

# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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FORTY-SEVENTH DAY — THURSDAY, MAY 13, 2021

The house met at 10:32 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1013).

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; 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; 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; White; Wilson; Wu; Zwiener.

Absent, Excused — Coleman; Raney.

The invocation was offered by Representative VanDeaver as follows:

Father, we know we face a long day today. And Lord, we know we face a day that will have contentious moments. Father, I'm reminded that your word really tells us that you only require two things, that we love you and that we love your people. Father, my prayer is that when that clock strikes midnight tonight, that we would have given you reason through our actions today to say, well done, my child, well done. In Christ's name I pray. Amen.

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

**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.)

**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. 20).

**HB 4545 - CALLED FROM JOURNAL  
VOTE RECONSIDERED**

Representative Dutton called from the journal the motion to reconsider the vote by which **HB 4545** failed to pass on May 11.

**HB 4545 - REMARKS**

REPRESENTATIVE DUTTON: We worked with a lot of the constituencies to make sure that this bill does what we want it to do. This is a bill that allowed for school districts to give tutoring to the school. Let me tell you what's in the bill now. For those of you who don't like testing, what it does is it eliminates testing for third, fifth, and eighth graders so that now you don't have that as the basis for anything. What it provides is still optional for school districts to participate. It allows for several other things. The amendment that Mr. King put on, he has an amendment today which I'm going to take, which straightens out his previous amendment. And I think there was one other amendment by Krause which is going to be on the bill. And you have my commitment, which I've made to several members, that when the bill leaves here, we will never let it get worse than what it is. I can't talk about improvements, but I can tell you that we will never let it get worse than what it is. And so I would ask you to vote aye on the motion to reconsider.

REPRESENTATIVE METCALF: Mr. Chairman, I appreciate the conversations we've had over the past couple of days on this bill.

DUTTON: And thank you for your help, too.

METCALF: Most definitely. So just to confirm with the chamber, Chairman King has a clarifying amendment to fix his other amendment that we discussed. But just to clarify for the chamber, it is your intent to keep on the two Ken King amendments and the Matt Krause amendment, correct?

DUTTON: Exactly. Well, actually, Ken King has one amendment because this amendment will supersede the previous amendment.

METCALF: Correct. And if the senate makes changes to those amendments, we'll be made aware of it.

DUTTON: Yes, we won't allow any changes to those amendments. Now, there may be changes to the bill to improve the bill, but we would never allow those amendments to be superseded.

METCALF: Great. Well, I appreciate these two amendments and the Matt Krause amendment to help this bill, and I'll be voting in favor of this bill. I appreciate all the work you've done on this.

The motion to reconsider prevailed.

**HB 4545 ON THIRD READING**  
**(by Dutton)**

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

**HB 4545**, A bill to be entitled An Act relating to the assessment of public school students and the purchase of certain instruction-related materials, the establishment of a strong foundations grant program, providing accelerated instruction for students who fail to achieve satisfactory performance on certain assessment instruments, and an accelerated learning and sustainment outcomes bonus allotment under the foundation school program.

**HB 4545** was read third time on May 11 and failed to pass, as amended, by Record No. 978.

**Amendment No. 2**

Representative K. King offered the following amendment to **HB 4545**:

Amend **HB 4545** on third reading as follows:

(1) In added Section 28.0211(a-4), Education Code, strike "Supplemental instruction provided by a school district under Subsection (a-1)(2)" and substitute "If a district receives funding under Section 29.0881, the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260), or the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), then supplemental instruction provided by a school district under Subsection (a-1)(2)"

(2) In added Section 28.0211(a-6), Education Code, strike "and may provide" and substitute "and shall provide".

(3) In added Section 29.0881(e), Education Code, strike Subdivisions (1) and (2) and substitute the following:

(1) financially support or train or otherwise prepare educators and other staff;

(2) pay for agreements with other entities to provide prekindergarten services; or

(3) pay for accelerated instruction provided under Section 28.0211 or 28.0217.

(4) In added Section 39A.064(c), Education Code, strike "A district or school that does not comply adequately shall be subject to other interventions in accordance with this chapter, including the appointment of a conservator under Section 39A.102."

REPRESENTATIVE K. KING: Members, this amendment is the same amendment I put on in third reading but after discussion with TEA, I found out that the amendment we had drafted earlier had a clerical error in it, and we fixed that working with the agency and working with stakeholders. But it is essentially the same amendment and it directs money to kids that are behind or below grade level.

Amendment No. 2 was adopted.

REPRESENTATIVE BERNAL: Chairman Dutton, I think it's fair to say that this bill has gone away and come back several times, and I'm not sure that compared to its original form that it's recognizable. And I'm wondering if as a courtesy to the body, you'd postpone it to give us time to digest it. I don't think any one of us could tell you in any minor or specific detail what it does or how it works. Our school districts haven't had a chance to look at it. The advocates that we trust haven't had a chance to look at it and digest it. And I'm not here saying that we should do one thing or another, but I think that it would be fair to give us an opportunity, considering this is the first bill of the day, to go over it. It may be that the fixes and the amendments have made it the best thing we've ever seen in the history of our lives or otherwise, but I certainly believe that we owe the body an opportunity to know what it does and how it works.

DUTTON: Well, I respect your right, but let me say this to you. This bill has not changed from when the amendments went on in second reading. That was three days ago, so there's been time to look at the bill. And so the King amendment that was just added, really the only thing it did was clear up his amendment which I accepted on second reading. So I'm not sure how much time they need, but they've certainly had three days to take a look on it, Mr. Bernal, and I think you have also. So we didn't change anything except the amendment that Mr. King just put on.

BERNAL: I understand that, Chairman, and I appreciate that. I think it's fair to say there's a fair amount of discomfort among the body about this bill and maybe any others that do this. But if that's your position, then I understand it. I respect it.

DUTTON: Because it didn't change, though. That's what I want to make the point of. It didn't change from when we adopted the second reading amendments three days ago. Nothing has changed except the King amendment which, again, straightened out his earlier amendment.

REPRESENTATIVE HINOJOSA: I want to echo Representative Bernal's concerns about the bill. I know it doesn't have outcomes-based funding now, but those of us who are involved in education policy in this building are of the understanding that that is indeed the intent in the senate.

DUTTON: I'm sorry. I didn't understand you. You said you understand there's some intent by the senate to do what?

HINOJOSA: To have this bill be a vehicle for outcomes-based funding for our federal ESSER funds.

DUTTON: Well, that's not the way it's going to leave the house, and I can tell you that's not the way it's going to come back to the house.

HINOJOSA: And I understand that, and I understand that there's an amendment on this bill. What I don't understand is, given what we know has been work that the senate has done on this issue and has expressed an intention to do, why we still need this bill. I know we have heard in the past that we wanted to give this money to our schools, but it's my understanding that there are federal requirements already that say where this 10 percent that the TEA has kept of the ESSER funds goes and that it does indeed go to our schools already. So I don't know why we need the bill.

DUTTON: Well, that's not totally correct, what you just said. The money that comes to the states from the federal government, 10 percent of their money is allowed for discretionary funds on the part of the state. So that 10 percent of those funds can be used for what the state believes, what the commissioner of education and the TEA believes, needs to be done. So that's the only latitude. Now, the other part of the money has to go to the school districts, and they are basically allowed to use it however they see fit—but not the 10 percent. And that's where the money for this, the \$230 million, comes from is out of the discretionary fund.

HINOJOSA: Out of the 10 percent is what the bill intends to put some guardrails on?

DUTTON: I didn't understand. I'm sorry.

HINOJOSA: Are you saying that the bill intends to affect only the 10 percent that the TEA retains?

DUTTON: Yes. Yes, it comes out of that portion. That's the only portion that's affected.

HINOJOSA: So the information I have is that of this 10 percent, five percent already goes to learning loss. Of the 10 percent that we're talking about that TEA retains, five percent of that 10 percent has to go to learning loss, one percent has to go for summer enrichment activities, one percent has to go for after school programs, and it's also my understanding that absent this legislation, that's going to happen and that the governor has named a group of members that will kind of oversee that process. And I believe you're one of the members of that group.

DUTTON: I'm not sure. I couldn't understand everything you said. But let me explain it this way to you. I believe you mentioned learning loss being a part of it. That's what this bill accomplishes, the learning loss, and that's why the tutoring becomes necessary, because of the learning loss. In fact, in Texas now, what we realize is that pre-pandemic, 22 percent of our children were behind. Post-pandemic, it's believed to be that some 40 or 50 percent of our kids are below grade level. What this does is allows the commissioner to use—in the 10 percent, he gets the \$230 million that he can now send to school districts to help them pay for tutoring for children. And if you read the bill, one of the things it allows is a tutoring concept or process whereby you can't have more than—the

ratio is one teacher and up to three students in that process. That's what it does. And so when you talked about the learning loss, that's what this bill is accomplishing.

HINOJOSA: But that could already happen without this bill.

DUTTON: That what could happen?

HINOJOSA: That tutoring that you're talking about can already happen without this bill.

DUTTON: No.

HINOJOSA: The district can't decide to do that? The TEA—

DUTTON: The district can decide to do it with their own money, but what this does is it takes it out of that 10 percent that's discretionary that's allocated to the commissioner.

HINOJOSA: Okay, and I share with you the concern that we need to make sure that we have the academic needs of children met, especially given the pandemic and how students have fallen behind. Part of my concern also is that there are requirements in the bill that don't expire once the ESSER money is gone and that stick with our school districts and that are telling our school districts how to address learning loss when I believe our schools are—

DUTTON: That's not in the bill, Ms. Hinojosa.

HINOJOSA: Are you saying that's been taken out?

DUTTON: There's nothing in the bill that requires districts to do more than offer this tutoring out of the grant. Because you've got to remember, this is a voluntary program. School districts can apply to get in it or they can choose not to participate. And so it's being voluntary and there's nothing in the bill that requires this program to go beyond the \$230 million.

HINOJOSA: Okay. This bill makes me nervous because I know the senate's intent with this. I know what you've said about this is not your intent. I think what you're trying to accomplish can be accomplished already by the TEA. Under the federal guidelines, it would go to this, but I appreciate you answering my questions.

DUTTON: And you've got to remember this particular funding is in addition to the **HB 3** funding that we put in, okay? And so you get to use the \$230 million for tutoring which is actually on top of what we've done for **HB 3** funding. So I don't want you to be nervous about it, because it's going to help a whole bunch of kids.

REPRESENTATIVE ASHBY: Thank you for your explanation here this morning. I don't envy being the first bill up on a long day. And it's been a few days since we've had an opportunity to have a discussion about your bill here. I just want to hit a few key points. Initially, I had a lot of concerns about the bill in its original filed version that came to the floor. I voted against the bill the other day. But I think it's important, and I want you to have the opportunity. At a high

level here, the bill that we're talking about today is substantively different—in a much better way, in my opinion—than when it came to this floor. Would you agree?

DUTTON: Yes, I would agree with you, and we're going to keep it that way.

ASHBY: And we're going to get to that, but specifically, one of Representative King's amendments, I really want to target. Initially, probably the biggest concern that I had and I think a lot of folks had in the Public Education Committee was the link between the STAAR test and funding in the bill. But with Representative King's amendment, for the body's knowledge here, that was stricken. So there is no outcomes-based funding left in this bill.

DUTTON: It took that out.

ASHBY: Okay. I think another concern initially that we had was that the bill expanded—expanded being a loose term here—expanded the power of the commissioner or TEA to control these funds. But again, we've had an amendment that has stricken that from the bill as well. Is that correct?

DUTTON: Correct. That's correct. That struck the first part of the bill.

ASHBY: So at the heart of this bill, what we're trying to do is address the learning loss as a result of the pandemic.

DUTTON: Correct.

ASHBY: And I think we can all support that.

DUTTON: I hope so.

ASHBY: And so I guess my final question for you, Chairman Dutton—I love the part of this bill that's left intact. And I think that's where we are right now is we are left with a bill that basically says we are deciding whether to leave the money at TEA with the commissioner or provide that money to our local school districts and allow our local school boards to decide how to allocate that funding that will address this issue of learning loss. Is that correct?

DUTTON: That's absolutely, 100 percent correct.

ASHBY: And so for the record, do I have your commitment that when this bill goes to the senate, if it comes back with any substantive changes or anything that has an outcomes-based funding component to it or anything that expands the commissioner or the TEA, that you will reject those?

DUTTON: I will. You have my commitment to that, sir.

#### **REMARKS ORDERED PRINTED**

Representative Ashby moved to print all remarks on **HB 4545**.

The motion prevailed.

REPRESENTATIVE HOWARD: I just wanted to ask about Section 1, which indicates that if a district receives funding from the Coronavirus Response and Relief Supplemental Appropriations Act—there doesn't seem to be any language there that brackets it just to that 10 percent. There's concern that this can be applied to the entire amount that came from the federal government.

DUTTON: No, there's no way that that could be possible because what we've done is—I think last week or the week before last week—we already sent \$11.8 billion to the schools. And I think next week or shortly after that, they'll get the other \$5.2 billion or somewhere thereabout. And so they'll already have that money. So that money has already gone to them.

HOWARD: Well, they're actually in the process, are they not, of doing the application process to get the funds. I don't know that they've actually received them yet.

DUTTON: No, they have received some funds, but they have not received all of them. But these funds are restricted to the 10 percent that's going to be dedicated to the commissioner out of the funds received.

HOWARD: The 10 percent you're referring to is when the governor put out his press release with Speaker Phelan and Lieutenant Governor Patrick on April 28. It indicated that the spending of that—the grants for the state were going to be determined by the lieutenant governor, the speaker, Senators Nelson and Larry Taylor, and Representatives Greg Bonnen and Harold Dutton. So are y'all working on that now? Is that part of what this is about?

DUTTON: That's not part of this particular package. What this does is the learning loss that the federal government has identified that occurred during COVID, that they put in terms of how we ought to use the money, that's what this goes to. This is not part of any other scheme or use of the money.

HOWARD: I guess, really, what this gets down to for some of us is what's the need for this bill since we already have this spelled out by the federal government in terms of how that 10 percent can be used?

DUTTON: Well, the federal government says how it can be used. What this does is tell how we use it. And so what we're going to do is set up tutoring programs to the extent that districts would like to apply for this money, for this grant, so that now the students who were behind can get caught up.

It also specifies that the tutoring can only occur in—well, what we specified in the bill is students will get 30 hours of tutoring, and they can only have a one to three ratio in terms of teachers and students in the tutoring. It also specifies that in the tutoring of students, we won't use that as the basis for anything other than tutoring. For example, kids who were taking a particular class can't be pulled out of that class just to accommodate the tutoring. So what this does is provide an opportunity for those children, again, who are simply behind. And that is becoming a huge problem for us because what we've found out is that when students are behind, six years later, only four percent of those students get caught up. And that's because we haven't been doing the tutoring. Now, there is a provision in the statute that exists now that requires—well, it doesn't



require—but it says school districts should do the tutoring. What this will do is for those school districts that believe they have huge problems with students' learning loss, they'll now be able to provide tutoring without any expense to them.

HOWARD: Chairman Dutton, I appreciate what you just said, and I agree with you. And I appreciate the intention here. I still haven't understood from the answers, though, why this bill is necessary since these things are already spelled out and TEA could require those things for the grants anyway.

DUTTON: Well, it's necessary because we put the money in the budget. We put the \$230 million in the budget. If we don't do this, then it just sits over there.

HOWARD: It sits over where?

DUTTON: It just sits over at TEA to do nothing.

HOWARD: Why would it just sit there? Why would they not do anything with it?

DUTTON: Because there's no prescription from this legislature in what to do with it. And that's what this does.

HOWARD: Why would they need the legislature to prescribe what to do with the federal funds? Since those were spelled out by the feds?

DUTTON: Those are the discretionary funds. Again, I go back to that. Those are the discretionary funds that allow the states to do what they want to do with the money in certain categories. But if you don't pick out one of those categories to put the money in, it never happens. And so that's what this does. This says—

HOWARD: I appreciate that. I just don't understand what would prevent TEA from distributing this money—these grants—and why those decisions can't be made by them. I'm really still lost.

DUTTON: The school districts are in a better position to determine which of their students are failing and behind and need the help. What TEA is going to do is simply provide the money so that they can get that necessary help.

HOWARD: So we're talking about—I'm sorry, people are sending me questions—but my question to you still remains unanswered in terms of why TEA can't do this without us passing this. The federal government has already listed how these things can be spent. The money is there. You're part of the committee.

DUTTON: Well, let me see if I can help you real quick. We don't just send the TEA a lump of money in the budget. You recognize that, right? We don't just say, we're going to send TEA \$200 million or \$700 million for the school. So we don't just send them a bunch of money. But this legislature tells them how to spend the money. And what this does is, in keeping with that same spirit, we're simply telling TEA to use \$230 million or so on providing grants to districts who want to participate in it for tutoring for those children who are behind.

HOWARD: Because we don't trust that the commissioner would do this anyway?

DUTTON: No, because he doesn't have any authority to do it unless we tell him.

HOWARD: Okay, that still doesn't make sense to me. But thank you anyway.

REPRESENTATIVE ALLEN: Representative Dutton, are you familiar with **HB 3**?

DUTTON: Absolutely.

ALLEN: In **HB 3**, there are provisions for children who are failing the test or affected by the COVID disaster.

DUTTON: Yes.

ALLEN: Do you know that there is money in that bill for tutoring programs?

DUTTON: I'm not aware of that.

ALLEN: Do you know then that we put \$11.5 billion to stabilize **HB 3**?

DUTTON: That's part of the federal money that we got. That money came to us from the federal government, and we essentially have to provide it to school districts with no strings attached.

ALLEN: So did you know that there's money for free summer school for those children who are failing?

DUTTON: And this is in addition to that, Dr. Allen.

ALLEN: Okay. Did you also know that there's extra money in the school for tutorials for children who are failing?

DUTTON: I know that it hadn't been used very often. And so what this bill says is that now we're going to have tutoring and what we're going to do is we're going to make sure that it's effective tutoring using all the basic evidence that we have—evidence-based tutoring—so that what we'll now have is a prescription. The tutoring that we require now, it doesn't specify, for example, a student/teacher ratio. In this bill, there's a student/teacher ratio specified of one to three so that we can have effective tutoring for those children who have a significant learning loss.

ALLEN: Is this bill necessary to get that money distributed in the form of a grant?

DUTTON: Yes.

ALLEN: This bill is necessary? We can't do that now without providing a grant program?

DUTTON: Well, unless you want the commissioner to have authority that you didn't give him. So that's what this bill is necessary for.

ALLEN: What are the guidelines for distributing the money? What's the prerequisite for distributing the money for a child, a school, a district?

**HB 4545**, as amended, was passed by (Record 1014): 82 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Deshotel; Dominguez; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guerra; Harless; Harris; Hefner; Holland; Huberty; Hull; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Larson; Leach; Leman; Metcalf; Meyer; Middleton; Morrison; Murphy; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Raymond; Rogers; Romero; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Vo; White; Wilson.

Nays — Allen; Anchia; Bailes; Beckley; Bernal; Bowers; Bucy; Burns; Campos; Canales; Cole; Collier; Crockett; Davis; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Landgraf; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Price; Ramos; Reynolds; Rodriguez; Rose; Rosenthal; Sherman; Slawson; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Guillen; Thierry.

#### STATEMENTS OF VOTE

When Record No. 1014 was taken, I was shown voting no. I intended to vote yes.

Gervin-Hawkins

When Record No. 1014 was taken, my vote failed to register. I would have voted yes.

Guillen

When Record No. 1014 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 1014 was taken, I was shown voting no. I intended to vote yes.

Slawson

#### GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

**SB 219 ON THIRD READING****(Leach, Gervin-Hawkins, Lucio, Holland, et al. - House Sponsors)**

**SB 219**, A bill to be entitled An Act relating to civil liability and responsibility for the consequences of defects in the plans, specifications, or related documents for the construction or repair of an improvement to real property.

**SB 219** was passed by (Record 1015): 113 Yeas, 27 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Capriglione; Cason; Cole; Cook; Cortez; Craddick; Cyrier; Darby; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Huberty; Hull; Hunter; Israel; Jetton; Johnson, J.D.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Minjarez; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vasut; Vo; White; Wilson.

Nays — Ashby; Canales; Clardy; Collier; Davis; Ellzey; González, J.; González, M.; Goodwin; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; King, T.; Meza; Moody; Neave; Ordaz Perez; Ramos; Reynolds; Rogers; Shaheen; Sherman; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Bowers; Crockett; Landgraf; Morales Shaw; Stucky; Thierry; Turner, C.

**STATEMENTS OF VOTE**

When Record No. 1015 was taken, I was in the house but away from my desk. I would have voted yes.

Bowers

When Record No. 1015 was taken, I was in the house but away from my desk. I would have voted yes.

Landgraf

When Record No. 1015 was taken, I was shown voting yes. I intended to vote no.

Martinez Fischer

When Record No. 1015 was taken, I was shown voting no. I intended to vote yes.

Moody

When Record No. 1015 was taken, I was in the house but away from my desk. I would have voted present, not voting.

Morales Shaw

When Record No. 1015 was taken, I was shown voting yes. I intended to vote no.

Rose

When Record No. 1015 was taken, I was in the house but away from my desk. I would have voted yes.

Stucky

**SB 833 ON THIRD READING**  
**(Paddie - House Sponsor)**

**SB 833**, A bill to be entitled An Act relating to a sales tax refund for sales tax overpayments by certain oil or gas severance taxpayers.

**SB 833** was passed by (Record 1016): 144 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; 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; 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; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Rose; Thierry.

### STATEMENTS OF VOTE

When Record No. 1016 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

When Record No. 1016 was taken, I was in the house but away from my desk. I would have voted no.

Thierry

### SB 1911 ON THIRD READING (Rose - House Sponsor)

**SB 1911**, A bill to be entitled An Act relating to the content of an application for Medicaid.

#### Amendment No. 1

Representative Rose offered the following amendment to **SB 1911**:

Amend **SB 1911** on third reading as follows:

On page 1, line 13, between "contacted" and "that", insert "by a managed care organization or health plan provider".

Amendment No. 1 was adopted.

**SB 1911**, as amended, was passed by (Record 1017): 147 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; 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; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

**SB 696 ON THIRD READING**  
**(Guillen - House Sponsor)**

**SB 696**, A bill to be entitled An Act relating to the imposition, rate, and use of hotel occupancy taxes in certain counties and municipalities; authorizing certain counties to impose a hotel occupancy tax; reducing the maximum rate of the hotel occupancy tax imposed by certain counties.

**Amendment No. 1**

Representative Smith offered the following amendment to **SB 696**:

Amend **SB 696** on third reading (house committee printing) as follows:

(1) On page 2, line 21, strike "Subsection (bb)" and substitute "Subsections (bb) and (dd)".

(2) On page 3, between lines 12 and 13, insert the following:

(dd) The commissioners court of a county with a population of not more than 40,000 that borders the Red River and includes a wildlife management area may impose a tax as provided by Subsection (a). A tax imposed under this subsection does not apply to a hotel located in a municipality that imposes a tax under Chapter 351 applicable to the hotel.

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

**Amendment No. 2**

Representative E. Morales offered the following amendment to **SB 696**:

Amend **SB 696** on third reading (house committee printing) on page 1 as follows:

(1) On line 8, strike "Subsection" and substitute "Subsections (a-1) and".

(2) Between lines 23 and 24, insert the following:

(a-1) Notwithstanding Subsection (a), this section does not apply to:

(1) a municipality that is the county seat of a county that borders:

(A) the United Mexican States;

(B) a county described by Section 352.002(a)(7); and

(C) a county described by Section 352.002(a)(14); or

(2) a municipality that is located in a county described by Section 352.002(a)(14).

Amendment No. 2 was adopted.

**Amendment No. 3**

Representatives Zwiener and Rogers offered the following amendment to **SB 696**:

Amend **SB 696** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 351, Tax Code, is amended by adding Section 351.111 to read as follows:

Sec. 351.111. ALLOCATION OF REVENUE FOR PUBLIC PARKS BY CERTAIN MUNICIPALITIES. (a) This section applies only to:

(1) a municipality described by Section 351.101(o);  
(3) a municipality that is bisected by U.S. Highway 290 and is located in a county that:

(A) is adjacent to the county in which the State Capitol is located;  
and

(B) has a population of more than 150,000; and  
(4) a municipality with a population of less than 3,000 that borders the Pecan Bayou and has a visitors and events center.

(b) Notwithstanding any other provision of this chapter and subject to the requirements of this section, a municipality to which this section applies may use a portion of the revenue derived from the tax imposed under this chapter to promote tourism and the convention and hotel industry by enhancing and improving public parks owned by the municipality. The enhancement or improvement of the public park must be directly related to hotel activity that is attributable to public parks owned by the municipality.

(c) The amount of municipal hotel occupancy tax revenue a municipality may use in a fiscal year for a purpose authorized under this section may not exceed 10 percent of the amount of revenue the municipality collected from that tax during the preceding fiscal year.

(d) The amount of municipal hotel occupancy tax revenue a municipality may use in a fiscal year to enhance and improve an individual public park may not exceed the amount of area hotel revenue in the preceding fiscal year that was directly attributable to tourists who attended events held at that park or otherwise visited that park. Before the municipality uses municipal hotel occupancy tax revenue to enhance or improve a park, the municipality must make a good faith estimate of the annual amount of area hotel revenue directly attributable to tourists who visited that park.

(e) A municipality that uses municipal hotel occupancy tax revenue under this section:

(1) may, notwithstanding the limitation under Subsection (c), reserve not more than 10 percent of the revenue from that tax collected in a fiscal year for use under this section during the succeeding three fiscal years; and

(2) may not reduce the percentage of revenue from that tax allocated for a purpose described by Section 351.101(a)(3) to a percentage that is less than the average percentage of the revenue from that tax allocated by the municipality for the purpose described by Section 351.101(a)(3) during the 36-month period preceding the date the municipality begins using revenue for a purpose described by this section.

Amendment No. 3 was adopted. (Ellzey recorded voting no.)

**SB 696**, as amended, was passed by (Record 1018): 93 Yeas, 52 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bernal; Bowers; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cook; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; 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.; Kuempel; Larson; 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; Perez; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Smith; Stephenson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Cain; Capriglione; Cason; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Goldman; Harris; Hefner; Holland; King, P.; Klick; Krause; Lambert; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Oliverson; Parker; Patterson; Paul; Price; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smithee; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Gates; Hull.

#### STATEMENTS OF VOTE

When Record No. 1018 was taken, I was shown voting yes. I intended to vote no.

Allison

When Record No. 1018 was taken, I was in the house but away from my desk. I would have voted no.

Gates

When Record No. 1018 was taken, I was in the house but away from my desk. I would have voted no.

Hull

#### SB 1138 ON THIRD READING

**(Noble, Frank, Swanson, Shaheen, and Meza - House Sponsors)**

**SB 1138**, A bill to be entitled An Act relating to a study on streamlining public safety net programs to reduce costs and improve outcomes for recipients under the programs.

**SB 1138** was passed by (Record 1019): 89 Yeas, 57 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Collier; Cook; Craddick; Darby; Dean; Deshotel; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; González, M.; Goodwin; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Israel; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Leach; Leman; Lozano;

Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bucy; Campos; Canales; Cole; Cortez; Crockett; Cyrier; Davis; Dominguez; Fierro; Gervin-Hawkins; González, J.; Guerra; Hernandez; Herrero; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lambert; Larson; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Price; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

**SB 232 ON THIRD READING**  
**(Davis - House Sponsor)**

**SB 232**, A bill to be entitled An Act relating to service of expert reports for health care liability claims.

**SB 232** was passed by (Record 1020): 83 Yeas, 60 Nays, 1 Present, not voting.

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

Nays — Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Button; Cain; Canales; Capriglione; Cason; Cook; Craddick; Cyrier; Dean; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Hull; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Rogers; 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; Raney.

Absent — Dutton; Hunter; Morrison; Schofield.

**STATEMENTS OF VOTE**

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

Ellzey

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

Jetton

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

P. King

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

Lambert

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

Murphy

**SB 1263 ON THIRD READING  
(C. Bell - House Sponsor)**

**SB 1263**, A bill to be entitled An Act relating to funding for the Texas emissions reduction plan.

**SB 1263** was passed by (Record 1021): 144 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; 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.; 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; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; 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; Raney.

Absent — Dutton; Morales Shaw; Thierry.

### STATEMENT OF VOTE

When Record No. 1021 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

### SB 19 ON THIRD READING (Capriglione - House Sponsor)

**SB 19**, A bill to be entitled An Act relating to prohibited contracts with companies that discriminate against the firearm or ammunition industries.

### SB 19 - REMARKS

REPRESENTATIVE HERRERO: I wanted to go over some of the provisions that were added last night through that amendment just to help me understand really the reasons for adding them. As I understand the purpose of this bill, an entity is not entitled to discriminate against a firearm company or a trade association solely for them being a firearm entity or a firearm trade organization. Is that the understanding of what the intent is of this bill?

REPRESENTATIVE CAPRIGLIONE: Of the bill and if you like, I can go over what the bill is, and then maybe if you'd like to, since you're going to ask about the amendment, I can go through the amendment now.

HERRERO: Yes. Go ahead, please.

CAPRIGLIONE: So what the bill does is it protects Texans' Second Amendment rights against unfair discrimination by companies. It will prevent any company with 10 or more employees from the benefits of state or other government contracts valued at \$100,000 or more unless the company verifies in writing that it does not have an internal policy that discriminates against members of lawful firearm or ammunition industries. In terms of the amendment that I added last night, it does essentially four different things. It excludes "sole proprietorship" from the definition of "company." So I don't want to hurt small businesses, and they're not the target of the bill. It expands the definition of "discriminate." Stakeholders, which we've spoken to a lot of different stakeholders, have expressed concerns that the bill in its original form does not include provisions for them terminating a business relationship for nondiscriminatory reasons. So this change clarifies that. Third, the way the bill currently read before the amendment caused some confusion among stakeholders. So this change was made to clarify that the value of the contract should be worth at least \$100,000, not the value of the company. And finally, it includes the provision for sole-source providers and for instances when a governmental entity does not receive a contract bid from a nondiscriminatory company. So those are four of the changes that that amendment did on **SB 19**.

HERRERO: Right, so let me, if I may, how did we come up with the \$100,000 valuation on the contract? What's the basis for that?

CAPRIGLIONE: The basis was to look at the values of the contracts. In the past, I've looked at a lot of different contracts that the state enters into. And so from prior knowledge of contracts, in terms of where a good point to stop is, it happens to be \$100,000 in some cases. In other cases, we do that at higher values depending on what it is, but we felt that a \$100,000 contract with the state was a significant contract with the state.

HERRERO: And then under that same provision, it would be funds of \$100,000 that come either wholly or partly from public funds. Am I reading this correctly?

CAPRIGLIONE: That is right, yes.

HERRERO: And I'm just trying to find out for legislative intent. Is it whether it's a penny or \$100, it really doesn't matter as long as any part of that money for that contract worth \$100,000 or more comes from governmental funds, then it would apply, correct?

CAPRIGLIONE: So any portion of that. Now, I have looked at enough contracts to know that it's rare, at least in what we're talking about, for it to be some sort of shared contract, right? It's rare for the state. Not that it doesn't happen, but it's very rare for the state to enter into a contract with multiple private entities that are also lending institutions.

HERRERO: And let me, if I may—I don't know if you have the amendment in front of you. So on page 1, line 15, it appears we carve out some exclusions to the provisions of the bill. Or better yet, I guess, reasons why an entity or a company that has a contract with the state of \$100,000 or more would be entitled to, I guess, terminate a business relationship with an entity identified as either a firearm entity or a firearm trade association—am I understanding those provisions correctly as well? In other words, if they allow a company that would fall within the provisions of this bill to still say, "We understand this law exists; however, we've got one of those exceptions that were listed out in this amendment." Is that a fair statement?

CAPRIGLIONE: That's right. And if you look back, it essentially says if this is the sole reason, it's because of this.

HERRERO: Right, so if I may go through those. So in (B)(i), I'm trying to find out what are some examples of "established policies of a merchant, retail seller or platform." Give me some examples just to help me understand what that means.

CAPRIGLIONE: Well, let's say you're an online retail company, for instance. And let's say it's just not your business. Let's say, for instance, you sell shoes online.

HERRERO: Shoes? Is that what you said?

CAPRIGLIONE: Well, shoes, I'm just giving an example. If you're a shoe company, that obviously isn't an issue, right? Because that's an established purpose that you don't generally and have never sold firearms. So there's no expectation that if you're an online shoe or an online auto parts store that you would now be required under this legislation to get a state government contract.

So that's where it kind of meets in terms of original purpose. And what I'd also say is what the purpose of this is not to ban, right? I mean, there's no banning of the inability to do this. What this bill says is that if you are a company and primarily a lending institution that is solely discriminating against a company based on its purpose in the firearm or ammunition industry, that you won't be able to receive taxpayer dollars. I think I've answered your question, but what I do want to tell the members and the body is that the point of this is to say that the Constitution really only has one good in it, and that's in the Second Amendment, which specifically talks about the right for people to do this. And what we also know is that these institutions are heavily regulated, receive a lot of their ability to do business because of the government. And since it's a constitutional right, they should not be able to receive taxpayer dollars if they don't want to support the Constitution.

HERRERO: Are there some current examples of an entity that has done something like this and discriminated against a trade association or a firearm entity that now, under the provisions of this bill, if they were to fall within the provisions of the bill, would no longer be able to do whatever it was that they were doing that is now under the bill determined to be discriminatory?

CAPRIGLIONE: I do. I have quite a few examples of these issues. But I'll give you an example in terms of one big bank that currently has a policy that discriminates against any business that sells firearms to anyone under the age of 21 or makes or sells high-capacity magazines. And here's the thing: It is legal under federal and Texas state law for those under 21 to purchase long guns and shotguns. So that's one example. Another large bank—

HERRERO: I'm sorry. What I'm trying to find out is, what issue are we trying to address that currently exists? In other words, is there an entity now, a business, that receives a contract of \$100,000 or more that has been discriminating against a firearm entity or a firearm trade association that now, once the bill becomes effective, would no longer be able to do that and still receive the benefits of that contract? I'm trying to figure out what issue are we trying to address that exists now that under the bill would be prohibited.

CAPRIGLIONE: Yes. The answers are, simply, yes. I have one, two, three, four, five, six, seven, eight, nine, 10, 11, 12 just here of companies—

HERRERO: Yes, but what are those? I don't—

CAPRIGLIONE: They're mostly financial institutions, larger institutions, that have the policy—

HERRERO: That say what? You can't transact? Give me an example. If I go to this entity that you're talking about that under the provisions of this bill would be prohibited from discriminating against these types of entities, where would this come into play? I don't understand what we're trying to do here.

CAPRIGLIONE: Okay, so there are current contracts, and this bill doesn't deal with current contracts.

HERRERO: They're what kind of contracts?

CAPRIGLIONE: Current—current contracts. So let's say there's a current contract right now. This bill doesn't talk about that. But if we're talking about new contracts, new procurements, and so on, so yes, the answer is there are companies today that have policies that say that they are not going to lend—

HERRERO: Companies such as what? Give me some examples.

CAPRIGLIONE: Sure. There's a lot of big banks that do it. I have listed on here Bank of America, Citigroup, Intuit, JPMorgan Chase, Paypal, Square, U.S. Bank, Wells Fargo.

HERRERO: So lending institutions or banks, for example, have provisions that say what? Like if I go borrow—go ahead.

CAPRIGLIONE: So, yes. That's what I was reading. So for instance, Citigroup has a policy discriminating against any business that sells firearms to anyone under the age of 21, even though today it is legal under federal and state law for those under 21 to be able to purchase long guns and shotguns. That's one example. Another bank—

HERRERO: So if I'm one of those companies that sells firearms, for example, if I own a gun shop, for example, and I want to go apply for money with a bank—let's say one of those that you mentioned—then they would be, under the provisions of this bill, discriminating against me and because of that they wouldn't be able to have a contract with the state that's worth \$100,000 or more? Is that right?

CAPRIGLIONE: Well, first, right now our estimate is that 75 percent of the firearm industry in Texas has been discriminated against by banks. So it is happening. It's happening to a lot of individuals. But if you look at the bill and the way that we've written it, especially with the amendment, the answer to your question is "not quite." Because if banks still have their fiduciary duties to go and do—

HERRERO: I'm sorry, Representative. It's very difficult to hear. And I'm really trying to understand. If I can summarize: So if there's entities out there such as these banking institutions that you've mentioned that prohibit someone from engaging in a business that would either be defined as a firearm trade organization or—

CAPRIGLIONE: Preventing from lending to a business.

HERRERO: I'm sorry?

CAPRIGLIONE: They can't prevent someone from engaging in the business, right? They can, however—I mean, because you had said preventing them from engaging in a business. They can't do that.

HERRERO: If I don't own a business and I want to open up a firearm entity to sell guns, and I've gotten every permit that I needed to get, and I go to the bank for a loan, they can't say, "Well, I'm sorry, we can't loan you money because you are in this type"—

CAPRIGLIONE: Because you're that type of company, right. That's right.

HERRERO: All right. But if this person or entity that I go to borrow money from is the sole proprietor, then they wouldn't fall under the provisions of the bill, correct?

CAPRIGLIONE: That's right. If they're a sole proprietor, they would not.

HERRERO: And then there's a provision that talks about, on page 3, line 18 and to the end of, I guess, Subsection (c): "does not apply to a governmental entity that" and then it says "contracts with a sole-source provider." Why would we make that exception?

CAPRIGLIONE: Well, that was not my—when we worked on this bill, we talked to a lot of different groups. And in some cases, a governmental entity needs a service or a product or whatever it is. They need that to conduct their constitutional or statutory obligations. And in those cases, there may only be one company that can provide that service. We have similar statute on sole source in other parts of our procurement.

HERRERO: So if you wouldn't be able to otherwise retain the services that that individual or entity is providing, either because they're the sole-source provider or because of the other exception, there were no other bids, then essentially the provisions of this bill would exclude those types of circumstances. Is that correct?

CAPRIGLIONE: That's right. That is, I hope, a one-off thing. But I hope for myself, even outside of this bill, that's a one-off situation. I always find it—I don't know what the right word is—but I would prefer, obviously, for any government contract that we have, that there's a competitive marketplace, that the bids and the procurement and the RFIs and all of that is written in a way that would provide as many market participants as possible for the benefit of taxpayers. And in this particular case as it relates to my bill, I would imagine that this ends up making things more competitive in general. But in the off chance that there's only one company that can do what the government entity has, we provided that exception.

### **Amendment No. 1**

Representative Goodwin offered the following amendment to **SB 19**:

Amend **SB 19** on third reading in SECTION 1 of the bill, in Section 2274.002(c), Government Code, as added by Amendment No. 1 by Capriglione, as follow:

(1) In Subdivision (1) of the subsection, immediately following the underlined semicolon, strike "or".

(2) In Subdivision (2) of the subsection, between "subsection" and the underlined period, insert the following:

; or

(3) determines the requirement is inconsistent with the entity's constitutional or statutory duties related to the issuance of debt obligations or the deposit or investment of funds



REPRESENTATIVE GOODWIN: I'm really not sure why we need to have this firearm industry protection Act in the first place. However, given that it's in front of us, I do have an amendment due to a concern brought to me. This amendment adds an exemption that was in the house companion to **SB 19** which provided a specific exemption for governmental entities solely related to their constitutional or statutory duties to the issuance of debt. My local officials have serious concerns that the provisions stipulating with whom they can bank will potentially void their depository contract and have a severe impact on city operations. Specifically, the main concern is that the lack of this provision could impact bond issuances. Generally, only large banks respond to requests for proposals related to debt issuance, and this bill, without the exemption and language in my amendment, will severely limit who can underwrite those proposals. This amendment addresses those concerns.

REPRESENTATIVE ISRAEL: Representative Goodwin, thanks for your amendment. But I wanted to ask, do you have any examples of the kinds of transactions that occur between large institutions and cities? What do they do? What's the service that they provide?

GOODWIN: Well, for example, bond issuances that allow the city to build a fire station, for example, or anything, roads, whatever they need to do that requires a large amount of money and a bond issuance.

ISRAEL: So the presumption is that for a city to get this best value from a financial institution, if we don't pass your amendment, we're layering on another restriction from cities being able to spend their money in the smartest way possible on behalf of growth and development and planning and smart use of taxpayer dollars. That's how I read it. Is that correct?

GOODWIN: That's exactly correct. We need to be very careful with our taxpayer dollars and we need to have options and choices and competition. That's what allows us to get the best bang for our buck. And so we certainly don't want to limit our cities.

CAPRIGLIONE: I'm going to be opposing this amendment. And just to be clear in terms of what the costs are, in the State of Louisiana, there are two banks that were not allowed to participate in a \$600 million bond offering, and the estimated cost was about \$50,000 off of that \$600 million bond. So when people ask me what the cost of freedom is, I will always say, more than \$50,000. Please join me in voting no on this amendment.

GOODWIN: Members, please help me to support our cities in their ability to do business the way that they need to do business and support this amendment.

A record vote was requested by Representative Wu.

Amendment No. 1 failed of adoption by (Record 1022): 65 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bailes; Beckley; Bernal; Bowers; Bucy; Burns; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen;

Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Middleton; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dutton; Ellzey; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Minjarez; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Geren; Pacheco.

#### STATEMENTS OF VOTE

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

Bailes

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

Burns

When Record No. 1022 was taken, I was in the house but away from my desk. I would have voted no.

Geren

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

T. King

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

Middleton

REPRESENTATIVE WU: I try not to be up here too much. I kind of learned my lesson my first session. But I will be up here every time that we have a bill that implicates the First Amendment. I will be up here every time that we pass a law that restricts people's ability to think and to speak and to have their freedom to say what they want to say and boycott what they want to boycott and support what they want to support. We've done bills to force people to speak, force them

to take oaths. We've done bills to make people swear they will not do something else. We've had bills that make people say they will support something. All of these are unconstitutional. All of these things will eventually get to court. And every session I sit on Appropriations, we always go ask the AG how much money have we spent defending unconstitutional laws that this state has passed, and that number every single session goes up and up and up and up. And yet this body that says that you care about fiscal conservatism, you care about the budget, you care about what we're spending money on, you don't care that we pass these bills to check boxes off, but it costs our state a quarter million, a half million, a million dollars in legal fees. Every single session you pass these bills that will eventually get struck down by the courts. I would urge you to vote no on this bill. We don't need a thought police. We don't need speech police. Let Texans be.

CAPRIGLIONE: If I could just quickly respond to Representative Wu's comments, which is this bill does not affect private individuals, okay? The Second Amendment is an absolute right delineated in the Bill of Rights by our constitutional freedoms. Private businesses are not guaranteed any constitutional rights. And so businesses under this bill and before this bill and anytime are absolutely free to remain to do so under the provisions of this legislation. It's just that they cannot expect taxpayer dollars to fund their erosion of our constitutional rights.

REPRESENTATIVE DAVIS: I'm trying to understand how we measure or how we will determine if a company or industry is discriminating against these other folks. Is it a simple disclosure that we won't discriminate against these kinds of companies? Or what is it we're going to do? How are we going to manage that?

CAPRIGLIONE: That's a great question. What I would say is that first of all, this is only for companies who are seeking to get taxpayer dollars, so this is a small subset of companies who are trying to receive public funds. So that's first. Second—

DAVIS: Wait, excuse me. Will you repeat that? I couldn't hear what you were saying.

CAPRIGLIONE: So first, what I want to make clear is that this is not for all businesses. This is only for those businesses that seek to receive taxpayer dollars. So this is those that are attempting to be part of a contract where they would receive state dollars. It's only for those businesses.

DAVIS: Let me just—because I'm having a hard time hearing. This is for companies that seek to do business with public entities for public dollars. Is that correct?

CAPRIGLIONE: That's right.

DAVIS: And so they might have goods or services that they provide to the state or to our cities or whatever.

CAPRIGLIONE: Yes, you're right.

DAVIS: So a contractual bid for something that we buy or a commodity or whatever, right?

CAPRIGLIONE: Right, and all of those companies, because of a whole bunch of other procurement and government rules that are already in place, they have to provide a lot of information, right? They have to fill out a whole host of language in terms of whether they discriminate, whether they follow federal laws, whether they're—there's a whole bunch of due diligence.

DAVIS: And I understand that, so—

CAPRIGLIONE: And one of those additional requirements that they will have is that they will attest to the fact that they do not have any of these discriminatory policies and that if they get into a contract with the state, that they will not during the time of that contract create some of those.

DAVIS: So it's a simple disclosure for every entity that's trying to do business with the state or some other public entity. They have to disclose that they will not discriminate against these kinds of entities. Is that correct?

CAPRIGLIONE: That's exactly right.

DAVIS: Okay. So as that disclosure's put in place, does that mean they have to do business with them? Could a company that discloses that they're not doing business with them, if they don't do business with these companies, are they going to be penalized under this guise of discrimination against them?

CAPRIGLIONE: Can you repeat the question? I'm not sure I fully got it. Can you just say it again?

DAVIS: So my question is, companies that might not do business with these companies that have firearm and ammunition industries—there might be companies that they don't do business with and they do business with other industry folks—are they going to be subjected to a discrimination claim because they didn't do business with those particular companies?

CAPRIGLIONE: Oh, I get what you're saying. No, if a business does not want to support our Second Amendment, if a business does not want to provide loans or other services to that industry, they'll still be free to do that. That's on them. But they just can't expect to get a government contract.

DAVIS: Why are we taking our companies, our businesses in Texas, why are we setting up barriers for them to do business with our public entities? I mean, if it's a simple disclosure that says it is not my intent to discriminate against anything and anybody, that's one thing. But now we're setting out this criteria for companies that can do business with the state that suggests it has to be this kind of business or not. And I'm wondering, how do we measure that? If you've got a contract and there are multiple companies and we never do business with these two, with the firearm or ammunition industry, but we can get it from somewhere else, are they going to be subject to a discrimination suit?

CAPRIGLIONE: If you support the Second Amendment and you're willing to treat companies based on, let's say in this case, their financials or other due diligence that's standard in terms of they're a legitimate company that should

receive credit based on their own credit due diligence or their investment committee, if they're able to do that, then that should happen regardless of who they are or what they do.

DAVIS: Right, and so that's why I was asking. What would we be measuring? Because, you know, we struggle with whether or not somebody's been discriminated if they are of different ethnicity or different sexual orientation—we struggle with defining that discrimination. And I'm wondering, what are we going to measure that will make this be less cumbersome so we don't have companies just automatically excluded from doing business?

CAPRIGLIONE: Well, I hope that companies today don't struggle with deciding on those discriminatory topics at all, Representative. I hope it's pretty clear to companies, whether it's in Texas or anywhere else in the United States, that they should not, cannot, will not discriminate against people because of their gender or because of their affiliations or anything like that. So I hope that part is clear. What I would say, though, in response is this is even clearer. I mean, it's pretty clear whether you're a firearm manufacturer or not, whether you're an ammunition manufacturer or not. I mean, this is almost as clear as it can be. You're either a firearms company or you sell firearms or you make firearms or you do not. So I don't see the gray here.

DAVIS: My gray area is if I've got multiple companies, do they all say that they don't discriminate and the person who doesn't get the contract says they discriminated against me because of some other kind of deal? I mean, we struggle with—

CAPRIGLIONE: Oh, no, no, no, no, no. That's like a degree of separation. This is not about a contract with the firearm company or not. This is about discrimination by someone who maybe lends to a firearm company or not.

ISRAEL: Representative, are we here at this point because after the El Paso and Odessa shootings a lot of corporate America stood up and said this is unacceptable and they took strong stances against the NRA?

CAPRIGLIONE: No, it's not. And if you will, I'll just share with you a little about the history of where this came from. And just for the record, I had the privilege and honor of being on the Mass Violence Prevention Committee, the select committee, during the interim, and I went to El Paso. But this bill has nothing to do with that. In fact, it was in 2013, well before that, that the Obama administration began a program code-named Operation Choke Point. It's used by the FDIC and the Department of Justice to choke off essential financial service members of the firearm and ammunition industries. So this has a lot more to do, has only to do, with the fact that everyone in the U.S. should be afforded, absolutely, the rights that are in our Constitution. And so that's what this bill is entirely aimed at.

ISRAEL: So you're more concerned with the Second Amendment than you are with the freedom of speech?

CAPRIGLIONE: No. In fact, I don't know why people keep talking about that, with all due respect on the First Amendment, because certain businesses and especially these businesses, they're not afforded those rights, right? The rights of the First Amendment are afforded to individuals. And every company can and still shall be able to do what they like outside of my bill, but they cannot expect to get our citizens' taxpayer dollars if they're not agreeable to the Second Amendment.

ISRAEL: Okay. The other question I have is about the best value for the taxpayer. My other concern about your bill is that we're sacrificing the best value to the State of Texas. There are probably hundreds if not thousands of state employees whose job it is to buy things for the State of Texas. So is it your position that if Company A sells computers for \$1,000 apiece and Company B sells computers for \$900 apiece, that we go with Company A and pay more money because they have not taken a stance against an NRA-type of organization? Are you willing to sacrifice value for political views on groups like the NRA?

CAPRIGLIONE: There's a point where we've got to decide what our freedoms and liberties are worth. The answer is I think most contracts, especially when it comes to this, are very competitive. And I would imagine that in most of these cases if there's only one or two participants in it, sure, there may be one or two companies that can't apply for this. But what I would say is it opens up the market for others who are willing to stand for our constitutional rights.

REPRESENTATIVE ANCHIA: I wasn't planning to even get up here. I did hear you say something kind of interesting that I just wanted to test with you. You said the Second Amendment was absolute earlier. Do you believe that?

CAPRIGLIONE: I believe it is a fundamental right given to all American citizens in this country, yes.

ANCHIA: Do you believe it's absolute, which were your words on the front mic earlier? Or would you like to clarify that statement?

CAPRIGLIONE: Of course it's a fundamental right. I hope we can all agree. Maybe we don't all agree on other things, but I hope—

ANCHIA: You said ab-so-lute, three syllables. You used that word. Do you believe that the Second Amendment is absolute?

CAPRIGLIONE: I think it's in the Constitution and a fundamental right of all. I don't know if your definition of absolute is fair.

ANCHIA: So you don't believe it's absolute but you do believe it's fundamental.

CAPRIGLIONE: I don't know what you're getting at, but absolutely I believe that the Second Amendment is a fundamental right of all American citizens.

ANCHIA: So you would agree with me then it is not an absolute right and subject to restriction. Or if you didn't take my word for it, maybe you'd take Justice Scalia's word for it in the *Heller* case, which was cited in the Supreme Court, that made very obvious that the Second Amendment is not an absolute right. Are you familiar with that case?

CAPRIGLIONE: No, I'm not. I'm not a lawyer.

ANCHIA: Well, I just want to disabuse anybody of the notion, especially when one stands up and says that the Second Amendment is an absolute right, that the Supreme Court has ruled, even very recently in the *Heller* case, that it is not an absolute right and subject to reasonable restrictions. I want to go back to the First Amendment, because you also said something interesting about the law.

CAPRIGLIONE: Representative, if I can just interrupt you for a second. This bill is not about relitigating the court case you just mentioned. It's not about whether or not you and I disagree on why or if citizens of Texas should have the right to bear arms. What this is about is simply saying—regardless of your position and the difference between maybe yours and mine—what this bill is about is saying that if you are an entity that primarily receives a lot of benefits from the public and, quite frankly, a lot of benefits from the government, that those shall support and defend the U.S. Constitution.

ANCHIA: With respect, I know what the bill does. I was just trying to probe your statement on the front mic that the Second Amendment was absolute. Because that is a fundamental misstatement even in the wildest interpretations of the Second Amendment that would be held by no court in this country. And so when you say at the front mic that the Second Amendment is absolute, I got interested in that and wanted to probe that with you in light of what constitutional jurisprudence is and what the state of the law is in the United States today. Because when you say that from the front mic, it provides some intent as to your frame of mind when you bring this bill to the floor. And so I also want to ask you, because I know what the bill says, I just—I'm trying to get at your intent. The First Amendment—you said earlier that companies don't have First Amendment rights. Do you remember saying that in your dialogue? You also know that is not the correct state of the law post the *Citizens United* case, correct? Where the Supreme Court, also a republican-appointed majority, said that corporations do have First Amendment rights?

CAPRIGLIONE: Well, let me ask you, if we're going to probe and not really talk about this bill and not talk about this amendment—

ANCHIA: I'm trying to probe at what your intent is because you've made a couple of different misstatements on the state of jurisprudence in America.

CAPRIGLIONE: Do you agree with how Scalia and other justices on that court approved of the *Citizens United* case?

ANCHIA: I think the *Citizens United* case is troubling, but whether or not I agree with it, Representative Capriglione, it happens to be the state of the law in the United States. And so I heard from the front mic that you were taking issue with the state of the law and actually misstating it. So I wanted to make sure that we corrected the record.

CAPRIGLIONE: Again, with all respect, Mr. Chairman, what I heard is that you agree with Scalia on one ruling but not on the other.

ANCHIA: Is it your position in this bill that you can say positive things about ammunition and firearms but you cannot say negative things if you are a company?

CAPRIGLIONE: People can say whatever they want under this bill. This is not restrictive.

ANCHIA: Okay. If companies take policy positions where they—

CAPRIGLIONE: They can take policy positions. This bill does not—

ANCHIA: —that they do not want to do business with ammunition or firearms, that is a form of speech, would you agree?

CAPRIGLIONE: This is not a bill that says a company cannot have a policy position, and it doesn't. What it says is you can't have a policy position and expect to get taxpayer dollars.

ANCHIA: So you will be punished for—

CAPRIGLIONE: Not punished. You're not being punished. You're not being punished. There is no penalty at all.

ANCHIA: So you will be punished by being unable to do business with the State of Texas if you have a policy position, and so you're favoring one speech on this over another speech or policy position as an extension of speech. Is that right? You're saying you can do business if you have this idea; you can't do business if you have this other idea, right?

CAPRIGLIONE: I would think that at some point we could agree that there's certain speech that if a company gives—outside of this legislation, nothing to do with firearms—but I hope we can agree that there's certain discriminatory speech.

ANCHIA: Agreed, stipulated.

CAPRIGLIONE: That if a company takes or if a position that they take is discriminatory, I hope that you and I would agree that there's already rules in place, laws in place, that say that the government shouldn't support, shouldn't provide—

ANCHIA: And the follow-up question to that statement, Mr. Capriglione, is are guns and ammunition a protected class under the law? And they are not.

CAPRIGLIONE: But the fundamental part of your argument is should a company just because of what they say not get taxpayer dollars. I think you agree—

ANCHIA: Because discrimination happens against people who are in a protected class under the law. Is that not right?

CAPRIGLIONE: I think you agree with me that there are certain things that a company may have as its policy that should relegate them to not having taxpayer dollars. Do we agree on that?

ANCHIA: Against protected classes under the law you are absolutely correct and we are entirely in agreement.



CAPRIGLIONE: I would say the Second Amendment is a protected part of our law.

ANCHIA: The Second Amendment is not a protected class of people, sir. That is a misstatement of the law.

CAPRIGLIONE: I didn't say a protected class of people. It said it was protected.

ANCHIA: That is your third misstatement of the law in this bill layout, sir.

CAPRIGLIONE: Just because you say it's a mistake, it's not.

REPRESENTATIVE CROCKETT: The previous speaker took the majority of my questions which was, when did the Second Amendment become a protected class?

CAPRIGLIONE: I did not say it was a protected class. He put those words in my mouth. I said it was protected.

CROCKETT: Okay, so let me be clear. When we talk about discrimination, we're normally talking about discrimination of a group of people that are in protected classes. That's going to be those because of their religious freedoms. That's going to be those because of the color of their skin. That's going to be those because of their sex, that's going to be those because of their age. And so what I'm curious to know is if there is any other state that has gone so far as to attempt to make the Second Amendment a portion of the protected persons of classes?

CAPRIGLIONE: Okay, again, I did not say protected persons or protected class. This bill doesn't do that. I have no idea if other states do that. What I will say is we have—and your point is well taken in terms of protected classes of individual. However, here in Texas we have and I have—and I don't think it came up this session but it has in the past—to make these similar types of decisions. Whether it was about investments on individuals who boycott Israel or those who may invest in Iran, if you go through our public investments documents and our law when it relates to this, it's pretty clear that we have items outside of individuals that we do and do not already today in law, not just this session but in prior sessions, do that.

**SB 19** was passed by (Record 1023): 86 Yeas, 60 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; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morales, E.; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; 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 — Coleman; Raney.

Absent — Pacheco.

### REMARKS ORDERED PRINTED

Representative Wu moved to print all remarks on **SB 19**.

The motion prevailed.

### SB 19 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Paddie moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 19** all joint authors and co-authors for **HB 2558**.

The motion prevailed.

### SB 804 ON THIRD READING (Cortez - House Sponsor)

**SB 804**, A bill to be entitled An Act relating to the authority of a municipality to add property to a common characteristic public improvement district.

**SB 804** was passed by (Record 1024): 117 Yeas, 28 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bernal; Bonnen; Bowers; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; 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; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Larson; 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; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Slaton; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Biedermann; Buckley; Cain; Cason; Cook; Harris; Hefner; Klick; Krause; Landgraf; Leach; Leman; Middleton; Murr; Noble; Patterson; Sanford; Schaefer; Shaheen; Slawson; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Huberty; Pacheco.

### STATEMENTS OF VOTE

When Record No. 1024 was taken, I was shown voting yes. I intended to vote no.

Ashby

When Record No. 1024 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 1024 was taken, I was shown voting yes. I intended to vote no.

Metcalf

### SB 337 ON THIRD READING (Dominguez - House Sponsor)

**SB 337**, A bill to be entitled An Act relating to the award of grants by the Texas Workforce Commission to facilitate the participation of certain veterans and military personnel in apprenticeship training programs.

**SB 337** was passed by (Record 1025): 114 Yeas, 29 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; 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; 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; Murr; Neave; Ordaz Perez; Ortega; Paddie; Parker; Perez; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smithee; Stephenson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Bell, C.; Biedermann; Cain; Cason; Cook; Gates; Harris; Hefner; Klick; Krause; Leman; Noble; Oliverson; Patterson; Paul; Price; Sanford; Schaefer; Shaheen; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Dutton; González, M.; Pacheco; Toth.

### STATEMENTS OF VOTE

When Record No. 1025 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 1025 was taken, I was shown voting yes. I intended to vote no.

Metcalf

### MAJOR STATE CALENDAR HOUSE BILLS THIRD READING

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

#### HB 2730 ON THIRD READING

(by Deshotel, Burns, Geren, K. King, Canales, et al.)

**HB 2730**, A bill to be entitled An Act relating to the acquisition of real property by an entity with eminent domain authority and the regulation of easement or right-of-way agents.

#### HB 2730 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE BURNS: TFB and other stakeholders have negotiated the bill. They signed a letter of support that included an agreement to allow five years to pass before proposing, seeking, advocating for, promoting, encouraging, or agreeing to additional major reforms to the eminent domain process. Does that commitment prevent cleanup legislation next session to address any oversights or unintended consequences that might arise from the implementation of **HB 2730**?

REPRESENTATIVE DESHOTEL: No, sir, it does not. We simply want to give it time to work, but of course, if there's cleanup language or clarifying language, it does not apply.

BURNS: Excellent. Is it also your intent to prevent stakeholders from advocating for legislation to address any unforeseen negative impact the legislation may have on either condemners or property owners?

DESHOTEL: No, that would not be my intent, sir.

**REMARKS ORDERED PRINTED**

Representative Burns moved to print remarks between Representative Deshotel and Representative Burns on **HB 2730**.

The motion prevailed.

**HB 2730** was passed by (Record 1026): 143 Yeas, 1 Nays, 1 Present, not voting.

Yeas — 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; 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.; 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; 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; White; Wilson; Wu; Zwiener.

Nays — Craddick.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Allen; Klick; Pacheco.

**STATEMENTS OF VOTE**

When Record No. 1026 was taken, I was in the house but away from my desk. I would have voted yes.

Klick

When Record No. 1026 was taken, I was temporarily out of the house chamber. I would have voted yes.

Pacheco

**HB 2275 ON THIRD READING**

(by Zwiener, Huberty, Oliverson, Frank, Paddie, et al.)

**HB 2275**, A bill to be entitled An Act relating to the creation and uses of the critical infrastructure resiliency fund and the eligibility of certain water-related projects for state financial assistance.

**Amendment No. 1**

Representatives Zwiener, Patterson, and E. Thompson offered the following amendment to **HB 2275**:

Amend **HB 2275** on third reading in SECTION 1 of the bill, in added Section 418.306, Government Code, as follows:

(1) Strike Subsection (c), as amended by Amendment No. 1 by Zwiener and Amendment No. 3 by Patterson on second reading.

(2) Strike Subsections (d) and (e), as added by Amendment No. 2 by Thompson of Brazoria on second reading, and substitute the following appropriately lettered subsections:

( ) The division may use the account only to make matching grants to eligible entities for purchasing reserve power supply that is reliable during an extreme weather event, such as on-site generation and energy storage systems, necessary to:

(1) sustain critical medical care; or

(2) maintain the air temperature in the entity's facilities.

( ) An entity is eligible to receive a matching grant under this section only if the entity is:

(1) a nursing facility, as defined by Section 242.301, Health and Safety Code; or

(2) an assisted living facility, as defined by Section 247.002, Health and Safety Code.

(3) Reletter subsequent subsections accordingly.

Amendment No. 1 was adopted.

**HB 2275**, as amended, was passed by (Record 1027): 108 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bernal; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Clardy; Cole; Collier; Cook; Cortez; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Ellzey; Fierro; Frullo; Geren; Gervin-Hawkins; 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, T.; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smithee; Spiller; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Bell, K.; Biedermann; Bonnen; Cain; Canales; Capriglione; Cason; Craddick; Dutton; Frank; Gates; Goldman; Hefner; Holland; King, P.; Klick; Krause; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Noble; Paul; Rogers; Sanford; Schaefer; Shaheen; Slaton; Slawson; Smith; Stephenson; Swanson; Tinderholt; Toth; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Pacheco; Vasut.

### STATEMENTS OF VOTE

When Record No. 1027 was taken, I was shown voting no. I intended to vote yes.

K. Bell

When Record No. 1027 was taken, I was shown voting yes. I intended to vote no.

Patterson

When Record No. 1027 was taken, my vote failed to register. I would have voted no.

Vasut

### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

#### HB 547 ON THIRD READING

(by Frank, Dutton, Huberty, M. González, Burrows, et al.)

**HB 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.

**HB 547** was passed by (Record 1028): 80 Yeas, 64 Nays, 1 Present, not voting.

Yeas — Anchia; Anderson; Bernal; Biedermann; Bonnen; Buckley; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Cortez; Dean; Deshotel; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Gervin-Hawkins; Goldman; González, M.; Guillen; Harris; Hefner; Howard; Huberty; Israel; Jetton; Johnson, J.D.; King, P.; Klick; Krause; Leach; Lopez; Lozano; Lucio; Martinez; Metcalf; Middleton; Minjarez; Moody; Morales, E.; Morales Shaw; Morrison; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Raymond; Romero; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Smithee; Stephenson; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Toth; Turner, C.; White; Wilson; Wu; Zwiener.

Nays — Allen; Allison; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bowers; Bucy; Burns; Clardy; Cole; Collier; Cook; Craddick; Crockett; Cyrier; Darby; Davis; Dominguez; Geren; González, J.; Goodwin; Guerra; Harless; Hernandez; Herrero; Hinojosa; Holland; Hunter; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Landgraf; Larson; Leman; Longoria; Martinez Fischer; Meyer; Meza; Morales, C.; Muñoz; Murr; Perez; Price; Ramos; Rodriguez; Rogers; Rose; Rosenthal; Slawson; Smith; Spiller; Stucky; Thompson, E.; Turner, J.; VanDeaver; Vasut; Vo; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Hull; Pacheco; Reynolds.

### STATEMENTS OF VOTE

When Record No. 1028 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1028 was taken, I was shown voting yes. I intended to vote no.

Paddie

When Record No. 1028 was taken, I was in the house but away from my desk. I would have voted yes.

Reynolds

When Record No. 1028 was taken, I was shown voting no. I intended to vote yes.

Rodriguez

When Record No. 1028 was taken, I was shown voting yes. I intended to vote no.

S. Thompson

When Record No. 1028 was taken, I was shown voting yes. I intended to vote no.

Toth

### HB 3333 ON THIRD READING (by Smithee)

**HB 3333**, A bill to be entitled An Act relating to limitations periods in arbitration proceedings.

**HB 3333** was passed by (Record 1029): 144 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 Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Morales, E.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Pacheco; Toth.

#### STATEMENT OF VOTE

When Record No. 1029 was taken, I was shown voting no. I intended to vote yes.

E. Morales

#### HB 3789 ON THIRD READING (by Guillen, et al.)

**HB 3789**, A bill to be entitled An Act relating to the statute of limitations for tampering with certain physical evidence.

**HB 3789** was passed by (Record 1030): 143 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; 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.; 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; 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; White; Wilson; Wu; Zwiener.

Nays — Canales.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Huberty; Klick; Pacheco.

### **HB 805 ON THIRD READING**

**(by Huberty, Muñoz, Guillen, Raymond, Martinez, et al.)**

**HB 805**, A bill to be entitled An Act relating to certain increases in benefits under the firefighters' relief and retirement fund in certain municipalities.

**HB 805** was passed by (Record 1031): 144 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; 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

Nays — Cason.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Ortega; Pacheco.

### **STATEMENT OF VOTE**

When Record No. 1031 was taken, I was shown voting no. I intended to vote yes.

Cason

**HB 2014 ON THIRD READING**  
**(by Lucio and Shine)**

**HB 2014**, A bill to be entitled An Act relating to the system for appraising property for ad valorem tax purposes.

**Amendment No. 1**

Representative Shine offered the following amendment to **HB 2014**:

Amend **HB 2014** on third reading as follows:

(1) Strike the SECTION of the bill amending Section 403.303(d), Government Code, as added by the Shine Amendment on second reading.

(2) Strike the SECTION of the bill adding transition language for amended Section 403.303(d), Government Code, as added by the Shine Amendment on second reading.

(3) Strike the SECTION of the bill adding language requiring the comptroller of public accounts to implement the changes in law made by the Act to Section 403.303(d), Government Code, only if the legislature appropriates money specifically for that purpose, as added by the Shine Amendment on second reading.

(4) Renumber the SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

**HB 2014**, as amended, was passed by (Record 1032): 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Pacheco.

**HB 525 ON THIRD READING**  
(by Shaheen, Dean, Noble, Harless, et al.)

**HB 525**, A bill to be entitled An Act relating to the protection of religious organizations.

**HB 525** was passed by (Record 1033): 98 Yeas, 44 Nays, 2 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; Cortez; Cyrier; Darby; Davis; Dean; Deshotel; Ellzey; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Rosenthal; Sanford; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Thompson, S.; Toth; VanDeaver; Vasut; Vo; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Cole; Collier; Craddick; Crockett; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, K.; Longoria; Lopez; Meza; Morales, C.; Morales Shaw; Ortega; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Sherman; Talarico; Thierry; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Morales, E.; Pacheco; Schaefer; Tinderholt.

**STATEMENTS OF VOTE**

When Record No. 1033 was taken, I was shown voting no. I intended to vote yes in support of this legislation. Protecting the rights of churches and other religious organizations is of great importance to me. I voted in support of this measure when it was considered by the House Calendars Committee. I voted in support of this measure on second reading. In addition, I voted in support of **HB 525** when the Conference Committee Report was considered on May 29.

Craddick

When Record No. 1033 was taken, I was in the house but away from my desk. I would have voted yes.

E. Morales

When Record No. 1033 was taken, I was shown voting yes. I intended to vote no.

Rosenthal

When Record No. 1033 was taken, my vote failed to register. I would have voted yes.

Schaefer

**HB 3629 ON THIRD READING**  
**(by Bonnen, Button, and Thierry)**

**HB 3629**, A bill to be entitled An Act relating to the date a deferral or abatement of the collection of ad valorem taxes on the residence homestead of an elderly or disabled person or disabled veteran expires.

**HB 3629** was passed by (Record 1034): 143 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; 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; 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; 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; White; Wilson; Wu; Zwiener.

Nays — González, J.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — González, M.; Meza; Pacheco.

**STATEMENT OF VOTE**

When Record No. 1034 was taken, I was in the house but away from my desk. I would have voted yes.

Meza

**HB 144 ON THIRD READING**  
**(by M. González)**

**HB 144**, A bill to be entitled An Act relating to supplemental information required for inclusion with a written statement of an individualized education program developed for certain public school students who received special education services during the 2019-2020 or 2020-2021 school year.

**HB 144** was passed by (Record 1035): 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, 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — González, J.; Pacheco.

**HB 170 ON THIRD READING**  
**(by Ortega and Morrison)**

**HB 170**, A bill to be entitled An Act relating to the hours for public consumption of alcoholic beverages.

**HB 170** was passed by (Record 1036): 84 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Beckley; Bernal; Bowers; Bucy; Burrows; Button; Campos; Capriglione; Cole; Collier; Cortez; Crockett; Davis; Dean; Deshotel; Dominguez; Fierro; Frank; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Klick; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Ordaz Perez; Ortega; Perez;

Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Cain; Canales; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Ellzey; Frullo; Gates; Goldman; Harris; Hefner; Holland; Huberty; Hull; Jetton; King, K.; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Middleton; Murr; Oliverson; Paddie; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Dutton; Pacheco.

### STATEMENTS OF VOTE

When Record No. 1036 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1036 was taken, I was shown voting no. I intended to vote yes.

Huberty

When Record No. 1036 was taken, I was shown voting yes. I intended to vote no.

Shine

### HB 2168 ON THIRD READING (by Krause and Bucy)

**HB 2168**, A bill to be entitled An Act relating to ticket sales for charitable raffles conducted by the charitable foundations of certain professional sports teams.

**HB 2168** was passed by (Record 1037): 107 Yeas, 38 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Beckley; Bell, K.; Bernal; Biedermann; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cortez; Craddick; Crockett; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Geren; Gervin-Hawkins; 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, P.; King, T.; Klick; Krause; Kuempel; Lambert; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield;

Sherman; Smithee; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Anchia; Anderson; Ashby; Bailes; Bell, C.; Bonnen; Burns; Cain; Clardy; Cook; Cyrier; Darby; Dean; Frank; Gates; Goldman; Hefner; Holland; King, K.; Landgraf; Leach; Metcalf; Middleton; Murr; Noble; Patterson; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Cason; Pacheco.

### STATEMENTS OF VOTE

When Record No. 1037 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 1037 was taken, I was shown voting yes. I intended to vote no.

Biedermann

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

Cason

When Record No. 1037 was taken, I was shown voting no. I intended to vote yes.

Clardy

When Record No. 1037 was taken, I was shown voting no. I intended to vote yes.

Cook

When Record No. 1037 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 1037 was taken, I was shown voting yes. I intended to vote no.

Oliverson

When Record No. 1037 was taken, I was shown voting yes. I intended to vote no.

Toth



**HB 2204 ON THIRD READING**  
**(by S. Thompson)**

**HB 2204**, A bill to be entitled An Act relating to the conduct of charitable bingo.

**HB 2204** was passed by (Record 1038): 104 Yeas, 42 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Bailes; Beckley; Bell, C.; Bernal; Biedermann; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Larson; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Paddie; Parker; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bell, K.; Bonnen; Burns; Cain; Capriglione; Dean; Frank; Gates; Hefner; Holland; Jetton; King, P.; Krause; Landgraf; Leach; Leman; Lozano; Metcalf; Middleton; Murr; Noble; Oliverson; Patterson; Paul; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Pacheco.

**STATEMENT OF VOTE**

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

Biedermann

**HB 1838 ON THIRD READING**  
**(by M. González, Schaefer, et al.)**

**HB 1838**, A bill to be entitled An Act relating to intelligence databases for combinations and criminal street gangs.

**HB 1838** was passed by (Record 1039): 121 Yeas, 22 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cortez;

Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Klick; 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; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Perez; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schaefer; Sherman; Shine; Slaton; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Anchia; Ashby; Cook; Dean; Goldman; Harless; Hefner; Holland; King, K.; King, P.; Krause; Kuempel; Leman; Murr; Noble; Patterson; Paul; Price; Sanford; Shaheen; Slawson; Toth.

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

Absent, Excused — Coleman; Raney.

Absent — Huberty; Pacheco; Schofield.

#### STATEMENTS OF VOTE

When Record No. 1039 was taken, I was shown voting no. I intended to vote yes.

Anchia

When Record No. 1039 was taken, I was shown voting yes. I intended to vote no.

Metcalf

#### HB 2405 ON THIRD READING (by Rodriguez)

**HB 2405**, A bill to be entitled An Act relating to the municipal regulation of housing for homeless individuals provided by a religious organization.

**HB 2405** was passed by (Record 1040): 138 Yeas, 2 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; Cortez; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wu; Zwiener.

Nays — Ellzey; Toth.

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

Absent, Excused — Coleman; Raney.

Absent — Cook; Harris; Hefner; Pacheco; Rosenthal; Wilson.

### STATEMENTS OF VOTE

When Record No. 1040 was taken, my vote failed to register. I would have voted yes.

Cook

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

Ellzey

When Record No. 1040 was taken, I was in the house but away from my desk. I would have voted yes.

Hefner

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

Toth

### HB 1686 ON THIRD READING

(by Cortez, Wilson, Toth, Rodriguez, et al.)

**HB 1686**, A bill to be entitled An Act relating to the regulation of food production on single-family residential lots by a municipality or property owners' association.

**HB 1686** was passed by (Record 1041): 143 Yeas, 1 Nays, 1 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; 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Sanford; Schaefer; 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; White; Wilson; Wu; Zwiener.

Nays — Rosenthal.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Anchia; Pacheco; Schofield.

### STATEMENT OF VOTE

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

Anchia

### HB 3016 ON THIRD READING (by Moody and Murr)

**HB 3016**, A bill to be entitled An Act relating to the prohibited suspension of a provision of the Code of Criminal Procedure or Penal Code during a declared state of disaster.

**HB 3016** was passed by (Record 1042): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; 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.; 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; 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; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Biedermann; Button; Klick; Pacheco.

**HB 1861 ON THIRD READING**  
**(by Cortez)**

**HB 1861**, A bill to be entitled An Act relating to the requirements for interlocal contracts.

**HB 1861** was passed by (Record 1043): 101 Yeas, 44 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Beckley; Bell, C.; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burrows; Campos; Canales; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Klick; Kuempel; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Schofield; Sherman; Shine; Slaton; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bailes; Biedermann; Bonnen; Burns; Cain; Capriglione; Cason; Clardy; Cook; Darby; Goldman; Harless; Hefner; Holland; Hull; Kacal; King, K.; King, P.; Krause; Lambert; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Noble; Paddie; Parker; Patterson; Paul; Rogers; Sanford; Shaheen; Slawson; Smith; Spiller; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Button; Pacheco.

**STATEMENTS OF VOTE**

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

Cyrier

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

Dean

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

Oliverson

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

Schaefer

**HB 1929 ON THIRD READING**  
**(by Wilson)**

**HB 1929**, A bill to be entitled An Act relating to the breach of development agreement contracts governing land in the extraterritorial jurisdiction of certain municipalities.

(Murr in the chair)

**HB 1929** was passed by (Record 1044): 90 Yeas, 55 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guillen; Harless; Harris; Hefner; Herrero; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Larson; Leach; Leman; Lozano; Martinez Fischer; Metcalf; Meyer; Middleton; Morales, E.; Morrison; Muñoz; Murphy; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rodriguez; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Holland; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Landgraf; Longoria; Lopez; Lucio; Martinez; Meza; Minjarez; Moody; Morales, C.; Morales Shaw; Neave; Ordaz Perez; Ortega; Perez; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Thierry; Thompson, S.; Turner, C.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Pacheco.

**STATEMENTS OF VOTE**

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

Martinez Fischer

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

Rodriguez

**HB 3583 ON THIRD READING****(by Paddie)**

**HB 3583**, A bill to be entitled An Act relating to energy savings performance contracts.

**HB 3583** was passed by (Record 1045): 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; 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; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Pacheco.

**HB 2569 ON THIRD READING****(by Cortez and Toth)**

**HB 2569**, A bill to be entitled An Act relating to the dates a retail fireworks permit holder may sell fireworks to the public.

**HB 2569** was passed by (Record 1046): 116 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bernal; Biedermann; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Goldman; González, J.; González, M.; Guerra; Guillen; Harris; Hefner; Hernandez; Herrero; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Landgraf; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Moody; Morales, C.; Morales Shaw; Muñoz; Murphy; Neave; Oliverson; Paddie; Parker; Patterson; Paul;

Perez; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Spiller; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; VanDeaver; Vasut; Vo; Walle; White; Wu; Zwiener.

Nays — Bell, K.; Bowers; Collier; Cook; Crockett; Gervin-Hawkins; Goodwin; Harless; Hinojosa; King, P.; Krause; Lambert; Leach; Martinez Fischer; Minjarez; Morales, E.; Morrison; Noble; Ordaz Perez; Ortega; Price; Sanford; Schaefer; Smith; Smithee; Stucky; Swanson; Turner, J.; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Pacheco.

### STATEMENTS OF VOTE

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

Anderson

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

Clardy

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

Kacal

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

K. King

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

Krause

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

Leach

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

Sanford

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

Schaefer



**HB 2641 ON THIRD READING**  
**(by Rodriguez and Ortega)**

**HB 2641**, A bill to be entitled An Act relating to annually adjusting for inflation the maximum amount of a motor vehicle excluded in determining eligibility for the supplemental nutrition assistance program.

**HB 2641** was passed by (Record 1047): 83 Yeas, 57 Nays, 4 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Beckley; Bernal; Bucy; Burns; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Frank; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, T.; Klick; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Ordaz Perez; Ortega; Paddie; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Stephenson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burrows; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Dean; Ellzey; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; King, K.; King, P.; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Middleton; Oliverson; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker; Bowers; Murr(C); Smithee.

Absent, Excused — Coleman; Raney.

Absent — Johnson, J.D.; Larson; Pacheco; Walle.

**STATEMENTS OF VOTE**

When Record No. 1047 was taken, I was shown voting present, not voting. I intended to vote yes.

Bowers

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

Burns

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

Clardy

When Record No. 1047 was taken, I was shown voting present, not voting. I intended to vote no.

Smithee

**HB 1885 ON THIRD READING**  
**(by Harris and Gates)**

**HB 1885**, A bill to be entitled An Act relating to restrictions on municipal regulation in certain areas.

**Amendment No. 1**

Representative Harris offered the following amendment to **HB 1885**:

Amend **HB 1885** on third reading as follows:

(1) On page 1, line 16, strike "229.053, 229.054,".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representatives Raymond, Harris, and Martinez Fischer offered the following amendment to **HB 1885**:

Amend **HB 1885** on third reading as follows:

On page 1, line 15, insert "43.0117," after "Section" and before "212.002,"

Amendment No. 2 was adopted.

**HB 1885**, as amended, was passed by (Record 1048): 97 Yeas, 43 Nays, 2 Present, not voting.

Yeas — Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Campos; Capriglione; Cason; Clardy; Cook; Cyrier; Darby; Dean; Deshotel; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guillen; Harris; Hefner; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Martinez Fischer; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales Shaw; Morrison; Murphy; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Perez; Raymond; Reynolds; Rogers; Romero; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vasut; Vo; White; Wilson.

Nays — Allen; Allison; Beckley; Bowers; Canales; Cole; Collier; Cortez; Craddick; Crockett; Davis; Fierro; González, J.; González, M.; Goodwin; Guerra; Harless; Hernandez; Hinojosa; Johnson, A.; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez; Meza; Morales, C.; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Price; Ramos; Rose; Rosenthal; Sherman; Thierry; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Bucy; Dominguez; Herrero; Johnson, J.D.; Pacheco; Rodriguez.

**STATEMENTS OF VOTE**

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

Button

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

Campos

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

Martinez Fischer

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

Rodriguez

**HB 2664 ON THIRD READING**  
**(by Martinez and Reynolds)**

**HB 2664**, A bill to be entitled An Act relating to the authority of an independent school district to change the date of the general election and terms for officers.

**HB 2664** was passed by (Record 1049): 118 Yeas, 25 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Campos; Canales; Cason; Clardy; Cole; Collier; Cortez; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; 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.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Shine; Slaton; Smith; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, K.; Button; Cain; Cook; Craddick; Dean; Gates; Harless; Hefner; Holland; Leach; Metcalf; Noble; Patterson; Paul; Schaefer; Shaheen; Slawson; Spiller; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Harris; Pacheco.

### STATEMENTS OF VOTE

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

Jetton

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

Middleton

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

Sherman

### HB 3656 ON THIRD READING (by C. Turner, Walle, Anchia, et al.)

**HB 3656**, A bill to be entitled An Act relating to the classification of certain construction workers and the eligibility of those workers for unemployment benefits; providing penalties.

The vote of the house was taken on final passage of **HB 3656** and the vote was announced yeas 70, nays 74.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1050): 66 Yeas, 76 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Clardy; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Lambert; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; 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; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Dutton; Longoria; Lopez; Pacheco.

The chair stated that **HB 3656** failed to pass by the above vote.

### STATEMENTS OF VOTE

When Record No. 1050 was taken, I was shown voting yes. I intended to vote no.

Clardy

When Record No. 1050 was taken, I was shown voting yes. I intended to vote no.

Lambert

When Record No. 1050 was taken, I was temporarily out of the house chamber. I would have voted yes.

Pacheco

### HB 2742 ON THIRD READING (by Reynolds, Rose, J.D. Johnson, and Guillen)

**HB 2742**, A bill to be entitled An Act relating to the reentry and reintegration programs provided by the Texas Department of Criminal Justice.

**HB 2742** was passed by (Record 1051): 73 Yeas, 68 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Biedermann; Bowers; Bucy; Campos; Canales; Clardy; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Larson; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Paddie; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Slaton; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Middleton; Morrison; Noble; Oliverson; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Dutton; Huberty; Longoria; Murphy; Pacheco.

**STATEMENTS OF VOTE**

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

Frullo

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

Gates

**HB 3221 ON THIRD READING**  
**(by Leach and Holland)**

**HB 3221**, A bill to be entitled An Act relating to the accrual of a cause of action for purposes of certain laws governing certain construction liability claims.

**HB 3221** was passed by (Record 1052): 100 Yeas, 42 Nays, 2 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; Davis; Dean; Dominguez; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Lucio; Martinez; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales Shaw; Morrison; Muñoz; Murphy; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raymond; Rogers; Romero; Rose; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; VanDeaver; Vasut; Walle; White.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Cole; Collier; Cortez; Crockett; Deshotel; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; Lopez; Martinez Fischer; Meza; Morales, C.; Morales, E.; Neave; Ordaz Perez; Ortega; Perez; Ramos; Reynolds; Rodriguez; Rosenthal; Sherman; Talarico; Toth; Turner, C.; Turner, J.; Vo; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Dutton; Johnson, J.D.; Longoria; Pacheco.

**STATEMENTS OF VOTE**

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

Morales Shaw

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

Rose

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

S. Thompson

### **HB 2793 ON THIRD READING**

**(by J.D. Johnson, Sherman, Wu, Reynolds, Romero, et al.)**

**HB 2793**, A bill to be entitled An Act relating to parole determinations and individual treatment plans for inmates.

**HB 2793** was passed by (Record 1053): 83 Yeas, 59 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Ashby; Bailes; Beckley; Bernal; Biedermann; Bowers; Bucy; Campos; Canales; Cason; Cole; Collier; Cortez; Crockett; Cyrier; Davis; Dean; Deshotel; Dominguez; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Larson; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Paddie; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Allison; Anderson; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Darby; Ellzey; Goldman; Harless; Harris; Hefner; Holland; Hull; Jetton; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Middleton; Morrison; Noble; Oliverson; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Dutton; Guerra; Longoria; Pacheco.

### **STATEMENTS OF VOTE**

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

Clardy

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

Frullo

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

Stucky

**HB 4212 ON THIRD READING**  
**(by Moody and Rose)**

**HB 4212**, A bill to be entitled An Act relating to procedures regarding defendants who are or may be persons with a mental illness or intellectual disability.

**HB 4212** was passed by (Record 1054): 138 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; 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; 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; 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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.; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Cain; Craddick; Tinderholt; Toth.

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

Absent, Excused — Coleman; Raney.

Absent — Bell, K.; Dutton; Longoria; Pacheco.

**STATEMENTS OF VOTE**

When Record No. 1054 was taken, my vote failed to register. I would have voted yes.

K. Bell



When Record No. 1054 was taken, I was shown voting yes. I intended to vote no.

Vasut

**HB 2802 ON THIRD READING**  
**(by Dean, Guillen, and Lozano)**

**HB 2802**, A bill to be entitled An Act relating to the administration of public school assessment instruments and the temporary suspension of certain accountability determinations for public schools in a school year in which public school operations are disrupted as a result of a declared disaster and the requirement to use those assessment instruments as a criterion for promotion or graduation of a public school student.

**HB 2802** was passed by (Record 1055): 141 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; 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; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Dutton; Huberty; Longoria; Murphy; Pacheco.

**HB 3388 ON THIRD READING**  
**(by E. Thompson)**

**HB 3388**, A bill to be entitled An Act relating to information regarding state agency vehicle fleets.

**HB 3388** was passed by (Record 1056): 143 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; 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; 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Dutton; Longoria; Pacheco.

### **HB 2950 ON THIRD READING** (by Smith)

**HB 2950**, A bill to be entitled An Act relating to the composition of and actions transferred by the judicial panel on multidistrict litigation.

**HB 2950** was passed by (Record 1057): 127 Yeas, 15 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Capriglione; Cason; Clardy; Cole; 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; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rogers; Romero; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Anchia; Beckley; Cain; Canales; Collier; Hernandez; Israel; Landgraf; Martinez Fischer; Muñoz; Rodriguez; Rose; Swanson; Toth; Vasut.

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

Absent, Excused — Coleman; Raney.

Absent — Dutton; Longoria; Morales Shaw; Pacheco.

### STATEMENTS OF VOTE

When Record No. 1057 was taken, I was in the house but away from my desk. I would have voted no.

Morales Shaw

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

Neave

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

Ramos

### HB 2711 ON THIRD READING (by Hinojosa, Murphy, and Guillen)

**HB 2711**, A bill to be entitled An Act relating to the continuation of a residence homestead exemption from ad valorem taxation while the owner is temporarily absent because of service outside of the United States as a foreign service officer employed by the United States Department of State.

**HB 2711** was passed by (Record 1058): 143 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; 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; 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Dutton; Longoria; Pacheco.

### HB 2344 ON THIRD READING

(by **Zwiener, Bernal, VanDeaver, Buckley, Lozano, et al.**)

**HB 2344**, A bill to be entitled An Act relating to authorizing the use of a writing portfolio assessment to assess writing performance for public school students.

#### Amendment No. 1

Representative Zwiener offered the following amendment to **HB 2344**:

Amend **HB 2344** on third reading in added Section 39.02301(c), Education Code, as follows:

- (1) Between "section" and "adopt", strike "shall" and substitute "may".
- (2) Between "district" and "coordinate", strike "shall" and substitute "may".

Amendment No. 1 was adopted.

**HB 2344**, as amended, was passed by (Record 1059): 107 Yeas, 35 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Clardy; Cole; Collier; Cortez; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Lambert; Larson; Leach; Leman; 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; Paddie; Patterson; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Bonnen; Cain; Canales; Capriglione; Cason; Cook; Craddick; Dean; Ellzey; Frullo; Gates; Goldman; Hunter; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Middleton; Noble; Parker; Paul; Sanford; Schaefer; Shaheen; Slaton; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Dutton; Frank; Longoria; Pacheco.

**STATEMENTS OF VOTE**

When Record No. 1059 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1059 was taken, I was shown voting no. I intended to vote yes.

Gates

When Record No. 1059 was taken, I was shown voting no. I intended to vote yes.

Kuempel

When Record No. 1059 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 1059 was taken, I was shown voting no. I intended to vote yes.

White

**HB 2821 ON THIRD READING**  
**(by White)**

**HB 2821**, A bill to be entitled An Act relating to the diversion of certain foster youth from the juvenile justice system, including through emergency behavior intervention by certain persons providing foster care services.

**HB 2821** was passed by (Record 1060): 143 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; 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; 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Fierro; Longoria; Pacheco.

### COMMITTEE MEETING ANNOUNCEMENT

At 1:31 p.m., the following committee meeting was announced:

Pensions, Investments, and Financial Services, upon afternoon recess today, Desk 147, for a formal meeting, to consider pending and referred business.

### HB 3121 ON THIRD READING

(by J. Turner, Price, Coleman, Meyer, and Rose)

**HB 3121**, A bill to be entitled An Act relating to a voluntary quality standards certification process for certain private residential psychiatric treatment facilities that provide treatments and services to youth; imposing fees; authorizing civil and administrative penalties.

**HB 3121** was passed by (Record 1061): 97 Yeas, 44 Nays, 2 Present, not voting.

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

Nays — Bell, C.; Bell, K.; Biedermann; Bonnen; Burns; Burrows; Cain; Cason; Cook; Craddick; Dean; Ellzey; Frullo; Gates; Goldman; Harless; Hefner; Hull; King, P.; Krause; Kuempel; Landgraf; Leach; Leman; Lozano; Metcalf; Middleton; Noble; Oliverson; Patterson; Paul; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smithee; Spiller; Swanson; Tinderholt; Toth; Vasut; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Anderson; Huberty; Longoria; Pacheco; White.

### STATEMENTS OF VOTE

When Record No. 1061 was taken, I was in the house but away from my desk. I would have voted no.

Anderson

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

Clardy

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

Shine

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

E. Thompson

When Record No. 1061 was taken, my vote failed to register. I would have voted no.

White

### **HB 4355 ON THIRD READING (by Krause and Gates)**

**HB 4355**, A bill to be entitled An Act relating to providing children committed to the Texas Juvenile Justice Department and prisoners serving a sentence in a county jail with certain documents on discharge or release.

Representative Krause moved to postpone consideration of **HB 4355** until 2 p.m. today.

The motion prevailed.

### **HB 3141 ON THIRD READING (by Dominguez, Cain, Harris, and Price)**

**HB 3141**, A bill to be entitled An Act relating to requiring the disclosure of fees charged for the sale of concert and other event tickets.

**HB 3141** was passed by (Record 1062): 106 Yeas, 30 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bernal; Bowers; Buckley; Bucy; Button; Campos; Canales; Capriglione; Cole; Collier; Cortez; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Gates; 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, T.; Kuempel; Lambert; Landgraf; Larson; Leach; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, E.; Morrison; Muñoz; Murphy; Neave; Noble; Ordaz Perez; Ortega; Paddie; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Sherman; Shine; Slawson; Smith; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Allison; Bell, K.; Biedermann; Bonnen; Burns; Cason; Clardy; Cook; Craddick; Geren; Goldman; Hefner; King, P.; Klick; Krause; Leman; Lozano; Metcalf; Middleton; Parker; Patterson; Paul; Shaheen; Slaton; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Burrows; Cain; Frank; Longoria; Morales, C.; Morales Shaw; Oliverson; Pacheco; Rogers; Spiller.

### STATEMENTS OF VOTE

When Record No. 1062 was taken, I was in the house but away from my desk. I would have voted no.

Cain

When Record No. 1062 was taken, I was in the house but away from my desk. I would have voted yes.

C. Morales

When Record No. 1062 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

When Record No. 1062 was taken, my vote failed to register. I would have voted no.

Oliverson

When Record No. 1062 was taken, I was temporarily out of the house chamber. I would have voted yes.

Rogers

When Record No. 1062 was taken, I was shown voting yes. I intended to vote no.

Slawson

When Record No. 1062 was taken, I was in the house but away from my desk. I would have voted no.

Spiller

### HB 1984 ON THIRD READING (by Vasut, Gates, Cook, E. Morales, et al.)

**HB 1984**, A bill to be entitled An Act relating to the duration of a special open hunting season for game animals and certain game birds restricted to persons under 17 years old.



**Amendment No. 1**

Representative Vasut offered the following amendment to **HB 1984**:

Amend **HB 1984** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. This Act may be cited as the Colton Burgin Extension Act.

Amendment No. 1 was adopted.

**HB 1984**, as amended, was passed by (Record 1063): 138 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; 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.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; 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; White; Wilson; Wu; Zwiener.

Nays — Beckley; Crockett; Hinojosa; Rose.

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

Absent, Excused — Coleman; Raney.

Absent — Johnson, J.D.; Longoria; Ordaz Perez; Pacheco.

**HB 3286 ON THIRD READING**  
**(by Schofield and Gates)**

**HB 3286**, A bill to be entitled An Act relating to the overnight parking of a commercial motor vehicle near certain apartment complexes.

**HB 3286** was passed by (Record 1064): 129 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Gates; Geren; 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; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Noble; Ordaz Perez; Ortega; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Beckley; Biedermann; Cain; Canales; Holland; Patterson; Shaheen; Tinderholt; Toth; Vasut.

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

Absent, Excused — Coleman; Raney.

Absent — Frank; Gervin-Hawkins; Longoria; Morrison; Oliverson; Pacheco; Thierry.

### STATEMENTS OF VOTE

When Record No. 1064 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gervin-Hawkins

When Record No. 1064 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

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

Rose

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

Schaefer

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

Slawson

### HB 3162 ON THIRD READING (by Martinez)

**HB 3162**, A bill to be entitled An Act relating to a certificate of merit in certain actions against certain licensed or registered professionals.

**HB 3162** was passed by (Record 1065): 143 Yeas, 1 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; 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; 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

Nays — Cason.

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

Absent, Excused — Coleman; Raney.

Absent — Longoria; Pacheco.

### **HB 3298 ON THIRD READING** **(by Allison and Guillen)**

**HB 3298**, A bill to be entitled An Act relating to the establishment of a computer science strategic advisory committee and the essential knowledge and skills of the technology applications curriculum.

**HB 3298** was passed by (Record 1066): 111 Yeas, 31 Nays, 2 Present, not voting.

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

Nays — Bell, C.; Biedermann; Bonnen; Cain; Capriglione; Cason; Cook; Craddick; Frank; Gates; Hefner; Hull; Jetton; Klick; Krause; Leman; Metcalf; Middleton; Noble; Oliverson; Parker; Patterson; Paul; Schofield; Slaton; Slawson; Smith; Swanson; Toth; Vasut; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Dominguez; Holland; Longoria; Pacheco.

### STATEMENTS OF VOTE

When Record No. 1066 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 1066 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 1066 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 1066 was taken, my vote failed to register. I would have voted no.

Holland

When Record No. 1066 was taken, I was shown voting no. I intended to vote yes.

Parker

### HB 3959 ON THIRD READING (by Buckley, Guillen, Bailes, and Cyrier)

**HB 3959**, A bill to be entitled An Act relating to the establishment of the Texas youth livestock show grant program.

**HB 3959** was passed by (Record 1067): 110 Yeas, 30 Nays, 4 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Landgraf; Larson; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Middleton; Minjarez; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Paddie; Parker; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose;

Rosenthal; Schofield; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zwiener.

Nays — Bell, C.; Biedermann; Bonnen; Burns; Cain; Capriglione; Cason; Cook; Dean; Goldman; Hefner; Holland; Jetton; Klick; Krause; Leach; Metcalf; Noble; Oliverson; Patterson; Paul; Sanford; Schaefer; Shaheen; Slaton; Swanson; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harless; Hull; Murr(C).

Absent, Excused — Coleman; Raney.

Absent — Longoria; Morales, C.; Pacheco; Thierry.

### STATEMENTS OF VOTE

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

C. Bell

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

Burns

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

Dean

When Record No. 1067 was taken, I was shown voting present, not voting. I intended to vote yes.

Harless

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

Holland

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

C. Morales

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

E. Thompson

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

Vasut

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

Wilson

**HB 1156 ON THIRD READING****(by Thierry, Leach, K. Bell, Crockett, et al.)**

**HB 1156**, A bill to be entitled An Act relating to creating the criminal offense of financial abuse of an elderly individual.

**HB 1156** was passed by (Record 1068): 144 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; 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; 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; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Coleman; Raney.

Absent — Longoria; Pacheco.

**HB 3673 ON THIRD READING****(by J.D. Johnson, S. Thompson, Klick, Oliverson, Rose, et al.)**

**HB 3673**, A bill to be entitled An Act relating to the establishment of a sickle cell disease registry.

**HB 3673** was passed by (Record 1069): 113 Yeas, 30 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Larson; Leach; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble;

Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Smith; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Bell, K.; Burns; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Dean; Frullo; Hefner; Jetton; Krause; Landgraf; Leman; Metcalf; Middleton; Patterson; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Spiller; Swanson; Tinderholt; VanDeaver; Vasut; Wilson.

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

Absent, Excused — Coleman; Raney.

Absent — Israel; Longoria; Pacheco.

### STATEMENTS OF VOTE

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

Biedermann

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

Frullo

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

Krause

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

Paul

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

Sanford

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

Toth

(Speaker in the chair)

### HB 100 ON THIRD READING (by Gervin-Hawkins and Thierry)

**HB 100**, A bill to be entitled An Act relating to a notarized affidavit requesting a municipal animal control authority to manage dangerous dogs and aggressive dogs in the municipality's extraterritorial jurisdiction.

**Amendment No. 1**

Representatives Hull and Moody offered the following amendment to **HB 100**:

Amend **HB 100** on third reading on page 2 as follows:

(1) On line 7, strike "and".

(2) Between lines 7 and 8, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

( ) the authority receives or discovers evidence corroborating the affidavit received under Subdivision (1); and

Amendment No. 1 was adopted.

**HB 100**, as amended, was passed by (Record 1070): 95 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Bailes; Beckley; Bell, K.; Bernal; Bowers; Bucy; Button; Campos; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guillen; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paul; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bell, C.; Biedermann; Bonnen; Buckley; Burns; Burrows; Cain; Canales; Cason; Clardy; Darby; Dean; Gates; Goldman; Guerra; Harris; Hefner; King, P.; Klick; Krause; Landgraf; Larson; Leach; Leman; Metcalf; Middleton; Muñoz; Murr; Paddie; Parker; Patterson; Price; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smithee; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Holland; Longoria; Pacheco; Perez.

**STATEMENTS OF VOTE**

When Record No. 1070 was taken, I was shown voting yes. I intended to vote no.

Bailes

When Record No. 1070 was taken, I was temporarily out of the house chamber. I would have voted no.

Holland



When Record No. 1070 was taken, I was shown voting yes. I intended to vote no.

Paul

When Record No. 1070 was taken, I was shown voting yes. I intended to vote no.

Rodriguez

When Record No. 1070 was taken, I was shown voting yes. I intended to vote no.

Stucky

When Record No. 1070 was taken, I was shown voting yes. I intended to vote no.

Swanson

### POSTPONED BUSINESS

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

#### **HB 4355 ON THIRD READING** **(by Krause and Gates)**

**HB 4355**, A bill to be entitled An Act relating to providing children committed to the Texas Juvenile Justice Department and prisoners serving a sentence in a county jail with certain documents on discharge or release.

**HB 4355** was read third time earlier today and was postponed until this time.

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

Representative Romero offered the following amendment to **HB 4355**:

Amend **HB 4355** on third reading as follows:

(1) In added Section 245.0536(b), Human Resources Code, strike "as soon as is practicable" and substitute "on intake of the child".

(2) In added Section 245.0537(b), Human Resources Code, strike "as soon as is practicable" and substitute "on intake of the child".

(3) In added Section 351.048(b), Local Government Code, strike "as soon as is practicable" and substitute "on intake of the prisoner".

(4) In added Section 351.049(b), Local Government Code, strike "as soon as is practicable" and substitute "on intake of the prisoner".

Amendment No. 1 was adopted.

**HB 4355**, as amended, was passed by (Record 1071): 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; 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; 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; Price; Ramos; 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; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Dutton; Longoria; Pacheco; Perez.

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

**HB 2095 ON THIRD READING**  
**(by Wilson)**

**HB 2095**, A bill to be entitled An Act relating to water research conducted by The University of Texas Bureau of Economic Geology.

**HB 2095** was passed by (Record 1072): 113 Yeas, 29 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; 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; Larson; Lopez; Lozano; Lucio; Martinez; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Paddie; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Sherman; Shine; Smith; Smithee; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Ashby; Bonnen; Burns; Cain; Capriglione; Cason; Cook; Dean; Goldman; Hefner; Krause; Landgraf; Leach; Leman; Metcalf; Murr; Noble; Oliverson; Parker; Patterson; Shaheen; Slaton; Slawson; Spiller; Stucky; Swanson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Hernandez; Longoria; Martinez Fischer; Pacheco; Rodriguez.

### STATEMENTS OF VOTE

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Ashby

When Record No. 1072 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Cason

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Cook

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Goldman

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Hefner

When Record No. 1072 was taken, I was in the house but away from my desk. I would have voted yes.

Hernandez

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Krause

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Leman

When Record No. 1072 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

When Record No. 1072 was taken, I was shown voting yes. I intended to vote no.

Middleton

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Murr

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Noble

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Oliverson

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Parker

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Patterson

When Record No. 1072 was taken, I was in the house but away from my desk. I would have voted yes.

Rodriguez

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Shaheen

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Slaton

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Slawson

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Spiller

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Stucky

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Swanson

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Toth

When Record No. 1072 was taken, I was shown voting no. I intended to vote yes.

Vasut

### **HB 156 ON THIRD READING**

**(by Ortega, Moody, M. González, Fierro, and Ordaz Perez)**

**HB 156**, A bill to be entitled An Act relating to the authorization by referendum of an optional county fee on vehicle registration in certain counties.

**HB 156** was passed by (Record 1073): 79 Yeas, 65 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Bailes; Beckley; Bernal; Bowers; Buckley; Bucy; Campos; Canales; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Larson; Leman; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Paddie; 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; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Gates; Goldman; Harless; Hefner; Holland; Huberty;

Hull; King, P.; Klick; Krause; Lambert; Landgraf; Leach; Lozano; Metcalf; Meyer; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Longoria; Morrison; Pacheco.

### STATEMENTS OF VOTE

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

Geren

When Record No. 1073 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

### HB 4293 ON THIRD READING

(by Hinojosa, Krause, Moody, Leach, and J. González)

**HB 4293**, A bill to be entitled An Act relating to the creation of a court reminder program for criminal defendants.

**HB 4293** was passed by (Record 1074): 123 Yeas, 19 Nays, 1 Present, not voting.

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

Nays — Burns; Cyrier; Ellzey; Hefner; Metcalf; Murr; Parker; Patterson; Price; Schaefer; Shaheen; Slaton; Slawson; Stucky; Swanson; Tinderholt; Toth; VanDeaver; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Hull; Larson; Longoria; Pacheco; Wilson.

### STATEMENT OF VOTE

When Record No. 1074 was taken, I was shown voting no. I intended to vote yes.

Parker

### HB 1568 ON THIRD READING

(by Middleton, Buckley, K. Bell, Guillen, Krause, et al.)

**HB 1568**, A bill to be entitled An Act relating to the school district property value study conducted by the comptroller of public accounts.

#### Amendment No. 1

Representative P. King offered the following amendment to **HB 1568**:

Amend **HB 1568** on third reading as follows:

(1) Strike the recital to SECTION 2 of the bill as amended by the King Amendment on second reading and substitute the following:

SECTION 2. Section 403.302(c), Government Code, is amended to read as follows:

(2) In SECTION 2 of the bill, strike amended Section 403.302(d), Government Code, as added by the King Amendment on second reading.

Amendment No. 1 was adopted.

**HB 1568**, as amended, was passed by (Record 1075): 129 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; 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; Larson; Leach; Leman; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Zwiener.

Nays — Anchia; Beckley; Bernal; Bucy; Davis; González, J.; Hinojosa; Landgraf; Lopez; Minjarez; Murr; Ortega; Rose; Rosenthal; Turner, C.; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Raney.

Absent — Longoria; Pacheco.

### STATEMENTS OF VOTE

When Record No. 1075 was taken, I was shown voting no. I intended to vote yes.

Landgraf

When Record No. 1075 was taken, I was shown voting no. I intended to vote yes.

Murr

### POSTPONED BUSINESS

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

#### HB 3598 ON SECOND READING

(by Leach and Rodriguez)

**HB 3598**, A bill to be entitled An Act relating to increasing the minimum term of imprisonment and changing the eligibility for community supervision, mandatory supervision, and parole for persons convicted of intoxication manslaughter.

**HB 3598** was read second time on May 12 and was postponed until 10:25 p.m. May 12.

#### HB 3598 - POINT OF ORDER

Representative Crockett raised a point of order against further consideration of **HB 3598** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is materially misleading. The point of order was withdrawn.

#### Amendment No. 1

Representative Leach offered the following amendment to **HB 3598**:

Amend **HB 3598** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. This Act may be cited as Lauren and CJ's Law.

Amendment No. 1 was adopted.

#### LEAVE OF ABSENCE GRANTED

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

Longoria on motion of Wu.

#### HB 3598 - (consideration continued)

A record vote was requested by Representative Smith.

**HB 3598**, as amended, was passed to engrossment by (Record 1076): 120 Yeas, 16 Nays, 1 Present, not voting.



Yeas — Allen; Allison; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cole; Cook; Craddick; Darby; Dean; Deshotel; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; 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; Lozano; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murr; Neave; Noble; Oliverson; Ordaz Perez; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Rodriguez; Rogers; Romero; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Anchia; Bucy; Campos; Collier; Crockett; Davis; González, J.; González, M.; Hinojosa; Lucio; Morales Shaw; Ortega; Reynolds; Rose; Sherman; Turner, C.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Longoria; Raney.

Absent — Anderson; Cortez; Cyrier; Dominguez; Lopez; Murphy; Pacheco; Rosenthal; Schofield; Thierry.

#### STATEMENTS OF VOTE

When Record No. 1076 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

When Record No. 1076 was taken, my vote failed to register. I would have voted yes.

Cyrier

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

Rose

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

C. Turner

#### 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).

#### COMMITTEE MEETING ANNOUNCEMENT

At 2:36 p.m., the following committee meeting was announced:

Licensing and Administrative Procedures, upon afternoon recess today, Desk 67, for a formal meeting, to consider pending and referred business.

**CSHB 3920 ON SECOND READING**  
**(by Dean)**

**CSHB 3920**, A bill to be entitled An Act relating to an application to vote early by mail on the grounds of disability or confinement for child birth.

**CSHB 3920** was read second time on May 10, postponed until 6:15 p.m. May 10, amendments were offered and disposed of, and **CSHB 3920** was again postponed until 10 a.m. today.

**CSHB 3920 - POINT OF ORDER**

Representative J. González raised a point of order against further consideration of **CSHB 3920** under Rule 4, Section 18, and Rule 4, Section 32(b)(9), of the House Rules. The point of order was overruled and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**  
on House Bill 3920

Announced in the House on May 12, 2021

Representative González of Dallas raises a point of order against further consideration of **CSHB 3920** under Rule 4, Section 18, and Rule 4, Section 32(b)(9), of the House Rules on the grounds that the minutes are inaccurate and the summary of committee action is materially misleading.

Ms. González notes that during the committee's consideration of the bill on April 15th, the minutes list a sequence of actions in which testimony was taken before a committee substitute was laid out. She notes that the summary of committee action lists the layout of the committee substitute before testimony was taken. She argues that the summary of committee action impeaches the minutes and that it leaves the reader with the false impression that the witnesses present at the hearing testified on the committee substitute, rather than the original bill.

The rules require the minutes to record the committee's proceedings. See 75 H. Jour. 2584 (1997). The rules require the summary of committee action to summarize those proceedings. The rules do not require that the summary of committee action be a chronological recitation of those proceedings, although that may be the better practice. The purpose of the committee report's documentation that testimony was taken is to provide Members and the public with sufficient information to contact witnesses to determine why they testified as they did. See 75 H. Jour. 3895-3896 (1997). Here, this purpose has been satisfied by both the minutes and the committee report.

Accordingly, the point of order is respectfully overruled.

**CSHB 3920**, as amended, was passed to engrossment. (Herrero recorded voting no.)

**CSHB 3916 ON SECOND READING**  
**(by Goldman)**

**CSHB 3916**, A bill to be entitled An Act relating to the interconnection and operation of certain distributed electric generation facilities.

**CSHB 3916** was read second time on May 12 and was postponed until 10 a.m. today.

**Amendment No. 1**

Representative Goldman offered the following amendment to **CSHB 3916**:

Amend **CSHB 3916** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. It is the intent of the legislature in enacting Section 35.037, Utilities Code, to allow grocers the ability to deploy back-up generation in the ERCOT power region in areas that have not implemented retail customer choice.

SECTION 2. Subchapter B, Chapter 35, Utilities Code, is amended by adding Section 35.037 to read as follows:

Sec. 35.037. INTERCONNECTION AND OPERATION OF CERTAIN DISTRIBUTED GENERATION FACILITIES FOR FOOD SUPPLY CHAIN. (a) In this section:

(1) "Customer" means a retail electric customer:

(A) with a distributed generation facility installed on the retail electric customer's side of the meter; and

(B) that has a primary purpose of or derives a material source of revenue from:

(i) retail grocery sales; or

(ii) food manufacturing or distribution for retail grocery sales.

(2) "Distributed generation facility" means a facility installed on the customer's side of the meter but separately metered from the customer:

(A) with a nameplate capacity of at least 250 kilowatts and not more than 10 megawatts;

(B) that is capable of generating and providing backup or supplementary power to the customer's premises; and

(C) that is owned or operated by a person registered as a power generation company in accordance with Section 39.351.

(b) This section only applies in the ERCOT power region in areas where retail customer choice has not been implemented.

(c) A person who owns or operates a distributed generation facility served by a municipally owned utility or electric cooperative in the ERCOT power region may sell electric power generated by the distributed generation facility at wholesale, including the provision of ancillary services.

(d) A person who owns or operates a distributed generation facility may sell electric power generated by the distributed generation facility at wholesale to a municipally owned utility or electric cooperative certificated for retail service to the area where the distributed generation facility is located or to a related generation and transmission electric cooperative. The municipally owned utility or electric cooperative shall purchase the quantity of electric power generated by the distributed generation facility needed to satisfy the full electric requirements of the customer on whose side of the meter the distributed generation facility is installed and operated at a wholesale price agreed to by the customer and shall

resell that quantity of power at retail to the customer at the rate applicable to the customer for retail service, which must include all amounts paid for the wholesale electric power, during:

(1) an emergency declared by the independent organization certified under Section 39.151 for the ERCOT power region that creates the potential for interruption of service to the customer;

(2) any service interruption at the customer's premises;

(3) construction on the customer's premises that creates the potential for interruption of service to the customer;

(4) maintenance and testing of the distributed generation facility; and

(5) additional times mutually agreed on by the owner or operator of the distributed generation facility and the municipally owned utility or electric cooperative.

(e) The customer shall provide written notice as soon as reasonably practicable to the municipally owned utility or electric cooperative of a circumstance described by Subsection (d)(3) or (4).

(f) In addition to a sale authorized under Subsection (d), on request by an owner or operator of a distributed generation facility, the municipally owned utility or electric cooperative shall provide wholesale transmission service to the distributed generation facility owner in the same manner as to other power generation companies for the sale of power from the distributed generation facility at wholesale, including for the provision of ancillary services, in the ERCOT market. The distributed generation facility owner shall comply with all applicable commission rules and protocols and with governing documents of the independent organization certified under Section 39.151 for the ERCOT power region. This subsection does not require a municipally owned utility or electric cooperative to transmit electricity to a retail point of delivery in the certificated service area of the municipally owned utility or electric cooperative.

(g) In addition to a sale authorized under Subsection (d) or (f), a municipally owned utility or electric cooperative or related generation and transmission electric cooperative may purchase electric power provided by the owner or operator of the distributed generation facility at wholesale at a mutually agreed on price. The price may be based wholly or partly on the ERCOT market clearing price of energy at the time of day and at the location at which the electric power is made available.

(h) A municipally owned utility or electric cooperative shall make available a standard interconnection application and agreement for distributed generation facilities that is substantially similar to the commission's distributed generation interconnection agreement form and consistent with this section to facilitate the connection of distributed generation facilities. A municipally owned utility or electric cooperative shall allow interconnection of a distributed generation facility and provide to a distributed generation facility on a nondiscriminatory basis wholesale transmission service, including at distribution voltage, in the same manner as for other power generation companies to transmit to the ERCOT power grid the electric power generated by the distributed generation facility. A municipally owned utility or electric cooperative may recover from the owner or

operator of the distributed generation facility all reasonable costs necessary for and directly attributable to the interconnection of the facility, including the reasonable costs of necessary system upgrades and improvements directly attributable to the distributed generation facility.

(i) Not later than the 30th day after the date a complete application for interconnection of a distributed generation facility is received, the municipally owned utility or electric cooperative shall provide the applicant with a written good faith cost estimate for interconnection-related costs. The municipally owned utility or electric cooperative may not incur any interconnection-related costs without entering into a written agreement for the payment of those costs by the applicant.

(j) The process to interconnect a distributed generation facility must be completed not later than the 240th day after the date the municipally owned utility or electric cooperative receives payment of all estimated costs to complete the interconnection, except that:

(1) the period may be extended by written agreement between the parties; and

(2) the period may be extended after a good faith showing by the municipally owned utility or electric cooperative that the interconnection requires improvements, upgrades, or construction of new facilities that cannot reasonably be completed within that period, in which case the period may be extended for a time not to exceed the time necessary for the improvements, upgrades, or construction of new facilities to be completed.

(k) A municipally owned utility or electric cooperative shall charge the owner or operator of a distributed generation facility rates on a reasonable and nondiscriminatory basis for providing wholesale transmission service to the distributed generation facility owner in the same manner as for other power generation companies to transmit to the ERCOT power grid the electric power generated by the distributed generation facility in accordance with a tariff filed by the municipally owned utility or electric cooperative with the commission.

(l) The owner or operator of the distributed generation facility shall contract with the municipally owned utility or electric cooperative or the municipally owned utility's or electric cooperative's designee for any scheduling, settlement, communication, telemetry, or other services required to participate in the ERCOT wholesale market, but only to the extent that the utility, cooperative, or designee offers the services on a nondiscriminatory basis and at a commercially reasonable cost. If the municipally owned utility or electric cooperative or the municipally owned utility's or electric cooperative's designee does not offer or declines to offer the services, or fails to do so on a nondiscriminatory basis and at a commercially reasonable cost as determined by quotes from at least three third parties providing the same services, the owner or operator of the distributed generation facility may contract with a third party provider to obtain the services.

(m) A distributed generation facility must comply with emissions limitations established by the Texas Commission on Environmental Quality for a standard emissions permit for an electric generation facility unit installed after January 1, 1995.

(n) A municipally owned utility or electric cooperative is not required to interconnect a distributed generation facility under this section if, on the date the utility or cooperative receives an application for interconnection of the facility, the municipally owned utility or electric cooperative has interconnected distributed generation facilities with an aggregate capacity that equals the lesser amount of:

(1) 5 percent of the municipally owned utility's or electric cooperative's average of the 15-minute summer peak load coincident with the independent system operator's 15-minute summer peak load in each of the months of June, July, August, and September; or

(2) 300 megawatts, adjusted annually by the percentage of total system load growth in the ERCOT power region beginning in 2022.

(o) A municipally owned utility or electric cooperative that, on the date the utility or cooperative receives an application for interconnection of a distributed generation facility, has interconnected distributed generation facilities with an aggregate capacity less than the threshold described by Subsection (n) is required to increase that capacity only up to that threshold.

(p) This section is not intended to change registration standards or other qualifications required by the independent organization certified under Section 39.151 for the ERCOT power region related to the participation of distributed generation facilities in the wholesale market. This section is not intended to allow distributed generation facilities to participate in a manner that is not technically feasible or that is otherwise in conflict with wholesale rules and requirements adopted by the independent organization certified under Section 39.151 for the ERCOT power region.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

Amendment No. 1 was adopted.

**CSHB 3916**, as amended, was passed to engrossment.

**MAJOR STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**HB 2022 ON SECOND READING**

**(by Darby, Rogers, J.D. Johnson, Morales Shaw, Herrero, et al.)**

**HB 2022**, A bill to be entitled An Act relating to enrollment of certain retirees in the Texas Public School Employees Group Insurance Program.

**HB 2022 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE ROGERS: Representative Darby, you'll recall that this bill went through Pensions and Investments, where we heard about the overwhelming necessity to give our retired educators the opportunity to reenroll in TRS-Care

because they left for a plan that didn't live up to their expectations. I want to ask you a couple of questions about legislative intent. Who qualifies for reenrollment in TRS-Care under **HB 2022**?

REPRESENTATIVE DARBY: Well, in order to qualify for reenrollment, members must be eligible to enroll in Medicare and must have voluntarily terminated their participation either on or before January 1, 2017, and on or before December 31, 2019.

ROGERS: Does the bill leave the window to reenroll open indefinitely?

DARBY: Absolutely not. Individuals must opt to reenroll before December 31, 2023.

### REMARKS ORDERED PRINTED

Representative Rogers moved to print remarks between Representative Darby and Representative Rogers on **HB 2022**.

The motion prevailed.

**HB 2022** was passed to engrossment.

### RECESS

Representative Harris moved that the house recess until 4 p.m. today.

The motion prevailed.

The house accordingly, at 3:28 p.m., recessed until 4 p.m. today.

### AFTERNOON SESSION

The house met at 4:18 p.m. and was called to order by the speaker.

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

Representative Geren moved to set a local, consent, and resolutions calendar for 10 a.m. Tuesday, May 18.

The motion prevailed.

### CONSTITUTIONAL AMENDMENTS CALENDAR HOUSE JOINT RESOLUTIONS SECOND READING

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

### HJR 165 ON SECOND READING (by Jetton)

**HJR 165**, A joint resolution proposing a constitutional amendment providing additional powers to the State Commission on Judicial Conduct with respect to candidates for judicial office.

**HJR 165** was adopted by (Record 1077): 137 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; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Lambert; Landgraf; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; 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; White; Wilson; Wu; Zwienner.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Longoria; Raney.

Absent — Crockett; Frullo; Herrero; Johnson, J.D.; Kuempel; Martinez Fischer; Meza; Morales Shaw; Rodriguez.

#### STATEMENTS OF VOTE

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

Herrero

When Record No. 1077 was taken, I was temporarily out of the house chamber. I would have voted yes.

Morales Shaw

#### GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

#### CSHB 1530 ON SECOND READING (by Murphy and Frullo)

**CSHB 1530**, A bill to be entitled An Act relating to authorizing the issuance of revenue bonds to fund capital projects at public institutions of higher education.

#### Amendment No. 1

Representative Murphy offered the following amendment to **CSHB 1530**:

Amend **CSHB 1530** (house committee printing) as follows:

(1) On page 1, line 19, strike "\$60" and substitute "\$54".



(2) On page 1, line 22, strike "\$60" and substitute "\$63".

(3) On page 1, strike line 23 and substitute "construction of a College of Health Sciences and Human Services building on the Stephenville campus;".

(4) On page 1, line 24, strike "\$200" and substitute "\$180".

(5) On page 2, strike lines 2 through 7 and substitute:

(4) Texas A&M University–Commerce, \$95 million for construction of an agricultural education and research complex;

(6) On page 2, line 10, strike "\$45" and substitute "\$40.5".

(7) On page 2, line 14, strike "\$75" and substitute "\$67.5".

(8) On page 2, line 15, strike "and".

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

(9) Texas A&M International University, \$80 million for construction of health science education and research centers;

(10) Texas A&M University–Texarkana, \$46 million for construction of a business, engineering, and technology building;

(11) West Texas A&M University, \$33,353,000 for renovation of nine buildings to address health and safety issues related to the state fire marshal's report; and

(10) On page 2, line 16, strike "(9)" and substitute "(12)".

(11) On page 2, line 18, strike "\$100" and substitute "\$90".

(12) On page 2, line 20, strike "\$40" and substitute "\$36".

(13) On page 3, line 18, strike "\$134 million" and substitute "\$120,600,000".

(14) On page 3, line 20, strike "\$100" and substitute "\$90".

(15) On page 3, line 22, strike "\$85" and substitute "\$76.5".

(16) On page 3, line 24, strike "\$100" and substitute "\$90".

(17) On page 3, line 26, strike "\$70" and substitute "\$63".

(18) On page 4, lines 2 and 3, strike "\$76 million" and substitute "\$68,400,000".

(19) On page 4, line 5, strike "\$161,250,000" and substitute "\$145,125,000".

(20) On page 4, line 7, strike "\$76 million" and substitute "\$68,400,000".

(21) On page 4, line 10, strike "\$100" and substitute "\$90".

(22) On page 4, line 13, strike "\$110" and substitute "\$99".

(23) On page 4, line 16, strike "\$70" and substitute "\$63".

(24) On page 4, line 19, strike "\$100" and substitute "\$90".

(25) On page 4, line 22, strike "\$109,197,714" and substitute "\$98,277,943".

(26) On page 4, strike lines 24 and 25 and substitute the following:

(14) UT Southwestern Medical Center, \$90,144,468 for construction of the north campus

(27) On page 6, line 9, strike "and".

(28) On page 6, line 16, between "building" and the underlined period, insert the following:  
; and

(5) the University of Houston–Victoria:

(A) \$33,825,000 for construction of a health science building; and

(B) \$39,975,000 for construction of an engineering facility

(29) Strike page 7, line 27 through page 8, line 2, and substitute the following:

(5) Texas State University:

(A) \$157 million for construction of a STEM classroom building located in San Marcos, Texas; and

(B) \$88 million for construction of a health professions building located in Round Rock, Texas.

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

SECTION \_\_\_\_\_. Subchapter B, Chapter 55, Education Code, is amended by adding Section 55.111 to read as follows:

Sec. 55.111. CERTAIN ALLOCATED FUNDS TO BE DESIGNATED AS CAPITAL IMPROVEMENT DEBT ASSISTANCE. For purposes of this subchapter, funds allocated from the appropriation of general revenue to an institution of higher education to supplement revenue funds of the institution described by Section 55.13(a) may be designated as "Capital Improvement Debt Assistance."

Amendment No. 1 was adopted.

#### **Amendment No. 2**

Representatives Burns, Slawson, Talarico, Price, Darby, Smithee, Deshotel, Buckley, Goldman, Kacal, White, and E. Morales offered the following amendment to **CSHB 1530**:

Amend **CSHB 1530** (house committee printing) as follows:

(1) On page 2, between lines 13 and 14, insert the following appropriately numbered subdivisions and renumber subsequent subdivisions of added Section 55.1791(a), Education Code, accordingly:

( ) Texas A&M University System, \$52,200,000 for construction of a STEM education makerspace center at the RELLIS campus;

( ) Tarleton State University, \$54 million for expansion of the Fort Worth campus;

( ) Texas A&M University–Central Texas, \$45 million for construction of a central utility plant and infrastructure upgrades;

( ) West Texas A&M University, \$65,750,000 for infrastructure upgrades to address health and safety issues and the renovation of an education building;

(2) On page 7, between lines 21 and 22, insert the following appropriately numbered subdivisions and renumber subsequent subdivisions of added Section 55.1794(a), Education Code, accordingly:

( ) Lamar University, \$75 million for renovation of a library;

( ) Sul Ross State University, \$35,250,000 for renovation of fine arts facilities;

( ) Sul Ross State University Rio Grande College, \$44,200,000 for construction of a multipurpose education and services building;

**Amendment No. 3**

Representative Burns offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Burns to **CSHB 1530**, on page 1 of the amendment, by striking lines 7 through 9.

Amendment No. 3 was adopted.

Amendment No. 2, as amended, was adopted.

**Amendment No. 4**

Representative Craddick offered the following amendment to **CSHB 1530**:

Amend **CSHB 1530** (house committee printing) on page 12, by striking lines 2 and 3 and substituting the following:

(3) Texas Tech University Health Sciences Center:

(A) \$90 million for maintenance and renovation of an existing facility; and

(B) \$25 million for construction and equipment of the physician assistant facility in Midland, Texas; and

Amendment No. 4 was adopted.

**CSHB 1530**, as amended, was passed to engrossment. (Dean recorded voting no.)

**CSHB 4509 ON SECOND READING**  
**(by Bonnen, et al.)**

**CSHB 4509**, A bill to be entitled An Act relating to instruction on informed American patriotism in public schools.

**Amendment No. 1**

Representative Bonnen offered the following amendment to **CSHB 4509**:

Amend **CSHB 4509** (house committee report) as follows:

(1) On page 4, line 1, between "the" and "Declaration", insert "entirety of the".

(2) On page 4, line 2, between "the" and "United", insert "entirety of the".

(3) On page 4, line 3, between "including" and "Essays", insert "the entirety of".

(4) On page 4, line 8, strike "and".

(5) On page 4, line 10, between "States" and the underlined period, insert the following:

;

(G) the entirety of Frederick Douglass's speeches The Meaning of July Fourth for the Negro and What the Black Man Wants; and

(H) the entirety of Martin Luther King Jr.'s speech I Have a Dream

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

SECTION \_\_\_\_\_. Section 5.001, Education Code, is amended by adding Subdivision (10) to read as follows:

(10) "Informed American patriotism" means a reasoned appreciation, gained through the study of historical primary sources, of why America has been, is now, and continues to be the destination of choice for those around the world who yearn to live in freedom. Informed American patriotism is only a conditional pledge of devotion that will be maintained only so long as America adheres to a republican form of government. If we abandon a representative democracy, our pledge of allegiance will be withdrawn as is stated in the Pledge of Allegiance, which swears devotion to a "republic".

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative Ramos offered the following amendment to **CSHB 4509**:

Amend **CSHB 4509** (house committee report) as follows:

(1) On page 2, line 3, strike "informed [active]" and substitute "informed, active".

(2) On page 2, line 5, strike "[basic values]" and substitute "and basic values".

Amendment No. 2 was adopted.

**CSHB 4509**, as amended, was passed to engrossment.

### **HB 3906 ON SECOND READING (by Goldman)**

**HB 3906**, A bill to be entitled An Act relating to the regulation of political funds, campaigns, and lobbying, including certain functions and procedures of the Texas Ethics Commission.

### **Amendment No. 1**

Representative Goldman offered the following amendment to **HB 3906**:

Amend **HB 3906** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 572.022(c), Government Code, is amended to read as follows:

(c) The individual filing the statement shall report a description of real property by reporting:

(1) the street address, if available, or the number of lots or number of acres, as applicable, in each county, and the name of the county, if the street address is not available; and

(2) the names of all persons retaining an interest in the property, excluding:

(A) an interest that is a severed mineral interest; and

(B) the name of a person with an interest in the property that holds a mortgage on the property that is otherwise required to be reported in the statement.

SECTION \_\_\_\_\_. Section 572.023, Government Code, is amended by amending Subsection (b) and adding Subsections (h) and (i) to read as follows:

(b) The account of financial activity consists of:

(1) a list of all sources of occupational income, identified by employer, or if self-employed, by the nature of the occupation, including identification of a person or other organization from which the individual or a business in which the individual has a substantial interest received a fee as a retainer for a claim on future services in case of need, as distinguished from a fee for services on a matter specified at the time of contracting for or receiving the fee, if professional or occupational services are not actually performed during the reporting period equal to or in excess of the amount of the retainer~~[, and the category of the amount of the fee]~~;

(2) identification by name ~~[and the category of the number of shares of stock]~~ of any business entity held or acquired~~[, and if sold, the category of the amount of net gain or loss realized from the sale]~~;

(3) a list of all bonds, notes, and other commercial paper held or acquired~~[, and if sold, the category of the amount of net gain or loss realized from the sale]~~;

(4) identification of each source ~~[and the category of the amount]~~ of income in excess of \$500 derived from each source from interest, dividends, royalties, and rents;

(5) identification of each guarantor of a loan and identification of each person or financial institution to whom a personal note or notes or lease agreement for a total financial liability in excess of \$1,000 existed at any time during the year ~~[and the category of the amount of the liability]~~;

(6) identification by description of all beneficial interests in real property and business entities held or acquired~~[, and if sold, the category of the amount of the net gain or loss realized from the sale]~~;

(7) identification of a person or other organization from which the individual or the individual's spouse or dependent children received a gift of anything of value in excess of \$250 and a description of each gift, except:

(A) a gift received from an individual related to the individual at any time within the second degree by consanguinity or affinity, as determined under Subchapter B, Chapter 573;

(B) a political contribution that was reported as required by Chapter 254, Election Code; and

(C) an expenditure required to be reported by a person required to be registered under Chapter 305;

(8) identification of the source ~~[and the category of the amount]~~ of all income received as beneficiary of a trust, other than a blind trust that complies with Subsection (c), and identification of each trust asset, if known to the beneficiary, from which income was received by the beneficiary in excess of \$500;

(9) identification[~~±~~

~~[(A) by description of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which five percent or more of the outstanding ownership was held, acquired, or sold; and~~

~~[(B)]~~ by description [~~and the category of the amount~~] of all assets and liabilities of a corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association in which 50 percent or more of the outstanding ownership was held, acquired, or sold;

(10) a list of all boards of directors of which the individual is a member and from which the individual receives compensation and executive positions, only if the executive position held is president, vice-president, secretary, treasurer, or chairman, that the individual holds in corporations, firms, partnerships, limited partnerships, limited liability partnerships, professional corporations, professional associations, joint ventures, or other business associations or proprietorships, stating the name of each corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association or proprietorship and the position held;

(11) identification of any person providing transportation, meals, or lodging expenses permitted under Section 36.07(b), Penal Code, and the amount of those expenses, other than expenditures required to be reported under Chapter 305;

(12) any corporation, firm, partnership, limited partnership, limited liability partnership, professional corporation, professional association, joint venture, or other business association, excluding a publicly held corporation, in which both the individual and a person registered under Chapter 305 have an interest;

(13) identification by name [~~and the category of the number of shares~~] of any mutual fund held or acquired[, ~~and if sold, the category of the amount of net gain or loss realized from the sale~~];

(14) identification of each blind trust that complies with Subsection (c), including:

(A) [~~the category of the fair market value of the trust;~~

~~(B)]~~ the date the trust was created;

~~(C)]~~ the name and address of the trustee; and

~~(D)]~~ a statement signed by the trustee, under penalty of perjury,

stating that:

(i) the trustee has not revealed any information to the individual, except information that may be disclosed under Subdivision (8); and

(ii) to the best of the trustee's knowledge, the trust complies with this section;

(15) if the aggregate cost of goods or services sold under one or more written contracts described by this subdivision exceeds \$10,000 in the year covered by the report, identification of each written contract, including the name of each party to the contract:

(A) for the sale of goods or services in the amount of \$2,500 or more;

(B) to which the individual, the individual's spouse, the individual's dependent child, or any business entity of which the individual, the individual's spouse, or the individual's dependent child, independently or in conjunction with one or more persons described by this subsection, has at least a 50 percent ownership interest is a party; and

(C) with:

(i) a governmental entity; or

(ii) a person who contracts with a governmental entity, if the individual or entity described by Paragraph (B) performs work arising out of the contract, subcontract, or agreement between the person and the governmental entity for a fee; and

(16) if the individual is a member of the legislature and provides bond counsel services to an issuer, as defined by Section 1201.002(1), identification of the following for each issuance for which the individual served as bond counsel:

(A) the amount of the issuance; and

(B) the name of the issuer[;]

~~[(C) the date of the issuance;~~

~~[(D) the amount of fees paid to the individual, and whether the amount is:~~

~~[(i) less than \$5,000;~~

~~[(ii) at least \$5,000 but less than \$10,000;~~

~~[(iii) at least \$10,000 but less than \$25,000; or~~

~~[(iv) \$25,000 or more; and~~

~~[(E) the amount of fees paid to the individual's firm, if applicable, and whether the amount is:~~

~~[(i) less than \$5,000;~~

~~[(ii) at least \$5,000 but less than \$10,000;~~

~~[(iii) at least \$10,000 but less than \$25,000; or~~

~~[(iv) \$25,000 or more].~~

(h) For purposes of Subsection (b)(9):

(1) "Asset" means a separate business entity, cash, or real and personal property.

(2) "Liability" means a note, line of credit, lien, or corporate lease.

(i) In prescribing the form and reporting requirements for a financial statement filed under this chapter, the commission shall ensure redundancies in reporting are reduced by combining, as appropriate, reporting categories and limiting the need to report information multiple times.

SECTION \_\_\_\_\_. Section 572.024, Government Code, is amended to read as follows:

A state officer who receives a fee for services rendered by the officer to or on behalf of a person required to be registered under Chapter 305, or to or on behalf of a person or entity that the officer actually knows directly compensates or reimburses a person required to be registered under Chapter 305, shall report on the financial statement the name of each person or entity for which the services were rendered~~[-and the category of the amount of each fee].~~

SECTION \_\_\_\_\_. Section 572.025, Government Code, is amended to read as follows:

A member of the legislature who represents another person for compensation before an executive state agency shall report on the financial statement:

- (1) the name of the agency; and
- (2) the person represented by the member~~[-and~~
- ~~(3) the category of the amount of compensation received by the member for that representation].~~

SECTION \_\_\_\_\_. Section 572.022(b), Government Code, is repealed.

SECTION \_\_\_\_\_. Sections 572.022, 572.023, 572.024, and 572.025, Government Code, as amended by this Act, apply only to a financial statement filed under Subchapter B, Chapter 572, Government Code, on or after the effective date of this Act. A financial statement filed before the effective date of this Act is governed by the law in effect on the date of filing, and the former law is continued in effect for that purpose.

#### **Amendment No. 1 - Point of Order**

Representative J. 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. The point of order was withdrawn.

Amendment No. 1 was withdrawn.

Representative Goldman moved to postpone consideration of **HB 3906** until 7 p.m. today.

The motion prevailed.

#### **CSHB 4472 ON SECOND READING (by Landgraf and C. Bell)**

**CSHB 4472**, A bill to be entitled An Act relating to the Texas emissions reduction plan.

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

Representative Landgraf offered the following amendment to **CSHB 4472**:

Amend **CSHB 4472** (house committee report) as follows:

(1) On page 5, lines 24 and 25, strike "386.154(d), Health and Safety Code, is amended" and substitute "386.154, Health and Safety Code, is amended by adding Subsections (f) and (g)".

(2) On page 6, line 1, strike "(1)" and substitute "(1)".



(3) On page 6, strike lines 3-15, and substitute the following appropriately numbered subdivision and renumber subsequent subdivisions of added Section 386.154(f), Health and Safety Code, accordingly:

       satisfies the requirements of Subsections (d)(2)-(5);

(4) On page 6, line 23, strike "Subsection (g)" and substitute "Subsection (f)".

(5) On page 6, line 25, strike "386.252(a) and (f)" and substitute "386.252(a), (f), and (h)".

(6) On page 7, lines 5 and 6, between "per" and "fiscal", insert "state".

(7) On page 7, strike lines 7-13 and substitute the following:

(1) four percent may be used for the clean school bus program under Chapter 390;

(2) six [~~three~~] percent may be used for the new technology implementation grant program under Chapter 391, from which at least \$1 million will be set aside for electricity storage projects related to renewable energy;

(3) five percent may be used for the Texas

(8) On page 7, line 24, strike "\$8 million [~~10 percent~~]" and substitute "10 percent".

(9) On page 8, strike lines 16-19 and substitute the following:

(10) six percent may be used by the commission for the seaport and rail yard areas emissions reduction program established under Subchapter D-1;

(11) five percent may be used for the

(10) On page 9, line 12, strike "386.058" and substitute "386.058";.

(11) On page 9, strike lines 16-25 and substitute the following:

(17) the balance is to be used by the commission for the diesel emissions reduction incentive program under Subchapter C as determined by the commission.

(12) On page 10, line 8, strike " .".

(13) On page 10, line 10, strike " :]" and substitute " ]".

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

SECTION \_\_\_\_\_. Section 386.250(c), Health and Safety Code, as effective September 1, 2021, is amended to read as follows:

(c) Not later than the 30th day after the last day of each state fiscal biennium, the commission shall transfer the unencumbered balance of the fund remaining on the last day of the state fiscal biennium to the credit of a separate account established in the fund for use by the commission for funding research at the Texas A&M Transportation Institute to determine:

(1) the cost-effectiveness of existing emissions reduction programs under the plan; and

(2) cost-effective programs that are not currently authorized to receive funding under the plan that would improve the emissions reduction capabilities of the plan [the Texas emissions reduction plan account].

**Amendment No. 2**

Representative C. Bell offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Landgraf to **CSHB 4472** as follows:

(1) On page 2, line 15, strike "SECTION" and substitute "SECTIONS".

(2) On page 2, between lines 16 and 17, insert the following:

SECTION \_\_\_\_\_. Section 386.057, Health and Safety Code, is amended by adding Subsection (e) to read as follows:

(e) Not later than October 1 of each year, the Texas Department of Transportation shall report to the commission the following information for all congestion mitigation and air quality improvement projects in nonattainment areas that are planned to be funded, or received initial funding during the preceding 10 years, from money received by the department under Section 386.250:

(1) projects to mitigate congestion and improve air quality that are currently planned;

(2) projects to mitigate congestion and improve air quality that have been completed;

(3) estimated emissions reductions for all planned and completed congestion mitigation projects; and

(4) estimated cost per ton analysis of reduced emissions of nitrogen oxides, particulate matter, or volatile organic compounds for each congestion mitigation project planned or completed.

(3) On page 2, lines 17 and 18, strike "386.250(c), Health and Safety Code, as effective September 1, 2021, is amended" and substitute "386.250, Health and Safety Code, as effective September 1, 2021, is amended by amending Subsection (c) and adding Subsection (d)".

(4) On page 2, line 19, between "(c)" and "Not", insert the following:

The commission may not remit more than 40 percent of the amount deposited to the credit of the fund to the state highway fund for use by the Texas Department of Transportation for projects described by Section 386.051(b)(22).

(d)

(5) Add the following appropriately numbered items to the amendment and renumber subsequent items of the amendment accordingly:

( ) On page 3, line 6, strike "and".

( ) On page 3, line 8, between "388.013" and the period, insert the following:

; and

(22) remittance of funds to the state highway fund for use by the Texas Department of Transportation for congestion mitigation and air quality improvement projects in nonattainment areas

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

**Amendment No. 3**

Representative Canales offered the following amendment to **CSHB 4472**:

Amend **CSHB 4472** (house committee report) as follows:

(1) On page 5, lines 24 and 25, strike "386.154(d), Health and Safety Code, is amended" and substitute "386.154, Health and Safety Code, is amended by adding Subsections (f), (g), and (h)".

(2) On page 6, between lines 24 and 25, insert the following:

(h) Notwithstanding Subsections (c) and (e) and subject to Section 386.252(a)(11), at the beginning of the second state fiscal year of the biennium, the commission may adjust the initial vehicle limitations provided under Subsections (c) and (e) based on demand for incentives under this section during the preceding state fiscal year.

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Howard offered the following amendment to **CSHB 4472**:

Amend **CSHB 4472** (house committee report) on page 8 by striking lines 22-27 and substituting the following:

(12) not less [~~more~~] than \$216,000 and not more than \$1 million may be used by the commission to contract with the Energy Systems Laboratory at the Texas A&M Engineering Experiment Station annually for:

(A) the development and annual computation of creditable statewide emissions reductions obtained through wind and other renewable energy resources for the state implementation plan; and

(B) the annual computation of creditable statewide emissions reductions attributable to energy efficiency programs;

Amendment No. 4 was adopted.

**CSHB 4472**, as amended, was passed to engrossment. (Ashby and Wilson recorded voting no.)

**HB 3251 ON SECOND READING**

(by E. Thompson)

**HB 3251**, A bill to be entitled An Act relating to the use of unmanned aircraft.

**HB 3251 - POINT OF ORDER**

Representative Schaefer raised a point of order against further consideration of **HB 3251** under Rule 4, Section 32(c)(2), of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on House Bill 3251

Announced in the House on May 13, 2021

Representative Schaefer raises a point of order against further consideration of **HB 3251** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is materially misleading.

Among other things, Mr. Schaefer argues that the analysis does not accurately describe the changes in law made by the bill to the circumstances in which law enforcement may operate a drone over private property.

Under current law, law enforcement may operate a drone over private property if the property is generally open to the public and the property owner consents to the use for "law enforcement public safety responsibilities," a term undefined by current law. The bill would prohibit law enforcement from operating a drone over private property unless law enforcement obtained the property owner's consent to a search for one of five specific and narrow purposes.

The bill analysis omits any mention of the requirement that an owner must waive the owner's Fourth Amendment rights before law enforcement may operate a drone over the owner's property. Moreover, the analysis uses the broad and undefined term that the bill strikes from current law in attempting to describe the proposed changes that are much narrower in scope and application. The analysis is materially misleading because it does not accurately describe the changes in legal rights and duties made by the bill.

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

**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. 2 and 3).

**CSHB 3013 ON SECOND READING****(by Biedermann, Krause, Burns, et al.)**

**CSHB 3013**, A bill to be entitled An Act relating to displays and exhibits located on the grounds of the Alamo complex.

**Amendment No. 1**

Representatives Leach, Shaheen, K. King, Goldman, Hefner, Sanford, Holland, Canales, Patterson, Kacal, Lozano, Larson, Wilson, and Krause offered the following amendment to **CSHB 3013**:

Amend **CSHB 3013** (house committee report) on page 1 as follows:

(1) On line 8, between "EXHIBITS." and "The", insert "(a)".

(2) Between lines 17 and 18, insert the following:

(b) The land office shall develop a display or exhibit to be located on the grounds of the Alamo complex, or in a museum located on the grounds, that focuses on the unique role this state has played in the development of our nation's history and affirms this state's commitment to the United States and the preservation and continuation of the principles of freedom and sovereignty upon which our nation is built.

**Amendment No. 1 - Point of Order**

Representative Slaton 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. 1 was withdrawn.

**Amendment No. 2**

Representatives Gervin-Hawkins, Pacheco, Cortez, Bernal, Larson, Martinez Fischer, Minjarez, Allison, and Campos offered the following amendment to **CSHB 3013**:

Amend **CSHB 3013** (house committee report) on page 1 as follows:

(1) On line 8, between "EXHIBITS." and "The", insert "(a)".

(2) Between lines 17 and 18, insert the following:

(b) The land office shall consult with local governmental entities and local historians when developing and reviewing the displays and exhibits located on the grounds of the Alamo complex.

A record vote was requested by Representative Leach.

Amendment No. 2 was adopted by (Record 1078): 110 Yeas, 33 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; 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; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Landgraf; Larson; Leach; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schaefer; Shaheen; Sherman; Shine; Smith; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Biedermann; Burns; Cain; Capriglione; Cason; Cook; Frank; Harris; Hefner; Holland; Hull; Klick; Krause; Leman; Lozano; Metcalf; Middleton; Murr; Noble; Oliverson; Patterson; Paul; Schofield; Slaton; Slawson; Smithee; Spiller; Thompson, E.; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Longoria; Raney.

Absent — Jetton; Perez; Sanford.

**STATEMENT OF VOTE**

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

Leach

**Amendment No. 3**

Representative Gervin-Hawkins offered the following amendment to **CSHB 3013**:

Amend **CSHB 3013** (house committee report) on page 1, line 11, by striking "prominently feature" and substituting "focus on".

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Gervin-Hawkins offered the following amendment to **CSHB 3013**:

Amend **CSHB 3013** (house committee report) on page 1 as follows:

(1) On line 9, between "shall" and "ensure", insert ", to the best of the office's ability,".

(2) On line 12, strike "1836 Battle of the Alamo" and substitute "Texas Revolution".

(3) On line 14, strike "and".

(4) On line 17, strike the underlined period and substitute "; and".

(5) Between lines 17 and 18, insert the following:

(4) historical documents and artifacts.

**Amendment No. 5**

Representative Biedermann offered the following amendment to Amendment No. 4:

Amend Amendment No. 4 by Gervin-Hawkins to **CSHB 3013** on page 1, line 11, between "artifacts" and the underlined period, by inserting "relating to or from the Texas Revolution".

Amendment No. 5 was withdrawn.

Amendment No. 4 was adopted.

**Amendment No. 6**

Representative J.D. Johnson offered the following amendment to **CSHB 3013**:

Amend **CSHB 3013** (house committee report) on page 1 as follows:

(1) On line 14, strike "and".

(2) On line 17, strike the underlined period and substitute "; and".

(3) Between lines 17 and 18, insert the following:

(4) the story of Joe, a survivor of the 1836 Battle of the Alamo who told the story of the battle across the United States, and the stories of other Black Americans who were present at the battle, including Charlie and Bettie.

Amendment No. 6 was adopted.

**Amendment No. 7**

Representative J.D. Johnson offered the following amendment to **CSHB 3013**:

Amend **CSHB 3013** (house committee report) on page 1 as follows:

- (1) On line 14, strike "and".
- (2) On line 17, strike the underlined period and substitute "and".
- (3) Between lines 17 and 18, insert the following:
  - (4) the role of slavery in the 1836 Battle of the Alamo.

Amendment No. 7 was adopted.

**Amendment No. 8**

Representatives Leach, Hefner, Shaheen, Patterson, Kacal, Price, Sanford, Hull, Holland, Anderson, and Larson offered the following amendment to **CSHB 3013**:

Amend **CSHB 3013** (house committee printing) on page 1 as follows:

(1) In proposed Section 31.456, Natural Resources Code, insert the following appropriately numbered subdivision:

( ) the unique role that the 1836 Battle of the Alamo and those Texans and Tejanos who fought in the 1836 Battle of the Alamo played in the history of the United States, including Texas's commitment to continued union with the United States and shared principles of freedom and sovereignty.

(2) Renumber any subsequent subdivisions as appropriate.

Amendment No. 8 was adopted.

A record vote was requested by Representative Cason.

**CSHB 3013**, as amended, was passed to engrossment by (Record 1079): 124 Yeas, 19 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Deshotel; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hull; Hunter; Johnson, A.; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Morrison; Murphy; Murr; Noble; Oliverson; Ordaz Perez; Paddie; Parker; Patterson; Paul; Perez; Price; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu.

Nays — Allen; Beckley; Bowers; Bucy; Crockett; Dutton; Goodwin; Guerra; Howard; Israel; Johnson, J.E.; Moody; Muñoz; Neave; Ortega; Pacheco; Ramos; Talarico; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Longoria; Raney.

Absent — Anchia; Dominguez; Jetton.

**STATEMENTS OF VOTE**

When Record No. 1079 was taken, I was shown voting no. I intended to vote yes.

Guerra

When Record No. 1079 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

When Record No. 1079 was taken, I was shown voting no. I intended to vote yes.

Moody

**ADDRESS BY REPRESENTATIVE HARRIS**

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

Moments ago, Hill County Constable Kevin Cordell was shot multiple times during his pursuit of two murder suspects in Johnson County. Constable Cordell is currently undergoing emergency surgery at a hospital in Fort Worth. Both suspects were taken into custody as a result of Constable Cordell's heroic efforts. I'd also like to thank and recognize the work of the Dallas Police Department, the Hill and Johnson County Sheriff Offices, and all the first responders who worked to capture these suspects. Members, please join me in a moment of silence to pray for Kevin; his wife, Julie; and their three sons as they await the outcome of his surgery.

**REMARKS ORDERED PRINTED**

Representative Canales moved to print remarks by Representative Harris.

The motion prevailed.

**HB 2874 ON SECOND READING**

(by Anchia)

**HB 2874**, A bill to be entitled An Act relating to a requirement that public schools issue student identification cards to high school students.

**Amendment No. 1**

Representative Schofield offered the following amendment to **HB 2874**:

Amend **HB 2874** (house committee report) as follows:

- (1) On page 1, line 11, after ";" insert " and".
- (2) On page 1, line 12, strike "; and" and substitute " :".
- (3) On page 1, line 13, strike "(3) date of birth".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Slaton offered the following amendment to **HB 2874**:

Amend **HB 2874** (house committee printing) as follows:

- (1) On page 1, line 7, between "." and "A", insert "(a)".
- (2) On page 1, strike lines 12 and 13, and substitute the following:
  - (2) photograph; and
  - (3) sex



(b) In this section:

(1) "sex" means the physical condition of being male or female.

(2) "name" means the name reflected on the student's birth certificate.

(c) The words "THIS IS NOT A VALID ID FOR THE PURPOSE OF VOTING" must appear on the back of the identification card."

### **Amendment No. 2 - Point of Order**

Representative Anchia raised a point of order against further consideration of Amendment No. 2 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 2 was withdrawn.

### **Amendment No. 3**

Representative Slaton offered the following amendment to **HB 2874**:

Amend **HB 2874** (house committee printing) as follows:

(1) On page 1, line 7, between "." and "A", insert "(a)".

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

(2) photograph; and

(3) sex

(b) In this section:

(1) "sex" means the physical condition of being male or female.

(2) "name" means the name reflected on the student's birth certificate.

(c) The words "THIS IS NOT A VALID ID FOR THE PURPOSE OF VOTING" must appear on the back of the identification card."

### **AMENDMENT NO. 3 - REMARKS**

REPRESENTATIVE SLATON: This amendment is a clarifying amendment. It adds sex and the name of the student, some definitions, and we left the postal service out of this one.

REPRESENTATIVE ANCHIA: The purpose of this bill was to try to get students identification, much like the Krause bill that we heard earlier on the calendar, because it's really important for students at public schools, especially in the open enrollment charter schools, to get student IDs and also traditional public schools to the extent they do it, although about 70 percent of them do. The amendment that we have before you today is, I guess, focused on the sex and the birth certificate name of the student. The reason I took the Schofield amendment earlier on this bill is because he was concerned, and I think rightfully so, that having a date of birth would provide too much identifying information on the student ID. And I agreed with that. I thought that was too much. That's why that amendment was acceptable to the author. But the goal of Mr. Slaton's amendment goes much farther in providing identification information for young people on their card. So if you were for the Schofield amendment that says, "Hey, let's take off the date of birth," because we're concerned about that being on a student ID, you should definitely be against this amendment because this requires information far beyond what the original bill went toward, including a student's birth certificate name and their sex, which I think is extraneous to the bill's purpose.

REPRESENTATIVE NEAVE: Chairman Anchia, can you talk to us about the Supreme Court case *Plyler v. Doe*?

ANCHIA: Certainly, although that case may be beyond the scope of what this bill is trying to do. But in *Plyler*, they said that all students regardless of race, ethnicity, citizenship status, residency, were entitled to a public education.

NEAVE: And this amendment has language where it could potentially require a school district to look at the citizenship. It's asking to look at the birth certificate of a minor child. Is that correct?

ANCHIA: Yes, I think, for the purpose of getting their birth certificate name on the student ID.

NEAVE: And is that typically within the purview of a school district to look at the birth certificate of a minor child?

ANCHIA: No, it is not.

NEAVE: So this amendment, do you think, would it run contrary to the established Supreme Court precedent in *Plyler v. Doe*?

ANCHIA: Yes, it certainly is. And look, the underlying bill, ladies and gentlemen, was supported by Dallas ISD, Texans Care for Children, Texas Legislative Education Equity Coalition, United Ways of Texas, all organizations that thought it would be a good idea, just like in the Krause bill earlier today, for us to get ID to young people so it helps them get ahead in life. I'm not sure why Subsection (c) is on here because this bill doesn't amend the Election Code. But look, the reality is school databases are already designed to protect the privacy of young people. This information on the certificate, I think, could put young people at risk, and it is far beyond the initial scope of this bill. And I just want to point out that the reason we want to get young people IDs is that it serves really functional purposes on campus, for example, to pay for meals, to access materials, use library services, purchase other items at school.

But even outside of school, ID is fundamental. It allows students to have access to public libraries. It allows them to apply for welfare benefits. It allows them to apply for jobs, to access buildings, to engage in blood donation, to pick up prescriptions, to adopt pets, to open a bank account if they're 18 and older, as well as other services too broad to enumerate. One of the other reasons we wanted to do this is that oftentimes, especially for students that don't have a state ID or don't have a driver's license—a lot of students in our communities don't have the money to buy a car. They're not going to be driving a car. They can't pay for insurance. We wanted them to have ID just so if they have interactions with law enforcement, they could prove who they are: "Hey, I'm Rafael Anchia, I'm a junior at Miami Coral Park High School, and this is my ID." It allows them to identify themselves when they absolutely need to.

REPRESENTATIVE ZWIENER: So your original legislation, correct, required that the date of birth be on the ID. Is that accurate?

ANCHIA: It did.

ZWIENER: And what is the value of having the date of birth on that identification?

ANCHIA: Well, it helps when you need to prove your age, like when you need to board a plane as an unaccompanied minor, for example. When you need to pick up a prescription, it's helpful to prove to some people how old you are. My

daughters, for example, don't have a driver's license. They're not driving yet. They're both high school students, and they don't have a state ID. So they rely on their school IDs to do a lot of things.

ZWIENER: So the date of birth is a fundamental part of the value of this identification, correct?

ANCHIA: It was. But it was removed under the Schofield amendment so that we could protect privacy, which was a concern that Representative Schofield brought to me, which was an amendment that was acceptable to the author. This amendment, however, is not acceptable, as it goes far beyond the purpose of the bill. So I'll be opposing this, and I'd ask the body to not make this identification card about trans kids but really to make it about those kids like the ones in Dallas ISD who are currently experiencing homelessness or students who are unable to get a driver's license because they don't have access to the resources to do so.

And just to put it in stark contrast, because we have a pretty significant homeless population in Dallas ISD that depends on their student ID as their sole form of ID, according to the Texas Education Agency, there are about 114,000 students experiencing homelessness in Texas public schools as of 2019. So that's why students came and testified in favor of the bill, because they know that their colleagues who are homeless and need to overcome the barriers of homelessness really would have been benefitted by a more expansive ID, especially those who don't receive ID at their open enrollment public charter school or in the very few traditional public schools that still don't do ID, although most absolutely do. And when we looked at this in state law, it just wasn't available. So members, please join me in rejecting the Slaton amendment.

SLATON: The reason behind adding this is pretty simple. If a student or a minor goes missing, there's information that people need to find that person, basic information—their name, their gender, date of birth to give you an idea on their age, what clothes they were wearing. This ID is just adding some simple information so they are identified. And I would encourage you to support this amendment.

REPRESENTATIVE TINDERHOLT: I'm going through this real quick. I want to make sure of your intent. So your intent on the photograph is if someone goes missing or really, for identification purposes, you see the physical picture of the individual.

SLATON: Yes, that's the author. He has the photograph to help identify, yes.

TINDERHOLT: And I see sex in here, and it looks like you've defined sex as "the physical condition of being male or female." That seems pretty simple. Name is pretty simple. And then that this is not a valid ID for purposes of voting. Why would you have that in there?

SLATON: Well, you just want to make sure no one gets confused and would use that for voting. That's all, just clarification.

TINDERHOLT: Well, this makes pretty easy sense, and I think this is a pretty easy yes vote.

SLATON: It's a very easy yes vote.

A record vote was requested by Representative Slaton.

Amendment No. 3 failed of adoption by (Record 1080): 60 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Anderson; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Gates; Goldman; Harless; Harris; Hefner; Holland; Kacal; King, P.; Klick; Krause; Lambert; Leach; Leman; Lozano; Metcalf; Middleton; Morrison; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Rogers; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

Nays — Allen; Anchia; Ashby; Bailes; Beckley; Bernal; Bowers; Bucy; Burns; Campos; Canales; Clardy; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hull; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Landgraf; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Muñoz; Murphy; Murr; Neave; Ordaz Perez; Ortega; Perez; Price; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Schofield; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Coleman; Longoria; Raney.

Absent — Allison; Frullo; Jetton; King, K.; Kuempel; Larson; Morales Shaw; Pacheco.

#### STATEMENTS OF VOTE

When Record No. 1080 was taken, I was shown voting no. I intended to vote yes.

Burns

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

Frullo

When Record No. 1080 was taken, I was shown voting no. I intended to vote yes.

Hull

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

Jetton

When Record No. 1080 was taken, I was shown voting no. I intended to vote yes.

Landgraf

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

Morales Shaw

When Record No. 1080 was taken, I was shown voting no. I intended to vote yes.

Murr

When Record No. 1080 was taken, I was shown voting no. I intended to vote yes.

Price

When Record No. 1080 was taken, I was shown voting no. I intended to vote yes.

VanDeaver

**HB 2874**, as amended, was passed to engrossment. (Capriglione, Craddick, Darby, Dean, Hefner, Krause, Noble, Parker, Price, Sanford, Shaheen, Shine, Slaton, Stephenson, Swanson, Tinderholt, Toth, and Wilson recorded voting no.)

**CSHB 3433 ON SECOND READING**  
**(by Smithee and Oliverson)**

**CSHB 3433**, A bill to be entitled An Act relating to prohibited discrimination on the basis of an individual's political affiliation or expression by certain insurers.

**CSHB 3433** was passed to engrossment.

**CSHB 3250 ON SECOND READING**  
**(by E. Thompson)**

**CSHB 3250**, A bill to be entitled An Act relating to coverage of additional living expenses under a residential property insurance policy.

**Amendment No. 1**

Representative Hull offered the following amendment to **CSHB 3250**:

Amend **CSHB 3250** (house committee report) as follows:

- (1) On page 1, line 17, strike "because" and substitute "if".
- (2) On page 1, line 18, strike "beyond the insured's control" and substitute "caused by a covered loss".

Amendment No. 1 was adopted.

**CSHB 3250**, as amended, was passed to engrossment. (Ashby, Darby, Dean, and Shine recorded voting no.)

**POSTPONED BUSINESS**

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

**HB 3906 ON SECOND READING**  
**(by Goldman)**

**HB 3906**, A bill to be entitled An Act relating to the regulation of political funds, campaigns, and lobbying, including certain functions and procedures of the Texas Ethics Commission.

**HB 3906** was read second time earlier today and was postponed until this time.

**HB 3906** was passed to engrossment.

**GENERAL STATE CALENDAR**  
(consideration continued)

**CSHB 3467 ON SECOND READING**  
(by Canales, Cyrier, and Rodriguez)

**CSHB 3467**, A bill to be entitled An Act relating to the amendment of an existing comprehensive development agreement for a portion of State Highway 130.

**Amendment No. 1**

Representative Ashby offered the following amendment to **CSHB 3467**:

Amend **CSHB 3467** (house committee printing) as follows:

- (1) On page 1, line 7, strike "shall" and substitute "may".
- (2) On page 1, line 11, strike "if the amendment" and substitute "only if".

(3) Strike page 1, line 12, through page 2, line 15, and substitute the following:

(1) the commission determines in a public meeting that the state will derive a public benefit from extending the term; and

(2) the amendment requires the private participant to provide funds to the department in an amount determined by the department.

- (4) On page 2, line 16, strike "(k)" and substitute "(j)".

(5) On page 2, between lines 24 and 25, insert the following:

(k) An extension of the term of a comprehensive development agreement made under Subsection (i) is void if the private participant sells, transfers, or otherwise conveys the comprehensive development agreement to another entity.

Amendment No. 1 was adopted.

A record vote was requested by Representative Cason.

**CSHB 3467**, as amended, was passed to engrossment by (Record 1081): 132 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; 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.; King, K.; King, P.; King, T.; Klick; Krause; Lambert; Landgraf; Larson; Leach; Leman; Lopez; Lozano; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; 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; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Burns; Shaheen.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Longoria; Raney.

Absent — Bailes; Cason; Frullo; Jetton; Kacal; Kuempel; Lucio; Morales Shaw; Slaton; Swanson; Tinderholt; Turner, C.

### STATEMENTS OF VOTE

When Record No. 1081 was taken, I was shown voting no. I intended to vote yes.

Burns

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

Cason

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

Frullo

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

Jetton

When Record No. 1081 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1081 was taken, I was shown voting yes. I intended to vote no.

Middleton

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

Morales Shaw

When Record No. 1081 was taken, I was shown voting yes. I intended to vote no.

Noble

When Record No. 1081 was taken, I was shown voting yes. I intended to vote no.

Sanford

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

Tinderholt

When Record No. 1081 was taken, I was shown voting yes. I intended to vote no.

Toth

### HB 3385 ON SECOND READING (by Rogers)

**HB 3385**, A bill to be entitled An Act relating to a landowner's bill of rights statement in connection with the acquisition of real property through eminent domain.

**HB 3385** was passed to engrossment.

**HB 1548 ON SECOND READING**  
**(by C. Bell, Guillen, and Gates)**

**HB 1548**, A bill to be entitled An Act relating to the civil liability of certain businesses in connection with allowing concealed handguns on the business premises.

**HB 1548** was passed to engrossment.

**CSHB 2746 ON SECOND READING**  
**(by Ellzey)**

**CSHB 2746**, A bill to be entitled An Act relating to the punishment for the criminal offense of use of laser pointers; increasing a criminal penalty.

**Amendment No. 1**

Representative J. González offered the following amendment to **CSHB 2746**:

Amend **CSHB 2746** (house committee report) as follows:

(1) On page 1, line 6, strike "Subsection (d)" and substitute "Subsections (d) and (e)".

(2) On page 1, between lines 10 and 11, insert the following:

(d) It is a defense to prosecution under this section that at the time of the offense the actor was discharging the actor's duties as a lighting technician at a venue which produces or hosts events involving laser pointers, including a concert or similar event.

(3) On page 1, line 11, strike "d" and substitute "e".

Amendment No. 1 was adopted.

**CSHB 2746**, as amended, was passed to engrossment.

**CSHB 1516 ON SECOND READING**  
**(by Parker, Sanford, and Frank)**

**CSHB 1516**, A bill to be entitled An Act relating to efficiency audits of the Temporary Assistance for Needy Families program and the state temporary assistance and support services program.

**CSHB 1516 - POINT OF ORDER**

Representative Crockett raised a point of order against further consideration of **CSHB 1516** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is materially misleading. The point of order was withdrawn.

Representative Parker moved to postpone consideration of **CSHB 1516** until 8:30 p.m. today.

The motion prevailed.

**CSSB 876 ON SECOND READING**  
**(E. Thompson - House Sponsor)**

**CSSB 876**, A bill to be entitled An Act relating to the county in which a person may apply for the registration of and title for a motor vehicle.

**CSSB 876** was considered in lieu of **HB 3113**.



**Amendment No. 1**

Representative E. Thompson offered the following amendment to **CSSB 876**:

Amend **CSSB 876** (house committee printing), in SECTION 13 of the bill, in the effective date provision (page 5, line 26), by striking "September 1, 2021" and substituting "March 1, 2022".

Amendment No. 1 was adopted.

**CSSB 876**, as amended, was passed to third reading. (Darby, Herrero, Shine, and Wilson recorded voting no.)

**HB 3113 - LAID ON THE TABLE SUBJECT TO CALL**

Representative E. Thompson moved to lay **HB 3113** on the table subject to call.

The motion prevailed.

**HB 2534 ON SECOND READING  
(by Clardy, et al.)**

**HB 2534**, A bill to be entitled An Act relating to an appraisal procedure for disputed losses under personal automobile insurance policies.

**HB 2534** was passed to engrossment. (Darby, Dean, Shine, and Wilson recorded voting no.)

**CSHB 2554 ON SECOND READING  
(by Gates, Burrows, Allen, Lucio, Harris, et al.)**

**CSHB 2554**, A bill to be entitled An Act relating to the operation by a school district of a vocational education program to provide eligible high school students with vocational and educational training under a plan for the issuance of a high school diploma and the application of certain student-based allotments under the public school finance system.

**CSHB 2554** was passed to engrossment.

**CSHB 2352 ON SECOND READING  
(by Parker, White, J.D. Johnson, and Moody)**

**CSHB 2352**, A bill to be entitled An Act relating to an educational and vocational training pilot program for certain state jail felony defendants and certain inmates released on parole; changing parole eligibility.

**CSHB 2352** was passed to engrossment.

**CSHB 2391 ON SECOND READING  
(by Dominguez, Huberty, and Buckley)**

**CSHB 2391**, A bill to be entitled An Act relating to the methods by which students may be admitted to public schools and the disclosure of information regarding public school admission methods.

**Amendment No. 1**

Representative M. González offered the following amendment to **CSHB 2391**:

Amend **CSHB 2391** (house committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. The heading to Section 12.117, Education Code, is amended to read as follows:

Sec. 12.117. ADMISSION AND ENROLLMENT.

SECTION 2. Section 12.117, Education Code, is amended by amending Subsection (a) and adding Subsections (a-1), (a-2), (a-3), and (b-1) to read as follows:

(a) For admission and enrollment to an open-enrollment charter school, the governing body of the school shall:

(1) require the applicant to complete and submit the common admission application form described by Section 12.1173 not later than a reasonable deadline the school establishes; and

(2) on receipt of more acceptable applications for admission under this section than available positions in a grade level or campus [~~the school~~]:

(A) fill the available positions by lottery; or

(B) subject to Subsection (b), fill the available positions in the order in which applications received before the application deadline were received.

(a-1) An open-enrollment charter school that fills available positions by lottery under Subsection (a)(2)(A) may use a weighted lottery that assigns weights to applicants so that an applicant's probability of admission increases if the applicant satisfies criteria selected by the school. The school may increase an applicant's probability of admission if the applicant is:

(1) eligible to participate in a special education program under Section 29.003; or

(2) a student of limited English proficiency, as defined by Section 29.052.

(a-2) The commissioner shall adopt rules regarding the implementation of a weighted lottery under Subsection (a-1), including rules that:

(1) establish the information an open-enrollment charter school may request an applicant to provide that is limited in scope to only the information necessary for the school to implement the lottery; and

(2) ensure compliance with:

(A) federal law regarding the confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g); and

(B) any state law relating to the privacy of student information.

(a-3) An open-enrollment charter school that uses a weighted lottery under Subsection (a-1) shall:

(1) include in the school's admission and enrollment policy the information requested under Subsection (a-2)(1) that the school uses for the lottery;

(2) provide notice of the information requested of an applicant under Subsection (a-2)(1) only if the school receives more acceptable applications for admission than available positions in the school;

(3) clearly mark all information requested under Subdivision (2) as optional; and

(4) use any information provided by an applicant under Subdivision (2) only to determine if the applicant's probability of admission will increase in accordance with Subsection (a-1).

(b-1) An open-enrollment charter school shall make publicly available and post in a prominent and appropriate location on the school's public Internet website, if the school maintains a public Internet website, notice of the school's admission and enrollment policy, including:

(1) the method by which the school fills available positions in the school, including whether the school uses:

(A) a lottery; or

(B) a weighted lottery; and

(2) if the school fills available positions by weighted lottery under Subsection (a-1), the weights assigned to applicants under that subsection.

SECTION 3. Section 25.001, Education Code, is amended by adding Subsections (k) and (l) to read as follows:

(k) If a school district elects to admit students not described by Subsection (b) into the district's schools by lottery, the district may use a weighted lottery that assigns weights to applicants so that an applicant's probability of admission increases if the applicant satisfies criteria selected by the district. The district may increase an applicant's probability of admission if the applicant is:

(1) eligible to participate in a special education program under Section 29.003; or

(2) a student of limited English proficiency, as defined by Section 29.052.

(l) If a school district elects to admit students not described by Subsection (b) into the district's schools, the district shall make publicly available and post in a prominent and appropriate location on the district's public Internet website, if the district maintains a public Internet website, notice of:

(1) the method by which the district admits those students; and

(2) if the district uses a weighted lottery to admit those students under Subsection (k), the weights assigned to applicants for the lottery.

SECTION 4. Subchapter B, Chapter 25, Education Code, is amended by adding Section 25.0311 to read as follows:

Sec. 25.0311. TRANSFER WITHIN DISTRICT BY LOTTERY. If the board of trustees of a school district elects to allow a student enrolled in the district to transfer from the student's assigned campus to another campus in the district by lottery, the board may use a weighted lottery that assigns weights to applicants so that an applicant's probability of receiving the transfer increases if the applicant is:

(1) eligible to participate in the school's special education program under Section 29.003; or

(2) a student of limited English proficiency, as defined by Section 29.052.

SECTION 5. This Act applies beginning with the 2022-2023 school year.

SECTION 6. This Act takes effect September 1, 2021.

Amendment No. 1 was adopted.

**CSHB 2391**, as amended, was passed to engrossment. (Darby, Dean, and Shine recorded voting no.)

**CSHB 3880 ON SECOND READING**  
**(by Dutton, Huberty, Guillen, Toth, et al.)**

**CSHB 3880**, A bill to be entitled An Act relating to a student's eligibility for special education services provided by a school district, including services for dyslexia and related disorders.

**CSHB 3880 - REMARKS**

REPRESENTATIVE DUTTON: Texas is bound by federal education law, including the IDEA, what we call the Individuals with Disabilities Education Act. This bill creates what I think is a great process by which we will now turn our attention to children who have special education problems, particularly dyslexia. Let me tell you what this bill does. It removes the term "special services" and replaces it with "special education." It also defines what a "student with a disability" is. It changes the eligibility requirements for a district's special education program. It also provides an improvement plan for districts in their practices. It also replaces the duty of the State Board of Education to approve a program for testing students for dyslexia. And I could go on and tell you what it is, but I have an amendment, and I'd like to lay the amendment out.

**Amendment No. 1**

Representative Dutton offered the following amendment to **CSHB 3880**:

Amend **CSHB 3880** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. This Act may be cited as the Beckley Wilson Act.

REPRESENTATIVE MEYER: This amendment would simply rename the Act as the Beckley Wilson Act. And I think she's up in the gallery, perhaps? All right, Beckley, wave. Thank you for being here.

Amendment No. 1 was adopted.

REPRESENTATIVE M. GONZÁLEZ: Chairman Dutton, this bill had such powerful testimony from the students and their parents and the advocates. And one of the things we learned is that your bill is going to have a transformative effect in changing the stigma of special education. Did you hear that during the testimony?

DUTTON: Absolutely.

M. GONZÁLEZ: And it is important that we say that special ed kids are just as special to our state and our kids with dyslexia are just as special to our state as all of our kids. Is that correct?

DUTTON: I have been saying that throughout this session.

M. GONZÁLEZ: Well, I just want to say thank you to you and to Morgan Meyer. And especially to everybody who's watching, this bill is so important to the house and we're really trying to break that stigma.

DUTTON: I will just say this, members. I have been here a long time, and I was trying to count. I've probably heard witnesses who testified on a bill—I think I've probably heard more than 3,000, 4,000, or 5,000 witnesses. But 12-year-old

Beckley Wilson was the best witness I think I've ever heard in all my years. And I'd like for her to stand up again for us to give her a round of applause because she is such a fantastic student.

A record vote was requested by Representative Meyer.

**CSHB 3880**, as amended, was passed to engrossment by (Record 1082): 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; Clardy; Cole; Collier; Cook; Cortez; Craddick; 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, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; 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; 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 — Coleman; Longoria; Raney.

Absent — Crockett; King, P.; Morrison.

### STATEMENT OF VOTE

When Record No. 1082 was taken, I was in the house but away from my desk. I would have voted yes.

Crockett

### REMARKS ORDERED PRINTED

Representative Zwiener moved to print all remarks on **CSHB 3880**.

The motion prevailed.

### CSHB 545 ON SECOND READING (by E. Thompson and Vasut)

**CSHB 545**, A bill to be entitled An Act relating to municipal annexation of certain rights-of-way.

#### Amendment No. 1

Representative E. Thompson offered the following amendment to **CSHB 545**:

Amend **CSHB 545** (house committee printing) on page 2, immediately after line 27, by inserting the following:

(f) Notwithstanding Section 42.021, the annexation of a road right-of-way described by Subsection (b)(2)(B) does not expand the annexing municipality's extraterritorial jurisdiction.

Amendment No. 1 was adopted.

**CSHB 545**, as amended, was passed to engrossment.

**SB 285 ON SECOND READING**  
**(Neave - House Sponsor)**

**SB 285**, A bill to be entitled An Act relating to the administration of and certain procedures under the Title IV-D program for child support enforcement.

**SB 285** was considered in lieu of **HB 2953**.

**SB 285** was passed to third reading.

**HB 2953 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Neave moved to lay **HB 2953** on the table subject to call.

The motion prevailed.

**CSHB 396 ON SECOND READING**  
**(by Moody, Guillen, and Howard)**

**CSHB 396**, A bill to be entitled An Act relating to the eligibility of nurses for workers' compensation benefits for coronavirus disease (COVID-19) and payment of those benefits.

**Amendment No. 1**

Representative Moody offered the following amendment to **CSHB 396**:

Amend **CSHB 396** (house committee report) on page 5, by striking lines 20 through 26 and substituting the following:

(b) Notwithstanding Section 409.003, 409.007, 410.169, or 410.205, Labor Code, a nurse whose injury occurred on or after February 1, 2020, but before the effective date of this Act, and whose claim was subsequently denied may, on or after the effective date of this Act, request in writing that the insurance carrier reprocess the claim and the changes in law made by this Act shall apply to that claim.

(c) Not later than the 60th day after the date an insurance carrier receives a written request to reprocess a claim under Subsection (b) of this section, the insurance carrier shall reprocess the claim and notify the person in writing whether the carrier accepted or denied the claim. If the insurance carrier denies the claim, the notice must include information on the process for disputing the denial. The notice provided by the insurance carrier must use the notice provisions prescribed by the division of workers' compensation of the Texas Department of Insurance under Subsection (d) of this section.

(d) As soon as practicable after the effective date of this Act, the division of workers' compensation of the Texas Department of Insurance shall prescribe notice provisions for an insurance carrier to use when providing notice of the insurance carrier's acceptance or denial of a person's claim. The notice provisions must be clear and easily understandable.

Amendment No. 1 was adopted.

**CSHB 396**, as amended, was passed to engrossment.

**CSHB 3691 ON SECOND READING****(by Frank, Minjarez, and Gates)**

**CSHB 3691**, A bill to be entitled An Act relating to the statewide implementation of community-based foster care by the Department of Family and Protective Services.

**CSHB 3691** was passed to engrossment.

**HB 1631 ON SECOND READING****(by Guerra, Raney, and Darby)**

**HB 1631**, A bill to be entitled An Act relating to the requirements for an application for a permit to manage wildlife and exotic animals from aircraft; authorizing a fee.

**HB 1631** was passed to engrossment.

**CSHB 3720 ON SECOND READING****(by Frank, M. González, Noble, and Capriglione)**

**CSHB 3720**, A bill to be entitled An Act relating to interest lists and eligibility criteria for certain Medicaid waiver programs.

**Amendment No. 1**

Representative Frank offered the following amendment to **CSHB 3720**:

Amend **CSHB 3720** (house committee report) as follows:

(1) On page 5, line 21, between "individual's" and "income", strike "family".

(2) On page 6, line 14, strike "(c)" and substitute "(d)".

Amendment No. 1 was adopted.

**CSHB 3720**, as amended, was passed to engrossment.

**HB 3925 ON SECOND READING****(by Collier, Cain, S. Thompson, Krause, and Leach)**

**HB 3925**, A bill to be entitled An Act relating to pedestrian use of a sidewalk.

**HB 3925** was passed to engrossment. (Dean recorded voting no.)

**CSHB 643 ON SECOND READING****(by Raymond)**

**CSHB 643**, A bill to be entitled An Act relating to disclosure of a beneficiary to a funeral director under a life insurance policy.

**Amendment No. 1**

Representative Raymond offered the following amendment to **CSHB 643**:

Amend **CSHB 643** (house committee printing) on page 1, line 15, by striking "\$15,000" and substituting "\$30,000".

Amendment No. 1 was adopted.

**CSHB 643**, as amended, was passed to engrossment. (Dean recorded voting no.)

**HB 461 ON SECOND READING****(by Shaheen)**

**HB 461**, A bill to be entitled An Act relating to the execution of a warrant issued for certain releasees who violate a condition of release on parole or to mandatory supervision.

**HB 461** was passed to engrossment.

**CSHB 740 ON SECOND READING****(by Fierro)**

**CSHB 740**, A bill to be entitled An Act relating to preferential voting in runoff elections for certain voters voting by mail.

**CSHB 740** was passed to engrossment. (Dean and Wilson recorded voting no.)

(Speaker pro tempore in the chair)

**HB 1302 ON SECOND READING****(by Guillen, Meza, Button, and Shaheen)**

**HB 1302**, A bill to be entitled An Act relating to indicators of achievement under the public school accountability system.

**Amendment No. 1**

Representative Guillen offered the following amendment to **HB 1302**:

Amend **HB 1302** (house committee printing) as follows:

(1) On page 3, line 27, strike "and".

(2) On page 4, between lines 3<sup>and</sup> 4, insert the following:

(xiv) students who enroll in a preparatory program of training in fire protection at a school approved by the Texas Commission on Fire Protection; and

(3) On page 4, strike lines 8 through 21 and substitute the following:

(i) in grade seven or eight, complete an advanced level course as designated by the district;

(ii) have been promoted to a higher grade level, or accelerated to a higher level for a subject in the foundation curriculum, than the level to which the students would ordinarily be assigned, including through credit by examination or another method approved by the district;

(iii) are identified as gifted and talented and have been promoted to a higher grade level, or accelerated to a higher level for a subject in the foundation curriculum, than the level to which the students would ordinarily be assigned, including through credit by examination or another method approved by the district;

(iv) have received credit by examination with no prior instruction in the applicable course;

(v) are identified as gifted and talented and have received credit by examination with no prior instruction in the applicable course; and

(vi) complete during school hours not fewer than four project-based or problem-based learning projects during a school year;

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

SECTION \_\_\_\_\_. Section 21.054(d), Education Code, is amended to read as follows:



(d) Continuing education requirements for a classroom teacher must provide that at least 25 percent of the training required every five years include instruction regarding:

- (1) collecting and analyzing information that will improve effectiveness in the classroom;
- (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
- (3) digital learning, digital teaching, and integrating technology into classroom instruction;
- (4) project-based learning;
- (5) educating diverse student populations, including:
  - (A) students who are eligible to participate in special education programs under Subchapter A, Chapter 29;
  - (B) students who are eligible to receive educational services required under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794);
  - (C) students with mental health conditions or who engage in substance abuse;
  - (D) students with intellectual or developmental disabilities;
  - (E) students who are educationally disadvantaged;
  - (F) students of limited English proficiency; and
  - (G) students at risk of dropping out of school;
- (6) ~~[(5)]~~ understanding appropriate relationships, boundaries, and communications between educators and students; and
- (7) ~~[(6)]~~ how mental health conditions, including grief and trauma, affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.

SECTION \_\_\_\_\_. Section 28.025(c-5), Education Code, is amended to read as follows:

(c-5) A student may earn a performance acknowledgment on the student's transcript by satisfying the requirements for that acknowledgment adopted by the State Board of Education by rule. An acknowledgment under this subsection may be earned:

- (1) for outstanding performance:
  - (A) in a dual credit course;
  - (B) in bilingualism and biliteracy;
  - (C) on a college advanced placement test or international baccalaureate examination;
  - (D) on an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or
  - (E) on an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; ~~[(e)]~~
- (2) for earning a state recognized or nationally or internationally recognized business or industry certification or license; or
- (3) for completing 10 projects demonstrating workforce readiness while enrolled at a campus that is a member of the New Tech Network.

SECTION \_\_\_\_\_. Section 39.202, Education Code, is amended to read as follows:

Sec. 39.202. ACADEMIC DISTINCTION DESIGNATIONS [DESIGNATION] FOR DISTRICTS AND CAMPUSES. (a) The commissioner by rule shall establish an academic distinction designation for districts and campuses for outstanding performance in attainment of postsecondary readiness. The commissioner shall adopt criteria for the designation under this subsection [section], including:

(1) percentages of students who:

(A) performed satisfactorily, as determined under the college readiness performance standard under Section 39.0241, on assessment instruments required under Section 39.023(a), (b), (c), or (l), aggregated across grade levels by subject area; or

(B) met the standard for annual improvement, as determined by the agency under Section 39.034, on assessment instruments required under Section 39.023(a), (b), (c), or (l), aggregated across grade levels by subject area, for students who did not perform satisfactorily as described by Paragraph (A);

(2) percentages of:

(A) students who earned a nationally or internationally recognized business or industry certification or license;

(B) students who completed a coherent sequence of career and technical courses;

(C) students who completed a dual credit course or an articulated postsecondary course provided for local credit;

(D) students who achieved applicable College Readiness Benchmarks or the equivalent on the Preliminary Scholastic Assessment Test (PSAT), the Scholastic Assessment Test (SAT), the American College Test (ACT), or the ACT-Plan assessment program; and

(E) students who received a score on either an advanced placement test or an international baccalaureate examination to be awarded college credit; and

(3) other factors for determining sufficient student attainment of postsecondary readiness.

(b) In addition to the distinction designation described by Subsection (a), the commissioner by rule shall establish an academic distinction designation for districts and campuses for outstanding performance in attainment of high student achievement. The commissioner shall adopt criteria for the designation under this subsection, including percentages of students who:

(1) have earned a diploma after not more than three and one-half years of high school attendance;

(2) in grade seven or eight, complete an advanced level course as designated by the district;

(3) have been promoted to a higher grade level, or accelerated to a higher level for a subject in the foundation curriculum, than the level to which the students would ordinarily be assigned, including through credit by examination or another method approved by the district;

(4) are identified as gifted and talented and have been promoted to a higher grade level, or accelerated to a higher level for a subject in the foundation curriculum, than the level to which the students would ordinarily be assigned, including through credit by examination or another method approved by the district;

(5) have received credit by examination with no prior instruction in the applicable course;

(6) are identified as gifted and talented and have received credit by examination with no prior instruction in the applicable course; and

(7) complete during school hours not fewer than four project-based or problem-based learning projects during a school year.

SECTION \_\_\_\_\_. As soon as practicable after the effective date of this Act, the State Board for Educator Certification shall propose rules implementing Section 21.054(d), Education Code, as amended by this Act.

SECTION \_\_\_\_\_. A classroom teacher subject to continuing education requirements immediately before the effective date of this Act is not required to comply with the continuing education requirements described by Section 21.054(d), Education Code, as amended by this Act, for any continuing education requirements period that ends before January 1, 2022.

### **Amendment No. 2**

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

Amend Amendment No. 1 by Guillen to **HB 1302** (house committee printing) on page 1, between lines 23 and 24, by inserting the following appropriately numbered subparagraph and renumbering subsequent subparagraphs accordingly:

(\_\_\_\_) by the end of grade eight, complete one career and technology education course in a program of study approved by the agency for purposes of this subparagraph;

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

### **Amendment No. 3**

Representative Wilson offered the following amendment to **HB 1302**:

Amend **HB 1302** (house committee report) on page 2, line 26, by striking "enlist in the armed forces of the United States" and substituting: demonstrate military readiness by:

(a) enlisting in the armed forces of the United States; or  
(b) successfully completing two years of a course of study in a Junior Reserve Officer Training Corps (JROTC) program; or  
(c) enlisting in the Texas Military Forces, Texas National Guard or Texas State Guard.

Amendment No. 3 was adopted.

**HB 1302**, as amended, was passed to engrossment.

### **POSTPONED BUSINESS**

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

#### **CSHB 1516 ON SECOND READING**

**(by Parker, Sanford, and Frank)**

**CSHB 1516**, A bill to be entitled An Act relating to efficiency audits of the Temporary Assistance for Needy Families program and the state temporary assistance and support services program.

**CSHB 1516** was read second time earlier today and was postponed until this time.

**CSHB 1516** was passed to engrossment.

**GENERAL STATE CALENDAR  
(consideration continued)**

**CSHB 2629 ON SECOND READING  
(by S. Thompson, Jetton, et al.)**

**CSHB 2629**, A bill to be entitled An Act relating to the establishment of a registry for and requiring the registration of certain unmanned teller machines; imposing a fee; providing a civil penalty.

**CSHB 2629** was passed to engrossment. (Wilson recorded voting no.)

**HB 1480 ON SECOND READING  
(by Cyrier)**

**HB 1480**, A bill to be entitled An Act relating to the protection of animal and crop facilities; creating a criminal offense.

**HB 1480 - REMARKS**

REPRESENTATIVE K. KING: Representative Cyrier, did I hear you right? Does this bill create an offense?

REPRESENTATIVE CYRIER: It increases an offense, yes.

K. KING: It increases an offense? If this bill was to become law and this offense is created, you said the Department of Agriculture would have purview over that? Did I hear that right? It would go under TDA under that part of the code?

CYRIER: No, I don't believe so.

K. KING: There's not a rulemaking authority out there that oversees that part of the code?

CYRIER: I don't believe so.

K. KING: I think this would end up under TDA is the way I read it. I mean, all bills have a rulemaking authority out there. But you don't believe TDA is going to have anything to say about this? Or it doesn't belong in that part of the code?

CYRIER: No, I guess it would. It would be under the Agriculture Code so probably the Texas Department of Agriculture.

K. KING: Okay, that leads to my next question. Don't you think the commissioner of agriculture, who is an elected official, is perfectly capable of addressing your concern on this bill and adopting a rule that would create this offense?

CYRIER: No, actually, under this case, this would bring in more laws that would actually protect those facilities. Like in our case, what happened was it was a poultry house where it was trespassed. But it also would be for feedlots and things like that.

K. KING: All right. But it seems to me that I remember some comments from you from this microphone where you were very opposed to a bill that sought to undo a rule that created an offense that was adopted by an appointed commission. So my question to you is, some commissions are allowed to adopt rules that create offenses and others aren't?

CYRIER: I'm not sure where you're going with that.

K. KING: So my question is, why does this deliberative body—so we're about to pass a bill that creates an offense as a deliberative body, as a legislature, and that is the proper place to create a law. Is that correct? Especially one that creates an offense?

CYRIER: Yes, we can do that.

K. KING: Okay. Now, another commission adopted rules that also created an offense—an unelected commission. But it was my understanding that you believe that that was okay that they created law that created an offense under rule, but in this case, you need a bill to be heard and deliberated on by this legislature. Is that correct?

CYRIER: Yes, that other commission could create the rules that they created. And they followed what they were allowed to do, yes.

K. KING: And they have the ability to create law and a law that does create an offense. So you believe that they have that in statute. They get to create offenses.

CYRIER: In the particular case that you're talking about, I believe that was correct.

### REMARKS ORDERED PRINTED

Representative K. King moved to print remarks between Representative Cyrier and Representative K. King on **HB 1480**.

The motion prevailed.

#### Amendment No. 1

Representative Rosenthal offered the following amendment to **HB 1480**:

Amend **HB 1480** (house committee printing) as follows:

- (1) On page 2, line 11, strike "or deception".
- (2) On page 2, line 12, strike "materials,"

Amendment No. 1 was adopted.

#### Amendment No. 2

Representative Zwiener offered the following amendment to **HB 1480**:

Amend **HB 1480** (house committee report) as follows:

- (1) On page 3, line 8, strike "MANDATORY".
- (2) On page 3, line 8, strike "shall" and substitute "may".

Amendment No. 2 was adopted.

**HB 1480**, as amended, was passed to engrossment.

**CSHB 1591 ON SECOND READING**  
(by Leach)

**CSHB 1591**, A bill to be entitled An Act relating to an exemption from cemetery location restrictions for a funeral establishment licensed in this state.

**CSHB 1591** was passed to engrossment.

(Goldman in the chair)

**HB 1633 ON SECOND READING**  
(by Guillen)

**HB 1633**, A bill to be entitled An Act relating to the audiology and speech-language pathology interstate compact; authorizing fees.

**HB 1633** was passed to engrossment.

**REMARKS ORDERED PRINTED**

Representative Zwiener moved to print all remarks on Amendment No. 3 on **HB 2874**.

The motion prevailed.

**CSHB 2183 ON SECOND READING**  
(by Moody)

**CSHB 2183**, A bill to be entitled An Act relating to durable powers of attorney and the construction of certain powers conferred in those powers of attorney.

**CSHB 2183** was passed to engrossment.

**HB 1306 ON SECOND READING**  
(by Swanson, Dominguez, Pacheco, et al.)

**HB 1306**, A bill to be entitled An Act relating to increasing the criminal penalty for assault or aggravated assault of a process server.

**HB 1306** was passed to engrossment.

**HB 1754 ON SECOND READING**  
(by Hernandez)

**HB 1754**, A bill to be entitled An Act relating to the inclusion of suicide prevention information on certain student identification cards issued by a public school.

**Amendment No. 1**

Representative Hinojosa offered the following amendment to **HB 1754**:

Amend **HB 1754** (house committee report) as follows:

- (1) On page 1, line 9, add a ":" after "higher".
- (2) On page 1, strike lines 10 and 11 and substitute the following:
  - (1) must have printed on the card the contact information for:
    - (A) the National Suicide Prevention Lifeline; and
    - (B) the Crisis Text Line; and
  - (2) may have printed on the card the contact information for a local suicide prevention hotline, if available.

Amendment No. 1 was adopted.

**HB 1754**, as amended, was passed to engrossment. (Craddick, Darby, Dean, Parker, Shine, and Wilson recorded voting no.)

**CSHB 2001 ON SECOND READING**  
(by Canales)

**CSHB 2001**, A bill to be entitled An Act relating to procedures and practices governing the appeal of a disciplinary action within the Department of Public Safety.

**CSHB 2001 - REMARKS**

REPRESENTATIVE CANALES: I'm so happy we made it here today, because this bill is extremely important to me and the men and women of the Texas Tan. I brought this bill because I represented a trooper before the Public Safety Commission. And I could tell you it was the most patently unfair process that I've ever been a part of as a lawyer. And it's amazing to me that when law enforcement arrests somebody, they're afforded rights, due process rights before a court. But those same men and women do not get those rights when they're before the administrative agency. So I worked with DPS and what we've done is we crafted legislation that gives them rights when they are accused of doing something wrong. They should be afforded the same rights that we have. So with that, I'd appreciate your support.

**CSHB 2001** was passed to engrossment.

**REMARKS ORDERED PRINTED**

Representative Harris moved to print remarks by Representative Canales on **CSHB 2001**.

The motion prevailed.

**HB 2147 ON SECOND READING**  
(by Allen)

**HB 2147**, A bill to be entitled An Act relating to the punishment for the offense of driving while license invalid.

**Amendment No. 1**

Representative White offered the following amendment to **HB 2147**:

Amend **HB 2147** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Section 3, Chapter 710 (**HB 162**), Acts of the 86th Legislature, Regular Session, 2019, is repealed.

(b) Section 521.293, Transportation Code, as amended by Chapter 710 (**HB 162**), Acts of the 86th Legislature, Regular Session, 2019, applies to a determination to suspend a driver's license that is made by the Department of Public Safety of the State of Texas before, on, or after the effective date of this Act.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Wilson offered the following amendment to **HB 2147**:

Amend **HB 2147** (house committee report) as follows:

(1) On page 1, line 11, between "Act" and "applies", insert "to Section 521.457, Transportation Code,".

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

SECTION \_\_\_\_\_. Sections 524.011(b), (c), and (e), Transportation Code, are amended to read as follows:

(b) A peace officer shall:

(1) serve or, if a specimen is taken and the analysis of the specimen is not returned to the arresting officer before the person is admitted to bail, released from custody, delivered as provided by Title 3, Family Code, or committed to jail, attempt to serve notice of driver's license suspension by delivering the notice to the arrested person; and

(2) ~~take possession of any driver's license issued by this state and held by the person arrested;~~

~~[(3)] issue a temporary driving permit to the person unless department records show or the officer otherwise determines that the person does not hold a driver's license to operate a motor vehicle in this state; and~~

~~[(4)] send to the department not later than the fifth business day after the date of the arrest:~~

(A) a copy of the driver's license suspension notice; and

(B) ~~any driver's license taken by the officer under this subsection;~~

~~[(C)] a copy of any temporary driving permit issued under this subsection; and~~

~~[(D)] a sworn report of information relevant to the arrest.~~

(c) The report required under Subsection (b)(2)(B) ~~[(b)(4)(D)]~~ must:

(1) identify the arrested person;

(2) state the arresting officer's grounds for believing the person committed the offense;

(3) give the analysis of the specimen if any; and

(4) include a copy of the criminal complaint filed in the case, if any.

(e) The department shall develop forms for the notice of driver's license suspension ~~[and temporary driving permits]~~ to be used by all state and local law enforcement agencies.

SECTION \_\_\_\_\_. Section 524.032(d), Transportation Code, is amended to read as follows:

(d) A request for a hearing stays suspension of a person's driver's license until the date of the final decision of the administrative law judge. ~~[If the person's driver's license was taken by a peace officer under Section 524.011(b), the department shall notify the person of the effect of the request on the suspension of the person's license before the expiration of any temporary driving permit issued to the person, if the person is otherwise eligible, in a manner that will permit the person to establish to a peace officer that the person's driver's license is not suspended.]~~

SECTION \_\_\_\_\_. Section 524.035(c), Transportation Code, is amended to read as follows:

(c) If the administrative law judge does not find in the affirmative on each issue in Subsection (a), the department shall:

(1) ~~return the person's driver's license to the person, if the license was taken by a peace officer under Section 524.011(b);~~

~~[(2)] reinstate the person's driver's license; and~~



(2) ~~(3)~~ rescind an order prohibiting the issuance of a driver's license to the person.

SECTION \_\_\_\_\_. Sections 724.032(a), (c), and (d), Transportation Code, are amended to read as follows:

(a) If a person refuses to submit to the taking of a specimen, whether expressly or because of an intentional failure of the person to give the specimen, the peace officer shall:

(1) serve notice of license suspension or denial on the person; and

(2) ~~take possession of any license issued by this state and held by the person arrested;~~

~~(3) issue a temporary driving permit to the person unless department records show or the officer otherwise determines that the person does not hold a license to operate a motor vehicle in this state; and~~

~~(4)~~ make a written report of the refusal to the director of the department.

(c) The officer shall forward to the department not later than the fifth business day after the date of the arrest:

(1) a copy of the notice of suspension or denial; and

(2) ~~any license taken by the officer under Subsection (a);~~

~~(3) a copy of any temporary driving permit issued under Subsection (a); and~~

~~(4)~~ a copy of the refusal report.

(d) The department shall develop forms for notices of suspension or denial ~~and temporary driving permits~~ to be used by all state and local law enforcement agencies.

SECTION \_\_\_\_\_. Section 724.041(c), Transportation Code, is amended to read as follows:

(c) A request for a hearing stays the suspension or denial until the date of the final decision of the administrative law judge. ~~[If the person's license was taken by a peace officer under Section 724.032(a), the department shall notify the person of the effect of the request on the suspension of the person's license before the expiration of any temporary driving permit issued to the person, if the person is otherwise eligible, in a manner that will permit the person to establish to a peace officer that the person's license is not suspended.]~~

SECTION \_\_\_\_\_. Section 724.043(b), Transportation Code, is amended to read as follows:

(b) If the administrative law judge does not find in the affirmative on each issue under Section 724.042, the department shall ~~return the person's license to the person, if the license was taken by a peace officer under Section 724.032(a), and~~ reinstate the person's license or rescind any order denying the issuance of a license because of the person's refusal to submit to the taking of a specimen under Section 724.032(a).

SECTION \_\_\_\_\_. Section 2.005(b), Family Code, is amended to read as follows:

(b) The proof must be established by:

(1) a driver's license or identification card issued by this state, another state, or a Canadian province that is current or has expired not more than two years preceding the date the identification is submitted to the county clerk in connection with an application for a license;

(2) a United States passport;

(3) a current passport issued by a foreign country or a consular document issued by a state or national government;

(4) an unexpired Certificate of United States Citizenship, Certificate of Naturalization, United States Citizen Identification Card, Permanent Resident Card, Temporary Resident Card, Employment Authorization Card, or other document issued by the federal Department of Homeland Security or the United States Department of State including an identification photograph;

(5) an unexpired military identification card for active duty, reserve, or retired personnel with an identification photograph;

(6) an original or certified copy of a birth certificate issued by a bureau of vital statistics for a state or a foreign government;

(7) an original or certified copy of a Consular Report of Birth Abroad or Certificate of Birth Abroad issued by the United States Department of State;

(8) an original or certified copy of a court order relating to the applicant's name change or sex change;

(9) school records from a secondary school or institution of higher education;

(10) an insurance policy continuously valid for the two years preceding the date of the application for a license;

(11) a motor vehicle certificate of title;

(12) military records, including documentation of release or discharge from active duty or a draft record;

(13) an unexpired military dependent identification card;

(14) an original or certified copy of the applicant's marriage license or divorce decree;

(15) a voter registration certificate;

(16) a pilot's license issued by the Federal Aviation Administration or another authorized agency of the United States;

(17) a license to carry a handgun under Subchapter H, Chapter 411, Government Code;

(18) ~~a temporary driving permit or~~ a temporary identification card issued by the Department of Public Safety; or

(19) an offender identification card issued by the Texas Department of Criminal Justice.

SECTION \_\_\_\_\_. Sections 524.011(f), 524.037(c), and 724.032(e), Transportation Code, are repealed.

SECTION \_\_\_\_\_. The change in law made by this Act to Chapters 524 and 724, Transportation Code, applies only to a failure to pass a test for intoxication or a refusal to submit to the taking of a specimen to test for intoxication that occurs on or after the effective date of this Act. A failure to pass a test for intoxication or refusal to submit to the taking of a specimen that occurred before the effective date of this Act is governed by the law in effect when the test was taken or the refusal was made, and the former law is continued in effect for that purpose.

Amendment No. 2 was adopted.

**HB 2147**, as amended, was passed to engrossment. (Ashby, Darby, Dean, and Shine recorded voting no.)

**CSHB 2027 ON SECOND READING**  
**(by Cortez, et al.)**

**CSHB 2027**, A bill to be entitled An Act relating to the allocation of low income housing tax credits.

**Amendment No. 1**

Representative Cortez offered the following amendment to **CSHB 2027**:

Amend **CSHB 2027** (house committee report) by striking SECTION 3 of the bill (page 2, line 17 through page 4, line 19) and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Holland offered the following amendment to **CSHB 2027**:

Amend **CSHB 2027** (house committee report) by striking SECTIONS 1 and 2 (page 1, line 4 through page 2, line 16) and SECTION 5 (page 5, lines 10 and 11) of the bill and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 2 was adopted.

**CSHB 2027**, as amended, was passed to engrossment. (Ashby, Darby and Shine recorded voting no.)

**SB 1055 ON SECOND READING**  
**(Reynolds - House Sponsor)**

**SB 1055**, A bill to be entitled An Act relating to motor vehicle accidents involving a pedestrian or other vulnerable road user within the area of a crosswalk; creating a criminal offense.

**SB 1055** was considered in lieu of **HB 2081**.

**Amendment No. 1**

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

Amend **SB 1055** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 544.007(b) and (c), Transportation Code, are amended to read as follows:

(b) An operator of a vehicle facing a circular green signal may proceed straight or turn right or left unless a sign prohibits the turn. The operator shall, while the signal is exhibited:

(1) yield the right-of-way to other vehicles [and to pedestrians] lawfully in the intersection [or an adjacent crosswalk] when the signal is exhibited; and

(2) stop and yield the right-of-way to pedestrians lawfully in the intersection or an adjacent crosswalk.

(c) An operator of a vehicle facing a green arrow signal, displayed alone or with another signal, may cautiously enter the intersection to move in the direction permitted by the arrow or other indication shown simultaneously. The operator shall stop and yield the right-of-way to a pedestrian lawfully in an adjacent crosswalk and shall yield the right-of-way to other traffic lawfully using the intersection.

SECTION \_\_\_\_\_. Section 552.002(b), Transportation Code, is amended to read as follows:

(b) A pedestrian facing a "Walk" signal may proceed across a roadway in the direction of the signal, and the operator of a vehicle shall stop and yield the right-of-way to the pedestrian.

SECTION \_\_\_\_\_. Sections 552.003(a) and (b), Transportation Code, are amended to read as follows:

(a) The operator of a vehicle shall stop and yield the right-of-way to a pedestrian crossing a roadway in a crosswalk if:

(1) no traffic control signal is in place or in operation; and

(2) the pedestrian is:

(A) on the half of the roadway in which the vehicle is traveling; or

(B) approaching so closely from the opposite half of the roadway

as to be in danger.

(b) Notwithstanding Subsection (a), a pedestrian may not suddenly leave a curb or other place of safety and proceed into a crosswalk in the path of a vehicle so close that it is impossible for the vehicle operator to stop and yield.

SECTION \_\_\_\_\_. Section 552.006(c), Transportation Code, is amended to read as follows:

(c) The operator of a vehicle emerging from or entering an alley, building, or private road or driveway shall stop and yield the right-of-way to a pedestrian approaching on a sidewalk extending across the alley, building entrance or exit, road, or driveway.

SECTION \_\_\_\_\_. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

Amendment No. 1 was adopted.

**SB 1055**, as amended, was passed to third reading. (Craddick, Dean, and Parker recorded voting no.)

### **HB 2081 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Reynolds moved to lay **HB 2081** on the table subject to call.

The motion prevailed.

### **HB 4487 ON SECOND READING**

**(by Rosenthal)**

**HB 4487**, A bill to be entitled An Act relating to measures to facilitate the successful completion of degree and certificate programs by certain adult learners at public institutions of higher education.

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

Representative Rosenthal offered the following amendment to **HB 4487**:

Amend **HB 4487** (house committee report) in SECTION 1 of the bill, in added Subchapter R, Chapter 61, Education Code, by striking added Section 61.807, Education Code (page 2, lines 43 through 45), and substituting the following:

Sec. 61.807. FEDERAL FUNDING. (a) The board may only use federal funding available for purposes of job training and reskilling, to the extent authorized by federal law, to implement this subchapter.

(b) The board may accept federal grants for purposes of this subchapter.

Amendment No. 1 was adopted.

**HB 4487**, as amended, was passed to engrossment. (Craddick, Darby, Dean, Parker, Shine, and Wilson recorded voting no.)

**CSSB 155 ON SECOND READING**  
**(Klick - House Sponsor)**

**CSSB 155**, A bill to be entitled An Act relating to the use of information from the lists of noncitizens and nonresidents excused or disqualified from jury service.

**CSSB 155** was considered in lieu of **HB 2339**.

**Amendment No. 1**

Representative Neave offered the following amendment to **CSSB 155**:

Amend **CSSB 155** (house committee printing) as follows:

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

SECTION 1. Section 18.068, Election Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(2) On page 1, between lines 19 and 20, insert the following:

(a-1) The secretary of state is not required to send notice under Subsection (a) for a voter who is subject to an exemption from jury service under Section 62.106, Government Code.

Amendment No. 1 was adopted.

**CSSB 155 - POINT OF ORDER**

Representative Israel raised a point of order against further consideration of **CSSB 155** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is materially misleading. The point of order was withdrawn.

Representative Klick moved to postpone consideration of **CSSB 155** until 10 a.m. Monday, May 17.

The motion prevailed.

**HB 2339 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Klick moved to lay **HB 2339** on the table subject to call.

The motion prevailed.

**CSHB 2179 ON SECOND READING**  
**(by Moody)**

**CSHB 2179**, A bill to be entitled An Act relating to trusts.

**CSHB 2179** was passed to engrossment.

**CSHB 2384 ON SECOND READING**  
**(by Sherman)**

**CSHB 2384**, A bill to be entitled An Act relating to measures to improve community supervision outcomes.

**CSHB 2384** was passed to engrossment.

**HB 2409 ON SECOND READING**  
**(by Dean, Guillen, Howard, and Klick)**

**HB 2409**, A bill to be entitled An Act relating to the waiver of requirements for removing a person's license from inactive status during a state of disaster.

**Amendment No. 1**

Representative Dean offered the following amendment to **HB 2409**:

Amend **HB 2409** (house committee report) on page 1, lines 9 and 10, between "a" and "fee", by inserting "reactivation".

Amendment No. 1 was adopted.

**HB 2409**, as amended, was passed to engrossment.

**CSHB 2416 ON SECOND READING**  
**(by Gervin-Hawkins and Patterson)**

**CSHB 2416**, A bill to be entitled An Act relating to the recovery of attorney's fees as compensatory damages for certain claims.

**CSHB 2416** was passed to engrossment.

**HB 2710 ON SECOND READING**  
**(by Bowers)**

**HB 2710**, A bill to be entitled An Act relating to an exemption to the cancellation of a water right for nonuse.

**Amendment No. 1**

Representative Bowers offered the following amendment to **HB 2710**:

Amend **HB 2710** (house committee report) as follows:

(1) On page 2, line 20, between "executed" and "forbearance", insert, "temporary or permanent".

(2) On page 2, line 22, strike "and".

(3) On page 2, line 24, between "adjudication" and the period, insert the following:

; and

(iii) was filed with the commission not later than the 180th day after the date the agreement was executed

Amendment No. 1 was adopted.

**HB 2710**, as amended, was passed to engrossment.

**CSHB 2696 ON SECOND READING**  
**(by Morrison, Harless, et al.)**

**CSHB 2696**, A bill to be entitled An Act relating to eligibility for a loan under the disaster recovery loan program.

**CSHB 2696** was passed to engrossment. (Ashby, Darby, Dean, and Shine recorded voting no.)

**HB 2182 ON SECOND READING**  
**(by Moody)**

**HB 2182**, A bill to be entitled An Act relating to decedents' estates and the delivery of certain notices or other communications in connection with those estates or multiple-party accounts.

**HB 2182** was passed to engrossment.

**CSHB 2776 ON SECOND READING**  
**(by Deshotel)**

**CSHB 2776**, A bill to be entitled An Act relating to municipal release of extraterritorial jurisdiction and disannexation involving certain areas.

**CSHB 2776 - POINT OF ORDER**

Representative Howard raised a point of order against further consideration of **CSHB 2776** under Rule 8, Section 10(b), of the House Rules and under Article III, Section 56, of the Texas Constitution on the grounds that the bill is limited in application to one or more political subdivisions by means of artificial devices. The point of order was withdrawn.

Representative Deshotel moved to postpone consideration of **CSHB 2776** until 10 a.m. Wednesday, June 9.

The motion prevailed.

**CSHB 2438 ON SECOND READING**  
**(by Meyer)**

**CSHB 2438**, A bill to be entitled An Act relating to a limitation on property tax rates for municipalities that adopt budgets that defund municipal police departments.

Representative Meyer moved to postpone consideration of **CSHB 2438** until 10 a.m. Saturday, June 5.

The motion prevailed.

**CSHB 2675 ON SECOND READING**  
**(by Guillen, E. Morales, Toth, and Gates)**

**CSHB 2675**, A bill to be entitled An Act relating to a license to carry a handgun for a person who is at increased risk of becoming a victim of violence.

**CSHB 2675 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE RAYMOND: Chairman, I just wanted to make sure. So this is relating to a license to carry a handgun for a person who is at an increased risk of becoming a victim of violence. Is that correct?

REPRESENTATIVE GUILLEN: That's correct.

RAYMOND: Would this apply to all handguns?

GUILLEN: What's—say that again?

RAYMOND: Would this apply to all handguns?

GUILLEN: Yes.

RAYMOND: All handguns?

GUILLEN: Yes.

RAYMOND: Okay. And also, would this apply to all the counties in Texas, including Webb County?

GUILLEN: It would apply to Webb County, too, yes.

RAYMOND: And what about Loving County? Would it—because it's not based on population, right?

GUILLEN: No, it's not. It would include Loving County, too.

RAYMOND: And then finally, the joint authors are Mr. Morales and Mr. Toth and Mr. Gates. Is that right?

GUILLEN: That's right.

#### **REMARKS ORDERED PRINTED**

Representative Raymond moved to print remarks between Representative Guillen and Representative Raymond on **CSHB 2675**.

The motion prevailed.

**CSHB 2675** was passed to engrossment.

#### **HB 2740 ON SECOND READING (by Lopez, E. Morales, et al.)**

**HB 2740**, A bill to be entitled An Act relating to the posting of certain business and occupational licensing information on state agency websites and the Texas Veterans Portal.

**HB 2740** was passed to engrossment.

#### **CSHB 1467 ON SECOND READING (by Jetton)**

**CSHB 1467**, A bill to be entitled An Act relating to property owners' association annual meetings held electronically.

**CSHB 1467** was passed to engrossment.

#### **CSHB 2889 ON SECOND READING (by Meyer and Burrows)**

**CSHB 2889**, A bill to be entitled An Act relating to the calculation, collection, and remittance of state hotel occupancy taxes.

Representative Meyer moved to postpone consideration of **CSHB 2889** until 10 a.m. Tuesday, June 1.

The motion prevailed.

#### **SB 1122 ON SECOND READING (Holland - House Sponsor)**

**SB 1122**, A bill to be entitled An Act relating to participation in the comptroller's contracts for travel services.



**SB 1122** was considered in lieu of **HB 2894**.

**SB 1122** was passed to third reading.

**HB 2894 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Holland moved to lay **HB 2894** on the table subject to call.

The motion prevailed.

**CSHB 3126 ON SECOND READING**  
(by VanDeaver and Guillen)

**CSHB 3126**, A bill to be entitled An Act relating to the health care providers authorized to examine a person to determine whether the person is incapacitated for purposes of certain guardianship proceedings.

**CSHB 3126** was passed to engrossment.

**HB 3985 ON SECOND READING**  
(by Huberty)

**HB 3985**, A bill to be entitled An Act relating to the offense of providing an alcoholic beverage to a minor; increasing a criminal penalty.

**HB 3985** was passed to engrossment.

**HB 3255 ON SECOND READING**  
(by Sanford)

**HB 3255**, A bill to be entitled An Act relating to capital stock requirements for certain insurance companies.

**HB 3255** was passed to engrossment.

**HB 3266 ON SECOND READING**  
(by Raymond and Guillen)

**HB 3266**, A bill to be entitled An Act relating to personal contact information submitted by certain local officials to the Texas Division of Emergency Management and local health departments.

**HB 3266** was passed to engrossment.

**HB 318 ON SECOND READING**  
(by VanDeaver and Cain)

**HB 318**, A bill to be entitled An Act relating to the prohibition of certain employment discrimination regarding an employee who is a volunteer emergency responder.

**HB 318** was passed to engrossment. (Dean recorded voting no.)

**HB 3941 ON SECOND READING**  
(by Guillen)

**HB 3941**, A bill to be entitled An Act relating to surcharges imposed for the use of a credit card.

**Amendment No. 1**

Representative Guillen offered the following amendment to **HB 3941**:

Amend **HB 3941** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Effective October 1, 2021, Section 151.423, Tax Code, is amended to read as follows:

Sec. 151.423. REIMBURSEMENT TO TAXPAYER FOR TAX COLLECTIONS. (a) In this section:

(1) "Credit card" means a card or equivalent device used to make purchases based on the cardholder's promise to pay the issuer of the card for the amount of the purchase and any associated interest and fees.

(2) "Credit card sale" means a sale of a taxable item paid for by the purchaser using a credit card.

(b) As reimbursement for the cost of collecting the taxes imposed by this chapter, a taxpayer may on a timely return deduct and withhold:

(1) one-half of one percent of the amount of taxes due from the taxpayer, other than taxes imposed on credit card sales; and

(2) 2.5 percent of the amount of taxes imposed on credit card sales due from the taxpayer [on a timely return as reimbursement for the cost of collecting the taxes imposed by this chapter].

(c) The comptroller shall provide a card with each form distributed for the collection of taxes under this chapter. The card may be inserted by the taxpayer with the tax payment to provide for contribution of all or part of the reimbursement provided by this section for use as grants under Subchapter M, Chapter 56, Education Code. If the taxpayer chooses to contribute the reimbursement for the grants, the taxpayer shall include the amount of the reimbursement contribution with the tax payment. The comptroller shall transfer money contributed under this section for grants under Subchapter M, Chapter 56, Education Code, to the appropriate fund.

(b) Effective October 1, 2021, Section 151.424, Tax Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) A taxpayer who prepays the taxpayer's tax liability of taxes described by Section 151.423(b)(1) on the basis of a reasonable estimate of the tax liability for a quarter in which a prepayment is made or for a month in which a prepayment is made may deduct and withhold 1.25 percent of the amount of the prepayment in addition to the amount permitted to be deducted and withheld under that section [~~Section 151.423 of this code~~]. A reasonable estimate of the tax liability must be at least 90 percent of that [the] tax ultimately due or the amount of that tax paid in the same quarter, or month, if a monthly prepayer, in the last preceding year. Failure to prepay a reasonable estimate of the tax will result in the loss of the entire prepayment discount.

(a-1) A taxpayer may not deduct or withhold any amount under this section of a prepayment of the taxpayer's tax liability for taxes described by Section 151.423(b)(2).

(c) Section 151.423, Tax Code, as amended by this section, applies to a tax report due on or after October 1, 2021. A tax report due before October 1, 2021, is governed by the law in effect on the date the tax report was due, and the former law is continued in effect for that purpose.

(d) Section 151.424, Tax Code, as amended by this section, applies to a prepayment of tax liability made on or after October 1, 2021. A prepayment of tax liability made before October 1, 2021, is governed by the law in effect on the date the prepayment was made, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

**HB 3941**, as amended, was passed to engrossment.

**CSHB 3110 ON SECOND READING**  
**(by Meyer, Hunter, and A. Johnson)**

**CSHB 3110**, A bill to be entitled An Act relating to possession or promotion of child sexual abuse material; increasing a criminal penalty; changing eligibility for community supervision.

**CSHB 3110** was passed to engrossment.

**HB 3601 ON SECOND READING**  
**(by Leach, Collier, and Cook)**

**HB 3601**, A bill to be entitled An Act relating to automatic orders of nondisclosure of criminal history record information for certain misdemeanor defendants following successful completion of a period of deferred adjudication community supervision.

**HB 3601** was passed to engrossment.

**HB 3331 ON SECOND READING**  
**(by Murr)**

**HB 3331**, A bill to be entitled An Act relating to solicitation of patients and other prohibited marketing practices and the establishment of the task force on patient solicitation; increasing criminal penalties.

**Amendment No. 1**

Representative Murr offered the following amendment to **HB 3331**:

Amend **HB 3331** (house committee report) on page 2, line 13, by striking "violations of" and substituting "conduct that violates".

Amendment No. 1 was adopted.

**HB 3331**, as amended, was passed to engrossment.

**HB 3430 ON SECOND READING**  
**(by Landgraf and Rodriguez)**

**HB 3430**, A bill to be entitled An Act relating to the establishment of a grant program for school districts or open-enrollment charter school campuses that are designated as full-service community schools.

Representative Landgraf moved to postpone consideration of **HB 3430** until 10 a.m. Wednesday, June 9.

The motion prevailed.

**HB 2769 ON SECOND READING****(by Campos)**

**HB 2769**, A bill to be entitled An Act relating to the essential knowledge and skills of the technology applications curriculum for public school students.

**HB 2769** was passed to engrossment. (Darby, Dean, Shine, and Wilson recorded voting no.)

**HB 3798 ON SECOND READING****(by Minjarez, Anderson, Stucky, and J. Turner)**

**HB 3798**, A bill to be entitled An Act relating to county and municipal housing authority pet policies.

**HB 3798** was passed to engrossment.

**HB 2726 ON SECOND READING****(by Martinez Fischer)**

**HB 2726**, A bill to be entitled An Act relating to eligibility to serve as a member of a board of directors of certain public improvement districts.

**HB 2726** was passed to engrossment. (Dean and Wilson recorded voting no.)

**CSHB 3969 ON SECOND READING****(by Sanford)**

**CSHB 3969**, A bill to be entitled An Act relating to consideration by an insurer of certain insurers' filed rates and factors in setting the insurer's rates.

Representative Sanford moved to postpone consideration of **CSHB 3969** until 10 a.m. Tuesday, May 3, 2022.

The motion prevailed.

**HB 2983 ON SECOND READING****(by Hull, Frank, and Gates)**

**HB 2983**, A bill to be entitled An Act relating to medical examinations for certain children entering the conservatorship of the Department of Family and Protective Services.

**Amendment No. 1**

Representative J.E. Johnson offered the following amendment to **HB 2983**:

Amend **HB 2983** (house committee printing) as follows:

(1) On page 1, strike lines 6-8 and substitute the following:

SECTION 1. Section 264.1076, Family Code, is amended by amending Subsections (b) and (i) and adding Subsection (b-1) to read as follows:

(2) On page 1, between lines 8 and 9, insert the following:

(b) The department shall ensure that each child described by Subsection (a) receives an initial medical examination from a physician or other health care provider authorized under state law to conduct medical examinations not later than the end of the third business day after the date the child is removed from the child's home, if the child:

(1) is removed as the result of sexual abuse, physical abuse, or an obvious physical injury to the child; or

(2) has a known or suspected chronic medical condition, [a] medically complex condition, or [a] diagnosed mental illness.

Amendment No. 1 was adopted.

### **HB 2983 - POINT OF ORDER**

Representative Meza raised a point of order against further consideration of **HB 2983** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is materially misleading. The point of order was withdrawn.

**HB 2983**, as amended, was passed to engrossment.

### **HB 4179 ON SECOND READING (by Bonnen and Button)**

**HB 4179**, A bill to be entitled An Act relating to the procedures to be used by an appraisal district in resolving a protest following the filing of a notice of protest by a property owner.

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

Representative Bonnen offered the following amendment to **HB 4179**:

Amend **HB 4179** (house committee report) as follows:

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

SECTION \_\_\_\_ Section 25.19(b), Tax Code, as effective January 1, 2022, is amended to read as follows:

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

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

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

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

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

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

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

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

(8) an explanation of the availability and purpose of an informal conference with the appraisal office before a hearing on a protest; and

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

(2) On page 1, line 9, strike "review board" and substitute "district".

(3) On page 1, line 11, strike "board" and substitute "appraisal review board and requests an informal conference".

(4) On page 1, line 14, between "Section 41.46" and the underlined period, insert "or may be delivered electronically at the property owner's request".

(5) On page 1, line 18, between "date" and the underlined period, insert "unless the property owner agrees to the holding of the conference on the scheduled day".

(6) On page 3, line 4, strike "September 1, 2021" and substitute "January 1, 2022".

Amendment No. 1 was adopted.

**HB 4179**, as amended, was passed to engrossment.

**CSHB 4525 ON SECOND READING**  
(by Gates)

**CSHB 4525**, A bill to be entitled An Act relating to the approval of career and technology courses by the State Board of Education.

Representative Gates moved to postpone consideration of **CSHB 4525** until 11 p.m. today.

The motion prevailed.

**HB 1744 ON SECOND READING**  
(by Guerra, Moody, Bernal, et al.)

**HB 1744**, A bill to be entitled An Act relating to measures to prepare students to teach bilingual education, English as a second language, or Spanish.

**HB 1744** was passed to engrossment. (Craddick, Dean, and Parker recorded voting no.)

**CSHB 1971 ON SECOND READING**  
(by Canales, Burrows, Leach, Moody, White, et al.)

**CSHB 1971**, A bill to be entitled An Act relating to the purchase and installation of climate control systems at facilities operated by the Texas Department of Criminal Justice.

**CSHB 1971 - REMARKS**

REPRESENTATIVE CANALES: This legislation will only go into effect if state funds are specifically allocated. Over the past three years, our state has spent more than \$10 million on litigation due to heat-related deaths in our Texas prisons. I want to thank my joint authors, Chairman Burrows, Chairman White, Speaker Moody, and Chairman Leach for joining me. The reality is in Texas we are cooking people in the prisons that we have. This bill would lower the prison guard shortage and turnover rate. We have an average turnover rate of 21.9 percent in guards and a 40 percent turnover rate within the first year. TDCJ has long struggled against dangerous and chronic understaffing, but the number of officers has reached critical lows in recent months, and that is due to the heat in Texas. Aggressive behavior is also something that is occasioned by excessive heat.

**CSHB 1971** would lower health care costs as well in these prisons. Extreme heat can cause a plethora of medical issues, but it also aggravates preexisting conditions. Most importantly, it will save the state time and money in dealing with the litigation that's ensued. Current lack of temperature control has already

cost our state \$7 million in a recent lawsuit concerning the Pack Unit and continual litigation. TDCJ does not know the true cost. So in regard to the cost, I want to point you to the Pack Unit lawsuit where TDCJ said it would cost more than \$20 million. That was not true. The fact is in one instance it only cost \$4 million. The reality is it appears TDCJ does not have the ability to properly approximate the cost. With around 70 prisons without heating or cooling, you can imagine that the other units cost a little more. This does not add up to close to the cost to TDCJ.

Many of the people that are imprisoned right now are in there for low-level drug offenses. The heat in Texas soars sometimes to over 110 degrees, making the inside temperature greater. The prisoners that we have heard testimony from lie on the floor in pools of water until the heat dries that water in the morning. And I'm so proud that we have got all these people surrounding me because the reality is this is the right thing to do. It's the humane thing to do. It's something we should have addressed a long time ago, and I'm so proud of all the people that are supporting this bill.

**CSHB 1971** was passed to engrossment. (Dean recorded voting no.)

### **REMARKS ORDERED PRINTED**

Representative Leach moved to print remarks by Representative Canales on **CSHB 1971**.

The motion prevailed.

### **HB 3157 ON SECOND READING (by Reynolds)**

**HB 3157**, A bill to be entitled An Act relating to the criminal offenses of violation of civil rights of and improper sexual activity with persons in custody; increasing a criminal penalty.

**HB 3157** was passed to engrossment.

(Speaker in the chair)

### **SB 1251 ON SECOND READING (A. Johnson - House Sponsor)**

**SB 1251**, A bill to be entitled An Act relating to authorizing certain joint graduate degree programs between The University of Texas Health Science Center at Houston and The University of Texas M. D. Anderson Cancer Center.

**SB 1251** was considered in lieu of **HB 1457**.

**SB 1251** was passed to third reading.

### **HB 1457 - LAID ON THE TABLE SUBJECT TO CALL**

Representative A. Johnson moved to lay **HB 1457** on the table subject to call.

The motion prevailed.

### **SB 162 ON SECOND READING (Geren - House Sponsor)**

**SB 162**, A bill to be entitled An Act relating to a false statement made to illegally acquire a firearm; creating a criminal offense.

**SB 162** was considered in lieu of **HB 347**.

**SB 162 - REMARKS**

REPRESENTATIVE GEREN: During the mass violence hearings that Mr. Darby chaired, we got to go around the state to some of the places where we unfortunately had these. We learned that the feds do not prosecute people when they lie on their firearm application. It carries a 10-year federal sentence. The man that committed the crimes in Odessa should have been in the federal penitentiary instead of killing people in Odessa. This bill is not as strong as I'd like it to be, but it says that if you lie when you fill out that form, it's a state jail felony in the State of Texas. The ATF was not even telling DPS the people that they knew were lying on these forms. And when I went to El Paso, I promised those people that this would be the first bill I filed and this is one I'm dedicated to passing. And I hope you will support it.

A record vote was requested by Representative Geren.

**SB 162** was passed to third reading by (Record 1083): 135 Yeas, 9 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.; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; 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; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Hefner; Middleton; Schaefer; Slaton; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Longoria; Raney.

Absent — Klick; Schofield.

**STATEMENTS OF VOTE**

When Record No. 1083 was taken, I was shown voting no. I intended to vote yes.

Toth

When Record No. 1083 was taken, I was shown voting no. I intended to vote yes.

Vasut



**HB 347 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Geren moved to lay **HB 347** on the table subject to call.

The motion prevailed.

**REMARKS ORDERED PRINTED**

Representative Rosenthal moved to print remarks by Representative Geren on **SB 162**.

The motion prevailed.

**POSTPONED BUSINESS**

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

**CSHB 4525 ON SECOND READING  
(by Gates)**

**CSHB 4525**, A bill to be entitled An Act relating to the approval of career and technology courses by the State Board of Education.

**CSHB 4525** was read second time earlier today and was postponed until this time.

**CSHB 4525** was passed to engrossment.

**GENERAL STATE CALENDAR  
(consideration continued)****CSHB 929 ON SECOND READING  
(by Sherman, Krause, Jetton, Reynolds, et al.)**

**CSHB 929**, A bill to be entitled An Act relating to law enforcement policies and procedures regarding body worn cameras.

A record vote was requested by Representative Schaefer.

**CSHB 929** was passed to engrossment by (Record 1084): 98 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Beckley; Bernal; Bowers; Buckley; Bucy; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Crockett; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lambert; Larson; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sherman; Shine; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wu; Zwiener.

Nays — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Burns; Cason; Cyrier; Darby; Ellzey; Frullo; Harless; Hefner; King, K.; King, P.; Krause; Kuempel; Landgraf; Leach; Leman; Metcalf; Murr; Oliverson; Parker; Patterson; Paul; Price; Rogers; Schaefer; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Swanson; Tinderholt; Toth; Wilson.

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

Absent, Excused — Coleman; Longoria; Raney.

Absent — Geren; Kacal; King, T.; Klick; Paddie; Schofield.

### STATEMENTS OF VOTE

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

Cason

When Record No. 1084 was taken, I was shown voting present, not voting. I intended to vote yes.

Gates

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

Harris

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

Middleton

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

Vasut

### HB 140 ON SECOND READING

(by Rose, S. Thompson, Coleman, Leach, Krause, et al.)

**HB 140**, A bill to be entitled An Act relating to the applicability of the death penalty to a capital offense committed by a person with severe mental illness.

A record vote was requested by Representative K. King.

**HB 140** was passed to engrossment by (Record 1085): 87 Yeas, 54 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Cain; Campos; Canales; Cason; Cole; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Jetton; Johnson, J.D.; Johnson, J.E.; King, T.; Lambert; Larson; Leach; 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; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Bailes; Bell, C.; Biedermann; Burns; Burrows; Button; Capriglione; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Harless; Harris; Hefner; Holland; Hull; Kacal; King, K.; King, P.; Krause; Kuempel; Landgraf; Leman; Metcalf; Middleton; Morrison; Murr; Noble; Oliverson;

Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Swanson; Thompson, E.; Tinderholt; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Longoria; Raney.

Absent — Clardy; Hunter; Johnson, A.; Klick; Toth.

### STATEMENTS OF VOTE

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

Ashby

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

Hull

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

Hunter

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

Stucky

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

Toth

### HB 3477 ON SECOND READING (by Rose and Reynolds)

**HB 3477**, A bill to be entitled An Act relating to the termination of corporate privileges for certain business entities under enforcement action for a violation of environmental laws.

### HB 3477 - REMARKS

REPRESENTATIVE ROSE: Members, we all come here with intentions on making our communities better, and that's what this bill is. **HB 3477** was filed because one of my constituents had to endure hardship living in her home because of an environmental issue in her community. Many of you have heard of this issue. It's called Shingle Mountain. And that's not even the name of the corporation who caused the environmental disaster. That place is called Blue Star Recycling. But the reason it's called Shingle Mountain is because they built this plant right next to her home and they were supposed to recycle the fiberglass, but the shingles were so high that it became Shingle Mountain. And so my constituent endured hardship because her grandchildren could not come visit with her. She also became ill because of these pollutants that were in her community.

So all this bill does, members, it addresses—I guess one of the reasons I'm so frustrated, members, is we know we're not always going to agree with each other's legislation, but what I don't like is when people go around and try to discredit your work that you're doing for your constituents, instead of having a conversation with you to try to work out the issues. I know that the industry

people are calling everyone complaining about this bill, because I'm here for the people. Most of you might be here for the companies, but Toni Rose is here for the people. Now, I would like to acknowledge Cecil Bell who had the common courtesy to come over and talk to me about my bill and explain his concerns to me about my bill. I want to thank you, and I appreciate you. What this bill does is if a company causes some type of adverse environmental issue in a community, before they continue to move around to other areas, they have to make sure they clean up that community. Because what happened with this particular company, they caused a disaster in the community and then moved over to other communities before cleaning up the disaster in my area.

A record vote was requested by Representative K. King.

**HB 3477** failed to pass to engrossment by (Record 1086): 64 Yeas, 79 Nays, 1 Present, not voting.

Yeas — 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; 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; 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; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hull; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Coleman; Longoria; Raney.

Absent — Hunter; King, T.; Noble.

### REMARKS ORDERED PRINTED

Representative Reynolds moved to print remarks by Representative Rose on **HB 3477**.

The motion prevailed.

### HB 4420 ON SECOND READING (by Krause)

**HB 4420**, A bill to be entitled An Act relating to a study and analysis by the comptroller on delivery methods used for certain projects of the Texas Department of Transportation and the Texas Water Development Board.

**Amendment No. 1**

Representative Davis offered the following amendment to **HB 4420**:

Amend **HB 4420** (house committee report) as follows:

(1) On page 1, line 6, strike "STUDY AND ANALYSIS OF PROJECT DELIVERY METHODS."

(2) On page 2, strike line 15 and substitute the following:

(d) Not later than

(3) On page 2, line 21, strike "Section 1 of this Act" and substitute "this section".

(4) On page 2, line 24, strike "SECTION 3. EXPIRATION. This Act" and substitute the following:

(e) This section

(5) On page 2, line 25, strike "EFFECTIVE DATE."

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

SECTION \_\_\_\_\_. Subchapter P, Chapter 201, Transportation Code, is amended by adding Section 201.9931 to read as follows:

Sec. 201.9931. UNIFIED TRANSPORTATION PROGRAM FUNDING REPORT. (a) Not later than October 1 of each year, the department shall submit to each member of the legislature a report on the historical, current, and future projected funding in the unified transportation program.

(b) The report must:

(1) if submitted in 2021:

(A) include the amounts in each defined program funding category for fiscal years 2004 through 2031; and

(B) use actual funding amounts for fiscal years 2004 through 2021 and projected funding amounts for fiscal years 2022 through 2031;

(2) if submitted in 2022:

(A) include the amounts in Subdivision (1)(A) updated to reflect funding allocations made in the 2023 unified transportation program through fiscal year 2032; and

(B) use actual funding amounts for fiscal years 2004 through 2022 and projected funding amounts for fiscal years 2023 through 2032;

(3) provide the total amount committed under the program for the year the report is submitted;

(4) for each fiscal year required to be reported, provide a breakdown by each defined program funding category:

(A) of the amount allocated to the funding category and the percentage of the total funding amount; and

(B) of the amount allocated to each department district and metropolitan planning organization, if applicable;

(5) for defined funding category 12, Strategic Priority, provide an explanation of the methodology used to prioritize project funding in fiscal year 2004 and subsequent fiscal years, including an explanation of any updates or changes to the methodology; and

(6) be delivered in portable document format (PDF) and a format compatible with Microsoft Excel.

(c) This section expires December 1, 2022.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Romero offered the following amendment to **HB 4420**:

Amend **HB 4420** (house committee printing) on page 1, line 11, between "board" and the period, by inserting ", including the potential economic impact if those public-private partnerships file for bankruptcy,".

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Romero offered the following amendment to **HB 4420**:

Amend **HB 4420** by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill as appropriate:

SECTION \_\_\_\_\_. (a) In this section:

(1) "Comprehensive development agreement" has the meaning assigned by Section 223.201, Transportation Code.

(2) "Department" means the Texas Department of Transportation.

(3) "Institute" means the Texas A&M Transportation Institute.

(b) The institute, in consultation with the department, shall conduct a study on comprehensive development agreements entered into for transportation projects in this state. The study must include an analysis of:

(1) the contract provisions in comprehensive development agreements relating to maintenance and safety; and

(2) the responsibilities of each party to the comprehensive development agreements relating to maintenance and safety.

(c) Not later than December 1, 2022, the institute shall submit a report containing the results of the study conducted under this section to the members of the legislature.

(d) This section expires January 1, 2023.

Amendment No. 3 was adopted.

**HB 4420**, as amended, was passed to engrossment. (Ashby recorded voting no.)

**HB 2290 ON SECOND READING**

**(by S. Thompson, Collier, Hinojosa, and A. Johnson)**

**HB 2290**, A bill to be entitled An Act relating to the affirmative defense to prosecution for a criminal offense for persons acting under duress.

**HB 2290** was passed to engrossment.

**CSHB 3908 ON SECOND READING**

**(by Pacheco and Campos)**

**CSHB 3908**, A bill to be entitled An Act relating to the deputy clerks appointed to certain statutory probate courts.

Representative Pacheco moved to postpone consideration of **CSHB 3908** until 10 a.m. Saturday, December 25.

The motion prevailed.

**HB 4361 ON SECOND READING****(by Raney)**

**HB 4361**, A bill to be entitled An Act relating to off-campus workforce education or lower-division programs offered by a public institution of higher education at the request of an employer.

**HB 4361** was passed to engrossment.

**CSHB 1586 ON SECOND READING****(by Lucio, Oliverson, and Metcalf)**

**CSHB 1586**, A bill to be entitled An Act relating to health benefit plan coverage of clinician-administered drugs.

**Amendment No. 1**

Representative Lucio offered the following amendment to **CSHB 1586**:

Amend **CSHB 1586** (house committee report) by striking page 3, line 24, through page 4, line 5, and substituting the following:

Sec. 1369.553. CERTAIN LIMITATIONS ON COVERAGE OF CLINICIAN-ADMINISTERED DRUGS PROHIBITED. (a) A health benefit plan issuer may not, for a patient with a chronic, complex, rare, or life-threatening medical condition:

(1) require a clinician-administered drug to be dispensed by a pharmacy selected by the health benefit plan issuer;

(2) require that a clinician-administered drug or the administration of a clinician-administered drug be covered as a pharmacy benefit rather than a medical benefit;

(3) if a clinician-administered drug is otherwise covered, limit or exclude coverage for the clinician-administered drug when not dispensed by a pharmacy selected by the health benefit plan issuer; or

(4) prohibit a physician or health care provider from obtaining or administering a clinician-administered drug that the physician or provider is otherwise permitted to obtain or administer by law.

Amendment No. 1 was adopted.

**CSHB 1586**, as amended, was passed to engrossment. (Ashby, Craddick, Darby, Parker, and Shine recorded voting no.)

**HB 4110 ON SECOND READING****(by Leach, Harless, et al.)**

**HB 4110**, A bill to be entitled An Act relating to the regulation of metal recycling; increasing a criminal penalty.

**HB 4110** was passed to engrossment.

**CSHB 41 ON SECOND READING****(by Talarico)**

**CSHB 41**, A bill to be entitled An Act relating to class size limits for prekindergarten classes provided by or on behalf of public schools.

**Amendment No. 1**

Representative Talarico offered the following amendment to **CSHB 41**:

Amend **CSHB 41** (house committee printing) on page 1 by striking lines 22 through 23 and substituting "adopted by the Health and Human Services Commission [~~Department of Protective and Regulatory Services~~] under Section 42.042, Human Resources Code; and".

Amendment No. 1 was adopted.

**CSHB 41**, as amended, was passed to engrossment.

**HB 1914 ON SECOND READING**  
(by Schofield)

**HB 1914**, A bill to be entitled An Act relating to the civil liability of a children's isolation unit in a hospital.

**HB 1914** was passed to engrossment.

**HB 3658 ON SECOND READING**  
(by Capriglione, Shaheen, and P. King)

**HB 3658**, A bill to be entitled An Act relating to state agency contracting and state employees, officers, contractors, and other persons involved with the contracting.

**Amendment No. 1**

Representative Capriglione offered the following amendment to **HB 3658**:

Amend **HB 3658** (house committee report) as follows:

(1) On page 1, line 8, strike "CONTRACTOR OR SUBCONTRACTOR" and substitute "PAID CONSULTANT".

(2) Strike page 1, line 13 through page 2, line 8, and substitute the following:

(b) A former state officer or employee of a regulatory agency or a person or entity that provides paid consulting services in accordance with Subchapter B, Chapter 2254, to a regulatory agency under a contract or subcontract [~~who ceases service or employment with that agency on or after January 1, 1992;~~] may not represent any person or receive compensation for services rendered on behalf of any person regarding a particular matter in which the former officer, ~~or~~ employee, or consultant participated during the period of state service, ~~or~~ employment, or contract, either through personal involvement or because the case or proceeding was a matter within the officer's or employee's official responsibility or the consultant's contractual responsibility.

(d) Subsection (b) does not apply to a rulemaking proceeding that was concluded more than six months before the officer's, ~~or~~ employee's, or paid consultant's service, ~~or~~ employment, or contract ceased.

(3) On page 3, lines 24 and 25, strike "and (b-3)" and substitute "(b-3), and (d)".

(4) On page 5, between lines 15 and 16, insert the following:

(d) This section does not apply to a procurement for which purchasing authority is delegated to the Health and Human Services Commission under Section 2155.144.

(5) On page 5, line 27, between "(j-5)" and "to", insert "and amending Subsection (n)".



(6) On page 6, between lines 10 and 11, insert the following:

(n) To the extent of any conflict, this section prevails over any other state law relating to the procurement of goods and services or requiring the Health and Human Services Commission to award a contract to a managed care organization, including Chapter 533, except a law relating to contracting with historically underutilized businesses or relating to the procurement of goods and services from persons with disabilities.

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

SECTION \_\_\_\_\_. Section 533.002, Government Code, is amended to read as follows:

Sec. 533.002. PURPOSE; CONFLICT OF LAW; CONTRACT WITH MANAGED CARE ORGANIZATION. (a) The commission shall implement the Medicaid managed care program by contracting with managed care organizations in a manner that, to the extent possible:

(1) improves the health of Texans by:

(A) emphasizing prevention;

(B) promoting continuity of care; and

(C) providing a medical home for recipients;

(2) ensures that each recipient receives high quality, comprehensive health care services in the recipient's local community;

(3) encourages the training of and access to primary care physicians and providers;

(4) maximizes cooperation with existing public health entities, including local departments of health;

(5) provides incentives to managed care organizations to improve the quality of health care services for recipients by providing value-added services; ~~and~~

(6) reduces administrative and other nonfinancial barriers for recipients in obtaining health care services; and

(7) allows the commission to determine best value and apply the requirements of this chapter and Section 2155.144.

(b) To the extent of any conflict between this chapter and Section 2155.144 relating to determining best value, Section 2155.144 controls.

(c) Notwithstanding any other law, the commission is not required to award a contract to a managed care organization if the commission determines the organization's proposal does not satisfy best value contracting criteria.

Amendment No. 1 was withdrawn.

## Amendment No. 2

Representative Capriglione offered the following amendment to **HB 3658**:

Amend **HB 3658** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 2155.089(c), Government Code, is amended to read as follows:

(c) This section does not apply to:

(1) an enrollment contract described by 1 T.A.C. Section 391.183 as that section existed on September 1, 2015;

(2) a contract of the Employees Retirement System of Texas except for a contract with a nongovernmental entity for claims administration of a group health benefit plan under Subtitle H, Title 8, Insurance Code; or

(3) a contract entered into by:

(A) the comptroller under Section 2155.061; ~~or~~

(B) the Department of Information Resources under Section 2157.068; or

(C) a university system or an institution of higher education, as those terms are defined by Section 61.003, Education Code.

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative P. King offered the following amendment to **HB 3658**:

Amend **HB 3658** (house committee report) as follows:

(1) On page 6, strike lines 5 through 10, and substitute the following:

(j-5) The contract management handbook published under Subsection (j) must include:

(1) instructions for ensuring that:

(A) health and human services agency employees who are involved in implementing a specific procurement are also involved in evaluating and scoring the responses submitted to the solicitation for the procurement;

(B) appropriate health and human services agency employees answer questions from vendors in a timely manner; and

(C) vendors that participate or are interested in participating in a procurement by an agency have access to at least two agency employees who serve as contacts for the agency;

(2) a model communications procedure for vendors and agency employees, developed in collaboration with representatives from vendors and state agencies, to be included in the agency's solicitations;

(3) procedures for:

(A) notifying other responsive vendors if an agency employee or another vendor violates the communications requirements for a solicitation; and

(B) determining when an agency employee or vendor has failed to comply with the communication provisions of a solicitation; and

(C) ensuring an appropriate number of interested vendors are granted access to a pre-bid, pre-offer, or pre-proposal conference.

(3) On page 7, line 1, immediately following the underlined semicolon, strike "and".

(4) On page 7, strike lines 2 through 5, and substitute the following:

(5) ensure that:

(A) appropriate state agency employees answer questions from vendors in a timely manner; and

(B) vendors that participate or are interested in participating in a procurement by a state agency have access to at least two agency employees who serve as contacts for the agency;

(6) develop a communications procedure for vendors and agency employees to be included in the agency's solicitations; and

(7) establish procedures for:

(A) notifying other responsive vendors if an agency employee or another vendor violates the communication requirements for the solicitation;

(B) determining when an agency employee or vendor has failed to comply with the communication provisions of a solicitation;

(C) ensuring an appropriate number of interested vendors are granted access to a pre-bid, pre-offer, or pre-proposal conference; and

(D) ensuring that agency personnel who are involved in implementing a specific procurement are also involved in evaluating and scoring the responses submitted to the solicitation for the procurement.

Amendment No. 3 was adopted.

**HB 3658**, as amended, was passed to engrossment.

**HB 105 ON SECOND READING**  
**(by Ortega)**

**HB 105**, A bill to be entitled An Act relating to the use of promotoras and community health workers in Medicaid managed care.

**HB 105** was passed to engrossment. (Ashby, Darby, Dean, and Shine recorded voting no.)

**HB 3889 ON SECOND READING**  
**(by Morales Shaw, Hinojosa, Bernal, Talarico, Hernandez, et al.)**

**HB 3889**, A bill to be entitled An Act relating to the cost for certain public school students of a broadband Internet access program offered by the Texas Education Agency.

**HB 3889** was passed to engrossment.

**CSHB 2134 ON SECOND READING**  
**(by Bernal)**

**CSHB 2134**, A bill to be entitled An Act relating to coverage for childhood cranial remodeling orthosis under certain health benefit plans.

**CSHB 2134** was passed to engrossment.

**CSHB 4653 ON SECOND READING**  
**(by Sherman)**

**CSHB 4653**, A bill to be entitled An Act relating to the creation of the Lancaster Logistics District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Representative Sherman moved to postpone consideration of **CSHB 4653** until 10 a.m. Saturday, June 19.

The motion prevailed.

**HB 2795 ON SECOND READING**  
**(by S. Thompson and Collier)**

**HB 2795**, A bill to be entitled An Act relating to the offense of solicitation of prostitution and certain other consequences of that offense; increasing a criminal penalty; making conforming changes.

**HB 2795** was passed to engrossment. (Dean recorded voting no.)

**CSHB 1032 ON SECOND READING****(by Thierry, Button, Ordaz Perez, Hefner, J.D. Johnson, et al.)**

**CSHB 1032**, A bill to be entitled An Act relating to authorizing school districts to provide funding using money received under the Foundation School Program to community-based organizations for purposes of reimbursing private employers for paid internships provided to certain students in career and technology education programs in the district.

**CSHB 1032** was passed to engrossment. (Ashby, Darby, and Shine recorded voting no.)

**CSHB 3767 ON SECOND READING****(by Murphy and Oliverson)**

**CSHB 3767**, A bill to be entitled An Act relating to measures to support the alignment of education and workforce development in the state with state workforce needs, including the establishment of the Tri-Agency Workforce Initiative.

**CSHB 3767** was passed to engrossment.

**CSHB 1907 ON SECOND READING****(by Walle)**

**CSHB 1907**, A bill to be entitled An Act relating to the establishment of a statewide all payor claims database to increase public transparency of health care data and improve quality of health care in this state.

**Amendment No. 1**

Representative Oliverson offered the following amendment to **CSHB 1907**:

Amend **CSHB 1907** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION I. Chapter 38, Insurance Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. TEXAS ALL PAYOR CLAIMS DATABASE

Sec. 38.401. PURPOSE OF SUBCHAPTER. The purpose of this subchapter is to authorize the department to establish an all payor claims database in this state to increase public transparency of health care information and improve the quality of health care in this state.

Sec. 38.402. DEFINITIONS. In this subchapter:

(1) "Allowed amount" means the amount of a billed charge that a health benefit plan issuer determines to be covered for services provided by a non-network provider. The allowed amount includes both the insurer's payment and any applicable deductible, copayment, or coinsurance amounts for which the insured is responsible.

(2) "Center" means the Center for Healthcare Data at The University of Texas Health Science Center at Houston.

(3) "Contracted rate" means the fee or reimbursement amount for a network provider's services, treatments, or supplies as established by agreement between the provider and health benefit plan issuer.

(4) "Data" means the specific claims and encounters, enrollment, and benefit information submitted to the center under this subchapter.

(5) "Database" means the Texas All Payor Claims Database established under this subchapter.

(6) "Geozip" means an area that includes all zip codes with identical first three digits.

(7) "Payor" means any of the following entities that pay, reimburse, or otherwise contract with a health care provider for the provision of health care services, supplies, or devices to a patient:

(A) an insurance company providing health or dental insurance;

(B) the sponsor or administrator of a health or dental plan;

(C) a health maintenance organization operating under Chapter

843;

(D) the state Medicaid program, including the Medicaid managed care program operating under Chapter 533, Government Code;

(E) a health benefit plan offered or administered by or on behalf of this state or a political subdivision of this state or an agency or instrumentality of the state or a political subdivision of this state, including:

(i) a basic coverage plan under Chapter 1551;

(ii) a basic plan under Chapter 1575; and

(iii) a primary care coverage plan under Chapter 1579; or

(F) any other entity providing a health insurance or health benefit plan subject to regulation by the department.

(8) "Protected health information" has the meaning assigned by 45 C.F.R. Section 160.103.

(9) "Qualified research entity" means:

(A) an organization engaging in public interest research for the purpose of analyzing the delivery of health care in this state that is exempt from federal income tax under Section 501(a), Internal Revenue Code of 1986, by being listed as an exempt organization in Section 501(c)(3) of that code;

(B) an institution of higher education engaged in public interest research related to the delivery of health care in this state; or

(C) a health care provider in this state engaging in efforts to improve the quality and cost of health care.

(10) "Stakeholder advisory group" means the stakeholder advisory group established under Section 38.403.

Sec. 38.403. STAKEHOLDER ADVISORY GROUP. (a) The center shall establish a stakeholder advisory group to assist the center as provided by this subchapter, including assistance in:

(1) establishing and updating the standards, requirements, policies, and procedures relating to the collection and use of data contained in the database required by Sections 38.404(e) and (f);

(2) evaluating and prioritizing the types of reports the center should publish under Section 38.404(e);

(3) evaluating data requests from qualified research entities under Section 38.404(e)(2); and

(4) assisting the center in developing the center's recommendations under Section 38.408(3).

(b) The advisory group created under this section must be composed of:

(1) the state Medicaid director or the director's designee;

(2) a member designated by the Teacher Retirement System of Texas;

(3) a member designated by the Employees Retirement System of Texas; and

(4) 12 members designated by the center, including:

(A) two members representing the business community, with at least one of those members representing small businesses that purchase health benefits but are not involved in the provision of health care services, supplies, or devices or health benefit plans;

(B) two members who represent consumers and who are not professionally involved in the purchase, provision, administration, or review of health care services, supplies, or devices or health benefit plans, with at least one member representing the behavioral health community;

(C) two members representing hospitals that are licensed in this state;

(D) two members representing health benefit plan issuers that are regulated by the department;

(E) two members who are physicians licensed to practice medicine in this state, one of whom is a primary care physician; and

(F) two members who are not professionally involved in the purchase, provision, administration, or review of health care services, supplies, or devices or health benefit plans and who have expertise in:

(i) health planning;

(ii) health economics;

(iii) provider quality assurance;

(iv) statistics or health data management; or

(v) medical privacy laws.

(c) A person serving on the stakeholder advisory group must disclose any conflict of interest.

(d) Members of the stakeholder advisory group serve fixed terms as prescribed by commissioner rules adopted under this subchapter.

Sec. 38.404. ESTABLISHMENT AND ADMINISTRATION OF DATABASE. (a) The department shall collaborate with the center under this subchapter to aid in the center's establishment of the database. The center shall leverage the existing resources and infrastructure of the center to establish the database to collect, process, analyze, and store data relating to medical, dental, pharmaceutical, and other relevant health care claims and encounters, enrollment, and benefit information for the purposes of increasing transparency of health care costs, utilization, and access and improving the affordability, availability, and quality of health care in this state, including by improving population health in this state.

(b) The center shall serve as the administrator of the database, design, build, and secure the database infrastructure, and determine the accuracy of the data submitted for inclusion in the database.

(c) In determining the information a payor is required to submit to the center under this subchapter, the center must consider requiring inclusion of information useful to health policy makers, employers, and consumers for purposes of improving health care quality and outcomes, improving population health, and controlling health care costs. The required information at a minimum must include the following information as it relates to all health care services, supplies, and devices paid or otherwise adjudicated by the payor:

(1) the name and National Provider Identifier, as described in 45 C.F.R. Section 162.410, of each health care provider paid by the payor;

(2) the claim line detail that documents the health care services, supplies, or devices provided by the health care provider;

(3) the amount of charges billed by the health care provider and the payor's:

(A) allowed amount or contracted rate for the health care services, supplies, or devices; and

(B) adjudicated claim amount for the health care services, supplies, or devices;

(4) the name of the payor, the name of the health benefit plan, and the type of health benefit plan, including whether health care services, supplies, or devices were provided to an individual through:

(A) a Medicaid or Medicare program;

(B) workers' compensation insurance;

(C) a health maintenance organization operating under Chapter 843;

(D) a preferred provider benefit plan offered by an insurer under Chapter 1301;

(E) a basic coverage plan under Chapter 1551;

(F) a basic plan under Chapter 1575;

(G) a primary care coverage plan under Chapter 1579; or

(H) a health benefit plan that is subject to the Employee Retirement Income Security Act of 1974 (29 U.S.C. Section 1001 et seq.); and

(5) claim level information that allows the center to identify the geozip where the health care services, supplies, or devices were provided.

(d) Each payor shall submit the required data under Subsection (c) at a schedule and frequency determined by the center and adopted by the commissioner by rule.

(e) In the manner and subject to the standards, requirements, policies, and procedures relating to the use of data contained in the database established by the center in consultation with the stakeholder advisory group, the center may use the data contained in the database for a noncommercial purpose:

(1) to produce statewide, regional, and geozip consumer reports available through the public access portal described in Section 38.405 that address:

(A) health care costs, quality, utilization, outcomes, and disparities;

(B) population health; or

(C) the availability of health care services; and

(2) for research and other analysis conducted by the center or a qualified research entity to the extent that such use is consistent with all applicable federal and state law, including the data privacy and security requirements of Section 38.406 and the purposes of this subchapter.

(f) The center shall establish data collection procedures and evaluate and update data collection procedures established under this section. The center shall test the quality of data collected by and reported to the center under this section to ensure that the data is accurate, reliable, and complete.

Sec. 38.405. PUBLIC ACCESS PORTAL. (a) Except as provided by this section and Sections 38.404 and 38.406 and in a manner consistent with all applicable federal and state law, the center shall collect, compile, and analyze data submitted to or stored in the database and disseminate the information described in Section 38.404(e)(1) in a format that allows the public to easily access and navigate the information. The information must be accessible through an open access Internet portal that may be accessed by the public through an Internet website.

(b) The portal created under this section must allow the public to easily search and retrieve the information disseminated under Subsection (a), subject to data privacy and security restrictions described in this subchapter and consistent with all applicable federal and state law.

(c) Any information or data that is accessible through the portal created under this section:

(1) must be segmented by type of insurance or health benefit plan in a manner that does not combine payment rates relating to different types of insurance or health benefit plans;

(2) must be aggregated by like Current Procedural Terminology codes and health care services in a statewide, regional, or geozip area; and

(3) may not identify a specific patient, health care provider, health benefit plan, health benefit plan issuer, or other payor.

(d) Before making information or data accessible through the portal, the center shall remove any data or information that may identify a specific patient in accordance with the de-identification standards described in 45 C.F.R. Section 164.514.

Sec. 38.406. DATA PRIVACY AND SECURITY. (a) Any information that may identify a patient, health care provider, health benefit plan, health benefit plan issuer, or other payor is confidential and subject to applicable state and federal law relating to records privacy and protected health information, including Chapter 181, Health and Safety Code, and is not subject to disclosure under Chapter 552, Government Code.

(b) A qualified research entity with access to data or information that is contained in the database but not accessible through the portal described in Section 38.405:

(1) may use information contained in the database only for purposes consistent with the purposes of this subchapter and must use the information in accordance with standards, requirements, policies, and procedures established by the center in consultation with the stakeholder advisory group;

(2) may not sell or share any information contained in the database; and

(3) may not use the information contained in the database for a commercial purpose.

(c) A qualified research entity with access to information that is contained in the database but not accessible through the portal must execute an agreement with the center relating to the qualified research entity's compliance with the requirements of Subsections (a) and (b), including the confidentiality of information contained in the database but not accessible through the portal.

(d) Notwithstanding any provision of this subchapter, the department and the center may not disclose an individual's protected health information in violation of any state or federal law.

(e) The center shall include in the database only the minimum amount of protected health information identifiers necessary to link public and private data sources and the geographic and services data to undertake studies.

(f) The center shall maintain protected health information identifiers collected under this subchapter but excluded from the database under Subsection (e) in a separate database. The separate database may not be aggregated with any other information and must use a proxy or encrypted record identifier for analysis.



Sec. 38.407. CERTAIN ENTITIES NOT REQUIRED TO SUBMIT DATA.

Any sponsor or administrator of a health benefit plan subject to the Employee Retirement Income Security Act of 1974 (29 U.S.C. Section 1001 et seq.) may elect or decline to participate in or submit data to the center for inclusion in the database as consistent with federal law.

Sec. 38.408. REPORT TO LEGISLATURE. Not later than September 1 of each even-numbered year, the center shall submit to the legislature a written report containing:

(1) an analysis of the data submitted to the center for use in the database;

(2) information regarding the submission of data to the center for use in the database and the maintenance, analysis, and use of the data;

(3) recommendations from the center, in consultation with the stakeholder advisory group, to further improve the transparency, cost-effectiveness, accessibility, and quality of health care in this state; and

(4) an analysis of the trends of health care affordability, availability, quality, and utilization.

Sec. 38.409. RULES. (a) The commissioner, in consultation with the center, shall adopt rules:

(1) specifying the types of data a payor is required to provide to the center under Section 38.404 to determine health benefits costs and other reporting metrics, including, if necessary, types of data not expressly identified in that section;

(2) specifying the schedule, frequency, and manner in which a payor must provide data to the center under Section 38.404, which must:

(A) require the payor to provide data to the center not less frequently than quarterly; and

(B) include provisions relating to data layout, data governance, historical data, data submission, use and sharing, information security, and privacy protection in data submissions; and

(3) establishing oversight and enforcement mechanisms to ensure that payors submit data to the database in accordance with this subchapter.

(b) In adopting rules governing methods for data submission, the commissioner shall to the maximum extent practicable use methods that are reasonable and cost-effective for payors.

SECTION 2. (a) Not later than January 1, 2022, the Center for Healthcare Data at The University of Texas Health Science Center at Houston shall establish the stakeholder advisory group in accordance with Section 38.403, Insurance Code, as added by this Act.

(b) Not later than June 1, 2022, the Texas Department of Insurance shall adopt rules, and the Center for Healthcare Data at The University of Texas Health Science Center at Houston shall adopt, in consultation with the stakeholder advisory group, standards, requirements, policies, and procedures, necessary to implement Subchapter I, Chapter 38, Insurance Code, as added by this Act.

SECTION 3. As soon as practicable after the effective date of this Act, the Center for Healthcare Data at The University of Texas Health Science Center at Houston shall actively seek financial support from the federal grant program for development of state all payer claims databases established under the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-260) and from any

other available source of financial support provided by the federal government for purposes of implementing Subchapter I, Chapter 38, Insurance Code, as added by this Act.

SECTION 4. If before implementing any provision of Subchapter I, Chapter 38, Insurance Code, as added by this Act, the commissioner of insurance determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the commissioner shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 5. This Act takes effect September 1, 2021.

Amendment No. 1 was adopted.

**CSHB 1907**, as amended, was passed to engrossment.

**HB 195 ON SECOND READING**  
**(by Bernal)**

**HB 195**, A bill to be entitled An Act relating to the regulation of migrant labor housing facilities; changing the amount of a civil penalty.

**HB 195** was passed to engrossment. (Wilson recorded voting no.)

**HB 205 ON SECOND READING**  
**(by Ortega)**

**HB 205**, A bill to be entitled An Act relating to safety requirements for amusement ride operators.

**HB 205** was passed to engrossment. (Dean recorded voting no.)

**HB 2681 ON SECOND READING**  
**(by Wilson, Noble, C. Bell, et al.)**

**HB 2681**, A bill to be entitled An Act relating to public school elective courses providing academic study of the Bible offered to certain students.

**HB 2681** was passed to engrossment.

**CSHB 244 ON SECOND READING**  
**(by M. González, Allison, Lozano, Huberty, Capriglione, et al.)**

**CSHB 244**, A bill to be entitled An Act relating to the establishment of a grant program for promoting computer science certification and professional development in coding, technology applications, cybersecurity, and computer science for public school teachers.

**CSHB 244** was passed to engrossment.

**CSHB 162 ON SECOND READING**  
**(by Thierry, Leach, Moody, Shaheen, Sanford, et al.)**

**CSHB 162**, A bill to be entitled An Act relating to a prohibition on prosecuting or referring to juvenile court certain persons for certain conduct constituting the offense of prostitution, to the provision of services to those persons, and to the prosecution of related criminal offenses.

**CSHB 162** was passed to engrossment.

**SB 474 ON SECOND READING**  
**(Collier - House Sponsor)**

**SB 474**, A bill to be entitled An Act relating to the unlawful restraint of a dog; creating a criminal offense.

**SB 474** was considered in lieu of **HB 873**.

**Amendment No. 1**

Representative C. Bell offered the following amendment to **SB 474**:

Amend **SB 474** (house committee printing) as follows:

(1) On page 1, lines 22-23, strike "or has custody or control of".

Amendment No. 1 failed of adoption.

**SB 474** was passed to third reading.

**HB 873 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Collier moved to lay **HB 873** on the table subject to call.

The motion prevailed.

**CSHB 558 ON SECOND READING**  
**(by White, Meza, et al.)**

**CSHB 558**, A bill to be entitled An Act relating to the taking of a blood specimen on arrest for certain intoxication offenses.

**CSHB 558** was passed to engrossment.

**HB 285 ON SECOND READING**  
**(by Murr)**

**HB 285**, A bill to be entitled An Act relating to increasing the punishment for certain conduct constituting the criminal offense of obstruction or retaliation.

**HB 285** was passed to engrossment.

**CSHB 443 ON SECOND READING**  
**(by Israel)**

**CSHB 443**, A bill to be entitled An Act relating to requiring the operator of a vehicle to stop and yield the right-of-way to a pedestrian.

**CSHB 443** was passed to engrossment.

**CSHB 4107 ON SECOND READING**  
**(by Burrows)**

**CSHB 4107**, A bill to be entitled An Act relating to the notice of entry for the purpose of exercising the power of eminent domain by a common carrier pipeline.

**CSHB 4107** was passed to engrossment.

**CSHB 573 ON SECOND READING**  
**(by Oliverson, Sanford, and Jetton)**

**CSHB 573**, A bill to be entitled An Act relating to the operation of health care sharing ministries; authorizing a fee; providing a civil penalty.

**CSHB 573 - POINT OF ORDER**

Representative Slaton raised a point of order against further consideration of **CSHB 573** under Rule 4, Section 32, and Rule 4, Section 18, of the House Rules on the grounds that the committee report was inaccurate. The point of order was withdrawn.

Representative Oliverson moved to postpone consideration of **CSHB 573** until 10 a.m. Tuesday, June 1.

The motion prevailed.

**CSHB 639 ON SECOND READING**  
(by White, Cortez, Oliverson, et al.)

**CSHB 639**, A bill to be entitled An Act relating to the authority of an emergency services district to provide preventive health care services; authorizing a fee.

**CSHB 639** was passed to engrossment.

**CSHB 572 ON SECOND READING**  
(by Dutton)

**CSHB 572**, A bill to be entitled An Act relating to authorizing a dropout recovery competency-based educational program provided through a campus or campus program charter or open-enrollment charter school.

**CSHB 572** was passed to engrossment.

**HB 662 ON SECOND READING**  
(by Collier)

**HB 662**, A bill to be entitled An Act relating to the administration of the homeless housing and services program by the Texas Department of Housing and Community Affairs.

**HB 662** was passed to engrossment. (Wilson recorded voting no.)

**SB 45 ON SECOND READING**  
(Zwiener, S. Thompson, Morrison, and Neave - House Sponsors)

**SB 45**, A bill to be entitled An Act relating to the prohibition against sexual harassment in the workplace.

**SB 45** was considered in lieu of **HB 48**.

**SB 45** was passed to third reading.

**MIDNIGHT**

The proceedings continued after 12 a.m. and the following actions occurred on Friday, May 14:

**POINT OF ORDER**

Representative Dutton raised a point of order against further consideration of the calendar under Rule 8, Section 13(b), of the House Rules on the grounds that the deadline for consideration of house bills on second reading had passed.

The point of order was sustained.

**RECESS**

Representative Dutton moved that the house recess until 9 a.m. today.

The motion prevailed.

The house accordingly, at 12:02 a.m. Friday, May 14, recessed until 9 a.m. today.

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**ADDENDUM**

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**REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

**List No. 1**

**HR 1139** (By Bucy), Commending Hill Country Community Ministries for its partnership with the House District 136 Neighbor to Neighbor Food and Wellness Program during the COVID-19 pandemic.

To Resolutions Calendars.

**HR 1140** (By Rogers), Commending the Tolar High School band on its invitation to participate in the Pearl Harbor 80th anniversary commemoration ceremonies in Hawaii in December 2021.

To Resolutions Calendars.

**HR 1141** (By Frullo), Commemorating the Tornado Memorial Gateway in Lubbock.

To Resolutions Calendars.

**HR 1142** (By E. Morales), Commending Pecos County Judge Joe Shuster on being named the 2021 Official of the Year by the West Texas County Judges and Commissioners Association.

To Resolutions Calendars.

**HR 1143** (By E. Morales), In memory of Carlos F. "Chiquis" Santos.

To Resolutions Calendars.

**HR 1144** (By E. Morales), Congratulating Jose Oscar Morales on his retirement as assistant principal of Memorial Junior High in Eagle Pass ISD.

To Resolutions Calendars.

**HR 1145** (By Slawson), Commemorating the 2021 Shivaree Up in Smoke BBQ Cook-off in Gatesville.

To Resolutions Calendars.

**HR 1146** (By Meza), Honoring Ana Marie Silbas for her service as a Fellow of the Moreno/Rangel Legislative Leadership Program and as a legislative aide in the office of State Representative Terry Meza.

To Resolutions Calendars.

**HR 1147** (By Cook), Congratulating Delvin Starling on being named the 2020 Police Officer of the Year by the Kennedale Police Department.  
To Resolutions Calendars.

**HR 1148** (By Cook), Commending Polly Walton for her service on the Arlington Independent School District Board of Trustees.  
To Resolutions Calendars.

**HR 1149** (By Cook), Congratulating Cary Moon on his reelection to the Fort Worth City Council.  
To Resolutions Calendars.

**HR 1150** (By Cook), Congratulating Dr. Barbara Odom-Wesley on her reelection to the Arlington City Council.  
To Resolutions Calendars.

**HR 1151** (By Cook), Congratulating Andrew Piel on his reelection to the Arlington City Council.  
To Resolutions Calendars.

**HR 1152** (By Cook), Congratulating Carlos Flores on his reelection to the Fort Worth City Council.  
To Resolutions Calendars.

**HR 1153** (By Cook), Congratulating Mike Leyman on his reelection to the Mansfield City Council.  
To Resolutions Calendars.

**HR 1154** (By Ellzey), Congratulating the cast and crew of the Waxahachie High School drama department on being nominated for nine Dallas Summer Musicals awards.  
To Resolutions Calendars.

**HR 1155** (By Cason), Honoring Dr. Faye Beaulieu of Bedford on her retirement as a trustee of the Hurst-Euless-Bedford Independent School District.  
To Resolutions Calendars.

**HR 1156** (By Jetton), Congratulating Alexis Jackson on being named the 2020 Child Advocate of the Year by Child Advocates of Fort Bend.  
To Resolutions Calendars.

**HR 1157** (By Jetton), Congratulating Rebecca Kennelly Haas on her election as mayor of Richmond.  
To Resolutions Calendars.

**HR 1158** (By Davis), Congratulating the DeSoto High School girls' track team on winning the 2021 UIL 6A state championship.  
To Resolutions Calendars.

**HR 1159** (By J.E. Johnson), Congratulating Metrocrest Services on its 50th anniversary.  
To Resolutions Calendars.

**HR 1160** (By Murr), In memory of Wanda Smith Center of Cherokee.  
To Resolutions Calendars.

**SB 402** to Ways and Means.

**SB 970** to Public Health.

**SB 1090** to Land and Resource Management.

**SB 1254** to State Affairs.

**SB 1606** to State Affairs.

**SB 1648** to Insurance.

**SB 2011** to Juvenile Justice and Family Issues.

**SB 2028** to Insurance.

**SB 2051** to Insurance.

**SB 2081** to Public Education.

**SB 2122** to Public Health.

**SB 2181** to International Relations and Economic Development.

**SB 2243** to Transportation.

### **SIGNED BY THE SPEAKER**

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

#### **House List No. 20**

**HB 103, HB 719, HB 788, HB 3390, HB 3401**

### **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

Thursday, May 13, 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:**

**HB 54** Talarico SPONSOR: Whitmire  
Relating to accompanying and filming peace officers of state and local law enforcement agencies for producing reality television programs.

**HB 454** Metcalf SPONSOR: Creighton  
Relating to the creation of a specialty treatment court for certain individuals residing with a child who is the subject of a juvenile court case.

**HB 569** Sanford SPONSOR: West  
Relating to credit toward payment of a fine and costs for certain misdemeanants confined in jail or prison before sentencing.  
(Amended)

**HB 604** Noble SPONSOR: Zaffirini

Relating to a microchip scan of animals in the custody of an animal shelter or releasing agency, including an animal rescue organization.

**HB 977** Metcalf SPONSOR: Creighton  
Relating to a petition filed for a place on the ballot for the board of directors for the Montgomery County Hospital District.

**HB 1057** Oliverson SPONSOR: Creighton  
Relating to designating November 7 as Victims of Communism Day.

**HB 1147** Huberty SPONSOR: Taylor  
Relating to military readiness for purposes of the indicators of achievement under the public school accountability system and the college, career, or military readiness outcomes bonus under the Foundation School Program.  
(Committee Substitute)

**HB 1322** Shaheen SPONSOR: Zaffirini  
Relating to a summary of a rule proposed by a state agency.  
(Committee Substitute)

**HB 2127** Turner, Chris SPONSOR: Hancock  
Relating to consumption of alcoholic beverages in public entertainment facilities and zones.

**SB 1572** Paxton  
Relating to the numbering and signing of ballots by early voting clerks and deputy early voting clerks.

**SB 1984** Lucio  
Relating to the reassignment of the carryforward designation of certain private activity bonds.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

**SB 8** (18 Yeas, 12 Nays)

THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

**HB 1927**  
Senate Conferees: Schwertner - Chair/Birdwell/Campbell/Creighton/Hughes

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Thursday, May 13, 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:

**HB 636** Thompson, Senfronia SPONSOR: Whitmire  
Relating to the continuation and functions of the Texas State Board of Plumbing Examiners; authorizing a fee.

**HB 1363** Minjarez SPONSOR: Hughes  
Relating to treatment of a patient by a physical therapist without a referral.

**HB 1763** Oliverson SPONSOR: Hughes  
Relating to the contractual relationship between a pharmacist or pharmacy and a health benefit plan issuer or pharmacy benefit manager.

**HB 3529** Meyer SPONSOR: Zaffirini  
Relating to consent for the use or possession of personal identifying information under the Identity Theft Enforcement and Protection Act.

**SB 993** Hancock  
Relating to the practice of therapeutic optometry.

**SB 1059** Paxton  
Relating to the process for determining the Medicaid eligibility of certain former foster care youth.

**SB 2232** Hall  
Relating to a study on the effect of a change to the period for voting.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

**SB 230** (30 Yeas, 0 Nays)

**SB 1126** (30 Yeas, 0 Nays)

**SB 1230** (30 Yeas, 0 Nays)

**SB 1448** (25 Yeas, 5 Nays)

**SB 1774** (30 Yeas, 0 Nays)

**SB 2093** (30 Yeas, 0 Nays)

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 3**

MESSAGE FROM THE SENATE  
SENATE CHAMBER

Austin, Texas  
Thursday, May 13, 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:

**SB 962** Hughes  
Relating to restrictions on the use and disclosure of certain genetic material and genetic information; providing a civil penalty; creating a criminal offense.

**SB 2089** Lucio  
Relating to the use of certain tax revenue to acquire, construct, enhance, upgrade, operate, and maintain convention center facilities, multipurpose arenas, venues, and spacecraft and spacecraft observation facilities in certain municipalities.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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## APPENDIX

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### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**May 12**

Business and Industry - **SB 695**

Criminal Jurisprudence - **SB 474**

Defense and Veterans' Affairs - **SB 337**

Higher Education - **SB 36**

Homeland Security and Public Safety - **SB 68, SB 912**

House Administration - **HCR 89**

Human Services - **SB 263, SB 642, SB 1911**

Insurance - **SB 1028**

Land and Resource Management - **SB 1072**

Natural Resources - **HB 4668, HB 4669**

Pensions, Investments, and Financial Services - **SB 1132**

Public Health - **SB 40, SB 454, SB 572, SB 809**

State Affairs - **SB 220, SB 760**

Transportation - **SB 355, SB 787, SB 1308, SB 1323, SB 1474, SB 1727**

Urban Affairs - **HB 4666**

Ways and Means - **HB 3694, SB 153, SB 611, SB 742, SB 828, SB 1449, SJR 35**

### ENGROSSED

**May 12 - HJR 4, HJR 82, HJR 99, HJR 141**

**ENROLLED**

**May 12 - HB 103, HB 719, HB 788, HB 3390, HB 3401**

**SENT TO THE GOVERNOR**

**May 12 - HB 317, HB 1759, HB 2494, HB 2586, HB 2749, HB 3067**

**SIGNED BY THE GOVERNOR**

**May 12 - HB 1024**

