker; Patterson; Paul; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Rose; Rosenthal; Schofield; Sherman; Shine; Slaton; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Cain; Craddick; Goldman; Harris; Hefner; Holland; Jetton; Klick; Krause; Leach; Minjarez; Noble; Oliverson; Paddie; Price; Romero; Sanford; Schaefer; Shaheen; Slawson; Smith; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Johnson, J.D.

STATEMENTS OF VOTE

When Record No. 737 was taken, I was shown voting yes. I intended to vote no.

Swanson

When Record No. 737 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

HB 3215 ON THIRD READING

(by Geren)

HB 3215, A bill to be entitled An Act relating to energy efficiency building standards.

HB 3215 was passed by (Record 738): 145 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Hinojosa.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Reynolds.

STATEMENTS OF VOTE

When Record No. 738 was taken, I was shown voting yes. I intended to vote no.

Ramos

When Record No. 738 was taken, I was shown voting yes. I intended to vote no.

Rodriguez

HB 1193 ON THIRD READING
(by Wu, Rose, White, Leach, and Moody)

HB 1193, A bill to be entitled An Act relating to the jurisdiction of a juvenile court over certain persons and to the sealing and nondisclosure of certain juvenile records.

HB 1193 was passed by (Record 739): 126 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schaefer; Shaheen; Sherman; Shine; Slaton; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Bonnen; Cyrier; Goldman; Harless; Harris; Hefner; Holland; Klick; Krause; Leman; Murr; Patterson; Raney; Sanford; Schofield; Slawson; Smith; Swanson; Tinderholt; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

STATEMENTS OF VOTE

When Record No. 739 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 739 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 739 was taken, I was shown voting yes. I intended to vote no.

Toth

HB 1646 ON THIRD READING
(by Lambert, Price, Vo, S. Thompson, et al.)

HB 1646, A bill to be entitled An Act relating to modification of certain prescription drug benefits and coverage offered by certain health benefit plans.

HB 1646 was passed by (Record 740): 101 Yeas, 45 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bowers; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Sherman; Smith; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Bonnen; Buckley; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Dean; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; King, P.; Krause; Landgraf; Leach; Metcalf; Middleton; Morrison; Murr; Noble; Oliverson; Parker; Patterson; Paul; Raney; Schaefer; Shaheen; Shine; Slaton; Slawson; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Schofield.

STATEMENTS OF VOTE

When Record No. 740 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 740 was taken, I was shown voting no. I intended to vote yes.

Frullo

When Record No. 740 was taken, I was shown voting no. I intended to vote yes.

Raney

When Record No. 740 was taken, my vote failed to register. I would have voted no.

Schofield

When Record No. 740 was taken, I was shown voting yes. I intended to vote no.

Spiller

HB 2867 ON THIRD READING
(by Raymond and Guillen)

HB 2867, A bill to be entitled An Act relating to the issuance of a temporary license for an assisted living facility that has a change in ownership.

HB 2867 was passed by (Record 741): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Rose.

STATEMENT OF VOTE

When Record No. 741 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

HB 622 ON THIRD READING
(by Gervin-Hawkins)

HB 622, A bill to be entitled An Act relating to creating abbreviated educator preparation programs for certification in marketing education and certification in health science technology education.

HB 622 was passed by (Record 742): 123 Yeas, 23 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Cason; Cole; Collier; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wu; Zwiener.

Nays — Ashby; Cain; Capriglione; Clardy; Cook; Cyrier; González, J.; González, M.; Harris; Hefner; Jetton; King, K.; Leman; Murr; Noble; Oliverson; Patterson; Ramos; Rogers; Slawson; Smith; Spiller; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Walle.

STATEMENTS OF VOTE

When Record No. 742 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 742 was taken, I was shown voting yes. I intended to vote no.

Morales Shaw

When Record No. 742 was taken, I was shown voting yes. I intended to vote no.

Toth

HB 2497 ON THIRD READING**(by Parker, Oliverson, Metcalf, Landgraf, Lambert, et al.)**

HB 2497, A bill to be entitled An Act relating to the establishment and duties of the Texas 1836 Project.

HB 2497 - REMARKS

REPRESENTATIVE PARKER: I welcome the opportunity to come before you again with **HB 2497**, which establishes the Texas 1836 Project. Again, it's all about establishing a reminding of our history and focusing on creating an advisory committee with the goal of promoting civics education and increasing awareness of the rich history and values of our state.

REPRESENTATIVE J.D. JOHNSON: Chairman Parker, thank you for allowing me to ask you a couple of questions. I had the opportunity of talking with you at your desk to get a better understanding of what this is. When you're looking at talking about the 1836 Project, what about our history in Texas are you more so looking to magnify or to concentrate on?

PARKER: Representative, my focus with this piece of legislation is that we cover all of the history of Texas. You can't pick and choose your history. All of it—the good, the bad, all of our history—needs to be taught and be a part of the 1836 Project.

J.D. JOHNSON: Because one thing that we do know is that Texas and the United States didn't get here just simply on its own. It took a collective work and then certainly the enslavement of a whole lot of people to make Texas great and make this country great. So I want to make sure that the people who are going to be a part of this project will be indicative of this state and that those that will be on this project will have the entire history. Who will be on this or how will you pick the people to be a part of this project?

PARKER: Representative, great question. The advisory group will be appointed by the governor, lieutenant governor, and the speaker, and we'll make certain that it is a broad, diverse group of people that would reflect all of Texas, just as the bill references.

J.D. JOHNSON: Again, one of the things that I don't want to see is for us to whitewash our history. We change the narrative of what we are and who we are. I think there's some honesty that needs to go into what we do and what we talk about with Texas and the United States. And I think that will start to create a unity as opposed to a divide. So I appreciate the ability to have this conversation, but we want to make sure that there are going to be others that can be a part of this project to make it a real project that we can all be proud of.

PARKER: Representative, that's absolutely the objective. I look forward to walking through the process, being close to it, and making certain it reflects all of our history as you just said. Yes, sir.

REPRESENTATIVE GUERRA: Tan, 10 years ago, the Tejano monument was installed here on these Capitol grounds. You're aware of that, correct?

PARKER: Yes.

GUERRA: And it even celebrated the Hispanic culture that was here before Texas was Texas. You're aware of that?

PARKER: Yes, sir.

GUERRA: And in Texas history, it's left an indelible mark on what Texas is today. As an example, in cowboy language, "corral"—that started out *corral* (in Spanish), okay? And I could go on and on and on. I won't bore you with that because you and I have discussed these issues before. Encompassed in your bill, is it important that the Tejano history that has been left here in Texas and is still celebrated today—that is still going to continue under your bill, correct?

PARKER: Representative Guerra, absolutely it will, 100 percent, and the language of the bill even references it. So yes, sir, absolutely, it will.

GUERRA: I thank you.

PARKER: All of our history. All of our history—yes, sir.

GUERRA: All of our history, and that's very important—the German culture, the Italian culture, I could go on. But particularly, I think so important is the Hispanic culture that was left here in Texas, which we celebrate all across Texas. But sometimes I think parts of our state forget that, and I just wanted to make sure that your bill is going to make sure that that history is going to be important as well.

PARKER: Representative Guerra, it absolutely will. I look forward to working with you on that, but absolutely, it will.

REPRESENTATIVE CANALES: Chairman Parker, thank you for bringing this bill, and I appreciate the comments of my colleague and delegation member Bobby Guerra. I, too, am concerned. We have a history in this state of burying things that aren't convenient, some of the atrocities that have been carried out, some of the injustices that have been carried out. Above my picture back here, my great-uncle, a hundred years ago, investigated the Rangers and the atrocities that they carried out. And those hearings were sealed in Texas. We couldn't see them for a great amount of time. The history of South Texas is a beautiful one, but it also has a sordid past, including the atrocities carried out by the famed King Ranch that used Rangers as henchmen and murdered thousands of Mexican Americans. And I just want to make sure that when we're talking about Texas history that we're talking about the real Texas history and that we're not going to hide from what actually occurred. There was slavery in Texas during portions of our history. And I just want to make sure that we talk about all the things we're proud of but also the things we're not so proud of so that we don't repeat what we've done before.

PARKER: Representative Canales, I agree fully that we need to learn from our history. We need to celebrate the good. We need to recognize the bad so it never occurs again. But this bill, the 1836 Project, is about all the history of Texas. We cannot selectively pick and choose our history. It's all of our history. So I'm

proud to bring this forward and working with you, sir, and all of our colleagues to make certain that this project recognizes and resembles accurately all of our history.

CANALES: Well, I want to thank you, and I look forward to working with you.

REPRESENTATIVE COLLIER: Representative Parker, are you familiar with the monuments that are on the grounds of the Texas Capitol? You heard Representative Guerra talk about the Tejano monument. Are you familiar with the African American monument that's on the grounds?

PARKER: I'm familiar with the monuments on the grounds.

COLLIER: Okay, so one of the monuments recognizes that slavery, during the republic and early statehood from 1836-1860, where it recognizes that African Americans—One of my concerns is I want to make sure that you have all of the history of Texas. Because you made the statement that this is talking about prosperity, but prosperity in Texas came on the backs of a lot of slaves that were introduced into Texas and that were brought to Texas. And so I want you to acknowledge that your bill will include all of the history, including the history of slavery in Texas.

PARKER: Chairman Collier, absolutely. I said it before and I will say it again: Absolutely all of the history of Texas is what's going to be a part of the 1836 Project. And in particular, with regard to slavery, you'll see that the bill even references Juneteenth. So 100 percent, all of the history of all the people of Texas will be incorporated into the 1836 Project.

COLLIER: Because it says between 1836 and 1860, the slave population in Texas grew from 5,000 to 182,566. So I want to make sure that you acknowledge and recognize that your bill would include education on the history of slavery in Texas.

PARKER: All of our history, Madam Chair. All of our history.

COLLIER: Is that a yes?

PARKER: That's why I referenced, specifically, Juneteenth, so yes.

COLLIER: That is a yes. Because we are prosperous because of the work of our Latinos and African Americans.

PARKER: Because of everybody that's come before us, absolutely.

REMARKS ORDERED PRINTED

Representative Collier moved to print all remarks on **HB 2497**.

The motion prevailed.

REPRESENTATIVE DAVIS: Chairman Parker, I just want to talk a little bit about the intent. You mentioned who's going to make the appointments to this advisory commission that's going to be looking at this. Can you talk about that? And I'd like to make sure that we include historians and have African American historians be part of that selection of that advisory council. Because I don't think

that it's spelled out, but I think sometimes people do our history differently than what we know it to be. So I want to make sure that that's considered and is part of the consideration.

PARKER: Madam Chair, absolutely. The appointment process will occur, as you see in the bill, from the big three, so to speak, but we will certainly influence who those selections are. I would love to work with you specifically. If you have any particular suggestion or multiple suggestions, I'd like to make certain that they get full consideration in the process so it is a broad group that puts it together.

DAVIS: So this group—just talk to me a little bit about the group so that we can make sure that we're having a conversation with regard to that. How many people are we talking about?

PARKER: We want real historians that have great depth, if you will, on all these topics about our history to all be a part of this 1836 Project that puts together all of our collective history, so to speak, for the future.

DAVIS: And I understand that. But in the 1836 Project—talk to me about who's going to be on that or who will be making the decisions or what kind of diversity should we expect that we need to put on to it to ensure that our issues are, in fact, reflective of what we know our history to be.

PARKER: I think you'll see that the appointments that are made will be reflective of our people broadly, the people of Texas. And we as members have the chance to influence what that looks like in terms of who gets appointed. So again, my offer to you is let's work together. If there are particular historians that you would like to see be part of this panel, let's work together and make certain we put them on the panel.

DAVIS: And forgive me, how many people are on this panel? I can't recall.

PARKER: So let me take you through it and give you the background. Basically, as you see here, so it's composed in total of nine people. The governor, the lieutenant governor, and the speaker of the house will each appoint three representatives. So just to be very clear about how it will work.

DAVIS: So I want to make sure that I have an understanding from you that it is your intent to provide direction to the speaker, the governor, and the lieutenant governor with regard to your intent to ensure that there is diverse participation on this panel and with the inclusion of African American and Hispanic historians and other historians that have knowledge of history going forward.

PARKER: Ms. Davis, most definitely. And so again, that's my offer. Let's work together. Any member of the body that would like to be involved in that process, let's work together as we get those selections made by, as I said earlier, our big three—the governor, lieutenant governor, and the speaker.

DAVIS: And the last thing I'd like to also ask you with regard to your intent and with regard to making sure that we don't use this panel as a way to eliminate any components of history that have been pretty much a part of this state. We don't want to lose any of the good, the bad, and the ugly. We want to make sure that it's reflective of what we know it to be. Is that correct?

PARKER: Absolutely, Madam Chair. It's about all of our history, as I said before. You can't pick and choose selectively our history. It's all of the history of the state. All will be incorporated into the 1836 Project going forward.

HB 2497 was passed by (Record 743): 124 Yeas, 19 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Cyrier; Darby; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, M.; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, E.; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Raymond; Rodriguez; Rogers; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; VanDeaver; Vasut; Vo; White; Wilson; Wu.

Nays — Allen; Anchia; Beckley; Bowers; Collier; Crockett; Deshotel; González, J.; Goodwin; Morales, C.; Neave; Pacheco; Ramos; Reynolds; Romero; Rose; Turner, J.; Walle; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Davis; Dean; Morales Shaw; Sherman.

STATEMENTS OF VOTE

When Record No. 743 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

When Record No. 743 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 743 was taken, I was in the house but away from my desk. I would have voted no.

Morales Shaw

When Record No. 743 was taken, I was in the house but away from my desk. I would have voted no.

Sherman

HB 1397 ON THIRD READING
(by White, et al.)

HB 1397, A bill to be entitled An Act relating to the required disclosure of entities with an ownership interest in a vendor of voting system equipment.

HB 1397 was passed by (Record 744): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Buckley; Huberty; Ordaz Perez.

STATEMENT OF VOTE

When Record No. 744 was taken, I was in the house but away from my desk. I would have voted yes.

Buckley

HB 1080 ON THIRD READING
(by Patterson, Lozano, Talarico, and Bernal)

HB 1080, A bill to be entitled An Act relating to the eligibility for participation in University Interscholastic League activities of certain public school students who receive outpatient mental health services.

HB 1080 was passed by (Record 745): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel;

Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Olverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — White.

STATEMENT OF VOTE

When Record No. 745 was taken, I was in the house but away from my desk. I would have voted yes.

White

HB 3777 ON THIRD READING (by Noble and Guillen)

HB 3777, A bill to be entitled An Act relating to eligible costs and expenses for purposes of the franchise tax credit for the certified rehabilitation of certified historic structures.

HB 3777 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE MARTINEZ FISCHER: Representative, I thought we had all of our questions answered yesterday, so I want to apologize. But apparently I've become now the local historian here on this proposal. You and I had a conversation, and maybe for the benefit of the body, about the effective date. When is the effective date of this?

REPRESENTATIVE NOBLE: It is January 21, 2022.

MARTINEZ FISCHER: And that's important because, I think, you and I have acknowledged there are people who are relying on the law as it is today. They're making their applications and going through the process, and by putting the effective date a little bit later, that affords them time to get through their process. Is that your understanding?

NOBLE: Well, I'm not advised, but I would assume with my effective date being in 2022, that if projects are ongoing, that they would be able to complete them. And again, I'm not advised. I am not part of the Historical Commission, and I don't approve these projects myself.

MARTINEZ FISCHER: I'm not either, and I hope I never get appointed to anything with it so nuanced. But I think regularly and normally, we could have an effective date this September—September 1, 2021. In this bill it's January 2022, which is more time for the current law to prevail before the law changes. Is that—

NOBLE: Again, we understand that these projects don't happen overnight nor do the restorations happen overnight. And I think that the extra lead time is appropriate in the case of this bill.

REMARKS ORDERED PRINTED

Representative Martinez Fischer moved to print remarks between Representative Noble and Representative Martinez Fischer on **HB 3777**.

The motion prevailed.

HB 3777 was passed by (Record 746): 88 Yeas, 54 Nays, 1 Present, not voting.

Yeas — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Campos; Capriglione; Clardy; Cole; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Howard; Huberty; Hull; Hunter; Jetton; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Morales, E.; Morrison; Murphy; Murr; Noble; Oliverson; Ordaz Perez; Paddie; Parker; Patterson; Paul; Raney; Rodriguez; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Allison; Anchia; Beckley; Bernal; Bowers; Bucy; Canales; Cason; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Fierro; Gervin-Hawkins; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Israel; Johnson, A.; Johnson, J.D.; King, T.; Larson; Longoria; Lopez; Lucio; Minjarez; Morales, C.; Morales Shaw; Muñoz; Neave; Ortega; Pacheco; Perez; Price; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Slaton; Talarico; Thierry; Thompson, S.; Turner, C.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — González, J.; Guillen; Herrero; Moody; Zwiener.

STATEMENTS OF VOTE

When Record No. 746 was taken, I was in the house but away from my desk. I would have voted no.

Guillen

When Record No. 746 was taken, I was in the house but away from my desk. I would have voted no.

Zwiener

HB 3893 ON THIRD READING**(by Hinojosa, Cyrier, Rodriguez, Talarico, and Raymond)**

HB 3893, A bill to be entitled An Act relating to the modification of a 99-year lease of certain state property to the City of Austin and the grant of a 99-year lease of certain state property and certain easements to the Capital Metropolitan Transportation Authority.

HB 3893 was passed by (Record 747): 117 Yeas, 26 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cason; Cole; Collier; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Ordaz Perez; Ortega; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Shine; Slawson; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Ashby; Bell, C.; Bonnen; Cain; Clardy; Ellzey; Gates; Geren; Goldman; Hefner; Krause; Lambert; Metcalf; Noble; Oliverson; Patterson; Rogers; Schaefer; Shaheen; Slaton; Smith; Swanson; Thompson, E.; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Crockett; Klick; Meyer; Pacheco.

STATEMENTS OF VOTE

When Record No. 747 was taken, I was shown voting yes. I intended to vote no.

Harris

When Record No. 747 was taken, I was in the house but away from my desk. I would have voted yes.

Klick

When Record No. 747 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 747 was taken, I was in the house but away from my desk. I would have voted yes.

Meyer

When Record No. 747 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 747 was taken, I was shown voting yes. I intended to vote no.

Slawson

When Record No. 747 was taken, I was shown voting yes. I intended to vote no.

White

HB 1488 ON THIRD READING (by Dean and Raymond)

HB 1488, A bill to be entitled An Act relating to state agency reports submitted to the legislature.

HB 1488 was passed by (Record 748): 135 Yeas, 11 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Hefner; Krause; Murr; Schaefer; Slaton; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Swanson.

STATEMENTS OF VOTE

When Record No. 748 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 748 was taken, I was shown voting yes. I intended to vote no.

Patterson

When Record No. 748 was taken, I was in the house but away from my desk. I would have voted yes.

Swanson

When Record No. 748 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

**HB 1681 ON THIRD READING
(by Harless, Minjarez, et al.)**

HB 1681, A bill to be entitled An Act relating to the construction of certain assisted living facilities within a 500-year floodplain in certain counties.

HB 1681 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE WU: If I understand it correctly, the intent of your bill is to make sure we don't build new facilities inside the 500-year floodplain. Correct?

REPRESENTATIVE HARLESS: That is correct. Yes, sir.

WU: And the intent is because the location of these homes inside of a 500-year floodplain, which is generally more in a worse situation than a 100-year floodplain, would likely cause the need to evacuate elderly people, who may be even bedridden, whenever there's a large storm.

HARLESS: That is correct. It happened three times in five years, and we couldn't get to them to evacuate them until after the water started going down, so they were trapped for three to five days. And when we evacuate them, the only thing that they have are the clothes on their back. I made a promise to them that if I was reelected, I would address this issue and put people's lives over dollars.

WU: And this is supported by Harris County?

HARLESS: Yes.

WU: So part of what I want to know from your legislative intent is this clearly does not apply to existing homes, correct?

HARLESS: That is correct, not to existing homes.

WU: And if an existing home needs to do major renovations, it would not affect that permitting?

HARLESS: That is correct.

WU: Why bracket it to just Harris County, then? Because when Hurricane Harvey came, the flood area extended far beyond Harris County. And the reason I ask that is that my district has a huge number of retirement homes and is expanding, right? And my concern is if we're not able to continue to build the homes in the core of, let's say Houston, the core of Harris County, that these homes are going to get pushed further and further away from people's families, away from services, away from medical centers. Why just Harris County?

HARLESS: Well, because I didn't have a knowledge of the rest of the state. I only had knowledge of the area that I represent, which is just Harris County. I didn't want to bracket other areas of the state that I didn't have knowledge of.

WU: Okay, and just to clarify your legislative intent, because the floodplains change over time, correct?

HARLESS: That is correct.

WU: And with FEMA, based on whatever new reservoir they put in place or they dig new bayous or they change the flow of waters, these floodplains can change over time. If something goes in the place and they change the floodplain to cover them—the 500-year floodplain to cover them later—this would not prevent them from existing.

HARLESS: You're correct.

(Harris in the chair)

REMARKS ORDERED PRINTED

Representative Wu moved to print remarks between Representative Harless and Representative Wu on **HB 1681**.

The motion prevailed.

HB 1681 was passed by (Record 749): 130 Yeas, 15 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Shaheen; Sherman; Shine; Slawson; Smith; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Dean; Hefner; Holland; Krause; Murr; Schaefer; Schofield; Slaton; Spiller; Toth; Vasut; Wilson.

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

Absent, Excused — Coleman; Smithee.

Absent — Klick.

HB 246 ON THIRD READING
(by Murr and Cook)

HB 246, A bill to be entitled An Act relating to the prosecution of the criminal offense of improper relationship between educator and student.

Amendment No. 1

Representative Shine offered the following amendment to **HB 246**:

Amend **HB 246** on third reading by amending Section 21.12(d-1), Penal Code, as added to the bill by the second reading amendment by Shine, as follows:

(1) Strike "may not release to the public" and substitute "may not release to the general public".

(2) Add the following to the end of Subsection (d-1): "The school may release the name of the accused employee, without regard to whether there has been an indictment, as necessary for the school to:

(1) report the accusation to the Texas Education Agency or as otherwise required by law; or

(2) conduct its own investigation of the accusation."

Amendment No. 1 was adopted.

HB 246, as amended, was passed by (Record 750): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Smithee.

Absent — Jetton.

STATEMENT OF VOTE

When Record No. 750 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

HB 2136 ON THIRD READING (by E. Thompson)

HB 2136, A bill to be entitled An Act relating to marine vessel projects in the diesel emissions reduction incentive program.

HB 2136 was passed by (Record 751): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Smithee.

Absent — Anchia; Shine.

HB 4346 ON THIRD READING (by Leman, Cain, Paul, Vasut, Schofield, et al.)

HB 4346, A bill to be entitled An Act relating to the possession, carrying, or transportation of a firearm by certain persons during the use of an easement.

HB 4346 was passed by (Record 752): 88 Yeas, 56 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Dominguez; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Goldman; Guillen; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Martinez; Metcalf; Meyer; Middleton; Moody; Morales, E.; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; White; Wilson; Zwiener.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Crockett; Davis; Deshotel; Dutton; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Harless; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.D.; King, P.; Longoria; Lopez; Lucio; Martinez Fischer; Meza; Minjarez; Morales, C.; Morrison; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raney; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Vo; Walle; Wu.

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

Absent, Excused — Coleman; Smithee.

Absent — Lozano; Morales Shaw.

STATEMENTS OF VOTE

When Record No. 752 was taken, I was shown voting no. I intended to vote yes.

P. King

When Record No. 752 was taken, I was in the house but away from my desk. I would have voted no.

Morales Shaw

HB 368 ON THIRD READING

(by Sherman, Reynolds, Romero, Bucy, and Talarico)

HB 368, A bill to be entitled An Act relating to the issuance of a driver's license to a state legislator or prosecutor that includes an alternative to the license holder's residence address.

HB 368 was passed by (Record 753): 130 Yeas, 15 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.;

Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Shine; Slawson; Smith; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Bell, C.; Burns; Hefner; Holland; Landgraf; Middleton; Murr; Oliverson; Patterson; Schaefer; Shaheen; Slaton; Swanson; Toth; VanDeaver.

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

Absent, Excused — Coleman; Smithee.

Absent — Metcalf.

STATEMENTS OF VOTE

When Record No. 753 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 753 was taken, I was in the house but away from my desk. I would have voted no.

Metcalf

When Record No. 753 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 753 was taken, I was shown voting no. I intended to vote yes.

Patterson

When Record No. 753 was taken, I was shown voting yes. I intended to vote no.

Slawson

When Record No. 753 was taken, I was shown voting no. I intended to vote yes.

Swanson

HB 1477 ON THIRD READING

(by K. Bell, Leach, Cyrier, Romero, Raymond, et al.)

HB 1477, A bill to be entitled An Act relating to performance and payment bonds for public work contracts on public property leased to a nongovernmental entity.

HB 1477 was passed by (Record 754): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Smithee.

HB 1128 ON THIRD READING
(by Jetton, Harris, and Lozano)

HB 1128, A bill to be entitled An Act relating to persons permitted to be in a polling place or a place where ballots are being counted.

HB 1128 was passed by (Record 755): 98 Yeas, 45 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Dominguez; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guillen; Harless; Hefner; Hernandez; Herrero; Holland; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Minjarez; Morales, C.; Morales, E.; Morrison; Murr; Oliverson; Ordaz Perez; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Canales; Collier; Crockett; Davis; Deshotel; Dutton; González, J.; González, M.; Goodwin; Guerra; Hinojosa; Howard; Israel; Johnson, J.D.; Lopez; Martinez; Martinez

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

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

Absent, Excused — Coleman; Smithee.

Absent — Huberty; Murphy; Noble.

STATEMENT OF VOTE

When Record No. 755 was taken, I was shown voting no. I intended to vote yes.

Morales Shaw

(Speaker in the chair)

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).

HB 2365 ON THIRD READING

(by Lopez)

HB 2365, A bill to be entitled An Act relating to the participation and reimbursement of certain military medical treatment facilities and affiliated health care providers under Medicaid.

HB 2365 was passed by (Record 756): 91 Yeas, 55 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cason; Cole; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Gates; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Slaton; Stephenson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cyrier; Dean; Frank; Geren; Goldman; Harris; Hefner; Holland; King, K.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Lemam; Metcalf; Meyer; Middleton; Murr; Oliverson; Parker; Patterson; Paul; Price; Sanford; Schaefer; Shaheen; Shine; Slawson; Smith; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Noble.

STATEMENTS OF VOTE

When Record No. 756 was taken, I was shown voting no. I intended to vote yes.

Frank

When Record No. 756 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 756 was taken, I was in the house but away from my desk. I would have voted no.

Noble

When Record No. 756 was taken, I was shown voting no. I intended to vote yes.

Shine

HB 2308 ON THIRD READING

(by Gates, Frank, Leman, Minjarez, Rose, et al.)

HB 2308, A bill to be entitled An Act relating to procedures in certain suits affecting the parent-child relationship filed by the Department of Family and Protective Services.

HB 2308 was passed by (Record 757): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Stephenson; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Ellzey; Frank; Noble; Patterson; Rodriguez; Spiller; Stucky; Walle.

STATEMENTS OF VOTE

When Record No. 757 was taken, my vote failed to register. I would have voted yes.

Ellzey

When Record No. 757 was taken, I was in the house but away from my desk. I would have voted yes.

Noble

When Record No. 757 was taken, I was in the house but away from my desk. I would have voted yes.

Patterson

HB 2063 ON THIRD READING

(by Ordaz Perez, Howard, Shaheen, Lucio, Patterson, et al.)

HB 2063, A bill to be entitled An Act relating to the establishment of a state employee family leave pool.

HB 2063 was passed by (Record 758): 135 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Holland; Metcalf; Middleton; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Smithee.

Absent — Frank; Noble.

STATEMENTS OF VOTE

When Record No. 758 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 758 was taken, I was in the house but away from my desk. I would have voted no.

Noble

When Record No. 758 was taken, I was shown voting yes. I intended to vote no.

Schaefer

HB 4534 ON THIRD READING

(by Gates, Capriglione, Parker, and Stephenson)

HB 4534, A bill to be entitled An Act relating to a study by the Employees Retirement System of Texas of certain state retirement system reforms.

HB 4534 was passed by (Record 759): 129 Yeas, 13 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Cook; Cortez; Craddick; Crockett; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Perez; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; Vasut; White; Wilson; Wu; Zwiener.

Nays — Beckley; Bernal; Collier; González, J.; Howard; Israel; King, T.; Meza; Ramos; Rodriguez; Sherman; Vo; Walle.

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

Absent, Excused — Coleman; Smithee.

Absent — Cyrier; Morales Shaw; Paul; VanDeaver.

STATEMENTS OF VOTE

When Record No. 759 was taken, I was in the house but away from my desk. I would have voted yes.

Cyrier

When Record No. 759 was taken, I was in the house but away from my desk. I would have voted no.

Morales Shaw

When Record No. 759 was taken, I was in the house but away from my desk. I would have voted yes.

Paul

When Record No. 759 was taken, I was in the house but away from my desk. I would have voted yes.

VanDeaver

POSTPONED BUSINESS

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

SB 8 ON SECOND READING

(Slawson, Burrows, Klick, Cain, Leach, et al. - House Sponsors)

SB 8, A bill to be entitled An Act relating to abortion, including abortions after detection of an unborn child's heartbeat; authorizing a private civil right of action.

SB 8 was read second time earlier today and was postponed until this time.

SB 8 - REMARKS

REPRESENTATIVE SLAWSON: I know there will be questions on this. After I've finished this brief layout, then I will yield for those. Not that many years ago, a woman in North Texas was pregnant with her first child—an event that should've been a joyous occasion, except that it wasn't. Experiencing numerous complications, her physician told her that that little baby was not developing normally, wouldn't be fully developed, and recommended an abortion. A few days later, on a Friday, she visited another doctor who shared that same dim prognosis of an abnormally developing baby, but on that Friday, that heart was still beating. So that mom, as scared as she was, went back to the doctor the following Monday, and that baby's heart was still beating. And for the next few months, the complications and those dire prognoses continued; the back and forth travel to the doctor continued; and that heartbeat continued. And then one Tuesday in May, that new mom greeted her newborn, this surprisingly normal baby, marvelling at 10 fingers and 10 toes and wisps of red hair. And now, 44 years and two days later, that little baby girl is standing in this chamber, her heart beating as strongly and as rapidly as it did all those years ago, as she lays out before you **SB 8**, the Texas Heartbeat Act.

The heartbeat is a clear and unequivocal evidence of human life, and the fetal heartbeat is a key medical predictor of whether an unborn child will reach live birth. Many men and women in this chamber have had that incredible experience when we first heard the sound of our then-unborn babies play out in a doctor's office—that "whoosh, whoosh, whoosh" sound—that beautiful melody of a tiny life, innocent, vulnerable, and worthy of our protection. As of last week, 13 other states have already passed heartbeat bills, and Texas is behind. The Texas Heartbeat Act will protect the lives of our most precious Texans starting at the moment their heart begins to beat. Quite simply, this bill requires that before an abortion is performed, a physician must check for a heartbeat, and that once that heartbeat is detected, that life is protected. Upon detection of a heartbeat, the physician is prohibited from knowingly performing or inducing an abortion and can be held civilly liable unless there is a medical emergency. Thank you, Mr. Speaker, and I do have a perfecting amendment.

REPRESENTATIVE HOWARD: Thank you for your story. We all have stories about the miracles of birth. I have my own as do many people in here. I'm a mother. I'm a grandmother. I value life. My pregnancies, I was very grateful for. My children and grandchildren, I'm very grateful for. It doesn't always work that way for everybody. There have always been abortions and there always will be. What we're talking about here is some specific actions that would be taken to obstruct access to a legal medical procedure. So I want to ask you a few medical questions if I could, please, about the provision in the bill that bans abortions at six-weeks gestation. Can you tell me your own interpretation of the timeline in which a woman can determine that she is pregnant?

SLAWSON: Representative, this bill would ban an abortion once a heartbeat is detected.

HOWARD: I understand that. I'm asking you, though, about the timeline. You're giving us a period of time within this bill, are you not?

SLAWSON: The timeline is when the heartbeat is detected.

HOWARD: All right, then let's just go with that for right now. Can you tell me what is meant by gestational age? How is gestation defined?

SLAWSON: Yes, I'm happy to turn to the definition. Under Section 171.201, "[g]estational age' means the amount of time that has elapsed from the first day of the woman's last menstrual period."

HOWARD: And do you know, then, what the differences would be if we were looking at the period of time of pregnancy versus the period of time of gestation?

SLAWSON: I'm not sure I understand your question.

HOWARD: You just finished saying that gestation is measured from the first day of your last menstrual period, correct?

SLAWSON: Under 171.201, gestational age is measured as the "time that has elapsed from the first day of the woman's last menstrual period."

HOWARD: That's what I just asked, correct?

SLAWSON: Yes.

HOWARD: Okay, so from the first day of the last menstrual period. Do you know when you actually become pregnant? Do you become pregnant during your period?

SLAWSON: Well, that perhaps might be a question better directed to a physician.

HOWARD: I would imagine that most women know that you don't get pregnant during your period, correct? You know that you don't get pregnant during your period, don't you?

SLAWSON: I would defer to a physician to answer that question, Representative.

HOWARD: So typically, your period is the sloughing off of the lining of your uterus containing an unfertilized egg. Is that correct? Do you know that?

SLAWSON: I would agree with that.

HOWARD: Okay, so your body is removing the blood, the unfertilized egg, and you are having your period that's getting rid of what did not get fertilized. You're not getting pregnant at that time. And then, over the next couple of weeks, you ovulate, and then you can get pregnant. Is that something you've probably heard before?

SLAWSON: I'm familiar with ovulation. I'm familiar with menstruation.

HOWARD: So I think where we're going with this is to look at the amount of time that would be elapsing from fertilization of an egg to pregnancy to when this bill would take effect. Now, you're telling me there's no time. Is that correct? You're telling me there's no time here. There's just a point at which you hear a heartbeat. Is that correct?

SLAWSON: Yes. I'm telling you that the measurement is by a detectable heartbeat.

HOWARD: Is there no reference to time in the bill? To point of gestation?

SLAWSON: There's a definition of gestational age.

HOWARD: Right, but I'm asking you is there anything in the bill—and I don't have the bill in front of me right now, so I am seriously asking you. Is there anything in the bill that provides a point of gestation at which this bill would take effect?

SLAWSON: This bill is—

HOWARD: Is there anything about gestation in this bill?

SLAWSON: There's a definition of gestation. There's a definition of pregnancy. But I'm not sure where you're looking.

HOWARD: No, I see the definition here. What I'm asking is—so you're saying that there's nothing in here in the bill about gestation. There's only something about a heartbeat. Is that correct?

SLAWSON: We are measuring by the existence of a heartbeat.

HOWARD: Right. You're not measuring by anything in gestation. Is that correct?

SLAWSON: We are measuring by the existence of a heartbeat.

HOWARD: I understand that. I'm asking you, are you also measuring, though, by gestation? Yes or no?

SLAWSON: I am measuring by the existence of a heartbeat.

HOWARD: Can you not answer that second question?

SLAWSON: I am answering it, Representative.

HOWARD: Okay, I'll just take that what you're saying is no. Okay, so if we're only talking about a heartbeat, at what point in gestation does the heartbeat normally occur?

SLAWSON: It varies. My understanding is somewhere between six and 12 weeks.

HOWARD: Six and 12 weeks gestation?

SLAWSON: That it would be detectable.

HOWARD: So your understanding is that in six to 12 weeks gestation, a heartbeat is detectable.

SLAWSON: Yes.

HOWARD: So would you know that six to 12 weeks gestation means four to 10 weeks of pregnancy? So as early as four weeks of pregnancy, you're saying there could be an audible heartbeat?

SLAWSON: I don't know that I am saying that. I'm saying that between six to 12 weeks—

HOWARD: Gestation. In your bill, pregnancy is defined as when it begins with fertilization. That fertilization is not the same as when gestation is measured from, so we're talking two different time periods. I'm just clarifying what those time periods are right now. Gestation is from the first day of the last menstrual period per your bill, and that's what medicine says as well. That's a common term. And pregnancy actually occurs beginning at fertilization, which typically occurs two weeks or so after your menstrual period. And you have those definitions in here in your bill. So if you're telling me that—

SLAWSON: Yes, gestational age and pregnancy are defined in the bill.

HOWARD: Right, and that's what we're talking about here—gestational age from the first day of the last menstrual period. And pregnancy, as your bill states, begins with fertilization. Fertilization occurs approximately two weeks after your menstrual period. So when you're talking gestation and you say six weeks when you could hear a fetal heartbeat, that's actually four weeks of being pregnant, basically, on average.

SLAWSON: I'm not sure I agree with your math.

HOWARD: Well, what does your bill say? Your bill says pregnancy "means the human female reproductive condition that begins with fertilization."

SLAWSON: "Occurs when the woman is carrying the developing human offspring and is calculated from the first day of the woman's last menstrual period."

HOWARD: Oh, that's not pregnancy. Why do you—no, that's not pregnancy. That may be what you have in your bill, but that's not pregnancy. Pregnancy begins with fertilization. Fertilization and menstrual periods are two separate things. They don't occur at the same time. But that's just an error in your bill. Let me just talk about the time period we're talking about here. You're telling me that there is an audible heartbeat as early as six weeks gestation—that's four weeks being pregnant, but lets just go with gestation. Six weeks gestation there is an audible heartbeat, you're saying. Is that correct?

SLAWSON: I'm saying that a heartbeat is detectable somewhere between six to 12 weeks gestation.

HOWARD: As early as six weeks gestation, correct?

SLAWSON: Somewhere between six to 12 weeks.

HOWARD: Right, or as early as six weeks gestation. Between six to 12 encompasses as early as six weeks, correct?

SLAWSON: I'm saying that the heartbeat is detectable somewhere between six to 12 weeks of gestation.

HOWARD: Right, starting at six weeks gestation—that's what you've said. Would you know that the American College of Obstetricians and Gynecologists has said in a statement: "What is interpreted as a heartbeat in these bills is actually electrically induced flickering of a portion of the fetal tissue that will become the heart as the embryo develops. Thus, ACOG does not use the term 'heartbeat' to describe these legislative bans on abortion because it is misleading language, out of step with the anatomical and clinical realities of that stage of pregnancy." Did you know that?

SLAWSON: I am not aware of the article you're referring to.

HOWARD: I'm not referring to an article. I'm referring to a statement from the national association of the College of Obstetricians and Gynecologists, the physicians who specialize in maternal health and who actually have the background and science in this field of study. So that's who I'm referring to. Did you know that it's difficult, according to these physicians, to detect the embryonic heart—any kind of a heartbeat if that's what we want to call it—the early cells with electrical activity? There's not actually a heart yet, did you know that? There is not a developing heart. There are no chambers. There's no blood pumping going on at that time. Did you know that?

SLAWSON: I don't know that I agree with that.

HOWARD: Well, that's what the science says and that a true heartbeat that you could actually hear—according to the physicians—a true heartbeat that you can actually hear with a stethoscope doesn't occur until later in gestation. In 80 percent of pregnancies, you can finally hear it audibly with a stethoscope after

20 weeks gestation and 100 percent of the time after 22 weeks gestation. So clearly, it's much later than what you're suggesting is the time frame in which a heartbeat, as you're calling it, would occur. Did you know that?

SLAWSON: I disagree with that.

HOWARD: Why do you disagree with it?

SLAWSON: Representative, just based on personal experience, having heard a heartbeat much before 20 weeks of gestation.

HOWARD: According to the science, the Doppler fetal monitor that has that "whoosh, whoosh, whoosh" sound that you gave us a while ago, is not actually the sound of a heartbeat but an amplified version of signals. You're not hearing a heartbeat. You're hearing an amplified version of electrical signals. Did you know that?

SLAWSON: I'm sorry, would you repeat the question? My apologies.

HOWARD: Okay, the Doppler fetal monitor—are you ready?

SLAWSON: The Doppler fetal monitor.

HOWARD: The Doppler fetal monitor—you're not actually hearing the sound of a heartbeat because there's not a heart beating, but you're hearing an amplified version of electrical signals. Did you know that?

SLAWSON: I fundamentally disagree with that.

HOWARD: Well, I appreciate you don't want to believe this and that you are disagreeing with it, but I'm talking about what the science says. And so you're telling me that the science is wrong because you don't agree with it?

SLAWSON: What I'm telling you is that when a beating heart represents a life within a womb, we have a duty to protect that innocent unborn life.

HOWARD: And I appreciate that. There is no heartbeat at the time frame that we're talking about here. There is electrical activity. That is a fact.

SLAWSON: Representative, I've had a lot of ultrasounds and they never once referenced an electrical impulse. It was measured in beats per minute.

HOWARD: I'm sorry. I'm just telling you what the science says, and I can't say what you've been told. I'm telling you what the science is. Now, this is the final thing I want to say before I pass it on to others. There is no arguing this because clearly, we know. We all know. I see lots of notes being passed. I'm sure a lot of people up there have a lot of things to say about this, too. We've had this discussion way too many times since I've been here. This is the worst day of the session every single session, and this stuff keeps coming up. You guys know that there have always been abortions and there always will be, despite the obstructions that you're putting in place here, despite the self-righteousness of valuing life over what I value, which I highly resent. I also value the lives of the women and families who have to make these decisions.

SLAWSON: This is the best day—

HOWARD: Excuse me, I was still talking.

SLAWSON: —for tens of thousands of unborn children in this state.

HOWARD: I'm sorry, what? I'm sorry? I didn't hear you because you talked over me.

SLAWSON: Do you have a question, Representative?

HOWARD: What?

SLAWSON: Do you have a question, Representative?

HOWARD: I will phrase it in a question. Did you know I feel this way? Did you know that I feel very disrespected in terms of my value of life and my value of pregnancies and childbirth and babies and grandbabies? There will always be—did you know—there will always be women who will pursue having abortions despite what you do here today and what you've been doing for a decade to create all these obstructions? It will always be a case that women will seek abortions because women are not always in a position to have that baby. And you guys don't have to have them, we do. It affects our lives—

SLAWSON: Did you know, Representative—

HOWARD: Did you know? Did you know that it affects my choices about what I can do with education and employment? You did know that?

SLAWSON: If you're asking a question, are you going to allow a response?

HOWARD: What's your response?

SLAWSON: I don't presume to know your feelings, but I do know that there are many women who have been coerced and forced into abortions and feel very differently.

HOWARD: Well, that's one thing that I will not agree with of you. So I will pass it on to some other folks.

REPRESENTATIVE COLLIER: I had an opportunity to listen to the layout of your house bill relating to **SB 8** in the Public Health Committee, and I just wanted to follow up on some of the things that I asked you during that committee hearing dealing with the civil lawsuits that this bill provides for. So one of the things I want to just set the floor on is the basic information that as we sit here today, today abortion is legal in the United States, including Texas, up to 20 weeks. Is that correct?

SLAWSON: Currently, Texas has a ban on abortions after 20 weeks.

COLLIER: Okay, but that's not what I asked you. I asked you: Currently, abortion in Texas is legal up to 20 weeks, is that correct?

SLAWSON: In the legislative findings at the front of this bill, we recognize that pre-*Roe v. Wade*, abortion statutes were not repealed. They are not enforced following the *Roe* decision.

COLLIER: So based on the United States Supreme Court decision of *Roe v. Wade*, which is what we're to follow, correct? We're supposed to follow the United States—

SLAWSON: I'm so sorry. I wasn't—

COLLIER: Based on the decision of the United States Supreme Court, it becomes the law of the land. Would you agree with that?

SLAWSON: I would disagree with your interpretation of law of the land.

COLLIER: Okay, well, law of the State of Texas that we must follow? I'm just trying—do you acknowledge and recognize that abortion is legal up to 20 weeks in the State of Texas and the United States?

SLAWSON: I recognize that there is a 20-week ban on abortion in Texas at this point.

COLLIER: So that means that your answer would be yes. That's what I'm going to take your answer to be, because the inverse is yes, it is legal. Because the ban is after 20 weeks, correct?

SLAWSON: The current ban is a 20-week abortion ban.

COLLIER: So my question was, up to 20 weeks, abortion is legal?

SLAWSON: Before that, statutes making abortion illegal are not being enforced.

COLLIER: Well, do you understand that the United States Supreme Court has said an abortion is legal up to 20 weeks? It's constitutional?

SLAWSON: Abortion is not a constitutional right. There have been cases dealing with abortion, but there is no right to abortion in the Constitution.

COLLIER: Well, do you disagree that the United States Supreme Court has said that abortion is legal up to 20 weeks? I'm going to keep asking the question until you answer it.

SLAWSON: Presently, there is a 20-week ban in Texas.

COLLIER: A 20-week ban on abortion?

SLAWSON: After 20 weeks of pregnancy, currently, an abortion is not permissible in Texas. What this bill that we're here to talk about would do is prohibit an abortion after a heartbeat is detected.

COLLIER: Okay, so that would not be in line with what the United States Supreme Court has determined to be legal.

SLAWSON: This would be fully within the Constitution.

COLLIER: Your bill creates a new restriction on abortion that is more stringent than what the United States Supreme Court has said was legal.

SLAWSON: This bill would provide that upon detection of a heartbeat, an abortion is prohibited outside an instance of a medical emergency.

COLLIER: Okay, so **SB 8** creates a private cause of action that allows any person—any person—to sue either a provider who provides abortions or any person who helps someone obtain an abortion. Is that correct?

SLAWSON: I'm sorry, you are dealing with the definition of "person"?

COLLIER: To create a private cause of action. So **SB 8** creates a private cause of action that allows any person to sue either a provider who provides abortion or any person who helps someone obtain an abortion. Is that correct? There's no limit on who can file the lawsuit.

SLAWSON: Are you referring to a specific section?

COLLIER: Well, I'm referring to your bill that creates a civil cause of action.

SLAWSON: Correct.

COLLIER: And so whenever you have a lawsuit, they have two parties. Of course, you know that. You have somebody who brings the complaint and then somebody who's trying to defend themselves against it. So in your bill, it allows anyone to file the action to sue. Is that correct?

SLAWSON: Yes.

COLLIER: All right. So now that anyone can sue, you're creating a new form of standing. So I don't even have to know you but if I find out that you've had an abortion in contravention to this bill, to this Act that you're creating, I could file a lawsuit. Anyone could file a lawsuit.

SLAWSON: Standing under this Act is provided to any person.

COLLIER: To any person—so we're opening it up to more lawsuits by creating standing and giving it to any person in the state. Is that correct? So I have no relationship with you, I don't know you—I can still file a lawsuit under your bill?

SLAWSON: Any person may have standing under this bill.

COLLIER: So even someone who raped the victim can file a lawsuit?

SLAWSON: We have an amendment pending on that. We'll have an amendment on that, Representative.

COLLIER: So you're going to change that? So let's go down to your bill that talks about the liability for a violation or aiding and abetting a violation. One part in **SB 8** says that a person—any person, like you said—"other than an officer or employee of a state or local governmental entity" in Texas "may bring a civil action against any person" who "intends" to commit such a violation. Can you explain to us and give us the scenarios of what that would apply to? What does it mean by "intends" to commit such a violation?

SLAWSON: Well, Representative, I think that intent is a well-recognized legal principle.

COLLIER: Well, I don't what you mean by "intends" to commit such a violation. How would you know that someone intended to commit a violation?

SLAWSON: Well, I suppose that would be a question for a trier of fact.

COLLIER: Okay, so that's a question for a trier of fact, but you don't know. I mean, can you give us an explanation of what you mean by that? I'm just trying to figure it out. Because if this is going to be the law, we need to know how it's going to be applied.

SLAWSON: To a specific fact pattern that would be applied—

COLLIER: Or just give me an example.

SLAWSON: I don't have an example prepared for you, Representative.

COLLIER: Okay. So then, there's statutory damages that are available under this civil liability claim. It's \$10,000. Who would get that money?

SLAWSON: The prevailing party.

COLLIER: So someone I don't know, who has no connection with me whatsoever—I find out that you are getting an abortion that is in violation of this Act and I can get \$10,000 because I proved up that case? Just because? I can get \$10,000?

SLAWSON: This Act provides for a civil penalty of \$10,000 for a violation of the Act.

COLLIER: Who gets the penalty money?

SLAWSON: The successful claimant in that cause of action.

COLLIER: Even though they have no relation, no other connection to the case, they can get money? I mean, it's just like a lottery, basically, it seems like, if I can get information about it. Is there anything that says if they worked at the clinic or the place that they shouldn't be able to collect the statutory penalty?

SLAWSON: Any person has standing to bring a cause of action.

COLLIER: I understand that, but I'm just trying to figure out if you have any type of limitations on where the money goes and who can collect that money?

SLAWSON: The damages, were they assessed in a civil action, would go to the prevailing party.

COLLIER: And then also under your bill, it says that "venue" is wherever the claimant lives. So if this happened in Dallas but they live in El Paso, they can file the lawsuit in El Paso because that's what your bill allows for. Is that correct?

SLAWSON: The bill allows for several venue options.

COLLIER: But it also allows for me to live in a different city from where this happened and to file a lawsuit.

SLAWSON: One of the venue options is the county of residence of the claimant.

REPRESENTATIVE C. TURNER: Do you know how many abortion restrictions are currently in place in Texas?

SLAWSON: I'm not advised on a specific number.

C. TURNER: Would you be surprised to learn that there are already more than two dozen such laws in place?

SLAWSON: Well, Representative, we're dealing with a topic that exterminates a human life.

C. TURNER: And would you agree that Texas already has some of the most restrictive abortion laws in the United States of America?

SLAWSON: I do not agree.

C. TURNER: You do not agree with that? Okay, are you familiar with the laws we already have on the books?

SLAWSON: I am familiar with many of the laws that we have.

C. TURNER: Do you know how many states have introduced or passed a six-week ban similar to what you are proposing here today?

SLAWSON: I'm familiar with states that have introduced a heartbeat bill.

C. TURNER: Do you know how many that is?

SLAWSON: I believe that as of last week, 13 states had passed a heartbeat bill.

C. TURNER: And there are other states, I presume, that have legislation pending, perhaps not passed, but it's moving in other states. Is that right?

SLAWSON: I'm not advised on that.

C. TURNER: Is it correct that these bills, given how similar they are in nature, are part of a nationwide strategy to ban abortion state by state?

SLAWSON: Representative, this bill is designed to protect innocent unborn life in Texas.

C. TURNER: I understand. Is it part of a nationwide strategy, though, to ban abortion state by state?

SLAWSON: I'm not advised on nationwide strategies.

C. TURNER: Are you familiar with a group called Faith2Action?

SLAWSON: I'm not familiar, Representative.

C. TURNER: Faith2Action is the group that originated this copycat legislation of which **SB 8** is part of for the six-week abortion ban. So are you familiar with Janet Porter, who is the founder of Faith2Action?

SLAWSON: I believe I heard testimony from Ms. Porter in the senate a few weeks ago on this bill.

C. TURNER: Ms. Porter, it turns out, was part of the birther movement, and Faith2Action, which she founded, has actually been designated a hate group by the Southern Poverty Law Center. Were you aware of that?

SLAWSON: I'm not advised on any of that, Representative.

C. TURNER: Do you know what dominion theology is?

SLAWSON: I'm not advised.

C. TURNER: It's an extreme religious viewpoint that Ms. Porter, who is the originator of this bill, has been a proponent of. Let's shift gears a little bit. You're familiar with the fact that Texas has an exceptionally high maternal mortality rate, are you not?

SLAWSON: I'm not advised on the mortality rate, Representative.

C. TURNER: Well, I'm not asking you exactly what the rate is. You're aware we have a high mortality rate in general?

SLAWSON: I would agree with you that any maternal mortality is a very sad circumstance, Representative.

C. TURNER: And you're aware that Texas has a high maternal mortality rate?

SLAWSON: I'm not aware of a comparative rate to determine.

C. TURNER: Okay, we've actually had some legislation talking about that this session because it's fairly well known. Are you aware that maternal mortality rates, while high across the board, are particularly high with African American women in Texas? Are you aware of that?

SLAWSON: I'm not advised on maternal mortality rates in relation to this bill, Representative.

C. TURNER: Would you agree that maternal mortality, whatever the rate is, is often a result of poor access to health care?

SLAWSON: I am not advised on maternal mortality rates as it relates to this bill, Representative.

C. TURNER: It's not a trick question. If you don't have access to health care, do you have a better chance of suffering maternal mortality, of dying while pregnant or during childbirth or after childbirth? Is that a fair generalization that you would have less of a chance of a successful, healthy delivery and postpartum period if you don't have access to adequate health care?

SLAWSON: Representative, a successful abortion—

C. TURNER: That's not my question.

SLAWSON: —is a mortality issue for that child in the womb.

C. TURNER: I'm talking about maternal mortality.

SLAWSON: I'm talking about fetal mortality.

C. TURNER: So would you agree that lack of access to health care is one of the barriers to access to contraception? Would you agree with that?

SLAWSON: I'm sorry, would you repeat your question?

C. TURNER: Sure. Would you agree that a lack of access to health care is one of the barriers to accessing contraception?

SLAWSON: I'm not advised on that in relation to this bill.

C. TURNER: Well, what is your opinion?

SLAWSON: My opinion is that we owe a duty to innocent unborn lives to protect those lives from the moment a heart begins beating.

C. TURNER: I'm sorry, would you restate that? I apologize.

SLAWSON: My opinion is that we owe a duty to innocent unborn lives to protect that life from the moment a heart begins beating.

C. TURNER: Okay, do you agree with the statement that if a woman wants to get a prescription for a contraceptive, that having access to a primary care provider, a PCP, is helpful in being able to access contraception. Would you agree with that?

SLAWSON: My apologies, I think I missed the first clause of your question.

C. TURNER: Would you agree that if a woman has access to a doctor, a primary care provider, she would have an easier time accessing a prescription for contraception than if she did not have access to a health care provider?

SLAWSON: I'm not advised on that issue in relation to protecting an innocent life upon detection of a heartbeat.

C. TURNER: Would you agree that less access to contraception leads to higher rates of unintended pregnancies?

SLAWSON: I'm not advised on that in relation to a heartbeat bill.

C. TURNER: Again, I'm not asking for you to cite any data or statistics. I'm not asking that. I'm just asking your opinion. If a population does not have access to contraception, could that lead to higher rates of unintended pregnancies?

SLAWSON: I'm so sorry, Representative. I'm not advised on that.

C. TURNER: And so are you aware that family planning services including access to contraception—while you're not advised on it, I'm going to presume that you would recognize that those are valuable services to help families, individuals, women, decide when they want to become pregnant. Are you aware that there are a lot of people in the State of Texas, but particularly in the Hispanic and African American communities, that are disproportionately underserved in that regard? Would you agree with that?

SLAWSON: I'm not advised on that matter, Representative.

C. TURNER: So you're not sure or aware, just to recap this, if access to contraception in any way relates to the rate of unintended pregnancies?

SLAWSON: What I am confident of is that—

C. TURNER: Just yes or no.

SLAWSON: —every heartbeat matters and is worth our protection.

C. TURNER: But you can't speak to whether access to health care, including access to contraception, has anything to with the rate of unintended pregnancies?

SLAWSON: Representative, that's not the subject of this bill, and I'm not advised on that.

C. TURNER: Well, I think it is, Representative. This bill is about abortion, is it not?

SLAWSON: This bill is about protecting a beating heart.

C. TURNER: Why does someone get an abortion?

SLAWSON: I am not advised to respond.

C. TURNER: Multiple reasons, complex reasons, complicated reasons, I would imagine? Is it possible that an unintended pregnancy could result in somebody deciding that abortion is the choice they need to make? Is that possible that that's one of the causes?

LEAVE OF ABSENCE GRANTED

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

Clardy on motion of Ashby.

SB 8 - (consideration continued)

Amendment No. 1

Representative Slawson offered the following amendment to **SB 8**:

Amend **SB 8** (house committee report) on page 9 by inserting the following language between lines 12 and 13:

(j) Notwithstanding any other law, a civil action under this section may not be brought by a person who impregnated the abortion patient through an act of rape, sexual assault, incest, or any other act prohibited by Sections 22.011, 22.021, or 25.02, Penal Code.

AMENDMENT NO. 1 - REMARKS

SLAWSON: I offer, members, an amendment to clarify that the cause of action "may not be brought by a person who impregnated the abortion patient through an act of rape, sexual assault, incest, or any other act prohibited by Sections 22.011, 22.021, or 25.02, Penal Code."

REPRESENTATIVE COLE: Yes, I want to understand better what your amendment does. Does it make an exception for rape or incest?

SLAWSON: It provides that a civil cause of action may not be brought by a person who impregnated the abortion patient by an act of rape, sexual assault, incest, or any other specifically prohibited acts in the Penal Code.

COLE: So it only provides an exception for the person who actually impregnated or committed incest against the pregnant person, but it does not provide for an exemption if other people bring a cause of action?

SLAWSON: Representative, it specifically lists the people who may not bring a cause of action under this Act.

COLE: And it's my understanding that you limited those people to the person who actually committed rape or incest and not any others.

SLAWSON: It specifically provides that "a civil action . . . may not be brought by a person who impregnated the abortion patient through an act of rape, sexual assault, incest," or any of those specifically codified Penal Code sections.

COLE: So your amendment does not speak to a person other than the person who raped or incested the individual?

SLAWSON: Representative, I'm reading specifically who it applies to.

REPRESENTATIVE RAMOS: Representative Slawson, I reviewed your amendment but as attorneys, most of us here are, it says that a cause of action is prohibited in those specific areas, but we know that people sue all the time even though there are no grounds for it. Would you agree?

SLAWSON: I'm not sure I understand your question.

RAMOS: Would you agree that people sue, even though they know they don't have any grounds for it, people still sue for the sake of suing? And sometimes it is just malicious litigation, but people still sue for various reasons even though the statute may say they won't be able to recover. Would you agree with that? People still sue for any reason many times.

SLAWSON: I would agree that people bring lawsuits for their own reasons.

RAMOS: Okay. So in reading what your amendment says, it says someone may not be able to bring a cause of action under rape or incest. However, reviewing your bill, if you could guide me or educate us on if they do—because we can tell people all day all along what they can't do—but if they still do and still choose to sue somebody, what is the recovery mechanism? Or what's in place in your bill to protect the woman from some man who is not saying that he didn't rape her? She's saying he did. She had to have an abortion, so he still decides to sue her. What kind of defense does the woman have? The victim of the rape if, in fact, she is still being sued for the abortion?

SLAWSON: That was a very complex question there to which I will say that a woman—

RAMOS: Okay, I will break it down for you, Representative Slawson. A man rapes a woman. Are you there? You get that part? A man rapes a woman. She's saying that it was not consensual; he's saying it was. If the woman becomes pregnant and chooses to have an abortion, the man then—she never raised any claims that he raped her, but she's saying, you know what, I'm going to take care of what I need to take care of and hope to never see him again. But he continues to stalk her or has an obsession with her. So then she has an abortion, and he then sues her. He sues the woman, and she's never filed any claim for rape or incest. What protections does your bill have for women who may be maliciously sued by rapists, by people who are stalking them, by ex-husbands who just want to sue the heck out of that ex-wife or woman and just drag her through court? What protections do we have for the defendant, for the woman in this case who is being maliciously prosecuted by a former lover?

SLAWSON: Representative, the woman is not a defendant under this case.

RAMOS: I'm sorry?

SLAWSON: The woman is not a defendant under this bill.

RAMOS: Okay, what protections are there for the individual who does pursue the abortion, who receives the abortion, when she is maliciously litigated or maliciously prosecuted?

SLAWSON: Representative, the person receiving the abortion is not a defendant under a cause of action in this bill.

RAMOS: What protection is there for the person who is aiding and abetting the person who is receiving the abortion, who is part of this cause of action? What protection is there for that person if somebody just wants to maliciously litigate the person who is aiding and abetting the individual receiving the abortion?

SLAWSON: We have laws prohibiting frivolous and vexatious litigation. Under this amendment, a civil action may not be brought by a person who impregnated the abortion patient through an act of rape, sexual assault, incest, or any other of those prohibited under the Penal Code.

RAMOS: What additional protections are there for anybody who is litigating just to make it difficult for that person and make it hard for them to just help anybody that's pursuing this abortion? What in your bill—because you're very clear and very extensive. As a matter of fact, they have up to six years, up to the sixth anniversary of the date. What do you have in this bill, and according to your amendment, are there any additional protections against vexatious litigation? And within your amendment, are you going to be addressing that?

SLAWSON: This amendment specifically addresses those who do not have standing to bring a cause of action because they impregnated the abortion patient through an act of rape, sexual assault, incest, or any of the other enumerated prohibitions.

A record vote was requested by Representative Noble.

Amendment No. 1 was adopted by (Record 760): 136 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Cole; Collier; Cook; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith;

Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; White; Wilson; Wu; Zwiener.

Nays — Bailes; Dutton; Johnson, J.D.; Morales, C.; Thompson, S.; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Smithee.

Absent — Cortez; Dominguez; Meza; Morales Shaw.

STATEMENTS OF VOTE

When Record No. 760 was taken, I was shown voting no. I intended to vote yes.

Bailes

When Record No. 760 was taken, I was shown voting no. I intended to vote yes.

J.D. Johnson

When Record No. 760 was taken, I was shown voting no. I intended to vote yes.

C. Morales

When Record No. 760 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

When Record No. 760 was taken, I was shown voting no. I intended to vote yes.

S. Thompson

When Record No. 760 was taken, I was shown voting no. I intended to vote yes.

Walle

Amendment No. 2

Representative Slawson offered the following amendment to **SB 8**:

Amend **SB 8** (house committee printing) as follows:

(1) Strike "chapter" and substitute "subchapter" in each of the following places:

- (A) page 6, lines 13, 18, 20, 26, and 27;
- (B) page 7, lines 3, 4, 12, 14, 23, and 27; and
- (C) page 8, lines 8, 16, and 20.

(2) On page 7, line 17, strike "sixth" and substitute "fourth".

AMENDMENT NO. 2 - REMARKS

SLAWSON: I offer a perfecting amendment that will do two things here. It clarifies that the right to a civil action refers expressly to this subchapter, and it reduces the statute of limitations from six years to four years.

A record vote was requested by Representative Noble.

Amendment No. 2 was adopted by (Record 761): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; 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; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Smithee.

Absent — Ellzey.

STATEMENT OF VOTE

When Record No. 761 was taken, I was in the house but away from my desk. I would have voted yes.

Ellzey

Amendment No. 3

Representative Dutton offered the following amendment to **SB 8**:

Amend **SB 8** (house committee printing) as follows:

(1) On page 17, line 14, strike "Section 171.008" and substitute "Sections 171.008 and 171.009".

(2) On page 18, between lines 13 and 14, insert the following:

Sec. 171.009. HEALTHCARE AND HIGHER EDUCATION SUBSIDIES TO ASSIST WOMEN DENIED ABORTIONS. (a) The commission shall establish a subsidy program to assist women who have a child after being denied an abortion with respect to that pregnancy by:

(1) covering all of the child's healthcare costs until the date the child turns 18 years of age; and

(2) after the date the child turns 18 years of age, providing free tuition to any public university or college in this state.

(b) The commission shall award the subsidies as provided by Subsection (a) to each child who is born following the denial of an abortion with respect to that pregnancy in this state on or after September 1, 2021.

AMENDMENT NO. 3 - REMARKS

REPRESENTATIVE DUTTON: I hope you can read this amendment or will read it. What it does is it says that to the extent that we cause a woman to have a child that she otherwise would've had an abortion for, we are going to provide medical care for that child until that child is 18. We are also going to provide tuition for that child to go to school. Now, you might ask why did I do this amendment. Well, let me tell you this. I think there's a whole lot of difference between being pro-life and pro-birth. Because if you're pro-birth, you don't care much about what happens to that child afterward. You just care about that child being born. But what this amendment says is that if we adopt that as a philosophy, we recognize that that child needs Medicare, and one of the best things we could do for that child is provide an opportunity for that child to go to college. And that's all this amendment does. And I understand there's been an agreement to take some of these amendments away, and so I'm going to withdraw the amendment.

RAMOS: Representative Dutton, I want to thank you for this because it is important not only to be pro-life, if that's the case, but also be pro-living, and this is exactly what this amendment does. It is pro-living once the child is born. Speaking to your amendment regarding higher education, do you know what percentage or is it your understanding there's a high percentage of these children that may be born in certain situations, financially challenged situations, having challenges paying for higher education?

DUTTON: Many times that's the case. That's what happens to a number of women, as I understand it. As a practicing Catholic myself, I don't like abortion myself. But I recognize that ought to be a woman's right, and it ought to be our obligation, when we override that right, to provide for that child. And so that's what this amendment says, that our commitment is not only going to be to the birth of that child but to that child maintaining health care and education.

RAMOS: Thank you, Representative Dutton. Because as it is and what we're arguing today is the freedom to choose what one does with one's individual body. But this allows, once we ban that freedom, this is saying the child has the freedom to be educated. If the government wants to make the decision for the woman, then the government should also carry the investment in that child's higher education. So I want to thank you. I think this is a great amendment, and it's unfortunate that it's withdrawn.

DUTTON: Thank you all for this opportunity. I hope this causes at least—I don't think it will change anybody's mind—but I hope it at least pricks your heart to recognize that there are children who are being born who need health care and whatever education we can provide them. We have an obligation to do it.

Amendment No. 3 was withdrawn.

SB 8 - REMARKS

COLLIER: I have the utmost respect for Representative Slawson. She carries herself so very well and professional in front of this legislative body. But I just completely disagree with this legislation. I'm here to speak against this measure. I want to go back and think about what Representative Turner talked about, these unintended pregnancies. I was 15 when I got pregnant my first time. And the first thing I did was confided in a friend and I talked about how scared I was. I mean, I was on the cheerleading team. I was captain of the cheerleading team. I was on the track team. And I was very afraid. So I went to a clinic. And I lived in the D.C. area, so I wasn't here, but I went to a clinic called Planned Parenthood, and they gave me my options. I couldn't go through with it. I decided not to do that. That was my choice. It was a personal decision for me. But because of my choice, that doesn't mean that I need to put that on somebody else and make that their choice. Why should what I want and decide for myself supersede what someone else believes is best for them? And that's what this bill does, in my mind. This bill eliminates that option.

I can tell you right now, as a scared teenager, I didn't know what I was going to do. But I did have people around me that were able to provide resources. But that's not available for everyone. Not everyone comes from a two-parent household that can help them raise their child. Not everyone has a job that can help them supply the necessities of raising a child. And so what we're doing is creating what I'd like to think are unintended consequences—or maybe they're intended—but we're setting people up to fail by not giving them the option. By eliminating and reducing what is already existing, what is legal in our state, we are substituting our judgment, our moral opinion on all Texans. We're not giving them that choice. Even God gives us a choice. God gives us the right mind. He gives us a mind to make those decisions for ourselves, and only God judges us. But today, the state legislature is saying, no, we're going to tell you the right thing to do. We're going to make that decision for you. In fact, you are saying that what God has allowed, you're going to take that away, too. I'm going to say it as far as that, and that's how I see this. The reason I say that is because we're not giving that choice to anyone.

And again, as a teen mother myself, I was very lucky and grateful to have my family, but not everybody is. So what are we going to do? What concerns me is that I hear everybody talking about life and protecting life. But how are we protecting life? How are we protecting life when we attempt to criminalize homelessness? How are we protecting life when we have the highest rate of uninsured Texans? How are we protecting life when there are too many children who go home hungry every day? I don't see us fulfilling that quest when we have these measures in front of us.

REPRESENTATIVE ROSE: Representative Collier, you and I are classmates, right?

COLLIER: Yes, that's correct.

ROSE: And this is our fifth legislative session, correct?

COLLIER: Yes, it is.

ROSE: Each legislative session, haven't we had to deal with this issue?

COLLIER: We have, time and time again.

ROSE: And I know today, you know, it's a little edgy around here. But isn't it kind of frustrating to continue to have to deal with this issue?

COLLIER: It is so frustrating. And it seems like every year we come back, it's chipped away any type of responsibility that I have for myself. Any type of control that I have over myself is chipped away. And this chipping away at me, as a person—every year, the legislature comes and takes away some right that I have.

ROSE: Wouldn't you say, though, each session we fail to expand Medicaid for people who need health care?

COLLIER: Absolutely, and that's about preserving life.

ROSE: You know, sometimes I think the only time this body cares about a person is when it's in the womb, but when a person is here living, we chip away everything. People go to prison and when they come back, they can't get housing, they can't get a job, and we make all of those barriers for them in this body. But it seems the only time we want to stand up and care about a life is when it's in the womb.

COLLIER: Exactly. In fact, what I want us to do is I want members to stop pandering to a small base of their voters and start talking about the real issues that we need to address as a legislature. We have issues in dealing with strengthening our infrastructure from Winter Storm Uri. We need to strengthen our power grid. Those are things that we need to focus on. We need to focus on increasing access to quality health care. These are issues that are meat-and-potatoes issues that impact the daily lives of all Texans instead of a small portion of Texans that you want to pander to your base. Let's focus on the real issues in front of us, right now. And those are the issues in front of us, like improving and making sure our education system is stable. There's so many things we could be talking about instead of wasting time on something that is constitutional, that is legal right now, and that we are just wasting this time on. We need to focus on the real issues in front, and Texans deserve that. Texans deserve better.

ROSE: I just know our districts are basically the same, and when we go home after the legislative session, people are concerned about health care, education, the economy. They're concerned about jobs. Is that an issue that your constituents just hound you about?

COLLIER: Absolutely, and they also want us to eliminate and remove the systemic racism that's in our criminal justice system.

ROSE: And wouldn't it be great right now if we were having a conversation about COVID-19 and how it's going to impact communities after this pandemic?

COLLIER: Absolutely, it sure would. Thank you so much for bringing that up. It sure would be a great conversation to have. Members, I just want us to get back to doing what Texans are expecting us to do and that's to pass good legislation and not waste their tax dollars on defending lawsuits that are frivolous. I hear so many people saying TLR, Texas lawsuit reform. People say, just don't have so many lawsuits. This is going to open more lawsuits. In fact, I can't wait to file a lawsuit. I could use that \$10,000.

REPRESENTATIVE HINOJOSA: I was raised Mexican Catholic. I am still Catholic, and in that tradition, the value and culture of dignity is held in high esteem. Dignidad—the dignity of life, yes, and of respecting family, relationships, and the dignity of a quiet modesty about personal family issues. So talking about such intimate matters in public is very uncomfortable for me. It is very uncomfortable for a lot of women, probably most women in this chamber, and for many men. It is very uncomfortable for women in this state, but here we go again. When legislation like this is brought, we're forced to talk about these most intimate parts of our lives in public for all to hear, for all to see.

Eighteen years ago, I was pregnant with my first pregnancy, and I was overjoyed. We were overjoyed. That pregnancy wasn't meant to be. We learned late in my second trimester that my child had a terrible sickness called Trisomy 18, and it meant that every cell in her body was sick. And that was not compatible with life, the doctors told me. I was also told that I had a week to make a decision about whether or not to terminate the pregnancy. I took that whole week. It was the hardest decision of my life. It was spent in prayer, in conversation with my husband, and in conversation with my family. Family members who have always been pro-life were telling me, "This is different, Gina. It's okay to terminate this pregnancy." I got into arguments with my priest and with the sister at my church. They counseled me through this. And ultimately, I made the decision, and I made the choice not to terminate the pregnancy. She didn't make it. She was born shortly after her due date, and she didn't make it. But it was in making that choice that I experienced God's grace. It was in making that choice that I found my own strength. And why would we take that opportunity, that choice, away from anyone? From any woman in this state? Isn't that what life is about? The choices that we make?

The crossroads I was at to make a decision—I probably would not be standing here today had I not been through this experience. Of course, I would never judge a woman who chose the other experience, who chose to terminate her pregnancy, who chose an abortion. I had all the resources—health insurance, supportive husband, supportive family—and still, who knows five years later if I would have made a different choice. I could have easily made a different choice. Before we judge—walk a mile in her shoes before we judge. We are not here to judge, members. We are here to make laws for the well-being of Texans, and the jurisdiction of the laws of Texas should not enter my body, should not enter any woman's body, should not enter any person's body. Where is the dignity in that?

If we want to stop abortion, we do it in our churches. We do it in our communities. We do it in conversation with women, in relationship with women. We support families. We don't do it by government mandate.

HOWARD: I noticed while my female colleagues were speaking that many gentlemen in this room were busy doing other things and not paying attention. And I know we all have those choices, but for those that are purporting to be here supporting this bill about life, I would hope that you would also have the respect for those that are living up here before you that have to deal with this issue on a regular basis. I am old enough that I was coming of age as a young woman before *Roe v. Wade*. Many of you in here weren't even born then. But there I was as a young adult without the choices that people have before them today, and I can tell you it was a very different world. It's a very different world when I had to have my father's signature to get a credit card because I was a woman. And even though I was on my own, working, paying my way through school, I couldn't get my own credit card without a man signing for me. I had many women around me, young women in years from a teenager as well as a young adult, who ended up getting pregnant because we didn't even have access to birth control. If you weren't married, you couldn't get a contraceptive back then. Unbelievable. Oh, and let me remind you guys, it takes two to tango, but it's the woman who is bearing the pregnancy.

I had family members and friends who faced these choices even after *Roe v. Wade* came to be. I'm thinking of three family members in particular. And they were all three in very difficult, challenging situations—very challenging situations. One of them chose to have her baby, and I'm thrilled that she did. She's thrilled that she did. One of them chose to go away for a while, which is what we did back then, and came back without having her baby because she gave her baby up for adoption. That was her choice. I can't tell you how she feels about it today, because I haven't asked her lately, but I know it had an impact on her that she gave up a baby. But she had no options to support that baby, and she was a teenager. And then I have a third family member who made the choice to have an abortion, and it was the best choice for her to have made in terms of what ended up happening with her life and what would have been tragically different had she not. Three different choices in one family. That's the whole point here is that we need to have the options before us. We're the ones that carry the babies. We're the ones that raise those babies. Sometimes there's a man there with us and sometimes there's not. And let me tell you that a lot of times, there's not. As my colleague so eloquently just said in her statement just previous to mine, walk a mile in someone else's shoes before you make these judgments. This legislature should not be dictating what we do as women with our own bodies.

I have comments here that I'm not going to go through, but I do want to make one particular one, and that has to do with our medical community. The health care providers—the physicians who are practicing medicine, who are delivering health care, who are delivering this legal, medical procedure because it's been decided this is the best option for their patient—this bill is jeopardizing their license, their livelihood, what they've put years in to accomplish. This bill is jeopardizing them, and that is why the Texas Medical Association opposes the

private cause of action, because of how far-reaching it could be in implicating hospitals and fetal and maternal health doctors who refer to abortion providers in circumstances that are far beyond the medical expertise of this legislative body. People should have the ability to make reproductive health decisions that they feel are best for themselves and their futures, and they should be able to have the assurance that those decisions will be safe. We do not want to return to a time when women had to hide in the shadows and risk their health and their very lives with unsafe procedures in order to receive these health care services.

REPRESENTATIVE GERVIN-HAWKINS: Representative Howard, as you were talking, I was reflecting back when I was growing up in the '50s and '60s and how—where were those women going for abortions? How many came home damaged? Weren't there wire hangers back then?

HOWARD: There were indeed.

GERVIN-HAWKINS: Dark rooms? Unsanitary places?

HOWARD: Yes.

GERVIN-HAWKINS: And something that you said earlier—you said abortions will always happen. Would you think that we have a right to protect those who have to go in those dark corners?

HOWARD: Absolutely, I would. We have a legal medical procedure right now that we are obstructing access to. We do not want to go back into those dark corners.

GERVIN-HAWKINS: And then when you have these doctors who will be criminally liable for such an action, it would be hurtful to our overall society. Would you agree with that?

HOWARD: I would agree with that.

GERVIN-HAWKINS: Representative Howard, I know you've fought this issue, and you've shared your story. And many of you have shared your story. But I believe our colleagues need to truly understand if they see a young woman that comes home, that bleeds to death, that dies from not properly having the sterilization that they need, it is a horrible situation. And why would we, in the 21st century, deal with that again?

HOWARD: I don't want to go back.

GERVIN-HAWKINS: So would you agree the biggest message we need to give our colleagues is let's not go backward, let's move forward? And if there's an abortion to be had, let it happen in the right circumstances with one's choice that they have made and that they have to live with their God with. Would you agree that's the right thing to do?

HOWARD: I would.

GERVIN-HAWKINS: And it's not a political issue or a partisan issue. It is truly a human rights issue.

HOWARD: I agree. I want to close by saying that we live by relationships in this room. That's how we do our business. We are going to have disagreements. I realize that everybody is coming to this with their own particular beliefs and faith as they decide how they want to pursue this. There's no argument I could ever give that says that we are not talking about a life, a developing life, in the uterus. I get that. I get that. But I'm making a decision based on my faith and the way that I have been raised, my moral universe, which may or may not overlap exactly with yours, but I would wager we share more than we are different here. And I have every confidence that the choices that I am making to support a woman's choice to control her own body is supporting life. I will choose to call it that. That's what I believe. And I hope that we can get past this with our relationships intact and continue to do the work we do and not be judgmental of one another in terms of what our own particular faith beliefs might be. We are all, no matter what you believe, we are all part of the one, however you would like to define that. And I am going to recognize and respect your position on things. I hope you will do the same for all of us that are up here and understand that we are also coming from a place of values and morals and faith and life.

REMARKS ORDERED PRINTED

Representative Toth moved to print all remarks on **SB 8**.

The motion prevailed.

REPRESENTATIVE SLATON: Your bill would seek to protect life at detectable heartbeat. Who would be the one determining whether or not there is a determinable heartbeat?

SLAWSON: A medical professional.

SLATON: Is there anything in **SB 8** that would require the physician to record any audio or video confirming that there is no heartbeat?

SLAWSON: **SB 8** requires the physician to perform an appropriate test for the detection of a heartbeat and to enter into the medical record the results of that test.

SLATON: After the abortion is performed, is there any way other than taking the physician's word for it to confirm whether there actually was or was not a heartbeat?

SLAWSON: I'm sorry, would you repeat your question?

SLATON: So after an abortion is performed, is there any way other than taking the physician's word for it to confirm whether there was actually or was not a heartbeat?

SLAWSON: The medical record is required to have an entry in it, Representative, reflecting the results of that test.

SLATON: Okay, thank you. The Fourteenth Amendment of the United States provides no state shall deny any person within its jurisdiction the equal protection of the laws. I believe the Fourteenth Amendment applies to life in the womb.

RAMOS: In reviewing your bill and kind of going back to the question, I just want a little clarification. In your bill, on page 6, the civil liability for violation—I didn't see it, so I just want clarification. Does anywhere in your bill state a cause of action against the impregnated woman?

SLAWSON: The woman is not a defendant in a cause of action under this bill.

RAMOS: So this is about a procedure done on the woman by those who have assisted the woman but not the woman per se?

SLAWSON: This cause of action is designed to protect an unborn child after the detection of a heartbeat.

RAMOS: Why are we not including the woman as a defendant? I just want clarification. Why are you not including a woman as a defendant in your bill if she is the one that is making the decision?

SLAWSON: Representative, I did not wish to include a woman as the defendant under this Act.

RAMOS: Why not? It was her choice. Why not prosecute the woman?

SLAWSON: Representative, I do not wish to prosecute a woman under this Act.

RAMOS: Why not? She made the choice. Would we not also hold her accountable and have her sued and have her pay those violations for making that decision?

SLAWSON: Through this Act, we seek to protect innocent unborn life once a heartbeat is detected.

RAMOS: But the woman is carrying the "innocent life." Why are we not prosecuting the woman?

SLAWSON: The focus of this Act is to protect an innocent unborn child upon the detection of a heartbeat.

RAMOS: Does that child act alone? The unborn child, are they acting alone?

SLAWSON: I'm not sure I understand the nature of your question, but the goal of this Act is to protect that innocent unborn child upon the detection of a heartbeat.

RAMOS: So going back to my original question, if the woman is the one making the decision, why are we not vilifying the woman as well? If, in fact, she is making the decision, and we know the unborn child is not making the decision by themselves or acting on their own pretense, should we not also go after the woman? According to your philosophy, your theory, your explanation, this is attacking an unborn child. Why not go after the women? Why not put them in jail? Why not sue them? Why not give them jail time?

SLAWSON: Representative, the goal of this bill is to protect innocent unborn life upon the detection of a heartbeat.

RAMOS: Could it be because it's the wrong thing to do?

SLAWSON: We do important work under this dome, and we have important debate and dialogue on a wide variety of issues. This one today is very possibly one of the most important conversations that we can have. I want to thank you, every single one of you, for that conversation, and I want to particularly thank everyone who has worked many months, so hard, on the Texas Heartbeat Act. We all come into today and into this conversation from different backgrounds and different experiences, and those shape us in a variety of ways.

I have had the privilege of carrying children and am the proud mother of two brilliant and amazing little girls, but there's a middle daughter that none of you will ever see in any of my photographs, who I labor for personally as I stand up here today. About nine years ago I listened to the beautiful melody of her heartbeat—her heartbeat—and then I listened, kind of in a tunnel, to a doctor talk about a severe abnormality. We rallied around her in prayer, this tiny little life that was so much greater than myself. And then one day, I listened to the deafening silence of the absence of that heartbeat. And when she passed, we grieved. And honestly, it was really hard sometimes not to question why I would get to see her and hear her but not hold her. I knew my middle daughter through the cadence of her heartbeat. That sound was her song, and it was the anthem of tens of thousands of sons and daughters who are worth our protection when we vote on this Heartbeat Act today. And while I didn't get to hold my middle daughter, I enjoy the tremendous privilege of having this conversation with you and standing for her heartbeat and her life in here today. For far too long, abortion has meant the end of a beating heart. But through this, the Texas Heartbeat Act, that beautiful melody of a beating heart will mean the protection of those innocent unborn lives in Texas.

A record vote was requested by Representative Noble.

SB 8, as amended, was passed to third reading by (Record 762): 81 Yeas, 63 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega;

Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Clardy; Coleman; Smithee.

Absent — Herrero.

STATEMENTS OF VOTE

When Record No. 762 was taken, I was shown voting present, not voting. I intended to vote no.

Dominguez

When Record No. 762 was taken, I was absent/excused because of important business in the district. I would have voted yes.

Smithee

LEAVE OF ABSENCE GRANTED

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

Lambert on motion of Stucky.

SB 8 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Klick moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 8** all joint authors and co-authors for **HB 1515** who sign on to **HB 1515** before **SB 8** passes the house on third reading.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

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

Wilson on motion of Goldman.

POSTPONED BUSINESS

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

CSHB 2692 ON SECOND READING (by Landgraf, Harris, and Patterson)

CSHB 2692, A bill to be entitled An Act relating to the regulation of radioactive waste; reducing a surcharge; reducing a fee.

CSHB 2692 was read second time on May 4 and was postponed until the end of that day's calendar.

CSHB 2692 - POINT OF ORDER

Representatives Craddick and Dutton raised a point of order against further consideration of **CSHB 2692** under Rule 4, Section 32(c), of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on House Bill 2692

Announced in the House on May 5, 2021

Representatives Craddick and Dutton raise a point of order against further consideration of **CSHB 2692** under Rule 4, Section 32(c), of the House Rules on the grounds that the bill analysis is substantially or materially misleading.

Representatives Craddick and Dutton argue that the bill analysis does not adequately explain the bill's repeal of certain current law provisions, including those limiting the amount and volume of radioactive waste that may be disposed of both annually and totally and those detailing contracting requirements. They also argue that the analysis does not explain the bill's provisions governing the manner in which a new waste disposal fee comparison is made for purposes of determining a fee rebate.

A summary bill analysis must contain sufficient detail of the bill's provisions to enable Members to cast an informed vote. *E.g.*, 86 H. Jour. 4355-4356 (2019). Here, the bill's repealers are as important as the bill's additions and they must be set out in equivalent detail in order for the bill's effect on current law to be fully understood. *See id.* at 4186. Because the analysis fails to do so, it is substantially and materially misleading. *See id.* at 2997.

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

CSHB 2692 was returned to the Committee on Environmental Regulation.

SB 1265 ON SECOND READING

(Ellzey - House Sponsor)

SB 1265, A bill to be entitled An Act relating to the eligibility of the National Hot Rod Association Fall Nationals at the Texas Motorplex for funding under the Major Events Reimbursement Program.

SB 1265 was considered in lieu of **HB 2132**.

SB 1265 was read second time and was passed to third reading. (Ashby, Dean, and Shine recorded voting no.)

HB 2132 - LAID ON THE TABLE SUBJECT TO CALL

Representative Ellzey moved to lay **HB 2132** on the table subject to call.

The motion prevailed.

CSHB 3034 ON SECOND READING

(by Campos)

CSHB 3034, A bill to be entitled An Act relating to the establishment of a statewide homelessness data system.

CSHB 3034 was read second time on April 28 and was postponed until 10 a.m. today.

Amendment No. 1

Representative Campos offered the following amendment to **CSHB 3034**:

Amend **CSHB 3034** (house committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. (a) In this section, "council" means the Texas Interagency Council for the Homeless established under Subchapter KK, Chapter 2306, Government Code.

(b) The council shall conduct a study on the feasibility of establishing a statewide homelessness data system through which:

(1) state agencies and local governmental entities, including law enforcement agencies, court systems, school districts, and emergency service providers, are able to share information related to individuals experiencing homelessness; and

(2) the entities described by Subdivision (1) of this subsection are able to access information related to individuals experiencing homelessness in order to connect or refer those individuals to services, including affordable housing opportunities.

(c) In conducting the study under this section, the council shall:

(1) consult with representatives of the entities described by Subsection (b)(1) of this section to determine the challenges faced by those entities in addressing homelessness and how best to improve the responses to those challenges; and

(2) assess the feasibility for the statewide homelessness data system described by Subsection (b) of this section to:

(A) ensure that information stored in the data system that is confidential under state or federal law is not disclosed;

(B) collect data from other homelessness data systems maintained or operated by a state agency, local law enforcement agency, or other entity of this state; and

(C) collect, aggregate, analyze, and share homelessness information with entities that have access to the system.

(d) Not later than October 1, 2022, the council shall prepare and submit to the legislature and the Texas Department of Housing and Community Affairs a written report that summarizes the results of the study conducted under this section.

SECTION 2. This Act expires September 1, 2023.

SECTION 3. This Act takes effect September 1, 2021.

Amendment No. 1 was adopted.

CSHB 3034, as amended, was passed to engrossment. (Ashby, Darby, Dean, Leach, and Shine recorded voting no.)

HB 1653 ON SECOND READING**(by Craddick)**

HB 1653, A bill to be entitled An Act relating to disannexation of certain areas that do not receive full municipal services.

HB 1653 was read second time on April 27, postponed until May 3, and was again postponed until 10 a.m. today.

Representative Craddick moved to postpone consideration of **HB 1653** until 10 a.m. tomorrow.

The motion prevailed.

CSHB 4492 ON SECOND READING**(by Paddie)**

CSHB 4492, A bill to be entitled An Act relating to securitizing costs associated with electric markets; granting authority to issue bonds.

CSHB 4492 was read second time on April 26, postponed until April 28, postponed until May 3, and was again postponed until 10 a.m. today.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Burrows requested permission for the Committee on Calendars to meet while the house is in session, at 6 p.m. today, in 3W.15, to consider a calendar.

Permission to meet was granted.

Representative K. King requested permission for the Committee on Culture, Recreation, and Tourism to meet while the house is in session, at 6 p.m. today, in 1W.14, to consider pending and referred business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENTS

At 5:05 p.m., the following committee meetings were announced:

Calendars, 6 p.m. today, 3W.15, for a formal meeting, to consider a calendar.

Culture, Recreation, and Tourism, 6 p.m. today, 1W.14, for a formal meeting, to consider pending and referred business.

CSHB 4492 - (consideration continued)**Amendment No. 1**

Representative Paddie offered the following amendment to **CSHB 4492**:

Amend **CSHB 4492** (house committee printing) as follows:

- (1) On page 4, line 4, strike "of the corporation".
- (2) On page 9, line 20, before "Sections", insert "Subchapter M and".
- (3) On page 10, line 16, between "substantial" and "balances", insert "default".

(4) On page 10, line 19, between "event" and the period, insert "and extraordinary ancillary service and reliability deployment price adder charges that were uplifted on a load ratio share basis".

(5) On page 10, line 26, between "market" and the period, insert "and uplift balances that were allocated to all load-serving entities on a load ratio share basis as a result of usage during the period of emergency".

(6) On page 12, between lines 9 and 10, insert the following:

(8) "Uplift charges" means charges for reliability deployment price adders and ancillary services costs in excess of the commission's system-wide offer cap that were uplifted to load-serving entities on a load ratio share basis due to energy consumption during the period of emergency. The term includes only uplifted amounts and does not include amounts that were part of the prevailing settlement point price.

(7) On page 12, line 12, after "default", add "or uplift".

(8) On page 12, line 20, strike "to the wholesale market".

(9) Insert "or uplift" in each of the following places:

(A) page 12, line 22, after "default"; and

(B) page 13, line 1, between "default" and "charges".

(10) Strike page 13, lines 10 through 18, substitute the following, and reletter subsequent subsections and cross-references to those subsections accordingly:

(c) Nonbypassable default charges must be collected and allocated among wholesale market participants using the same allocation methodology described in the protocols of the independent organization, as they existed on March 1, 2021. The rate associated with the nonbypassable default charges must be assessed on all wholesale market participants, including market participants who are in default but still participating in the wholesale market, and must be based on updated transaction data to prevent market participants from engaging in behavior designed to avoid the nonbypassable default charges.

(d) Notwithstanding another provision of this subchapter, nonbypassable default charges may not be collected from or allocated to a market participant that:

(1) would otherwise be subject to an uplift charge solely as a result of acting as a central counterparty clearinghouse in wholesale market transactions in the ERCOT power region; and

(2) is regulated as a derivatives clearing organization, as defined by the Commodity Exchange Act (7 U.S.C. Section 1a).

(e) Nonbypassable uplift charges must be allocated to all load-serving entities on a load ratio share basis, excluding the load of entities that have opted out under Subsection (f).

(f) The commission shall develop a process that allows a load-serving entity and any customer whose demand is greater than one megawatt and is served by a retail electric provider to opt out of the uplift charges by paying in full all invoices owed for usage during the period of emergency. Load-serving entities and individual customers that opt out may not receive any proceeds from the uplift bonds.

- (11) Insert "or uplift" in each of the following places:
- (A) page 13, line 21, before "charges";
 - (B) page 14, line 17, before "charges";
 - (C) page 14, line 18, between "default" and "charges";
 - (D) page 14, line 20, between "default" and "charges";
 - (E) page 14, line 25, before "charges";
 - (F) page 15, line 1, between "default" and "property";
 - (G) page 15, line 2, between "Default" and "property";
 - (H) page 15, line 5, before "charges";
 - (I) page 15, line 10, before "charges";
 - (J) page 15, line 10, between "default" and "property"; and
 - (K) page 15, line 13, between "default" and "property".

- (12) Strike page 15, lines 21 through 24, and substitute the following:

Sec. 39.606. DEFAULT AND UPLIFT CHARGES NONBYPASSABLE.

A financing order shall include terms ensuring that the imposition and collection of default or uplift charges authorized in the order shall be nonbypassable, other than uplift charges paid under Section 39.603(f).

- (13) Insert "or uplift" in each of the following places:

- (A) page 15, line 26, between "default" and "charges";
- (B) page 16, line 8, between "Default" and "property";
- (C) page 16, line 11, between "default" and "property";
- (D) page 16, line 14, between "default" and "property";
- (E) page 16, line 21, between "default" and "property";
- (F) page 17, line 2, between "default" and "property";
- (G) page 17, line 20, between "default" and "charges";
- (H) page 17, line 23, between "default" and "property";
- (I) page 18, line 4, between "default" and "charges";
- (J) page 18, line 9, between "default" and "charges";
- (K) page 18, line 15, between "default" and "property";
- (L) page 18, line 16, between "default" and "charges";
- (M) page 18, line 24, between "default" and "property"; and
- (N) page 18, line 25, between "default" and "charges".

- (14) On page 19, between lines 14 and 15, insert the following:

Sec. 39.613. CUSTOMER CHARGES. All load-serving entities that receive offsets to specific charges from the independent organization under this subchapter must adjust customer invoices to reflect these offsets for any charges that were or would otherwise be passed through to customers under the terms of service with the load-serving entity, including by providing a refund for any offset charges that were previously paid.

Amendment No. 1 was adopted.

CSHB 4492, as amended, was passed to engrossment.

CSHB 3915 ON SECOND READING
(by Goldman)

CSHB 3915, A bill to be entitled An Act relating to the designation of certain premises as critical load premises for electric service.

CSHB 3915 was read second time on April 29, postponed until May 3, and was again postponed until 10 a.m. today.

Amendment No. 1

Representative Goldman offered the following amendment to **CSHB 3915**:

Amend **CSHB 3915** (house committee printing) as follows:

(1) On page 1, line 17, between "used" and "for", insert "by the following entities or".

(2) On page 1, between lines 20 and 21, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

() gas utilities;

(3) On page 1, line 24, strike "and".

(4) Between page 1, line 24, and page 2, line 1, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

() wastewater treatment; and

Amendment No. 1 was adopted.

Amendment No. 2

Representative Goldman offered the following amendment to **CSHB 3915**:

Amend **CSHB 3915** (house committee printing) on page 2, between lines 5 and 6, by inserting the following appropriately lettered subsection:

() This section does not limit a transmission and distribution utility's discretion to prioritize power delivery and power restoration to the transmission and distribution utility's customers as circumstances require.

Amendment No. 2 was adopted.

CSHB 3915, as amended, was passed to engrossment.

HB 2261 ON SECOND READING
(by Wu)

HB 2261, A bill to be entitled An Act relating to the authority of a municipal management district to provide public education facilities and public education-related supplemental services.

HB 2261 was read second time on May 3 and was postponed until 10 a.m. today.

HB 2261 - REMARKS

REPRESENTATIVE WU: This is a very, very simple bill. Some of your cities and some of your districts already have management districts. This bill does not create new ones. It does not give them any new taxing authority. All this bill does is allow them to do some work around educational facilities. The best example would be that if there is a school that is within the management district—and again, the purpose of the management district is to pick up trash, wipe away graffiti, put plants in the ground just to make the area look nice and make it have a consistent theme for whatever the management district decides to do—and they

want to be able to go around the school and clean up around the sidewalks, wipe off graffiti, pick up trash, and put in a few plants to make it look the same as the rest of the district, this gives them permission to do that.

REPRESENTATIVE HOLLAND: Mr. Wu, you kind of laid out the purpose of your bill. Why is it necessary for an MMD to build schools?

WU: Again, we're putting this into a section of the code. There's not a way where I can just say, well, you're only allowed to just clean up graffiti or make it limited like that.

HOLLAND: So what's a public education facility?

WU: That's basically any school.

HOLLAND: So an MMD, a municipal management district, if this bill passes, any MMD in Texas currently created or in the future can start to build schools?

WU: Yes, I mean, I guess that's possible. But my management districts in my district have like a \$200,000 budget. I don't know what kind of schools they're going to build that would wipe out their entire budgets.

HOLLAND: Would they be able to sell bonds for assessments and assess them out to the people in their district?

WU: Not unless they already have that power, and I do not believe they have that power.

HOLLAND: So why wouldn't the local school district do that?

WU: Because I think a lot of time the local school districts are spending money on kids. And I think one of the issues is the management districts have a very particular theme. They have signs done a certain way. They have certain types of plants planted. They have a certain type of irrigation. They have plans for doing the landscaping.

HOLLAND: So this is just to clean up schools that are in MMDs?

WU: This is what my management districts wanted.

HOLLAND: So you're doing this for Houston?

WU: Yes.

HOLLAND: Okay, so are you raising new assessments via bonds?

WU: There are no bonds here.

HOLLAND: So what's the purpose of the bill then?

WU: The purpose is to give them permission to do work that they already do in the district on school property.

HOLLAND: They're not currently allowed for a school that's in an MMD? So why doesn't the school district do the cleanup?

WU: I mean, I'm not sure how to answer the question without asking the school districts. Again, I think some of it is I think the schools may take care of certain general things. But the management district says, look, we want the property to look a certain way.

HOLLAND: So I have some concerns with the way that the bill's written because it says you're adding public education facilities into the code, into municipal management districts that are all over the state. We create hundreds of them a session. So you're going to allow every municipal management district in the state to—now you're codifying that they can build schools?

WU: And the section also says "operation." I mean, literally it says they can operate school facilities, but I don't know any management district that's going to go in and say, well, we're going to run a school. Because one, they don't have the money for that. Two, they don't have the statutory authority to do that.

HOLLAND: Who makes the decisions within the MMD on this? Is there a board of some sort?

WU: It is a board that is elected by the taxed properties.

HOLLAND: Are you saying that every MMD in Texas—because your bill covers every MMD in Texas—you're telling me every MMD in Texas has an elected board that is elected by the people that are property owners within the district?

WU: As far as I understand, yes. The management districts only tax certain types of properties, and the boundaries of those properties are, I think, actually listed in statute. And it's almost exclusively commercial properties.

HOLLAND: Exclusively commercial MMDs? Because a municipal management district covers residential properties as well.

WU: They generally do not. And maybe I'm mistaken, but in my area, they do not cover residential areas unless—unless— the residential area specifically votes to bring themselves into the management district. The only single residential area that I know is inside of a management district is the area just across from my district where St. George Place voted themselves into a management district.

HOLLAND: So the members of the board of the management district live within the district? How are they appointed? Or are they elected?

WU: They're voted on by the properties that are taxed. So not all properties are taxed. Only the properties that are taxed get to vote, as far as I understand.

HOLLAND: So the people making the decisions on assessments or any decisions by the MMD are accountable to voters?

WU: The board is accountable to the people that they are taxing. So general voters, no.

HOLLAND: So in the future a public education facility within an MMD—they would still pay an MMD assessment and the school taxes? The ISD and MMD assessments at the same time?

WU: I would assume. I'm not that much of an expert on taxation.

HOLLAND: Will the local ISDs take over the deferred maintenance of the schools? So the MMD is going to pay for new schools, new facilities of some sort? I mean, I don't read the bill as it's cleaning it up. You're adding to every MMD in Texas that they are now allowed to—

WU: Again, lines 8, 9, and 10 talk about improvement, maintenance, and other stuff that is in that part of the code. We're not looking to change that part of the code. Because we would have to change that part of the code for everything else.

HOLLAND: When an MMD is created, it's created legislatively or they can go through—

WU: We're not creating any new MMDs. We're not changing their overall powers. We're just giving them permission to do work on the school property.

HOLLAND: But you're adding that public education facilities can now be paid for, built, and assessed to property owners. I mean, schools are pretty expensive facilities built by school districts through bonds and—

WU: Again, I understand that there's concern that they're going to build school buildings, but as far as I know, school buildings are in the hundreds of millions of dollars. Most of these management districts have like a \$100,000 or \$200,000 a year budget. I think maybe the big ones are maybe at a million.

HOLLAND: So can the MMD board of directors vote to sell bonds and assess?

WU: Again, I would have to check, but I do not believe that power has ever existed. I do not believe that power has ever, ever existed, and I think you and this body would have stopped it if it did, if we tried to change that.

REPRESENTATIVE MURPHY: Representative Wu, our districts adjoin each other and we share some of these same issues and know some of these same people. And so you're aware that a management district before it ever seeks to sell a bond has to have a petition signed by the majority of property owners in the district. Is that correct?

WU: Yes.

MURPHY: And cities don't have that requirement, do they?

WU: No.

MURPHY: No, so the people that are going to pay the assessments for the bonds would have to approve that?

WU: Yes.

MURPHY: Your bill doesn't authorize any new bonds, does it?

WU: Absolutely not.

MURPHY: It doesn't raise anybody's assessment, does it?

WU: No, it does not. And again, the properties that are taxed are commercial properties who have voted to join the management district.

MURPHY: Correct. And so there are no single-family houses.

WU: No.

MURPHY: In fact, by law, aren't single family homes exempt from all assessments of management districts?

WU: Correct.

MURPHY: By law—so there's not a single one anywhere in the state doing this. It's only on a commercial property. So if a group of commercial property owners want to have a workforce center in the old, shut-down retail store they could do that?

WU: Yes.

MURPHY: Under your law—but they couldn't do that today. Is that correct?

WU: That would be correct.

MURPHY: So economic developments kind of change. It's about workforce, about preschool programs—having things like that that might be done in conjunction with a public charter school or it might be the local ISD. And your bill's permissive. In other words—

WU: Right, there's no requirement that they do it.

MURPHY: If they want to pursue it and they're the ones paying for it, they can make the decision.

WU: And if the commercial properties that are being taxed don't like it, they tell their board members, hey, don't do this.

MURPHY: You've got a good bill, sir.

Amendment No. 1

Representative Middleton offered the following amendment to **HB 2261**:

Amend **HB 2261** (house committee printing) on page 1, line 17, between "facilities" and the underlined semicolon, by inserting "established for the exclusive use of persons that do not impose an ad valorem tax and do not receive money from this state".

AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE MIDDLETON: This bill is a major change to the way we finance our public schools. We worked very hard last session on **HB 3**, and this is basically a runaround on our school finance formula. We have a very specific way that we fund our public schools in Texas so we can be equitable, right, to every member's district in this chamber. I know it doesn't always work out that way, but that's the intent. And what this bill does is it figures out another way outside that formula to get money to our public schools from management districts. And it's not limited like Representative Wu says. So right now, this bill is not limited. He talked about maintenance, but it says "construction, acquisition, improvement, relocation, [or] operation" of public education facilities. So they are levying this fee on businesses that are already paying school property taxes. And really, it's only going to benefit a handful of districts of members in this

body. But it's not the right way to do that. We had a chance to do that last session. We did it. This is a runaround on that. And so what my amendment does is it takes that out and it says this can't be done if they impose an ad valorem tax or receive money from the state.

MURPHY: So Representative Middleton, why would a group of owners want to support schools in their area?

MIDDLETON: They absolutely can already.

MURPHY: But why wouldn't they do so through this mechanism?

MIDDLETON: Well, they're part of the community. I would encourage them to continue to give to education foundations and the charter school foundations.

MURPHY: Mr. Middleton, are you aware that they are not allowed and that why this law is before us is that they cannot support schools with their funds from their properties unless we give them the ability to do so? They're very constrained as to what they can offer. Are you aware of that?

MIDDLETON: You're talking about the management districts. Those individual businesses are free to do what they want. You're saying they're compelled through the management district, which is not elected by the public. They may be elected amongst themselves, but it is not an elected body. They are not on the ballot like the school board is. So that's the distinction.

MURPHY: Well, and the distinction is they must be tied to a taxpayer in the district, which is not like other elected bodies. So there's a very distinct operation of law here. And so what we're trying to do is to free up the opportunity to help those specialized school opportunities—permissively—if the people paying the assessment want to do that. I don't know why you're standing in the way of that.

MIDDLETON: Well, why is this permissive? They can still do that individually. The businesses that are part of that management district, each individual one is free to help the public school and the public charter school. This is creating a governmental entity and shifting the money to a different governmental entity and getting around our school finance formulas. And that's the problem.

MURPHY: The entity already exists, so you're not creating anything new. You're just allowing them to support something they couldn't previously do—as a group—long-term. And that's really where the strength comes in, if you can do it year after year and make sure that the operation continues running.

MIDDLETON: So should we authorize counties and hospital districts and other taxing districts to pay money to our public education system? I mean, there's a reason—

MURPHY: Mr. Middleton, what you may not be aware of is that the practice of economic development has really changed. Schools, workforce, those kinds of things have become incredibly important to relocating. And that's why only the commercial people are going to have to pay that assessment.

MIDDLETON: Well, they're welcome to support public schools and public charter schools on their own individually.

WU: Members, let's be very clear about this. This amendment completely guts the bill, all right? Completely guts the bill. There's no point to the bill after this if the amendment goes on. I'm asking you to oppose the amendment, and here's the reason why. Mr. Middleton's arguments are not about what management districts can do. His arguments are against management districts, and that is a horse that has left the barn a long time ago. Many of our communities are supported by these management districts. Private, commercial property owners have decided to get together and make their community better. And if they believe that joining together and helping their own schools within their district is beneficial to their economic well-being, let them do that. If they want to donate an unused strip mall to have a welding class, let them do that. If they want to donate their management district services to help pick up trash, help clean up graffiti, plant more plants, make the area look nicer because it improves the overall well-being of the entire management district, let them do that. This horse has long left the barn, and if we want to have a debate about management districts, let's have the debate, but not on this bill. This bill lets our management districts help our local schools. I'm asking you to vote no on the amendment.

A record vote was requested by Representative Middleton.

The vote of the house was taken on adoption of Amendment No. 1 and the vote was announced yeas 68, nays 68.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 763): 75 Yeas, 68 Nays, 1 Present, not voting.

Yeas — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Metcalf; Meyer; Middleton; Morrison; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White.

Nays — Allen; Allison; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent, Excused, Committee Meeting — Wilson.

Absent — Longoria.

The chair stated that Amendment No. 1 was adopted by the above vote.

STATEMENT OF VOTE

When Record No. 763 was taken, I was shown voting yes. I intended to vote no.

Frullo

(Wilson now present)

REPRESENTATIVE HUBERTY: Mr. Wu, I apologize as we go through this bill. For me, I've been here a while, and this is the part of session, I think, where we're all talking and whatnot and sometimes not paying attention to what's going on. So your bill—how many different things are able to be done within management districts? There's a list of at least 30 or 40.

WU: Several.

HUBERTY: And I noticed one where you can provide money to a marina? Is that right?

WU: Yes, there's dozens and dozens and dozens.

HUBERTY: And sewer systems and things of that nature, right?

WU: Correct.

HUBERTY: And we merely said public education facilities. Is that right?

WU: Correct.

HUBERTY: So you were saying you wanted to add public education facilities. So let's assume for a second that you have a school district, perhaps, that might reside in a particular area, that maybe is a Title I campus and doesn't have the ability to provide jerseys for their kids or maybe there's low resources.

WU: Right. And in fact, that's actually one of the reasons why I'm carrying the bill. Schools in my district from HISD, because of the financial strain that HISD has been under, they're not able to provide some bus routes. They're not able to pay for jerseys for their soccer team. They're not able to get computers for their computer lab. They're not able to do any number of things that we would love to have, because they're in a poor school.

HUBERTY: Right, right. But my point, to cut to it really quick, is that as we were going through this, we're allowing a multitude of different things that these districts can provide. I happen to live in a MUD. We don't have any management districts, but the MUDs, which provide the water, provide a lot of money to our schools to help our schools with trails and things of that nature—that's allowed under current statute, correct?

WU: Correct.

HUBERTY: However, as a result of the amendment that Mr. Middleton just put on, what schools are allowed to now get money, except public schools?

WU: Only private schools.

HUBERTY: So what we voted for in that was basically to say we're giving money to schools but only to private schools.

WU: That's correct.

HUBERTY: We're not going to help our public schools. Is that correct?

WU: We took a record vote to give more money to private schools.

HUBERTY: Okay. I want to make sure everybody understands what they vote for. So tomorrow on third reading, maybe we can sit and talk about maybe having a revisit of the discussion. Because I think the intent of what you're trying to accomplish is we're saying if the management district wherever, and there's multitudes of these across the State of Texas, decides they want to help their schools right now—if they have a marina, they can help a marina, which is for profit, right?—they can as we go forward.

WU: Right.

HUBERTY: So thank you for clarifying that as we go forward.

WU: So just a few things that our schools districts were looking forward to with this bill: school jerseys that the schools have been asking for; jungle gyms; preschools; daycare centers in old, abandoned strip malls; and building repairs, just general building repairs that the schools need that they can't pay for. We were looking forward to these things, Wi-Fi, and any number of things.

A record vote was requested by Representative Biedermann.

HB 2261, as amended, was passed to engrossment by (Record 764): 78 Yeas, 62 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Bailes; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Capriglione; Cole; Collier; Cortez; Crockett; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Larson; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Cain; Cason; Cook; Craddick; Cyrier; Darby; Davis; Dean; Ellzey; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; King, P.; Klick; Landgraf; Leach; Lemans; Metcalf; Middleton; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers;

Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Button; Krause; Longoria; Sanford; Thompson, E.

STATEMENTS OF VOTE

When Record No. 764 was taken, I was in the house but away from my desk. I would have voted no.

Button

When Record No. 764 was taken, I was shown voting yes. I intended to vote no.

Frullo

When Record No. 764 was taken, my vote failed to register. I would have voted no.

E. Thompson

REMARKS ORDERED PRINTED

Representative Cason moved to print all remarks on **HB 2261**.

The motion prevailed.

SB 726 ON SECOND READING

(Leman - House Sponsor)

SB 726, A bill to be entitled An Act relating to establishing actual progress for the purposes of determining the right to repurchase real property from a condemning entity.

SB 726 was considered in lieu of **CSHB 2044**.

SB 726 was read second time.

Amendment No. 1

Representative Leman offered the following amendment to **SB 726**:

Amend **SB 726** (house committee report) as follows:

(1) On page 1, line 7, strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

(2) On page 2, between lines 23 and 24, insert the following:

(b-2) In this subsection, "high-speed rail" has the meaning assigned by Section 199.003, Transportation Code. Notwithstanding Subsection (b), an entity that has acquired a real property interest for a high-speed rail project may only establish actual progress for purposes of Subsection (a)(2) by:

(1) completing three or more of the actions listed in Subsection (b);

(2) obtaining a 30-year reclamation bond determined by the attorney general to be sufficient to restore any affected property to the property's original condition if the project fails; and

(3) completing construction of at least 50 percent of the project route, including construction of:

(A) one or more rail passenger loading stations located at a terminus of the project route; and

(B) one or more rail passenger loading stations not located at a terminus of the project route.

Amendment No. 1 - Point of Order

Representative C. Turner raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

(Harris in the chair)

The point of order was withdrawn.

(Speaker in the chair)

A record vote was requested by Representative Bernal.

Amendment No. 1 failed of adoption by (Record 765): 57 Yeas, 84 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Cain; Cason; Cook; Craddick; Cyrier; Dean; Ellzey; Frank; Frullo; Gates; González, M.; Harris; Hefner; Holland; Jetton; Kacal; King, P.; King, T.; Klick; Kuempel; Leman; Lozano; Metcalf; Middleton; Murr; Noble; Oliverson; Paddie; Patterson; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson; Zwiener.

Nays — Allen; Beckley; Bernal; Bowers; Bucy; Button; Campos; Canales; Capriglione; Cole; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Krause; Landgraf; Larson; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Anchia; King, K.; Leach; Longoria.

A record vote was requested by Representative Israel.

STATEMENT OF VOTE

When Record No. 765 was taken, I was shown voting no. I intended to vote yes.

Landgraf

A record vote was requested by Representative Israel.

SB 726 was passed to third reading by (Record 766): 91 Yeas, 50 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cole; Cook; Cyrier; Dean; Deshotel; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; González, M.; Guerra; Guillen; Harris; Hefner; Holland; Huberty; Hull; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Lozano; Lucio; Martinez; Metcalf; Meyer; Middleton; Moody; Morrison; Murphy; Murr; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Vo; Walle; White; Wilson; Zwiener.

Nays — Anchia; Beckley; Bucy; Campos; Canales; Collier; Cortez; Crockett; Darby; Davis; Dominguez; Fierro; Gervin-Hawkins; González, J.; Goodwin; Harless; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lopez; Martinez Fischer; Meza; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ramos; Raney; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Craddick; King, T.; Longoria; Perez.

STATEMENTS OF VOTE

When Record No. 766 was taken, I was shown voting yes. I intended to vote no.

Allen

When Record No. 766 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

When Record No. 766 was taken, I was shown voting no. I intended to vote yes.

Hunter

CSHB 2044 - LAID ON THE TABLE SUBJECT TO CALL

Representative Leman moved to lay **CSHB 2044** on the table subject to call.

The motion prevailed.

HB 4055 ON SECOND READING

(by Meza, et al.)

HB 4055, A bill to be entitled An Act relating to reporting and investigating certain cases of child abuse or neglect involving a pregnant woman's use of a controlled substance.

HB 4055 was read second time on May 3 and was postponed until 10 a.m. today.

Amendment No. 1

Representative Hull offered the following amendment to **HB 4055**:

Amend **HB 4055** (house committee report) by striking lines 13 and 14 and substituting the following:

(1) the woman provides proof that:

(A) she is currently enrolled in or has recently completed a substance abuse treatment program; or

(B) she made reasonable efforts to enroll in a substance abuse program within five days of the date she made a disclosure described by this subsection; or

Amendment No. 1 was adopted.

A record vote was requested by Representative Patterson.

HB 4055, as amended, was passed to engrossment by (Record 767): 91 Yeas, 49 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Beckley; Bernal; Biedermann; Bowers; Bucy; Burrows; Campos; Canales; Cason; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Frank; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, K.; King, T.; Larson; Leach; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Noble; Ordaz Perez; Ortega; Pacheco; Parker; Patterson; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Slaton; Stephenson; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Cain; Capriglione; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Kacal; King, P.; Krause; Kuempel; Landgraf; Leman; Metcalf; Middleton; Morrison; Murr; Oliverson; Paddie; Paul; Price; Raney; Schaefer; Shaheen; Shine; Slawson; Smith; Spiller; Stucky; Thompson, E.; Toth; VanDeaver; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Button; Klick; Longoria; Lozano; Perez.

STATEMENTS OF VOTE

When Record No. 767 was taken, I was in the house but away from my desk. I would have voted no.

Klick

When Record No. 767 was taken, I was temporarily out of the house chamber. I would have voted yes.

Perez

HB 1869 ON THIRD READING

(by Burrows, Bonnen, Middleton, Tinderholt, et al.)

HB 1869, A bill to be entitled An Act relating to the definition of debt for the purposes of calculating certain ad valorem tax rates of a taxing unit.

HB 1869 was read third time earlier today and was postponed until this time.

Amendment No. 1

Representative Cyrier offered the following amendment to **HB 1869**:

Amend **HB 1869** on third reading as follows:

(1) In added Section 26.012(9)(A)(i), Tax Code, between "landfills," and "or airports;", insert "parking structures,".

(2) Strike added Section 26.012(9)(A)(iv), Tax Code, and substitute the following:

(iv) as part of any utility system, water supply project, water plant, wastewater plant, water and wastewater distribution or conveyance facility, wharf, dock, or flood control and drainage project;

(3) Between added Sections 26.012(9)(A)(v) and 26.012(9)(B), Tax Code, insert the following:

(vi) as part of any school district; or

(vii) as part of any hospital district created by general or special law that includes a teaching hospital;

(4) Strike the SECTION of the bill adding transition language and substitute the following appropriately numbered SECTION to the bill:

SECTION _____. The changes in law made by this Act apply only to a bond, warrant, certificate of obligation, or other evidence of indebtedness for which the ordinance, order, or resolution authorizing the issuance is adopted by the governing body of a taxing unit on or after the effective date of this Act and for which the taxing unit has not entered into a binding agreement before the effective date of this Act that contemplates the issuance of the debt. The changes in law made by this Act do not apply to a bond, warrant, certificate of obligation, or other evidence of indebtedness for which the ordinance, order, or resolution authorizing the issuance was adopted by the governing body of a taxing unit

before the effective date of this Act or for which the taxing unit has entered into a binding agreement before the effective date of this Act that contemplates the issuance of such debt, and the former law is continued in effect for that purpose. For the purposes of this section, "binding agreement" includes a development agreement, ordinance, order, or resolution that authorizes or delegates to an appropriate officer of a taxing unit the execution of a binding agreement at a later date.

Amendment No. 2

Representatives Vasut and E. Thompson offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Cyrier to **HB 1869** on third reading by adding the following appropriately numbered item to the amendment and renumbering the items of the amendment accordingly:

() In added Section 26.012(9)(A)(v), Tax Code, between "facilities" and the underlined semicolon, insert ", and any facilities that are physically attached to the facilities described by this subparagraph".

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

Amendment No. 3

Representatives Rodriguez, Goodwin, Cole, Israel, Hinojosa, and Howard offered the following amendment to **HB 1869**:

Amend **HB 1869** on third reading as follows:

(1) In added Section 26.014(a)(1), Tax Code, strike "; and" and substitute ";".

(2) Strike added Section 26.014(a)(2), Tax Code, and substitute the following:

(2) a county with a population of more than one million and less than 1.5 million; and

(3) a taxing unit any part of which is located in a county to which this section applies.

Amendment No. 3 was adopted.

Amendment No. 4

Representatives Ordaz Perez, Ortega, Fierro, Moody, and M. González offered the following amendment to **HB 1869**:

Amend **HB 1869** on third reading as follows:

(1) In added Section 26.014(a)(1), Tax Code, strike "; and" and substitute ";".

(2) Strike added Section 26.014(a)(2), Tax Code, and substitute the following:

(2) a county with a population of more than 800,000 and less than 1 million;

(3) a taxing unit any part of which is located in a county to which this section applies.

Amendment No. 4 was adopted.

Amendment No. 5

Representatives Bowers, Ramos, Crockett, Rose, J.E. Johnson, Davis, Meza, Neave, and Anchia offered the following amendment to **HB 1869**:

Amend **HB 1869** on third reading as follows:

(1) In added Section 26.014(a)(1), Tax Code, strike "and" and substitute "2".

(2) Strike added Section 26.014(a)(2), Tax Code, and substitute the following:

(2) a county with a population of more than 1.9 million and less than four million; and

(3) a taxing unit any part of which is located in a county to which this section applies.

A record vote was requested by Representative Bowers.

Amendment No. 5 failed of adoption (not receiving the necessary two-thirds vote) by (Record 768): 71 Yeas, 68 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Larson; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Stephenson; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Dean; Ellzey; Frank; Frullo; Gates; Goldman; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Leach; Leman; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Sanford; Schaefer; Shaheen; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Dutton; King, K.; Longoria; Rogers.

Amendment No. 6

Representative Lozano offered the following amendment to **HB 1869**:

Amend **HB 1869** on third reading as follows:

(1) In added Section 26.014(a)(1), Tax Code, strike "; and" and substitute ";".

(2) Strike added Section 26.014(a)(2), Tax Code, and substitute the following:

(2) a county with a population of more than 64,750 and less than 65,000;

(3) a county with a population of more than 40,000 and less than 41,000;

(4) a county with a population of more than 30,500 and less than 32,250; and

(5) a taxing unit any part of which is located in a county to which this section applies.

Amendment No. 6 was adopted.

Amendment No. 7

Representatives Herrero and Hunter offered the following amendment to **HB 1869**:

Amend **HB 1869** on third reading as follows:

(1) In added Section 26.014(a)(1), Tax Code, strike "; and" and substitute ";".

(2) Strike added Section 26.014(a)(2), Tax Code, and substitute the following:

(2) a county with a population of more than 320,000 and less than 400,000 that:

(A) does not border the United Mexican States; and

(B) in which a port authority is authorized to issue permits for oversize or overweight vehicles under Chapter 623, Transportation Code; and

(3) a taxing unit any part of which is located in a county to which this section applies.

Amendment No. 7 was adopted.

Amendment No. 8

Representative C. Turner offered the following amendment to **HB 1869**:

Amend **HB 1869** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Chapter 26, Tax Code, is amended by adding Section 26.015 to read as follows:

Sec. 26.015. DEBT FOR CERTAIN TAXING UNITS. (a) This section applies only to:

(1) A county with a population of 1.8 million or more and two cities with 250,000 or more; and

(2) A taxing unit any part of which is located in a county described by Subdivision (1).

(b) In this chapter, "debt" means a bond, warrant, certificate of obligation, or other evidence of indebtedness owed by a taxing unit that is payable solely from property taxes in installments over a period of more than one year, not budgeted for payment from maintenance and operations funds, and secured by a pledge of property taxes, or a payment made under contract to secure indebtedness of a similar nature issued by another political subdivision on behalf of the taxing unit.

A record vote was requested by Representative Goldman.

Amendment No. 8 failed of adoption by (Record 769): 70 Yeas, 71 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Larson; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Ellzey; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; King, P.; Klick; Krause; Kuempel; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Ashby; Guerra; Longoria.

Amendment No. 9

Representative C. Turner offered the following amendment to **HB 1869**:

Amend **HB 1869** on third reading as follows:

(1) In added Section 26.014(a)(1), Tax Code, strike "and" and substitute ";".

(2) Strike added Section 26.014(a)(2), Tax Code, and substitute the following:

(2) a municipality with a population of more than 150,000 and less than 200,000 that is partially located in a county with a population of 1.8 million or more; and

(3) a taxing unit any part of which is located in a county to which this section applies.

Amendment No. 9 was adopted.

HB 1869, as amended, was passed by (Record 770): 111 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Capriglione; Cason; Cole; Collier; Cook; Cortez; Craddick; Cyrier; Dean; Dominguez; Ellzey; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Lozano; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raymond; Rodriguez; Rogers; Romero; Sanford; Schaefer; Schofield; Shaheen; Sherman; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vasut; Vo; White; Zwiener.

Nays — Allen; Anchia; Bailes; Beckley; Bell, C.; Bowers; Crockett; Darby; Davis; Deshotel; Dutton; Fierro; Johnson, A.; Lopez; Lucio; Morales, C.; Morales, E.; Morales Shaw; Ortega; Ramos; Raney; Reynolds; Rose; Rosenthal; Shine; Turner, C.; Turner, J.; Wilson; Wu.

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

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Canales; González, M.; Longoria; Walle.

STATEMENTS OF VOTE

When Record No. 770 was taken, I was shown voting no. I intended to vote yes.

Bailes

When Record No. 770 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 770 was taken, I was shown voting yes. I intended to vote no.

Martinez

When Record No. 770 was taken, I was shown voting no. I intended to vote yes.

E. Morales

When Record No. 770 was taken, I was shown voting yes. I intended to vote no.

Morrison

When Record No. 770 was taken, I was shown voting yes. I intended to vote no.

Neave

When Record No. 770 was taken, I was shown voting yes. I intended to vote no.

Romero

When Record No. 770 was taken, I was shown voting no. I intended to vote yes.

Wilson

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

MAJOR STATE CALENDAR HOUSE BILLS SECOND READING

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

CSHB 9 ON SECOND READING (by Klick, Allison, Shaheen, Harless, Price, et al.)

CSHB 9, A bill to be entitled An Act relating to the criminal punishment and conditions of community supervision for the offense of obstructing a highway or other passageway; increasing a criminal penalty.

Amendment No. 1

Representative A. Johnson offered the following amendment to **CSHB 9**:

Amend **CSHB 9** (house committee printing) as follows:

(1) On page 1, strike lines 15 and 16 and substitute the following:

SECTION 2. Section 42.03, Penal Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

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

(d) At the punishment stage of a trial in which the attorney representing the state seeks the increase in punishment provided by Subsection (c)(1), the defendant may raise the issue as to whether, at the time of the offense, a viable and readily apparent route around the obstruction caused by the defendant was available to the operator of the emergency vehicle, and using that route would not have caused significant delay. If the defendant proves the issue in the affirmative by a preponderance of the evidence, the increase in punishment provided by Subsection (c)(1) does not apply.

A record vote was requested by Representative A. Johnson.

Amendment No. 1 failed of adoption by (Record 771): 58 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Anchia; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Dean; Deshotel; Ellzey; Frank; Frullo; Gates; Geren; Goldman; González, J.; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Ramos; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Darby; Huberty; King, T.; Larson; Longoria; Murphy; Rose.

STATEMENTS OF VOTE

When Record No. 771 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 771 was taken, I was in the house but away from my desk. I would have voted no.

Darby

When Record No. 771 was taken, I was shown voting no. I intended to vote yes.

J. González

When Record No. 771 was taken, I was shown voting no. I intended to vote yes.

Ramos

When Record No. 771 was taken, I was in the house but away from my desk. I would have voted no.

Rose

A record vote was requested by Representative Biedermann.

CSHB 9 was passed to engrossment by (Record 772): 84 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Darby; Dean; Dominguez; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Longoria.

STATEMENT OF VOTE

When Record No. 772 was taken, I was shown voting yes. I intended to vote no.

Dominguez

HB 1925 ON SECOND READING

(by Capriglione, Harless, Lucio, Geren, P. King, et al.)

HB 1925, A bill to be entitled An Act relating to prohibitions on camping in a public place; creating a criminal offense.

Amendment No. 1

Representative Capriglione offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) as follows:

(1) On page 1, line 11, between "form of" and "shelter", insert "temporary, semipermanent, or permanent".

(2) On page 1, line 15, between "without the" and "consent", insert "effective".

(3) On page 2, line 4, between "(b)" and the underlined period, insert the following:

, unless given to authorize the person to camp for:

(1) recreational purposes;

(2) purposes of sheltering homeless individuals, if the property on which the camping occurs is subject to a plan approved under Subchapter PP, Chapter 2306, Government Code, and the camping occurs in a manner that complies with the plan; or

(3) purposes permitted by a beach access plan that has been approved under Section 61.015, Natural Resources Code, and the camping occurs in a manner that complies with the plan

(4) Strike page 2, lines 5-11, and reletter subsequent subsections of added Section 48.05, Penal Code, and any cross-references to those subsections accordingly.

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

SECTION _____. Chapter 2306, Government Code, is amended by adding Subchapter PP to read as follows:

SUBCHAPTER PP. PROPERTY DESIGNATED BY POLITICAL
SUBDIVISION FOR CAMPING BY HOMELESS INDIVIDUALS

Sec. 2306.1121. DEFINITION. In this subchapter, "camp" has the meaning assigned by Section 48.05, Penal Code.

Sec. 2306.1122. APPROVAL REQUIRED. (a) A political subdivision may not designate a property to be used by homeless individuals to camp unless the department approves a plan described by Section 2306.1123(b).

(b) Not later than the 30th day after the date the department receives a plan submitted by a political subdivision under this subchapter, the department shall make a final determination regarding approval of the plan.

Sec. 2306.1123. PLAN REQUIREMENTS. (a) In this section, "proposed new campers" means homeless individuals the applicant intends to allow to camp at the property.

(b) A plan required by Section 2306.1122 must describe each of the following with respect to a proposed property:

(1) the availability of local health care for proposed new campers, including access to Medicaid services and mental health services;

(2) the availability of indigent services for proposed new campers;

(3) the availability of reasonably affordable public transportation for proposed new campers;

(4) local law enforcement resources in the area; and

(5) the steps the applicant has taken to coordinate with the local mental health authority to provide for any proposed new campers.

(c) An applicant shall respond to reasonable requests for additional information made by the department regarding the proposed property or plan.

SECTION _____. Subchapter PP, Chapter 2306, Government Code, as added by this Act, applies only to the designation and use of property described by that subchapter that first begins on or after the effective date of this Act. The designation and use of property described by Subchapter PP, Chapter 2306, Government Code, as added by this Act, that first began before the effective date of this Act is governed by the law in effect when the designation and use first began, and the former law is continued in effect for that purpose.

Amendment No. 1 - Point of Order

Representative Zwiener raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 2

Representative J. Turner offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Capriglione to **HB 1925** on second reading as follows:

(1) On page 1, line 13, strike "or".

(2) On page 1, line 16, following "the plan", insert the following:

; or

(4) purposes related to providing emergency shelter during a disaster declared under Section 418.014, Government Code, or a local disaster declared under Section 418.108 of that code

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

Amendment No. 3

Representative J. Turner offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee printing) on page 1, line 12, between "clothing" and the underlined comma, by inserting "or any handheld device".

Amendment No. 3 was adopted.

Amendment No. 4

Representatives Bernal and S. Thompson offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) on page 2, between lines 23 and 24, by inserting the following:

(h) Except as provided by Subsection (i), before or at the time a peace officer arrests or issues a citation to a person for an offense under this section, the peace officer must make a reasonable effort to:

(1) advise the person of an alternative place at which the person may lawfully camp; and

(2) contact, if reasonable and appropriate, an appropriate official of the political subdivision in which the public place is located, or an appropriate nonprofit organization operating within that political subdivision, and request the official or organization to provide the person with:

(A) information regarding the prevention of human trafficking; or

(B) any other services that would reduce the likelihood of the person suspected of committing the offense continuing to camp in the public place.

(i) Subsection (h) does not apply if the peace officer determines there is an imminent threat to the health or safety of any person to the extent that compliance with that subsection is impracticable.

Amendment No. 4 was adopted.

Amendment No. 5

Representatives Moody and Collier offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) as follows:

(1) On page 2, between lines 23 and 24, insert the following:

(h) If the person is arrested or detained solely for an offense under this section, a peace officer enforcing this section shall ensure that all of the person's personal property not designated as contraband under other law is preserved by:

(1) permitting the person to remove all the property from the public place at the time of the person's departure; or

(2) taking custody of the property and allowing the person to retrieve the property after the person is released from custody.

(i) A fee may not be charged for the storage or release of property under Subsection (h)(2).

(2) On page 3, between lines 21 and 22, insert the following appropriately lettered subsection:

() This section does not prohibit a policy that encourages diversion or a provision of services in lieu of citation or arrest.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Gervin-Hawkins offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) on page 1 as follows:

(1) On line 15, between "place" and "without", insert the following:

⋮

(1)
(2) On line 17, between "place" and the underlined period, insert the following:

; and

(2) after receiving:

(A) notice from a peace officer that the conduct described by Subdivision (1) is unlawful; and

(B) a reasonable opportunity to discontinue the conduct

A record vote was requested by Representative Biedermann.

Amendment No. 6 failed of adoption by (Record 773): 60 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Herrero; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Larson; Leman; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Hernandez; Hinojosa; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Leach; Lozano; Lucio; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Beckley; King, K.; Longoria; Perez; Rosenthal.

STATEMENTS OF VOTE

When Record No. 773 was taken, I was shown voting no. I intended to vote yes.

Hernandez

When Record No. 773 was taken, I was shown voting no. I intended to vote yes.

Hinojosa

When Record No. 773 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 773 was taken, I was shown voting no. I intended to vote yes.

Lucio

Amendment No. 7

Representative Pacheco offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) as follows:

(1) Strike page 2, line 24, through page 4, line 14.

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

SECTION _____. Article 45.0941, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) A defendant is presumed to be indigent or to not have sufficient resources or income to pay all or part of the fine or costs for purposes of Subsection (a), ~~(d)~~, or (e) if the defendant:

(1) is in the conservatorship of the Department of Family and Protective Services, or was in the conservatorship of that department at the time of the offense; ~~(d)~~

(2) is designated as a homeless child or youth or an unaccompanied youth, as those terms are defined by 42 U.S.C. Section 11434a, or was so designated at the time of the offense; or

(3) is convicted of an offense under Section 48.05, Penal Code.

(e) A municipal court, regardless of whether the court is a court of record, or a justice court shall waive payment of all of a fine and costs imposed on a defendant convicted of an offense under Section 48.05, Penal Code, if the court makes the applicable determinations described by Subsections (a)(1) and (2) and (d)(1) and (2) with respect to the defendant.

A record vote was requested by Representative Biedermann.

Amendment No. 7 failed of adoption by (Record 774): 62 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Larson; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Collier; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; González, J.; González, M.; Harless; Harris; Hefner; Holland; Huberty; Hunter; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Hull; Jetton; Kacal; Longoria.

STATEMENTS OF VOTE

When Record No. 774 was taken, I was shown voting no. I intended to vote yes.

Collier

When Record No. 774 was taken, I was shown voting no. I intended to vote yes.

J. González

When Record No. 774 was taken, I was in the house but away from my desk. I would have voted no.

Jetton

When Record No. 774 was taken, I was shown voting yes. I intended to vote no.

Meza

A record vote was requested by Representative Biedermann.

HB 1925, as amended, was passed to engrossment by (Record 775): 85 Yeas, 56 Nays, 1 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Lozano; Lucio; Metcalf; Meyer; Meza; Middleton; Morrison; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lopez; Martinez; Martinez Fischer; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Darby; González, M.; Longoria; Murphy.

STATEMENT OF VOTE

When Record No. 775 was taken, I was excused because of important business in the district. I would have voted yes.

Smithee

**CSHB 492 ON SECOND READING
(by Wu, Moody, P. King, and White)**

CSHB 492, A bill to be entitled An Act relating to the issuance of a warrant authorizing the use of a no-knock entry by a peace officer.

Amendment No. 1

Representative Wu offered the following amendment to **CSHB 492**:

Amend **CSHB 492** (house committee printing) as follows:

(1) On page 1, line 14, between "judge" and "may issue", insert "or statutory county court judge".

(2) Strike page 1, lines 15-18, and substitute the following:
chapter that authorizes a no-knock entry only if:

(1) the complaint is submitted concurrently with a statement, signed by the chief administrator of the law enforcement agency employing the affiant or by the chief administrator's designee, that a no-knock entry is necessary to avoid the risk of death or serious bodily injury to peace officers and to others; and

(2) the warrant requires:

(A) each peace officer executing the warrant to be in uniform or otherwise clearly identifiable as a peace officer; and

(B) to the extent that the law enforcement agency has the technology available, that the agency make a good faith effort to have each peace officer executing the warrant be equipped with a body worn camera.

(d) A person designated by a chief administrator under Subsection (c)(1) must be a peace officer who reports directly to the chief administrator.

(3) On page 2, line 3, between "judge" and "may issue", insert "or statutory county court judge".

(4) Strike page 2, lines 4-7, and substitute the following:
chapter that authorizes a no-knock entry only if:

(1) the affidavit under Article 18.01(b) is submitted concurrently with a statement, signed by the chief administrator of the law enforcement agency employing the affiant or by the chief administrator's designee, that a no-knock entry is necessary to avoid the risk of death or serious bodily injury to peace officers and to others; and

(2) the warrant requires:

(A) each peace officer executing the warrant to be in uniform or otherwise clearly identifiable as a peace officer; and

(B) to the extent that the law enforcement agency has the technology available, that the agency make a good faith effort to have each peace officer executing the warrant be equipped with a body worn camera.

(d) A person designated by a chief administrator under Subsection (c)(1) must be a peace officer who reports directly to the chief administrator.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Crockett offered the following amendment to **CSHB 492**:

Amend **CSHB 492** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Chapter 15, Code of Criminal Procedure, is amended by adding Article 15.251 to read as follows:

Art. 15.251. ISSUANCE OF NO-KNOCK WARRANT. (a) In this article, "no-knock entry" means a peace officer's entry, for the purpose of executing a warrant, into a building or other place without giving notice of the officer's authority or purpose before entering.

(b) A magistrate may issue a warrant under this chapter that authorizes a no-knock entry only if:

(1) except as provided by Subsection (c), the magistrate is an attorney licensed by the state who serves in the county in which the warrant is to be executed or, if such a magistrate cannot be located, in a contiguous county;

(2) the magistrate determines probable cause exists that:

(A) the person who is the subject of the warrant has committed a violent offense; and

(B) any entry other than a no-knock entry would create an unreasonable risk of death or serious bodily injury or would result in the destruction of relevant evidence; and

(3) the warrant requires:

(A) each peace officer participating in the initial entry into the building or other place for purposes of executing the warrant to be in uniform or otherwise clearly identifiable as a peace officer; and

(B) to the extent that the law enforcement agency has the technology available, that the agency make a good faith effort to have each peace officer executing the warrant be equipped with a body worn camera and for each officer equipped with the camera to:

(i) activate the camera before executing the warrant; and

(ii) not deactivate the camera or allow the camera to be deactivated until the earlier of:

(a) 15 minutes after each person at the building or other place has been secured and, if appropriate, searched pursuant to a lawful detention; or

(b) the officer leaves the building or other place where the warrant was executed.

(c) A magistrate who is not an attorney licensed by this state may issue a warrant under this chapter that authorizes a no-knock entry only if the applicant in the complaint presented to the magistrate states that the applicant attempted and failed to locate a magistrate described by Subsection (b)(1) for purposes of presenting the complaint.

SECTION 2. Chapter 18, Code of Criminal Procedure, is amended by adding Article 18.025 to read as follows:

Art. 18.025. ISSUANCE OF NO-KNOCK WARRANT. (a) In this article, "no-knock entry" has the meaning assigned by Article 15.251.

(b) A magistrate may issue a warrant under this chapter that authorizes a no-knock entry only if:

(1) except as provided by Subsection (c), the magistrate is an attorney licensed by the state who serves in the county in which the warrant is to be executed or, if such a magistrate cannot be located, in a contiguous county;

(2) the affidavit alleges the commission of a violent offense, and the magistrate determines probable cause exists that:

(A) the violent offense is ongoing; or

(B) any entry other than a no-knock entry would create an unreasonable risk of death or serious bodily injury or would result in the destruction of relevant evidence; and

(3) the warrant requires:

(A) each peace officer participating in the initial entry into the building or other place for purposes of executing the warrant to be in uniform or otherwise clearly identifiable as a peace officer; and

(B) to the extent that the law enforcement agency has the technology available, that the agency make a good faith effort to have each peace officer executing the warrant be equipped with a body worn camera and for each officer equipped with the camera to:

(i) activate the camera before executing the warrant; and

(ii) not deactivate the camera or allow the camera to be deactivated until the earlier of:

(a) 15 minutes after each person at the building or other place has been secured and, if appropriate, searched pursuant to a lawful detention; or

(b) the officer leaves the building or other place where the warrant was executed.

(c) A magistrate who is not an attorney licensed by this state may issue a warrant under this chapter that authorizes a no-knock entry only if the applicant in the sworn affidavit submitted under Article 18.01(b) states that the applicant attempted and failed to locate a magistrate described by Subsection (b)(1) for purposes of presenting the affidavit.

SECTION 3. The change in law made by this Act applies only to a warrant issued on or after the effective date of this Act. A warrant issued before the effective date of this Act is governed by the law in effect on the date the warrant was issued, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2021.

Amendment No. 2 was withdrawn.

A record vote was requested by Representative Biedermann.

CSHB 492, as amended, was passed to engrossment by (Record 776): 134 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Anderson; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guillen; Harless; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Slaton; Slawson; Smith; Spiller; Stephenson; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Allison; Ashby; Bailes; Geren; Harris; Shine; Stucky.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Guerra; King, T.; Lozano; Raney.

STATEMENTS OF VOTE

When Record No. 776 was taken, I was shown voting no. I intended to vote yes.

Allison

When Record No. 776 was taken, I was shown voting no. I intended to vote yes.

Ashby

When Record No. 776 was taken, I was shown voting no. I intended to vote yes.

Bailes

When Record No. 776 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 776 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 776 was taken, I was shown voting no. I intended to vote yes.

Shine

CSHB 1280 ON SECOND READING
(by Capriglione, Klick, Noble, Hunter, Bonnen, et al.)

CSHB 1280, A bill to be entitled An Act relating to prohibition of abortion; providing a civil penalty; creating a criminal offense.

Amendment No. 1

Representative Slaton offered the following amendment to **CSHB 1280**:

Amend **CSHB 1280** (house committee printing) on page 4, by striking lines 6-18 and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 1 - Point of Order

Representative Moody raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 3, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on Amendment No. 1 to House Bill 1280

Announced in the House on May 5, 2021

Representative Moody raises a point of order against further consideration of the Slaton Amendment to **CSHB 1280** under Rule 11, Section 3, of the House Rules on the grounds that the amendment changes the original purpose of the bill.

Mr. Moody argues that the purpose of the bill is to ensure that there is no gap in state law if and when a judgment of the United States Supreme Court or an amendment to the United States Constitution authorizes states to prohibit abortion. The Slaton Amendment would make the bill's prohibition on abortion effective September 1, 2021, regardless of any court decision or constitutional amendment. The purpose of the amendment is exactly the opposite of the purpose of the bill. 75 H. Jour. 3773 (1997).

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

The ruling precluded further consideration of Amendment No. 1.

CSHB 1280 - REMARKS

REPRESENTATIVE ZWIENER: Members, I am fairly certain that I have given birth more recently than anyone else who serves in this chamber. Many of y'all have met my daughter, Lark. She's almost three years old now, and I'm so grateful to have her in my life. Being pregnant with her was one of the most vulnerable experiences of my entire life, especially, as many of you know, as I was on the campaign trail. In a moment when we were all talking about maternal mortality, I was touring the hospital maternity wards asking questions that kind of scared the other women on the tour about where the hemorrhage kits were stored and what their preeclampsia protocols were. Now, neither of those were the complication in pregnancy I had. The complication I had was called hyperemesis. Y'all probably know it more commonly as really bad morning sickness. Whoever named it morning sickness, I'm mad at them because that's a lie. For me it was 24 hours a day. I was so sick that I vomited more than a dozen times a day. I couldn't eat anything for weeks. I lost 20 pounds. You know, at this time, my

pregnancy wasn't public yet. I had folks walking up to me telling me how great I looked. And I was just like, y'all, I just want to be able to eat and be able to keep it down. It was hard. It was really hard.

There were days I woke up in the early days of this so desperately wanted pregnancy and didn't know if I could make it to the end. We've talked a lot about heartbeats today. The first time I, through a Doppler device, heard a heartbeat sound for my daughter, I didn't enjoy that moment. I was trying not to vomit from the pressure of that device on my stomach. I bring this up because especially having that type of complication—being on the edge of hospitalization, being so weak it was all I could do to get myself from the bed to the bathroom—knowing abortion was available in the State of Texas made me feel safer. It made me feel safer to know that I had options if the hyperemesis got worse, if I reached the point where I couldn't keep fluids down. And I know this isn't something folks are familiar with, but this is a condition that used to kill women—Charlotte Bronte being a notable name. And again, abortion being accessible made me feel safer and made me more certain that I was going to get to the end, and that I could find a path, and that I had choices if something else went wrong. And luckily, I got through that and enjoy my wonderful daughter today.

Part of why I bring this up is when we heard this bill and others in the Public Health Committee, we heard the story of a woman who was already a mother caring for a toddler, who was pregnant and had horrible hyperemesis, and had to make the choice between being able to get out of bed and take care of her toddler or continue the pregnancy. That woman made the choice to take care of that child who had already been born. Despite her illness, she made the choice to have an abortion so she could take care of that baby. Members, as the member in this building who has most recently had a baby, I get asked by y'all all the time when the next one's coming. And there won't be a next one for me because I was so sick. And I know if I get that sick again, I will be in that position. That's what that choice means to women in this building.

Everyone's abortion story is different—every single one of them. And every one of us in this room has a different standard for what we believe constitutes an ethical and moral decision to have an abortion. But instead of trusting women to know their own circumstances, their families, and their own values, this bill makes the government the final arbiter of individual and intimate morality. Members, is trusting women really that unthinkable? We know what our families need. We know what we need. This bill would force a woman to carry a pregnancy that resulted from rape to term. Now, there are some women that that is the right choice for, but there are some women who are going to struggle to wake up every morning and have the evidence of a horrible assault on their body. Members, this bill would force a woman whose fetus had been diagnosed with a severe abnormality inconsistent with life to carry that pregnancy to term, every day knowing that she would never get to hold that baby in her arms. And we've heard today about one of our own colleagues who made that type of choice, and it was the right choice for her. It's not the right choice for every single woman. Do you really want to take that away?

Members, this legislation would force a woman who is in such difficult circumstances because of the pregnancy that she is considering taking her own life to carry that pregnancy to term. I know we talked a lot about postpartum depression in this building, but depression during pregnancy is also a serious concern for women's health. This bill specifically carves out risk of death from self-harm from exceptions that would allow an abortion. Members, this bill would force a woman to carry a pregnancy to term if she knows she doesn't have the resources or the options or the support to care for that child. It would force her carry that pregnancy to term if she knows that that pregnancy will have a permanent impact on her health and well-being. The only exception in this is for life saving, not debilitation. So members, I ask you why. We have a lot of conversations about abortion in this chamber, but this is the most extreme. This is taking away every option. This is saying to every woman in the State of Texas that you don't trust them to know their own circumstances and their own needs.

Members, I'm 35. Unlike some of my colleagues who spoke about this earlier, I grew up taking access to abortion—and birth control, as well—for granted. Those were obvious things to me. I, some of you know, grew up pro-life, grew up believing that abortion should be illegal, and walked away from that as I realized more and more the rights that we need to have over our bodies. Members, there are women across Texas who take this right for granted right now—who take for granted that if they are pregnant in a circumstance that doesn't work with their life, who take for granted that if they become pregnant and there's a severe fetal abnormality, who take for granted that if they become pregnant from a sexual assault—that they will have access to abortion.

I know there's a lot of voices in your ears right now about people advocating for this legislation and telling you why it's needed. But members, you pass this and you're going to hear the voice of women who have taken this right for granted and have realized that they have to fight for it. So I ask you to keep those voices in mind. I ask you to think of women like me in their 30s and 20s and their teens who have assumed that this is settled law and ask yourself what happens if it's not. What happens next when women decide to stand up for these rights again? What happens when women across Texas say no more? Members, I urge you to oppose this bill and instead affirm your trust in the women of Texas to make their own decisions instead of passing them off to the government.

REPRESENTATIVE J.E. JOHNSON: I want to address my comments not to the people of this body, because many don't listen. But I want to address my comments to all of the young women out in Texas watching tonight who are searching for words of comfort from this building. I can only imagine the fear and the anxiety that some of you feel now and that many will feel in the future.

High school girls who are pressured into sex in the football parking lot—but we failed you because you don't have access to the birth control that you need. Afraid about continuing your education—but this body failed you because we refused to pass a bill last session that would have provided the resources for you to complete that high school education. Afraid about medical care—but we failed you there, too, because we can't seem to pass Medicaid expansion to get you access to the health care that you need. Afraid that you can't get a job so that you

can provide for your child with the high school education you were not able to complete—because we refuse to pass a minimum wage law that lets you earn a living and that keeps you out of abject poverty. Afraid that you can't get a job as a single mother because we make it harder—because that employer might not have to retain you because it violates a sincerely held belief that unwed women should not be mothers. Worried about where you're going to live because we make it harder—because we refuse to address affordable housing. Worried about child care and who's going to take care of this little baby—because we refuse to address the complete lack of affordable child care in this state.

But I want you to know out there—that young woman afraid, unsure of what to do—that we the democratic women, alongside our democratic men, will fight for you every day to address these concerns. Because not only having this baby, but your life is important. And the quality of the life that you live is important. And the ability to be the mother that the state of Texas is going to force you to be is important. We understand your fear, your worries, and we share them. And we will fight with every breath in our bodies to help give you the support you need as you cope with unimaginable difficulties as a result of the bill that is about to pass. And maybe, just maybe, we can actually achieve some of these things to make your life a little easier one day.

A record vote was requested by Representative Noble.

CSHB 1280 was passed to engrossment by (Record 777): 80 Yeas, 64 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Larson; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert; Smithee.

Absent — Leach.

STATEMENT OF VOTE

When Record No. 777 was taken, I was excused because of important business in the district. I would have voted yes.

Smithee

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 3131 ON SECOND READING
(by Cole)**

HB 3131, A bill to be entitled An Act relating to the information required to be included in the certificate of formation of a filing entity.

HB 3131 was passed to engrossment.

**HB 2628 ON SECOND READING
(by Thierry)**

HB 2628, A bill to be entitled An Act relating to the administration and collection of motor vehicle sales and use taxes.

HB 2628 was passed to engrossment.

**HB 3997 ON SECOND READING
(by Bonnen)**

HB 3997, A bill to be entitled An Act relating to the transfer of certain functions relating to state employee leave from the state auditor to the comptroller.

HB 3997 was passed to engrossment.

(Smithee now present)

**HB 3578 ON SECOND READING
(by Guerra)**

HB 3578, A bill to be entitled An Act relating to the payment methods for cigarette and tobacco products permit fees.

HB 3578 was passed to engrossment.

**HB 2743 ON SECOND READING
(by Metcalf)**

HB 2743, A bill to be entitled An Act relating to the salary of certain employees who transfer within a state agency.

HB 2743 was passed to engrossment.

**CSHB 3474 ON SECOND READING
(by Thierry)**

CSHB 3474, A bill to be entitled An Act relating to motor fuel taxes.

CSHB 3474 - POINT OF ORDER

Representative Cason raised a point of order against further consideration of **CSHB 3474** under Rule 8, Section 1(b), of the House Rules on the grounds that the bill failed to include a statement at the end of its title or caption indicating the general effect of the bill on a tax, assessment, surcharge, or fee.

(Cortez in the chair)

The point of order was withdrawn.

CSHB 3474 was passed to engrossment.

(Speaker in the chair)

CSHB 3134 ON SECOND READING
(by Cole)

CSHB 3134, A bill to be entitled An Act relating to the methods by which the comptroller may provide notice of a hearing on the revocation or suspension, or of the revocation or suspension, of a permit or license.

Amendment No. 1

Representative Biedermann offered the following amendment to **CSHB 3134**:

Amend **CSHB 3134** (house committee printing) on page 1 as follows:

- (1) On line 10, strike "or by electronic means".
- (2) On line 12, following the period, add the following:

At the option of the holder of the permit or license, the notices may be served by electronic means instead of served personally or mailed.

Amendment No. 1 was adopted.

CSHB 3134, as amended, was passed to engrossment.

CSHB 2287 ON SECOND READING
(by S. Thompson, Hunter, Dutton, Allen, Coleman, et al.)

CSHB 2287, A bill to be entitled An Act relating to data collection and receipt of certain reports by and consultation with the Collaborative Task Force on Public School Mental Health Services.

Amendment No. 1

Representative Lemman offered the following amendment to **CSHB 2287**:

Amend **CSHB 2287** (house committee report) as follows:

(1) On page 5, line 1, immediately following the underlined semicolon, insert "and".

(2) On page 5, line 3, strike "and".

(3) On page 5, lines 4-5, strike "(J) other relevant topics as determined by the task force;".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Lemman offered the following amendment to **CSHB 2287**:

Amend **CSHB 2287** (house committee report) as follows:

(1) On page 5, line 3, strike "and".

(2) On page 5, between lines 3 and 4, insert the following:

(J) the number of reports made from each school district or open-enrollment charter school by an employee of the district or school or by a school resource officer, to the Department of Family and Protective Services regarding an alleged incident of abuse or neglect; and

(3) On page 5, line 4, strike "(J)" and substitute "(K)".

Amendment No. 2 was adopted.

CSHB 2287, as amended, was passed to engrossment.

CSHB 2954 ON SECOND READING

(by S. Thompson, Hunter, Dutton, Coleman, Allen, et al.)

CSHB 2954, A bill to be entitled An Act relating to a suicide prevention, intervention, and postvention program for certain public elementary schools.

Amendment No. 1

Representative Leman offered the following amendment to **CSHB 2954**:

Amend **CSHB 2954** (house committee printing) as follows:

(1) On page 4, line 20, strike "and".

(2) On page 4, line 23, strike the underlined period and substitute the following:
; and

(5) a statement of the right of the student's parent or guardian to decline the student's participation in the program.

Amendment No. 1 was adopted.

CSHB 2954, as amended, was passed to engrossment.

SB 315 ON SECOND READING

(Hunter, S. Thompson, Jetton, Thierry, and Shaheen - House Sponsors)

SB 315, A bill to be entitled An Act relating to restrictions on the age of persons employed by or allowed on the premises of a sexually oriented business; creating a criminal offense.

SB 315 was considered in lieu of **HB 3520**.

SB 315 was passed to third reading.

HB 3520 - LAID ON THE TABLE SUBJECT TO CALL

Representative Hunter moved to lay **HB 3520** on the table subject to call.

The motion prevailed.

CSHB 1348 ON SECOND READING

(by Deshotel)

CSHB 1348, A bill to be entitled An Act relating to the applicability of certain laws to open-enrollment charter schools.

Amendment No. 1

Representative Deshotel offered the following amendment to **CSHB 1348**:

Amend **CSHB 1348** (house committee printing) as follows:

(1) On page 1, line 17, strike "12.103(c)," and substitute "12.103(c) or Section 395.022(b), Local Government Code,".

(2) On page 5, line 12, following the period, insert the following:
This section applies only to an open-enrollment charter school campus constructed on land that:

(1) is owned by the charter holder or the charter holder's parent nonprofit entity; and

(2) does not include any other uses.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Deshotel offered the following amendment to **CSHB 1348**:

Amend **CSHB 1348** (house committee printing) on page 2, line 14, following the underlined period, by inserting "In this subsection, "political subdivision" does not include a school district.".

Amendment No. 2 was adopted.

Amendment No. 3

Representative J.D. Johnson offered the following amendment to **CSHB 1348**:

Amend **CSHB 1348** (house committee printing) as follows:

(1) On page 1, line 21, strike "eminent domain,".

(2) On page 2, line 4, following the underlined period, insert "An open-enrollment charter school does not have the power of eminent domain.".

Amendment No. 3 was adopted.

Amendment No. 4

On behalf of Representative Anchia, Representative Bailes offered the following amendment to **CSHB 1348**:

Amend **CSHB 1348** (house committee printing) as follows:

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

SECTION _____. Section 12.103(c), Education Code, is repealed.

Amendment No. 4 was adopted.

A record vote was requested by Representative Cason.

CSHB 1348, as amended, failed to pass to engrossment by (Record 778): 66 Yeas, 72 Nays, 1 Present, not voting. (The vote was reconsidered on May 6 and **CSHB 1348** was postponed until 10 a.m. Sunday, June 27.)

Yeas — Allison; Anchia; Anderson; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Cain; Campos; Cason; Cole; Craddick; Deshotel; Dominguez; Dutton; Ellzey; Frank; Frullo; Gates; Gervin-Hawkins; Goldman; Guillen; Hefner; Huberty; Hull; Jetton; Johnson, J.D.; King, P.; Klick; Krause; Larson; Leach; Longoria; Lozano; Middleton; Morales, E.; Morrison;

Murphy; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Raymond; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Stephenson; Swanson; Talarico; Thierry; Tinderholt; Toth; Vasut; Vo; White; Wilson.

Nays — Allen; Ashby; Bailes; Beckley; Bell, C.; Burns; Canales; Capriglione; Collier; Cook; Cortez; Cyrier; Darby; Dean; Fierro; Geren; González, J.; González, M.; Goodwin; Guerra; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Landgraf; Leman; Lopez; Lucio; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Morales, C.; Muñoz; Murr; Neave; Ordaz Perez; Ortega; Perez; Price; Ramos; Raney; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Smithee; Spiller; Stucky; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert.

Absent — Bernal; Crockett; Davis; Hunter; Martinez; Moody; Morales Shaw; Reynolds.

STATEMENTS OF VOTE

When Record No. 778 was taken, I was in the house but away from my desk. I would have voted no.

Crockett

When Record No. 778 was taken, I was shown voting no. I intended to vote yes.

Darby

When Record No. 778 was taken, I was in the house but away from my desk. I would have voted no.

Davis

When Record No. 778 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 778 was taken, I was shown voting no. I intended to vote yes.

Leman

When Record No. 778 was taken, I was in the house but away from my desk. I would have voted no.

Martinez

When Record No. 778 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 778 was taken, I was in the house but away from my desk. I would have voted no.

Moody

When Record No. 778 was taken, my vote failed to register. I would have voted no.

Morales Shaw

When Record No. 778 was taken, I was shown voting no. I intended to vote yes.

Raney

When Record No. 778 was taken, I was in the house but away from my desk. I would have voted no.

Reynolds

MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 3 and 4).

CSHB 3615 ON SECOND READING (by P. King and Hernandez)

CSHB 3615, A bill to be entitled An Act relating to certain rates charged by and programs offered by municipally owned utilities.

Amendment No. 1

Representatives Button, Bowers, and Neave offered the following amendment to **CSHB 3615**:

Amend **CSHB 3615** (house committee printing) by inserting "of a municipally owned utility or municipality that operates a chilled water program" on page 4, line 19, between "information or records" and "are subject to".

Amendment No. 1 was adopted.

CSHB 3615, as amended, was passed to engrossment.

CSHB 1348 - NOTICE GIVEN

At 10:27 p.m., pursuant to the provisions of Rule 7, Section 37(c), of the House Rules, Representative Raney gave notice that he would, in one hour, move to reconsider the vote by which **CSHB 1348** failed to pass to engrossment by Record No. 778.

HB 2256 ON SECOND READING (by Guerra, Guillen, M. González, et al.)

HB 2256, A bill to be entitled An Act relating to creating a bilingual special education certification to teach students of limited English proficiency with disabilities.

HB 2256 was passed to engrossment.

HB 2301 ON SECOND READING
(by Parker, Meyer, Shaheen, Raymond, and Rose)

HB 2301, A bill to be entitled An Act relating to a change of name for participants in the address confidentiality program administered by the office of the attorney general.

HB 2301 was passed to engrossment.

HB 302 ON SECOND READING
(by Collier)

HB 302, A bill to be entitled An Act relating to the prosecution of the offense of sexual assault.

HB 302 was passed to engrossment.

CSHB 1824 ON SECOND READING
(by Price, Smith, Coleman, Rose, and Allison)

CSHB 1824, A bill to be entitled An Act relating to the continuity of services received by individuals receiving services at state hospitals and state supported living centers, the establishment of a pilot program to provide behavioral health or psychiatric services to certain residential care facility residents, and court orders for psychoactive medication for certain patients.

CSHB 1824 was passed to engrossment.

CSHB 678 ON SECOND READING
(by Cortez, Clardy, Price, et al.)

CSHB 678, A bill to be entitled An Act relating to the administration of a medication and the ordering and administration of an immunization or vaccination by a pharmacist.

Amendment No. 1

Representative Tinderholt offered the following amendment to **CSHB 678**:

Amend **CSHB 678** (house committee report) as follows:

(1) On page 3, lines 22 and 23, strike "554.052(a), (b), (c), and (c-1), Occupations Code, are amended" and substitute the following: "554.052, Occupations Code, is amended by amending Subsections (a), (b), (c), and (c-1), and adding Subsection (c-2)"

(2) On page 5, between lines 10 and 11, insert the following:

(c-2) A pharmacist at the pharmacist's usual place of business may not administer an immunization or vaccination to a patient who is under 18 years of age unless the patient's parent or legal guardian is present with the patient at the time the immunization or vaccination is administered.

A record vote was requested by Representative Tinderholt.

Amendment No. 1 failed of adoption by (Record 779): 44 Yeas, 99 Nays, 1 Present, not voting.

Yeas — Allen; Bell, C.; Bell, K.; Biedermann; Bonnen; Burrows; Cain; Cason; Cook; Ellzey; Frank; Frullo; Gates; Geren; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; King, P.; King, T.; Krause; Leman; Metcalf; Middleton; Morrison; Noble; Oliverson; Patterson; Paul; Raney; Schaefer; Schofield; Slaton; Slawson; Smith; Smithee; Stephenson; Swanson; Tinderholt; Vasut; White.

Nays — Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bernal; Bowers; Buckley; Bucy; Burns; Button; Campos; Canales; Capriglione; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; Kuempel; Landgraf; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Murr; Neave; Ordaz Perez; Ortega; Paddie; Parker; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Shaheen; Sherman; Shine; Spiller; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert.

Absent — Klick; Leach; Pacheco.

STATEMENTS OF VOTE

When Record No. 779 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 779 was taken, I was shown voting no. I intended to vote yes.

Toth

When Record No. 779 was taken, I was shown voting no. I intended to vote yes.

Wilson

CSHB 678 was passed to engrossment.

HB 4245 ON SECOND READING (by Frullo)

HB 4245, A bill to be entitled An Act relating to municipal registration of vacant buildings in certain municipalities.

HB 4245 was passed to engrossment.

CSHB 2577 ON SECOND READING
(by Kuempel)

CSHB 2577, A bill to be entitled An Act relating to the light-duty motor vehicle purchase or lease incentive program.

Amendment No. 1

Representative C. Bell offered the following amendment to **CSHB 2577**:

Amend **CSHB 2577** (house committee report) as follows:

(1) On page 1, strike lines 5-7 and substitute the following:

SECTION 5. Section 386.154(d), Health and Safety Code, is amended to read as follows:

(2) On page 2, strike lines 8-13.

Amendment No. 1 was adopted.

CSHB 2577, as amended, was passed to engrossment.

CSHB 3084 ON SECOND READING
(by Larson)

CSHB 3084, A bill to be entitled An Act relating to the proposal by the Texas Water Development Board of a process to identify and evaluate multiregional water supply projects.

CSHB 3084 was passed to engrossment.

SB 1774 ON SECOND READING
(Canales - House Sponsor)

SB 1774, A bill to be entitled An Act relating to the conveyance of certain real property by certain navigation districts.

SB 1774 was considered in lieu of **HB 3713**.

SB 1774 was passed to third reading.

HB 3713 - LAID ON THE TABLE SUBJECT TO CALL

Representative Canales moved to lay **HB 3713** on the table subject to call.

The motion prevailed.

CSHB 2535 ON SECOND READING
(by Sanford, Burrows, Guillen, Bailes, and Spiller)

CSHB 2535, A bill to be entitled An Act relating to the appraisal for ad valorem tax purposes of real property that includes certain improvements used for the noncommercial production of food for personal consumption.

A record vote was requested by Representative Cason.

CSHB 2535 was passed to engrossment by (Record 780): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Cole; Collier; Cook;

Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert.

Absent — Jetton; Pacheco; White.

STATEMENTS OF VOTE

When Record No. 780 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

When Record No. 780 was taken, I was in the house but away from my desk. I would have voted yes.

White

CSHB 547 ON SECOND READING

(by Frank, Dutton, Huberty, M. González, Burrows, et al.)

CSHB 547, A bill to be entitled An Act relating to authorizing equal opportunity for access by home-schooled students to University Interscholastic League sponsored activities; authorizing a fee.

CSHB 547 - POINT OF ORDER

Representative K. King raised a point of order against further consideration of **CSHB 547** under Rule 4, Section 32(b)(10), of the House Rules on the grounds that the witness list is inaccurate.

(Paddie in the chair)

The point of order was withdrawn.

CSHB 547 - RECOMMITTED

Representative Frank moved to recommit **CSHB 547** to the Committee on Public Education.

The motion prevailed.

CSHB 2581 ON SECOND READING
(by Kacal)

CSHB 2581, A bill to be entitled An Act relating to civil works projects and other construction projects of governmental entities.

CSHB 2581 was passed to engrossment. (Ashby recorded voting no.)

CSHB 237 ON SECOND READING
(by Bernal and Neave)

CSHB 237, A bill to be entitled An Act relating to student access to certain academic records; authorizing a fee.

CSHB 237 was passed to engrossment. (Hunter and Leach recorded voting no.)

HB 4272 ON SECOND READING
(by Klick)

HB 4272, A bill to be entitled An Act relating to requirements for information contained in the immunization registry.

Representative Klick moved to postpone consideration of **HB 4272** until 10 a.m. tomorrow.

The motion prevailed.

CSHB 2064 ON SECOND READING
(by Leach)

CSHB 2064, A bill to be entitled An Act relating to the amount of a hospital or physician lien on certain causes of action or claims.

CSHB 2064 was passed to engrossment.

HB 2327 ON SECOND READING
(by Frullo)

HB 2327, A bill to be entitled An Act relating to increasing the criminal penalty for operating a watercraft while intoxicated with a child passenger; changing the eligibility for deferred adjudication community supervision.

Representative Frullo moved to postpone consideration of **HB 2327** until 8 a.m. Tuesday, June 1.

The motion prevailed.

HB 679 ON SECOND READING
(by Gervin-Hawkins)

HB 679, A bill to be entitled An Act relating to the standards for attorneys representing indigent defendants in certain capital felony cases.

Amendment No. 1

Representative Gervin-Hawkins offered the following amendment to **HB 679**:

Amend **HB 679** (house committee report) as follows:

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

SECTION 6. Article 26.052, Code of Criminal Procedure, is amended by adding Subsections (c-1), (c-2), (c-3), (c-4), (c-5), and (c-6) and amending Subsections (d) and (m) to read as follows:

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

(c-1) The local selection committee shall evaluate and determine the list of attorneys qualified under this article to be appointed to represent indigent defendants in capital cases in which the death penalty is sought and post a list of those attorneys on the Internet website of each administrative judicial region.

(c-2) A statewide capital defense training and standards committee is created. Each member of the committee must be a licensed attorney and must have significant experience in capital defense or indigent criminal defense policy or practice. A member of the committee may not be a prosecutor, a law enforcement officer, or an employee of the office of capital and forensic writs. The committee must be composed of nine members, including:

(1) two judges jointly selected by the presiding judges of the administrative judicial regions;

(2) a criminal defense attorney appointed by the president of the Texas Criminal Defense Lawyers Association;

(3) the chief public defender of the Regional Public Defender for Capital Cases office, or the chief public defender's designee;

(4) the chief capital defender of a county public defender office appointed by the executive director of the Texas Indigent Defense Commission;

(5) a member of the State Bar of Texas committee on legal services to the poor in criminal matters selected by the chair of the committee; and

(6) three attorneys appointed by the executive director of the Texas Indigent Defense Commission.

(c-3) Members of the statewide capital defense training and standards committee serve four-year terms and may be reappointed. If a vacancy occurs, the appropriate appointing authority shall appoint a successor in the same manner as the original appointment to serve for the remainder of the unexpired term.

(c-4) The members of the statewide capital defense training and standards committee shall select a chair from among the committee's members.

(c-5) A member of the statewide capital defense training and standards committee may not receive compensation for services on the committee but is entitled to be reimbursed for actual and necessary expenses incurred in discharging committee duties. The expenses are paid from funds appropriated to the Texas Indigent Defense Commission.

(c-6) The Texas Indigent Defense Commission shall provide administrative support as necessary to carry out the purposes of this article.

(d)(1) The statewide capital defense training and standards committee shall adopt policies and standards for providing legal representation [the qualification of attorneys to be appointed] to [represent] indigent defendants in capital cases in which the death penalty is sought. The policies and standards must include, with respect to the qualification of attorneys to be appointed in capital cases, the following:

(A) training requirements and curricula;

(B) qualification standards;

(C) continuing legal education requirements; and

(D) other policies and standards as necessary to ensure quality

legal representation in capital cases.

(3) On page 1, strike lines 13-18, and substitute the following:

(C) have not been found by the local selection committee to have provided deficient legal representation ~~[a federal or state court to have rendered ineffective assistance of counsel]~~ during the trial or appeal of any capital case if ~~[- unless]~~ the local selection committee has determined ~~[determines under Subsection (n)]~~ that the conduct underlying the deficient representation ~~[finding no longer]~~ accurately reflects the attorney's inability ~~[ability]~~ to provide effective representation in the future;

(4) Strike page 2, line 23, through page 3, line 1, and substitute the following:

(C) have not been found by the local selection committee to have provided deficient legal representation ~~[a federal or state court to have rendered ineffective assistance of counsel]~~ during the trial or appeal of any capital case if ~~[- unless]~~ the local selection committee has determined ~~[determines under Subsection (n)]~~ that the conduct underlying the deficient representation ~~[finding no longer]~~ accurately reflects the attorney's inability ~~[ability]~~ to provide effective representation in the future;

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

(4) The Texas Indigent Defense Commission ~~[committee]~~ shall prominently post the policies and standards adopted by the statewide capital defense training and standards committee under Subsection (d)(1) on the commission's Internet website ~~[in each district clerk's office in the region with a list of attorneys qualified for appointment].~~

(5) Not later than the second anniversary of the date an attorney is placed on the list of attorneys qualified for appointment in death penalty cases and each year following the second anniversary, the attorney must present a list of death penalty trial, direct appeal, and habeas corpus cases in which the attorney served as counsel and proof to the local selection committee that the attorney has successfully completed the training, minimum continuing legal education requirements, and other standards established by the statewide capital defense training and standards committee established under Subsection (c-2) ~~[of the State Bar of Texas, including a course or other form of training relating to criminal defense in death penalty cases or in appealing death penalty cases, as applicable].~~ The local selection committee shall remove the attorney's name from the list of qualified attorneys if the attorney fails to provide the local selection committee with the materials required under this subsection ~~[proof of completion of the continuing legal education requirements].~~

(m) The local selection committee shall annually review the list of attorneys posted under Subsection (c-1) ~~[(d)]~~ to ensure that each listed attorney satisfies the requirements under this chapter.

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

SECTION _____. Article 26.052(n), Code of Criminal Procedure, is repealed.

Amendment No. 1 was adopted.

HB 679, as amended, was passed to engrossment.

CSHB 2595 ON SECOND READING
(by Price, Smith, Allison, Meza, and Rose)

CSHB 2595, A bill to be entitled An Act relating to a parity complaint portal and educational materials and parity law training regarding benefits for mental health conditions and substance use disorders to be made available through the portal and otherwise; designating October as mental health condition and substance use disorder parity awareness month.

CSHB 2595 was passed to engrossment. (Leach recorded voting no.)

HB 700 ON SECOND READING
(by J.D. Johnson, Lopez, and Frank)

HB 700, A bill to be entitled An Act relating to the eligibility of foster children to receive college credit for completing the Preparation for Adult Living Program.

HB 700 was passed to engrossment.

CSHB 3240 ON SECOND READING
(by Klick)

CSHB 3240, A bill to be entitled An Act relating to the composition of the Long-Term Care Facilities Council and rules related to and the imposition of administrative penalties against certain long-term care facilities.

Amendment No. 1

Representative Klick offered the following amendment to **CSHB 3240**:

Amend **CSHB 3240** (house committee printing) on page 3, by striking lines 12 through 14, and substituting "penalty in an amount not to exceed \$5,000 for each violation;".

Amendment No. 1 was adopted.

CSHB 3240, as amended, was passed to engrossment.

HB 1447 ON SECOND READING
(by Minjarez)

HB 1447, A bill to be entitled An Act relating to the use of remote technology when conducting probate or guardianship proceedings.

HB 1447 was passed to engrossment.

SB 1118 ON SECOND READING
(Wilson - House Sponsor)

SB 1118, A bill to be entitled An Act relating to the creation and administration of the On-The-Ground Conservation Program by the State Soil and Water Conservation Board.

SB 1118 was considered in lieu of **HB 2619**.

SB 1118 was passed to third reading.

HB 2619 - LAID ON THE TABLE SUBJECT TO CALL

Representative Wilson moved to lay **HB 2619** on the table subject to call. The motion prevailed.

HB 674 ON SECOND READING
(by Ramos, Beckley, J.E. Johnson, Ordaz Perez, et al.)

HB 674, A bill to be entitled An Act relating to informing the public about the availability of provisions in protective orders, including provisions regarding pets and other companion animals.

HB 674 was passed to engrossment.

HB 2059 ON SECOND READING
(by Bucy)

HB 2059, A bill to be entitled An Act relating to the date of runoff elections.

Amendment No. 1

Representative Bucy offered the following amendment to **HB 2059**:

Amend **HB 2059** (house committee report) as follows:

(1) On lines 7 and 8, strike "first Saturday after the 27th" and substitute "sixth Saturday".

(2) On line 9, strike "~~45th~~ day" and substitute "~~45th day~~".

Amendment No. 1 was adopted.

HB 2059, as amended, was passed to engrossment. (Ellzey recorded voting present, not voting.)

CSHB 1802 ON SECOND READING
(by Dominguez, Klick, Burrows, Price, et al.)

CSHB 1802, A bill to be entitled An Act relating to a study on the use of alternative therapies for treating post-traumatic stress disorder.

Amendment No. 1

Representative Toth offered the following amendment to **CSHB 1802**:

Amend **CSHB 1802** (house committee printing) as follows:

(1) Strike page 1, lines 5 and 6, and substitute the following:

SECTION 1. (a) In this Act:

(1) "Commission" means the Health and Human Services Commission.

(2) "Psychoactive medication" has the meaning assigned by Section 242.505, Health and Safety Code.

(3) "Psychotropic medication" has the meaning assigned by Section 266.001, Family Code.

(2) On page 1, line 10, between "using" and "alternative" insert "psychoactive medication, psychotropic medication, and "

(3) Strike page 1, line 20.

(4) On page 2, line 4, between "United States" and the period, insert the following:

;

(3) identify negative side effects reported from the use of psychoactive medication, psychotropic medication, and alternative therapies studied under this section when used in the treatment of post-traumatic stress disorder in veterans; and

(4) compare the suicide rate related to the use of psychoactive medication, psychotropic medication, and alternative therapies studied under this section when used in the treatment of post-traumatic stress disorder in veterans

Amendment No. 1 was withdrawn.

CSHB 1802 was passed to engrossment.

(Speaker in the chair)

CSHB 1090 ON SECOND READING

(by Bailes)

CSHB 1090, A bill to be entitled An Act relating to the appraisal for ad valorem tax purposes of real property that was erroneously omitted from an appraisal roll in a previous year.

CSHB 1090 was passed to engrossment.

HB 3610 ON SECOND READING

(by Gervin-Hawkins, Sanford, and Middleton)

HB 3610, A bill to be entitled An Act relating to the applicability of certain laws to open-enrollment charter schools.

Representative Gervin-Hawkins moved to postpone consideration of **HB 3610** until 10 a.m. tomorrow.

The motion prevailed.

CSHB 2306 ON SECOND READING

(by Fierro)

CSHB 2306, A bill to be entitled An Act relating to the denial of the registration of a motor vehicle based on certain information provided by a county to the Texas Department of Motor Vehicles.

CSHB 2306 was passed to engrossment.

HB 2375 ON SECOND READING

(by A. Johnson)

HB 2375, A bill to be entitled An Act relating to meals provided to jurors during deliberation of a civil case in certain district courts.

Amendment No. 1

Representative Cason offered the following amendment to **HB 2375**:

Amend **CSHB 2375** (house committee report) on page 1, lines 10-11, by striking "a reasonable amount [~~Not more than \$3~~]" and substituting "not [~~Not~~ more than \$12 [~~\$3~~]".

A record vote was requested by Representative Cason.

Amendment No. 1 failed of adoption by (Record 781): 13 Yeas, 129 Nays, 1 Present, not voting.

Yeas — Biedermann; Cain; Cason; Holland; Hull; Raymond; Slaton; Slawson; Swanson; Tinderholt; Toth; Vasut; Wilson.

Nays — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clardy; Coleman; Lambert.

Absent — King, T.; Lozano; Middleton; Thompson, S.

HB 2375 was passed to engrossment.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

ADJOURNMENT

Representative Murphy moved that the house adjourn until 10 a.m. tomorrow in memory of Carmel Bitondodyer.

The motion prevailed.

The house accordingly, at 11:33 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 4668 (By Murr), Relating to the creation of the Medina County Water Control and Improvement District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Natural Resources.

HB 4669 (By Cain), Relating to the boundaries of the Harris County Water Control and Improvement District No. 70.

To Natural Resources.

HR 979 (By Cook), In memory of Howard G. Baldwin Jr.

To Resolutions Calendars.

HR 980 (By Cyrier), In memory of Roger Harold Walter Haug of Lockhart.

To Resolutions Calendars.

HR 981 (By Sanford), In memory of Jamie Rutherford Munal of San Juan.

To Resolutions Calendars.

HR 982 (By Herrero), Congratulating Maxine Edmondson Flournoy of Corpus Christi on her 100th birthday.

To Resolutions Calendars.

HR 983 (By Herrero), In memory of Saraphine Marie Skoruppa of Violet.

To Resolutions Calendars.

HR 984 (By Cook), Congratulating the Reverend Dr. Michael A. Evans Sr. on his election as mayor of Mansfield.

To Resolutions Calendars.

HR 985 (By Cook), Commemorating the 10th anniversary of the World's Only St. Paddy's Pickle Parade and Palooza in Mansfield on March 18-19, 2022.

To Resolutions Calendars.

HR 986 (By Leach), Honoring the commitment of the Texas Young Republican Federation Policy Committee during the 87th Legislative Session.

To Resolutions Calendars.

HR 987 (By Frullo), Commemorating the 50th anniversary of Lubbock Meals on Wheels, Inc.

To Resolutions Calendars.

HR 988 (By Frullo), Commemorating the 75th anniversary of Lubbock Area United Way.

To Resolutions Calendars.

HR 989 (By Romero), Congratulating the boys' soccer team from Diamond Hill-Jarvis High School in Fort Worth on advancing to the 2021 4A state championship game.

To Resolutions Calendars.

HR 990 (By Buckley), Congratulating Minerva Trujillo on her retirement from the Killeen ISD Board of Trustees.

To Resolutions Calendars.

HR 991 (By Ellzey), Commending the community leaders, health care professionals, organizations, and volunteers of Ellis County for their efforts during the COVID-19 pandemic.

To Resolutions Calendars.

HR 992 (By Ellzey), Honoring the Avalon Independent School District for its service to area youth.

To Resolutions Calendars.

HR 993 (By Ellzey), Honoring the Malakoff Independent School District for its service to area youth.

To Resolutions Calendars.

HR 994 (By Ellzey), Honoring the Trinidad Independent School District for its service to area youth.

To Resolutions Calendars.

HR 995 (By Ellzey), Honoring the Palmer Independent School District for its service to area youth.

To Resolutions Calendars.

HR 996 (By Ellzey), Commemorating the heritage of Ellis County and honoring the county's current leadership.

To Resolutions Calendars.

HR 997 (By Ellzey), Commemorating the heritage of Henderson County and honoring the county's current leadership.

To Resolutions Calendars.

HR 998 (By Morrison), Commending the work of the Little Bay Restoration Initiative in Aransas County.

To Resolutions Calendars.

HR 999 (By Darby), In memory of Ronnie S. Jones of San Angelo.

To Resolutions Calendars.

HR 1000 (By Darby), In memory of Gary Womble Mitchell of Robert Lee.

To Resolutions Calendars.

SB 58 to County Affairs.
SB 181 to Homeland Security and Public Safety.
SB 247 to Judiciary and Civil Jurisprudence.
SB 1258 to Energy Resources.
SB 1357 to County Affairs.
SB 1436 to Public Education.
SB 1590 to Public Education.
SB 2026 to Public Education.
SB 2115 to Public Health.
SCR 1 to Corrections.

List No. 2

SB 225 to Human Services.
SB 504 to County Affairs.
SB 741 to Homeland Security and Public Safety.
SB 838 to Homeland Security and Public Safety.
SB 1109 to Public Education.
SB 1149 to Human Services.
SB 1191 to Public Education.
SB 1353 to Public Health.
SB 1616 to Public Health.
SB 1716 to Public Education.
SB 1744 to Urban Affairs.
SB 1772 to Agriculture and Livestock.
SB 1921 to Human Services.
SB 1941 to Public Health.
SB 1942 to Urban Affairs.
SB 2195 to Insurance.

SIGNED BY THE SPEAKER

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

House List No. 15

HB 17, HB 119, HB 139, HB 626, HB 1033, HB 1514

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
Wednesday, May 5, 2021

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:
LOCAL AND UNCONTESTED CALENDAR

SB 123 Johnson
Relating to instruction in positive character traits and personal skills in public schools.

SB 171 Blanco
Relating to a report regarding Medicaid reimbursement rates, supplemental payment amounts, and access to care.

SB 318 Huffman
Relating to the records of certain condominium unit owners' associations.

SB 348 Kolkhorst
Relating to parental access to public school virtual instruction and instructional materials for virtual and remote learning.

SB 403 Johnson
Relating to a right of first refusal applicable to the sale of housing developments that have received certain financial assistance administered by the Texas Department of Housing and Community Affairs.

SB 576 Hinojosa
Relating to the prosecution and punishment of the offense of smuggling of persons.

SB 704 Buckingham
Relating to the transfer of the regulation of racing to the Texas Department of Licensing and Regulation, the abolishment of the Texas Racing Commission, and the creation of the Texas Racing Advisory Board, following recommendations of the Sunset Advisory Commission.

SB 1071 Hinojosa
Relating to disability retirement benefits for certain peace officers under the Employees Retirement System of Texas.

SB 1082 Campbell
Relating to parental access to curriculum materials used in a public school's human sexuality instruction.

SB 1167 Campbell
Relating to boundaries of the Anthem Municipal Utility District; affecting the authority to issue bonds.

SB 1169 Campbell

Relating to the authority of a county to require a person to obtain a building permit from the county for certain portable structures.

SB 1171

Taylor

Relating to the electronic administration of certain required assessment instruments, measures to support Internet connectivity for purposes of those assessment instruments, and the adoption and administration of certain optional interim assessment instruments.

SB 1227

Taylor

Relating to the granting of undergraduate course credit at public institutions of higher education for certain scores on examinations administered through the College-Level Examination Program.

SB 1421

Bettencourt

Relating to the correction of an ad valorem tax appraisal roll and related appraisal records.

SB 1465

Hinojosa

Relating to operation of the Texas small and rural community success fund program administered by the Texas Economic Development Bank as successor to the Texas leverage fund program and to creation of the micro-business disaster recovery loan guarantee program.

SB 1467

Hinojosa

Relating to The University of Texas Rio Grande Valley, to student fees imposed by the university, and to the elimination of certain obsolete statutory references in relation to the university.

SB 1575

Kolkhorst

Relating to assessment and oversight of children placed by the Department of Family and Protective Services in a qualified residential treatment program and a study regarding residential treatment center placements.

SB 1854

Powell

Relating to an appeal through binding arbitration of an appraisal review board order determining a protest concerning a residence homestead for which the property owner has elected to defer the collection of ad valorem taxes.

SB 1919

Lucio

Relating to the authority of a property owner to participate by videoconference at a protest hearing by certain appraisal review boards.

SB 2046

Menéndez

Relating to a compliance history assessment made for purposes of allocating certain financial assistance administered by the Texas Department of Housing and Community Affairs.

SB 2163

Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 199; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2166

Miles

Relating to the creation of the Harris County Municipal Utility District No. 580; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2172

Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 200; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2174 Creighton

Relating to the division of the Montgomery County Municipal Utility District No. 152.

SB 2205 Springer

Relating to the creation of the Hillcrest North Municipal Utility District of Wise County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2207 Springer

Relating to the creation of the Grayson County Municipal Utility District No. 8; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2208 Springer

Relating to the creation of the Rocky Top Ranch Municipal Utility District of Denton County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2216 Creighton

Relating to the powers and duties of the East Montgomery County Municipal Utility District No. 14; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2217 Creighton

Relating to the powers and duties of the East Montgomery County Municipal Utility District No. 13; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2219 Springer

Relating to the creation of the Heritage Ranch Municipal Utility District No. 1 of Grayson County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

SB 2222 Nelson

Relating to certain equipment provided for use by the officers of the Texas Highway Patrol.

SB 2233 Menéndez

Relating to the completion of sexual harassment prevention training and ethics training to register as a lobbyist.

SCR 22 Campbell

Designating Kyle as the official Pie Capital of Texas for a 10-year period beginning in 2021.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 5, 2021 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:
LOCAL AND UNCONTESTED CALENDAR

HB 797 Howard SPONSOR: Buckingham
Relating to the possession and administration of certain vaccines by a home and community support services agency or its employees.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 5, 2021 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 1927 Schaefer SPONSOR: Schwertner
Relating to provisions governing the carrying of a firearm by a person who is 21 years of age or older and not otherwise prohibited by state or federal law from possessing the firearm and to other provisions related to the carrying, possessing, transporting, or storing of a firearm or other weapon; creating criminal offenses.
(Amended)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 5, 2021 - 4

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 1365 Bettencourt
Relating to public school organization, accountability, and fiscal management.

SB 1538 Menéndez
Relating to insurer restrictions and duties regarding repair of a motor vehicle covered under an insurance policy.

SB 1876 Miles
Relating to emergency planning for the continued treatment and safety of end stage renal disease facility patients.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 4

Agriculture and Livestock - **HB 3959, SB 634, SB 1118**

Business and Industry - **HB 318, HB 1970, HB 2237, HB 2259, HB 2424, HB 3042, HB 3098, HB 3422, HB 3504, HB 3744, SB 581, SB 1181**

Corrections - **HB 1921, HB 1971, HCR 4, SB 906, SB 1093**

Elections - **HB 3281, HB 3970, HB 4459, SB 7**

Environmental Regulation - **HB 2539, HB 3477**

Higher Education - **HB 1530**

Homeland Security and Public Safety - **HB 2746, HB 3671**

Human Services - **HB 1629, HB 2286, HB 2449, HB 3368, HB 3720, HB 4041, HB 4343**

Insurance - **HB 643, HB 2534, HB 3969**

International Relations and Economic Development - **HB 1980, HB 3264, HB 4067, HB 4119, HB 4279, SB 770, SB 1555**

Judiciary and Civil Jurisprudence - **HB 762, HB 1959, SB 692, SB 1129**

Land and Resource Management - **HB 545, HB 1719, HB 4374, HB 4624, HB 4634, HB 4641, HB 4642, HB 4645, HB 4649, SB 510, SB 726, SB 1355**

Licensing and Administrative Procedures - **HB 2054, SB 315, SB 1480**

Pensions, Investments, and Financial Services - **SB 707**

Public Education - **HB 424, HB 1206, HB 1252, HB 1302, HB 1613, HB 1744, HB 3456, HB 3489, HB 3862, HB 3880, SB 879**

Public Health - **HB 2049, HB 3121, HB 3722**

State Affairs - **HJR 152, SB 19, SB 1122, SCR 12, SCR 23**

Transportation - **HB 795, HB 1367, HB 1727, HB 1908, HB 2503, HB 2637, HB 2748, HB 3286, HB 3319, HB 3914, HB 4021, HB 4087, HB 4535, SB 160, SB 858, SB 1642, SB 1774**

Urban Affairs - **HB 4590, HB 4639**

Ways and Means - **HB 1556, HB 2245, HB 3629, HB 4179, SB 833, SB 1029**

ENGROSSED

May 4 - HB 20, HB 30, HB 157, HB 158, HB 159, HB 448, HB 783, HB 957, HB 1225, HB 1294, HB 1416, HB 1505, HB 1698, HB 1739, HB 1973, HB 2000, HB 2025, HB 2169, HB 2199, HB 2219, HB 2406, HB 2468, HB 2505, HB 2667, HB 2702, HB 2716, HB 2990, HB 3012, HB 3015, HB 3037, HB 3069, HB 3287, HB 3502, HB 3697, HB 3948, HB 4240, HJR 2, HJR 140

ENROLLED

May 4 - HB 17, HB 119, HB 139, HB 626, HB 1033, HB 1514

SENT TO THE GOVERNOR

May 4 - HB 7, HB 362, HB 567, HB 723, HB 735, HB 780, HB 786, HB 917, HB 1024, HB 1070, HB 1081, HB 1116, HB 1325, HB 1428, HB 1472, HB 1658, HB 1689, HB 1755, HB 1787, HB 1831, HB 2005, HB 2089, HB 2429, HB 2536, HB 2660, HB 2677, HB 2678, HCR 90