

# HOUSE JOURNAL

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EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SEVENTIETH DAY — FRIDAY, MAY 10, 2013

The house met at 9:58 a.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 760).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Canales; Clardy; Giddings; Lucio; Márquez.

### LEAVES OF ABSENCE GRANTED

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

### RULES SUSPENDED

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

The motion prevailed.

### MOTION FOR ONE RECORD VOTE

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

#### LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

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

(Record 761): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffler; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Canales; Clardy; Giddings; Lucio; Márquez.

#### **HB 315**

**HB 709** (Flynn - no) (142 - 1 - 2)

**HB 862** (Flynn and Harper-Brown - no) (141 - 2 - 2)

**HB 868** (Capriglione, Fallon, Kolkhorst, R. Sheffield, and Toth - no) (138 - 5 - 2)

#### **HB 1125**

#### **HB 1199**

**SB 352** (Capriglione and Fallon - no) (141 - 2 - 2)

**HB 1511** (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 1829** (Capriglione, Fallon, Flynn, Frullo, Geren, Goldman, Gooden, Kuempel, Perry, Phillips, Schaefer, Simmons, and Simpson - no) (130 - 13 - 2)

**SB 1240**

**HB 2233**

**HB 2234**

**HB 2314** (Gooden, Perry, and Schaefer - no) (140 - 3 - 2)

**SB 1541** (Toth - no) (142 - 1 - 2)

**HB 2373**

**HB 2385**

**HB 2419**

**HB 2518**

**HB 2625** (Bell, Burkett, Capriglione, Craddick, Creighton, Crownover, Dale, Darby, Elkins, Fallon, Flynn, Goldman, Gonzales, Gooden, Harless, Harper-Brown, Hunter, Isaac, Kleinschmidt, Krause, Larson, Lavender, Laubenberg, Leach, Parker, Perry, Phillips, Price, Sanford, Schaefer, Sheets, R. Sheffield, Simpson, Stickland, Taylor, Toth, and E. S. Turner - no) (106 - 37 - 2)

**SB 1225** (Murphy - no) (142 - 1 - 2)

**HB 2676** (Gooden, Perry, and Schaefer - no) (140 - 3 - 2)

**HB 2869**

**HB 3029** (Goldman and Simpson - no) (141 - 2 - 2)

**HB 3081** (Capriglione, Fallon, Gooden, Krause, Perry, Sanford, Schaefer, and Stickland - no) (135 - 8 - 2)

**HB 3279** (Capriglione, Fallon, Goldman, Gooden, Hunter, Krause, Perry, Sanford, Schaefer, Simpson, Stickland, Taylor, Toth, and E. S. Turner - no) (129 - 14 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 3350** (Bell, Burkett, Capriglione, Craddick, Creighton, Crownover, Dale, Darby, Elkins, Fallon, Flynn, Frullo, Geren, Goldman, Gonzales, Gooden, Harless, Hunter, Isaac, Kleinschmidt, Kolkhorst, Kuempel, Lavender, Laubenberg, Leach, Parker, Perry, Phillips, Price, Sanford, Schaefer, Sheets, R. Sheffield, Simmons, Simpson, Taylor, Toth, E. S. Turner, and White - no) (104 - 39 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 3399** (Capriglione and Fallon - no) (141 - 2 - 2)

**HB 3437**

**HB 3442****HB 3476****HB 3552** (Gooden, Perry, and Schaefer - no) (140 - 3 - 2)**HB 3597** (Flynn and Harper-Brown - no) (141 - 2 - 2)

**HB 3643** (Capriglione, Craddick, Dale, Darby, Elkins, Fallon, Flynn, Frullo, Geren, Goldman, Gonzales, Harless, Hunter, Kolkhorst, Kuempel, Lavender, Laubenberg, Leach, Murphy, Parker, Price, Sanford, Sheets, R. Sheffield, Simmons, Simpson, Taylor, E. S. Turner, and White - no) (114 - 29 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 3769** (Bell, Burkett, Capriglione, Craddick, Creighton, Crownover, Dale, Darby, Elkins, Fallon, Flynn, Frullo, Geren, Goldman, Gonzales, Gooden, Harless, Hunter, Isaac, Kleinschmidt, Kolkhorst, Kuempel, Larson, Lavender, Laubenberg, Leach, Murphy, Parker, Perry, Phillips, Price, Sanford, Schaefer, Sheets, R. Sheffield, Simpson, Taylor, Toth, E. S. Turner, and White - no) (103 - 40 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**HB 3793** (Crownover, Gooden, Harless, Perry, and Schaefer - no) (138 - 5 - 2)

**SB 1811**

**SB 715** (Capriglione, Fallon, Flynn, Goldman, Gooden, Krause, Lavender, Perry, Sanford, Schaefer, Simmons, Simpson, Stickland, Taylor, and E. S. Turner - no) (128 - 15 - 2)

**SB 1825****SB 1868** (E. Thompson - no) (142 - 1 - 2)**HB 3934** (Flynn - no) (142 - 1 - 2)**HB 3952****SB 33** (Gooden, Perry, and Schaefer - no) (140 - 3 - 2)**SB 61****SB 92** (Gooden, Perry, and Schaefer - no) (140 - 3 - 2)**SB 94****SB 169****SB 229****SB 353****SB 425****SB 560****SB 642****SB 764**

**SB 1332** (Flynn, Gooden, Krause, Perry, Schaefer, and Stickland - no) (137 - 6 - 2)

**SB 1461** (Schaefer and Perry - no) (141 - 2 - 2)

**HB 577**

**HB 1461** (Gooden, Harper-Brown, and Perry - no) (140 - 3 - 2)

**HB 1650** (Bell, Capriglione, Craddick, Creighton, Dale, Darby, Elkins, Fallon, Flynn, Frullo, Geren, Goldman, Gonzales, Hunter, Isaac, Kleinschmidt, Kolkhorst, Kuempel, Lavender, Laubenberg, Leach, Parker, Phillips, Sanford, Sheets, R. Sheffield, Simmons, Simpson, Taylor, Toth, E. S. Turner, and White - no) (111 - 32 - 2)

**HB 2224** (Capriglione, Fallon, and Flynn - no) (140 - 3 - 2)

**SB 1896**

**HB 2423** (Capriglione, Fallon, Flynn, Frullo, Geren, Gooden, Harless, Isaac, Kleinschmidt, Krause, Kuempel, Lavender, Perry, Price, Sanford, Schaefer, Stickland, Taylor, Toth, and E. S. Turner - no) (123 - 20 - 2)

**SB 160** (Flynn, Goldman, and Simpson - no) (140 - 3 - 2)

The following resolutions which were laid out on the previous legislative day on the local, consent, and resolutions calendar were adopted by the above referenced vote (Record 761): 143 Yeas, 0 Nays, 2 Present, not voting (members registering votes and the results of the vote are shown following bill number).

**SCR 28**

#### **HR 2015 - ADOPTED**

**(by Raymond, Guillen, Muñoz, Martínez Fischer, and Hernández Luna)**

Representative Raymond moved to suspend all necessary rules to take up and consider at this time **HR 2015**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2015**, Commemorating the one-year anniversary of the dedication of the Tejano Monument at the State Capitol.

**HR 2015** was adopted.

On motion of Representative Guerra, the names of all the members of the house were added to **HR 2015** as signers thereof.

#### **INTRODUCTION OF GUESTS**

The chair recognized Representative Raymond who introduced members of the Tejano Monument Organizing Committee and Board of Directors.

#### **LEAVE OF ABSENCE GRANTED**

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

Longoria on motion of M. González.

**HR 1894 - ADOPTED**  
**(by Zerwas, et al.)**

Representative Zerwas moved to suspend all necessary rules to take up and consider at this time **HR 1894**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1894**, Recognizing May 2013 as Brain Tumor Awareness Month and commending Dr. Ronald A. DePinho, Dr. Charles A. Conrad, Dr. Jeffrey S. Weinberg, Dr. Susan McGovern, and the entire staff of The University of Texas MD Anderson Cancer Center.

**HR 1894** was adopted.

On motion of Representative Murphy, the names of all the members of the house were added to **HR 1894** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Zerwas who introduced representatives of The University of Texas MD Anderson Cancer Center.

**HB 5 - HOUSE REFUSES TO CONCUR**  
**IN SENATE AMENDMENTS**  
**CONFERENCE COMMITTEE APPOINTED**

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

**HB 5**, A bill to be entitled An Act relating to public school accountability, including assessment, and curriculum requirements.

Representative Aycock moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 5**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 5**: Aycock, chair; Huberty, Deshotel, Gonzales, and E. Rodriguez.

**GENERAL STATE CALENDAR**  
**HOUSE BILLS**  
**THIRD READING**

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

**HB 3750 ON THIRD READING**  
**(by Farrar)**

**HB 3750**, A bill to be entitled An Act relating to the destruction of the records of businesses, state and local governments, and nonprofit entities stored on copy machines; providing a civil penalty.

**HB 3750** was passed by (Record 762): 75 Yeas, 53 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Bonnen, G.; Burnam; Callegari; Coleman; Collier; Cortez; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Farias; Farney; Farrar; Geren; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Johnson; Kacal; King, T.; Kleinschmidt; Klick; Kolkhorst; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Patrick; Perez; Pickett; Pitts; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Simmons; Simpson; Smith; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Ashby; Bell; Bohac; Branch; Burkett; Button; Capriglione; Carter; Cook; Craddick; Dale; Elkins; Fallon; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; Harless; Harper-Brown; Hughes; Keffer; Krause; Larson; Laubenberg; Lavender; Leach; Miller, D.; Miller, R.; Murphy; Orr; Otto; Paddie; Parker; Perry; Phillips; Price; Raney; Ratliff; Riddle; Sanford; Schaefer; Sheets; Smithee; Stephenson; Stickland; Taylor; Thompson, E.; Turner, E.S.; Villalba; White; Zedler.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Creighton; Dutton; Hunter; Isaac; King, K.; King, P.; King, S.; Kuempel; Lewis; Miles; Morrison; Sheffield, R.; Springer; Toth.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 762. I intended to vote no.

Anderson

I was shown voting yes on Record No. 762. I intended to vote no.

Aycock

I was shown voting yes on Record No. 762. I intended to vote no.

G. Bonnen

I was shown voting yes on Record No. 762. I intended to vote no.

Crownover

I was shown voting yes on Record No. 762. I intended to vote no.

Darby

I was shown voting yes on Record No. 762. I intended to vote no.

Gooden

I was shown voting yes on Record No. 762. I intended to vote no.

Hilderbran

I was shown voting yes on Record No. 762. I intended to vote no.

Huberty

When Record No. 762 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 762 was taken, I was in the house but away from my desk. I would have voted no.

Isaac

When Record No. 762 was taken, I was in the house but away from my desk. I would have voted no.

P. King

When Record No. 762 was taken, I was in the house but away from my desk. I would have voted no.

S. King

When Record No. 762 was taken, I was in the house but away from my desk. I would have voted no.

Kuempel

When Record No. 762 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

When Record No. 762 was taken, I was in the house but away from my desk. I would have voted no.

Springer

When Record No. 762 was taken, I was in the house but away from my desk. I would have voted no.

Toth

I was shown voting yes on Record No. 762. I intended to vote no.

Workman

### **HB 912 ON THIRD READING**

**(by Gooden, Riddle, Burnam, Fallon, Stickland, et al.)**

**HB 912**, A bill to be entitled An Act relating to images captured by unmanned vehicles and unmanned aircraft; providing penalties.

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

Representative Gooden offered the following amendment to **HB 912**:

Amend **HB 912** on third reading in SECTION 2 of the bill as follows:

(1) In added Section 423.001, Government Code, as amended by Second Reading Amendment No. 1 by Gooden, strike "privately owned".

(2) Strike added Section 423.001(a), Government Code, as amended by Second Reading Amendment No. 1 by Gooden and by the Second Reading Amendment by Johnson, and substitute the following:

(a) A person commits an offense if the person uses an unmanned vehicle or unmanned aircraft to capture an image of:

(1) an individual or privately owned real property in this state with the intent to conduct surveillance on the individual or property captured in the image;  
or

(2) real property in this state, on which a primary or secondary school or a licensed child-care facility is operated or an individual located on that property, with the intent to conduct surveillance.

(3) In added Section 423.003(c), Government Code, in the language added by Second Reading Amendment No. 2 by Gooden, strike "private property" each place it appears and substitute "real property."

Amendment No. 1 was adopted.

**HB 912**, as amended, was passed by (Record 763): 128 Yeas, 11 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, E.S.; Turner, S.; Villarreal; Vo; Walle; White; Workman; Zedler; Zerwas.

Nays — Anchia; Elkins; Fletcher; Hilderbran; King, T.; Patrick; Stephenson; Strama; Turner, C.; Villalba; Wu.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Branch; Hernandez Luna; Miles.

**STATEMENTS OF VOTE**

When Record No. 763 was taken, I was absent because of important business. I would have voted yes.

Branch

When Record No. 763 was taken, I was in the house but away from my desk. I would have voted yes.

Hernandez Luna

**HB 97 ON THIRD READING**

**(by Perry, White, Flynn, Farias, R. Miller, et al.)**

**HB 97**, A bill to be entitled An Act relating to the exemption from ad valorem taxation of part of the appraised value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization.

**HB 97** was passed by (Record 764): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Callegari; Lozano; Miles; Zerwas.

**HB 1712 ON THIRD READING**

**(by Lozano and Villalba)**

**HB 1712**, A bill to be entitled An Act relating to an exemption from ad valorem and sales and use taxes for property used in connection with an offshore spill response containment system.

**HB 1712** was passed by (Record 765): 140 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Stephenson.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — King, T.

### **HB 503 ON THIRD READING** **(by Hernandez Luna)**

**HB 503**, A bill to be entitled An Act relating to the ability of a property owners' association to contract with an association board member or certain other persons or entities associated with the board member.

**HB 503** was passed by (Record 766): 115 Yeas, 23 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Bonnen, G.; Branch; Burnam; Callegari; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter;

Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Strama; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu.

Nays — Aycock; Bell; Button; Capriglione; Darby; Fallon; Fletcher; Flynn; Gooden; Hilderbran; Huberty; Hughes; Klick; Krause; Paddie; Sanford; Springer; Stephenson; Stickland; Taylor; Thompson, E.; White; Zedler.

Present, not voting — Mr. Speaker; Bohac; Bonnen, D.(C).

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Burkett; Crownover; Zerwas.

### STATEMENTS OF VOTE

When Record No. 766 was taken, I was in the house but away from my desk. I would have voted no.

Burkett

When Record No. 766 was taken, I was in the house but away from my desk. I would have voted no.

Crownover

I was shown voting yes on Record No. 766. I intended to vote no.

E. S. Turner

### HB 217 ON THIRD READING

(by Alvarado, Zerwas, S. King, Lucio, Cortez, et al.)

**HB 217**, A bill to be entitled An Act relating to the types of beverages that may be sold to students on public school campuses.

**HB 217** was passed by (Record 767): 95 Yeas, 44 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bonnen, G.; Burnam; Callegari; Carter; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Fletcher; Frullo; Geren; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kolkhorst; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Sheffield, R.; Smith; Stickland; Strama; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Aycock; Bell; Burkett; Button; Capriglione; Creighton; Dale; Darby; Davis, S.; Elkins; Flynn; Frank; Goldman; Gonzales; Gooden; Harper-Brown; Hilderbran; Huberty; Hughes; Kleinschmidt; Klick;

Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Parker; Phillips; Ratliff; Sanford; Schaefer; Sheets; Simmons; Simpson; Smithee; Springer; Stephenson; Taylor; Toth; Villalba; Zedler.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Branch; Hunter; Turner, E.S.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 767. I intended to vote no.

Bohac

When Record No. 767 was taken, my vote failed to register. I would have voted no.

Branch

I was shown voting yes on Record No. 767. I intended to vote no.

Carter

I was shown voting no on Record No. 767. I intended to vote yes.

S. Davis

I was shown voting yes on Record No. 767. I intended to vote no.

Frullo

I was shown voting no on Record No. 767. I intended to vote yes.

Gooden

When Record No. 767 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting yes on Record No. 767. I intended to vote no.

P. King

I was shown voting yes on Record No. 767. I intended to vote no.

Morrison

I was shown voting yes on Record No. 767. I intended to vote no.

Stickland

When Record No. 767 was taken, I was in the house but away from my desk. I would have voted no.

E. S. Turner

### HB 3498 ON THIRD READING

(by E. S. Turner, Fletcher, Toth, Strama, Murphy, et al.)

**HB 3498**, A bill to be entitled An Act relating to a requirement that a student's postsecondary transcript include the average or median grade awarded in each class.

**HB 3498** was passed by (Record 768): 136 Yeas, 3 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Guerra; Patrick; Phillips.

Present, not voting — Mr. Speaker; Bonnen, D.(C); Toth.

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Fallon; King, S.

#### STATEMENTS OF VOTE

I was shown voting no on Record No. 768. I intended to vote yes.

Guerra

When Record No. 768 was taken, I was temporarily out of the house chamber. I would have voted yes.

S. King

I was shown voting present, not voting on Record No. 768. I intended to vote yes.

Toth

#### HR 898 - PREVIOUSLY ADOPTED (by Callegari and Darby)

The chair laid out and had read the following previously adopted resolution:

**HR 898**, Congratulating Representative John Zerwas and Cindy Zerwas on their selection as the 2013 Citizens of the Year by the Katy Area Chamber of Commerce.

On motion of all members, the names of all the members of the house were added to **HR 898** as signers thereof.

#### HB 3013 ON THIRD READING (by Larson, Anderson, and Villalba)

**HB 3013**, A bill to be entitled An Act relating to the underground storage of water for later retrieval and beneficial use; authorizing the imposition of fees.

**Amendment No. 1**

Representatives Darby and Coleman offered the following amendment to **HB 3013**:

Amend **HB 3013** (house committee report) as follows:

(1) On page 7, after subsection (b), add (b-1) The board shall contract with a Texas nonprofit entity to study aquifers and develop data to better understand the chemical composition and storage potential of the aquifers. The entity should exhibit an established record of managing complex, multi-institutional research projects in Texas.

Amendment No. 1 was adopted.

**HB 3013**, as amended, was passed by (Record 769): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Elkins; McClendon.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Pickett requested permission for the Committee on Homeland Security and Public Safety to meet while the house is in session, at 11:30 a.m. today, in 3W.9, to consider **SB 17**, **SB 171**, **SB 231**, **SB 892**, **SB 1664**, and **SB 1857**.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Homeland Security and Public Safety, 11:30 a.m. today, 3W.9, for a formal meeting, to consider **SB 17**, **SB 171**, **SB 231**, **SB 892**, **SB 1664**, and **SB 1857**.

**HB 2578 ON THIRD READING**  
**(by Larson, Callegari, Anderson, and Villalba)**

**HB 2578**, A bill to be entitled An Act relating to the development of brackish groundwater.

**HB 2578** was passed by (Record 770): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Guillen.

**HB 3660 ON THIRD READING**  
**(by Simmons)**

**HB 3660**, A bill to be entitled An Act relating to requiring the Texas Commission on Fire Protection to conduct a study and prepare a report on administrative attachment.

**HB 3660** was passed by (Record 771): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson;

Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Callegari; Miles; Rodriguez, E.

### HB 3005 ON THIRD READING

(by Burkett, J. Davis, Branch, Lucio, Crossover, et al.)

**HB 3005**, A bill to be entitled An Act relating to the authority of the Texas Workforce Commission to use certain unemployment compensation funds for reemployment activities.

#### Amendment No. 1

Representative Burkett offered the following amendment to **HB 3005**:

Amend **HB 3005**, on third reading, by inserting the following on page 1, line 15, immediately following the underlined period:

The commission shall provide to the legislative standing committees with primary jurisdiction over the commission any evaluation reports required by the United States Department of Labor for a reemployment demonstration project.

Amendment No. 1 was adopted.

**HB 3005**, as amended, was passed by (Record 772): 126 Yeas, 13 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Cook; Cortez; Craddick; Creighton; Crossover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, S.; Villalba; Villarreal; Vo; White; Workman; Zedler; Zerwas.

Nays — Anchia; Collier; Eiland; González, M.; Guerra; Hernandez Luna; Herrero; Martinez Fischer; Nevárez; Rodriguez, J.; Turner, C.; Walle; Wu.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Klick; Menéndez; Turner, E.S.

### STATEMENT OF VOTE

When Record No. 772 was taken, I was in the house but away from my desk. I would have voted yes.

E. S. Turner

### HB 1352 ON THIRD READING

(by Callegari, Harper-Brown, Ratliff, Fallon, et al.)

**HB 1352**, A bill to be entitled An Act relating to an exemption for certain persons who sell signs from the requirement to be licensed as an electrician.

**HB 1352** was passed by (Record 773): 133 Yeas, 7 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; White; Workman; Wu; Zedler; Zerwas.

Nays — Ashby; González, M.; Hernandez Luna; Martinez Fischer; Nevárez; Rodriguez, J.; Walle.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Gonzales; Menéndez.

### STATEMENT OF VOTE

When Record No. 773 was taken, my vote failed to register. I would have voted yes.

Gonzales

**HB 3593 ON THIRD READING**  
**(by Burnam, Hernandez Luna, et al.)**

**HB 3593**, A bill to be entitled An Act relating to the determination that a voter is deceased.

**HB 3593** was passed by (Record 774): 88 Yeas, 50 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Burkett; Burnam; Callegari; Coleman; Collier; Cook; Cortez; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Fletcher; Frank; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Howard; Huberty; Johnson; Keffer; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Laubenberg; Leach; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Patrick; Perez; Perry; Phillips; Pickett; Raymond; Reynolds; Riddle; Ritter; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Simmons; Simpson; Strama; Taylor; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Wu; Zerwas.

Nays — Ashby; Bell; Bohac; Bonnen, G.; Branch; Button; Capriglione; Carter; Craddick; Creighton; Crownover; Elkins; Fallon; Farney; Flynn; Frullo; Gooden; Harless; Harper-Brown; Hilderbran; Hughes; Isaac; Kacal; King, K.; King, P.; Krause; Kuempel; Larson; Lavender; Lewis; Miller, D.; Murphy; Paddie; Parker; Pitts; Price; Raney; Ratliff; Schaefer; Sheffield, R.; Smith; Smithee; Springer; Stephenson; Stickland; Thompson, E.; Turner, E.S.; White; Workman; Zedler.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Herrero; Hunter; Miles; Rodriguez, E.

**STATEMENTS OF VOTE**

When Record No. 774 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting yes on Record No. 774. I intended to vote no.

Kolkhorst

**HB 34 ON THIRD READING**  
**(by Menéndez, Anchia, Geren, and Walle)**

**HB 34**, A bill to be entitled An Act relating to the consumption of alcoholic beverages on certain premises; providing a penalty and authorizing a fee.

**HB 34** was passed by (Record 775): 129 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Smith; Smithee; Springer; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Dutton; Schaefer; Simpson; Stickland; Toth.

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

Absent, Excused — Canales; Clardy; Giddings; Longoria; Lucio; Márquez.

Absent — Allen; Callegari; Fallon; King, S.; Miles; Simmons; Stephenson; Turner, S.

#### STATEMENTS OF VOTE

When Record No. 775 was taken, my vote failed to register. I would have voted yes.

Fallon

I was shown voting yes on Record No. 775. I intended to vote no.

Flynn

I was shown voting yes on Record No. 775. I intended to vote no.

Zedler

#### LEAVE OF ABSENCE GRANTED

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

Guerra on motion of Wu.

#### HB 2753 ON THIRD READING (by Branch, Patrick, and Pitts)

**HB 2753**, A bill to be entitled An Act relating to excellence funding for health-related institutions of higher education.

Representative Branch moved to postpone consideration of **HB 2753** until 11:30 a.m. today.

The motion prevailed.

**HB 581 ON THIRD READING****(by Howard, S. King, K. King, and Naishtat)**

**HB 581**, A bill to be entitled An Act relating to a limited waiver of sovereign immunity for state and local governmental entities in certain employment lawsuits filed by nurses.

**HB 581** was passed by (Record 776): 100 Yeas, 28 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Bohac; Branch; Burkett; Burnam; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Crownover; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Frullo; Geren; Gonzales; González, M.; Gonzalez, N.; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Krause; Kuempel; Larson; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, R.; Moody; Morrison; Muñoz; Murphy; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Simmons; Simpson; Smith; Smithee; Springer; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villarreal; Vo; Walle; White; Workman; Wu.

Nays — Anderson; Aycock; Bonnen, G.; Button; Craddick; Creighton; Darby; Elkins; Fallon; Fletcher; Flynn; Frank; Goldman; Gooden; Hilderbran; Kleinschmidt; Laubenberg; Lavender; Leach; Miller, D.; Parker; Sheets; Sheffield, R.; Stephenson; Stickland; Taylor; Zedler; Zerwas.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Bell; Hernandez Luna; Hughes; Klick; Kolkhorst; Miles; Naishtat; Raney; Rose; Sheffield, J.; Strama; Turner, E.S.; Villalba.

**STATEMENTS OF VOTE**

When Record No. 776 was taken, my vote failed to register. I would have voted no.

Bell

I was shown voting yes on Record No. 776. I intended to vote no.

Dale

I was shown voting no on Record No. 776. I intended to vote yes.

Fletcher

I was shown voting yes on Record No. 776. I intended to vote no.

Gonzales

When Record No. 776 was taken, I was in the house but away from my desk. I would have voted yes.

Kolkhorst

When Record No. 776 was taken, I was in the house but away from my desk. I would have voted yes.

E. S. Turner

When Record No. 776 was taken, I was in the house but away from my desk. I would have voted yes.

Villalba

### **HB 586 ON THIRD READING**

**(by Workman, Leach, Callegari, Menéndez, Smithee, et al.)**

**HB 586**, A bill to be entitled An Act relating to the waiver of sovereign immunity for certain design and construction claims arising under written contracts with state agencies.

**HB 586** was passed by (Record 777): 132 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, G.; Branch; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Herrero; Hilderbran; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Burkett; Frank; Harper-Brown; Hughes; King, P.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Bell; Hernandez Luna; Raney; Villalba.

**STATEMENTS OF VOTE**

When Record No. 777 was taken, my vote failed to register. I would have voted yes.

Bell

I was shown voting yes on Record No. 777. I intended to vote no.

Hilderbran

I was shown voting no on Record No. 777. I intended to vote yes.

Hughes

When Record No. 777 was taken, I was in the house but away from my desk. I would have voted yes.

Villalba

**HB 2765 ON THIRD READING**  
**(by Branch, Otto, Pitts, and Villalba)**

**HB 2765**, A bill to be entitled An Act relating to the creation of the Texas competitive knowledge fund to support excellence at qualifying institutions of higher education.

**HB 2765** was passed by (Record 778): 136 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Bonnen, D.(C); Dukes.

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Bell; Coleman; Raney; Walle.

### STATEMENT OF VOTE

When Record No. 778 was taken, my vote failed to register. I would have voted yes.

Bell

### HB 2690 ON THIRD READING

(by Elkins)

**HB 2690**, A bill to be entitled An Act relating to the sale of a vehicle by an unlicensed seller; creating an offense.

**HB 2690** was passed by (Record 779): 116 Yeas, 20 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Branch; Burkett; Button; Callegari; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Geren; Gonzales; González, M.; Gonzalez, N.; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Lewis; Lozano; Martinez; McClendon; Menéndez; Miles; Miller, D.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pitts; Price; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Smith; Smithee; Springer; Strama; Taylor; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Bonnen, G.; Capriglione; Frank; Goldman; Gooden; Huberty; Klick; Krause; Leach; Martinez Fischer; Miller, R.; Nevárez; Rodriguez, J.; Schaefer; Simmons; Simpson; Stephenson; Stickland; Thompson, E.; White.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Burnam; Hernandez Luna; Perry; Pickett; Raney.

### STATEMENTS OF VOTE

When Record No. 779 was taken, I was in the house but away from my desk. I would have voted yes.

Hernandez Luna

When Record No. 779 was taken, I was in the house but away from my desk. I would have voted no.

Perry

I was shown voting yes on Record No. 779. I intended to vote no.

Toth

**HB 2500 ON THIRD READING**  
**(by Bohac, Strama, Button, and Anchia)**

**HB 2500**, A bill to be entitled An Act relating to the appraisal for ad valorem tax purposes of solar energy property.

**HB 2500** was passed by (Record 780): 132 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Lavender; Murphy; Otto.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Callegari; Dale; Gonzales; Keffer; Laubenberg; Raney.

**HB 2145 ON THIRD READING**  
**(by Hilderbran)**

**HB 2145**, A bill to be entitled An Act relating to apportionment of certain receipts of a broadcaster under the franchise tax.

**HB 2145** was passed by (Record 781): 137 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach;

Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — González, M.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Bohac; Miles; Pickett.

### STATEMENTS OF VOTE

When Record No. 781 was taken, I was in the house but away from my desk. I would have voted yes.

Bohac

I was shown voting no on Record No. 781. I intended to vote yes.

M. González

### HB 12 ON THIRD READING

(by Flynn, Alvarado, Perry, Martinez Fischer, et al.)

**HB 12**, A bill to be entitled An Act relating to gifts made to a state agency for a state employee salary supplement.

#### Amendment No. 1

Representative Flynn offered the following amendment to **HB 12**:

Amend **HB 12** on third reading (second reading engrossment) as follows:

(1) In SECTION 1 of the bill, in added Section 659.0201, Government Code (page 1, line 9), strike "REPORTING SALARY SUPPLEMENT" and substitute "GIFTS, GRANTS, AND DONATIONS FOR SALARY SUPPLEMENT; REPORTING".

(2) In SECTION 1 of the bill, in added Section 659.0201, Government Code, strike added Subsection (c-2) (page 2, lines 11-18).

Amendment No. 1 was adopted.

**HB 12**, as amended, was passed by (Record 782): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman;

Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Dukes.

### **HB 3669 ON THIRD READING** **(by Naishtat)**

**HB 3669**, A bill to be entitled An Act relating to the recusal or disqualification of a statutory probate judge or other judge authorized to hear probate, guardianship, or mental health matters, and the subsequent assignment of another judge.

**HB 3669** was passed by (Record 783): 139 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Klick; Stephenson.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

**HB 3065 ON THIRD READING**  
(by Menéndez)

**HB 3065**, A bill to be entitled An Act relating to the payment of state funds by the secretary of state directly to an entity conducting a primary election under contract.

**HB 3065** was passed by (Record 784): 84 Yeas, 49 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Bohac; Burkett; Burnam; Carter; Collier; Cook; Cortez; Crownover; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Fletcher; Geren; Gonzales; González, M.; Gonzalez, N.; Guillen; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Howard; Hunter; Johnson; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kuempel; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Patrick; Perez; Pickett; Pitts; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Smith; Strama; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zedler.

Nays — Anderson; Aycock; Bell; Branch; Button; Capriglione; Craddick; Creighton; Dale; Darby; Elkins; Fallon; Farney; Flynn; Frank; Frullo; Goldman; Gooden; Hilderbran; Huberty; Isaac; Kacal; Klick; Kolkhorst; Krause; Larson; Laubenberg; Lavender; Leach; Lewis; Paddie; Parker; Perry; Phillips; Price; Ratliff; Sanford; Schaefer; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Turner, E.S.; White.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Bonnen, G.; Callegari; Coleman; Harless; Hughes; Miles; Ritter; Zerwas.

**STATEMENTS OF VOTE**

When Record No. 784 was taken, I was in the house but away from my desk. I would have voted no.

G. Bonnen

I was shown voting yes on Record No. 784. I intended to vote no.

Crownover

When Record No. 784 was taken, I was in the house but away from my desk. I would have voted no.

Harless

I was shown voting yes on Record No. 784. I intended to vote no.

Kuempel

I was shown voting yes on Record No. 784. I intended to vote no.

Toth

### **HB 16 ON THIRD READING**

**(by Flynn, Alvarado, Perry, Larson, Martinez Fischer, et al.)**

**HB 16**, A bill to be entitled An Act relating to a requirement that a state agency post the results of certain audits on the state agency's Internet website.

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

Representative Flynn offered the following amendment to **HB 16**:

Amend **HB 16** on third reading as follows:

(1) On page 1, line 8, strike "AUDITS" and substitute "AUDIT PLAN AND ANNUAL REPORT".

(2) Strike "audit" and substitute "audit plan or annual report" in each of the following places it appears:

(A) page 2, line 8; and

(B) page 2, line 11.

Amendment No. 1 was adopted.

#### **Amendment No. 2**

Representative Perry offered the following amendment to **HB 16**:

Amend **HB 16** on third reading (second reading engrossment) by striking page 1, line 23, through page 2, line 3, and substituting the following:  
contained in the agency's internal audit plan or annual report if the information is confidential or excepted from public disclosure under Section 418.177, 418.179, 418.181, 418.182, 552.108, 552.116, 552.125, 552.139, or 552.152.

Amendment No. 2 was adopted.

**HB 16**, as amended, was passed by (Record 785): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycoc; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson;

Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Miles.

### **HB 1468 ON THIRD READING** **(by Sheets and Fallon)**

**HB 1468**, A bill to be entitled An Act relating to confidential communications between an insurance carrier and a covered employer under the Texas Workers' Compensation Act.

#### **HB 1468 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE NEVÁREZ: What's the difference between a privileged communication and a confidential communication?

REPRESENTATIVE SHEETS: Confidential communication, the court will be able to review the communications to determine whether or not it is coverable.

NEVÁREZ: What type of review are we talking about? An in-camera review?

SHEETS: That would be up to the court, and I'm sure it would be in-camera.

NEVÁREZ: So, when you say there's a misunderstanding about the communication, what is that misunderstanding?

SHEETS: No, I was saying last night there was a little bit of misunderstanding. We were talking about privilege last night, and the bill does not provide for privileged communications. It provides for confidential communications.

NEVÁREZ: And, just so the body understands—that lawyers in the body understand, because I think this deals with issues revolving around our profession. The difference between a privileged communication and a confidential communication is you, the person who's raising the privilege, can absolutely withhold the information because you're raising the privilege. And in a confidential sense, you're going to have a court and/or an officer of the court review it, is that correct?

SHEETS: That is correct.

NEVÁREZ: Okay, and so, going back to the purpose of the bill, what's the reason or the rationale for changing or attempting to change something that's been very prevalent in our profession regarding private communications or confidential communications?

SHEETS: We're not actually changing anything. What we're doing has been the standard and the practice in worker compensation matters, that the employer and the insurance carrier have been able to communicate with confidential communications. It's just been recently with the Supreme Court ruling that has changed that. This is getting it so we're back to the practice prior to the Supreme Court ruling.

NEVÁREZ: And, just so the body understands, we've had us a visitor here in this chamber several times—our Chief Justice Wallace Jefferson—and you understand that our Chief Justice Wallace Jefferson saw fit to rule in direct opposition to what this bill is doing?

SHEETS: That's right, because the statute was not in place. Now the statute's in place so that we can operate under the standard that's in place.

NEVÁREZ: Now, with respect to the communication between an employer and a representative of the insurance company, I want the body to understand that, for instance, if you—

SHEETS: Do you have a question, Mr. Nevárez?

NEVÁREZ: I do have a question, and I'm going to ask it to you. Will you make the body understand what employee or who is covered in terms of the communication? What employees? Is there a definition of them?

SHEETS: What are you talking about when you're talking about employees?

NEVÁREZ: In other words, tell the body—if you will, and if you can—what it means for an employer to contact somebody at the insurance company, or the carrier, if you will? Please tell the body that.

SHEETS: I don't understand your question. It's nonsensical.

NEVÁREZ: No, it's not nonsensical. Isn't it true that any communication—let's say that the person that answers the phone is the person who is cleaning the office. That's communication now, because they work for the insurance company?

SHEETS: No, you're talking about a very broad term here, and the bill's not that broad. When the bill was originally filed, there were some concerns about how broad the bill was. It's been narrowed as a result of work with stakeholders, including some of those who filed in opposition to the bill, who are now not opposed to the bill.

NEVÁREZ: Then, let's do this, Mr. Sheets. I'm going to give you the benefit of the doubt. But just remember this conversation. A couple of years, four years down the line, if we're both still fortunate enough to be here, then we'll see how broad this is.

SHEETS: Absolutely.

**HB 1468** was passed by (Record 786): 111 Yeas, 21 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Callegari; Capriglione; Carter; Coleman; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Hilderbran; Huberty; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Menéndez; Miles; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, E.S.; Turner, S.; Villalba; Vo; White; Workman; Zedler; Zerwas.

Nays — Alvarado; Anchia; Burnam; Collier; Cortez; Eiland; González, M.; Gutierrez; Herrero; Howard; Martinez Fischer; Moody; Nevárez; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Turner, C.; Villarreal; Walle; Wu.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Dukes; Farias; Gonzalez, N.; Hernandez Luna; Hughes; Johnson; Krause; McClendon; Strama.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 786. I intended to vote no.

Dutton

When Record No. 786 was taken, I was in the house but away from my desk. I would have voted yes.

N. Gonzalez

When Record No. 786 was taken, my vote failed to register. I would have voted yes.

Krause

I was shown voting yes on Record No. 786. I intended to vote no.

Naishtat

### HB 3227 ON THIRD READING

(by Coleman, C. Turner, Moody, Walle, Anchia, et al.)

**HB 3227**, A bill to be entitled An Act relating to coverage of certain eating disorders as serious mental illnesses under certain group health benefit plans.

**HB 3227** was passed by (Record 787): 83 Yeas, 44 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Burnam; Callegari; Carter; Coleman; Collier; Cook; Cortez; Crownover; Dale; Darby; Davis, J.; Davis, Y.; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Geren; Goldman; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Johnson; Kacal; King, K.; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Larson; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Patrick; Perez; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheffield, J.; Simmons; Smithee; Strama; Taylor; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Bell; Bonnen, G.; Branch; Burkett; Button; Capriglione; Craddick; Creighton; Elkins; Fallon; Flynn; Frank; Frullo; Gonzales; Harper-Brown; Isaac; Kleinschmidt; Klick; Laubenberg; Leach; Lewis; Miller, D.; Miller, R.; Orr; Otto; Paddie; Parker; Perry; Phillips; Pitts; Ratliff; Riddle; Schaefer; Sheets; Simpson; Smith; Springer; Stephenson; Stickland; Toth; Turner, E.S.; White.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Davis, S.; Deshotel; Fletcher; Huberty; Keffer; Krause; Lavender; Miles; Murphy; Raney; Ritter; Sheffield, R.; Thompson, E.; Zedler.

#### STATEMENTS OF VOTE

When Record No. 787 was taken, I was in the house but away from my desk. I would have voted no.

Fletcher

I was shown voting yes on Record No. 787. I intended to vote no.

Hilderbran

When Record No. 787 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 787 was taken, my vote failed to register. I would have voted no.

Murphy

When Record No. 787 was taken, I was in the house but away from my desk. I would have voted no.

R. Sheffield

**REMARKS ORDERED PRINTED**

Representative Herrero moved to print remarks between Representative Sheets and Representative Herrero on **CSHB 1468** on Thursday, May 9.

The motion prevailed.

**REMARKS ORDERED PRINTED**

Representative Herrero moved to print remarks between Representative Nevárez and Representative Sheets on **HB 1468**.

The motion prevailed.

**HB 2163 ON THIRD READING**

(by Eiland)

**HB 2163**, A bill to be entitled An Act relating to an annual assessment on insurers for the examination of insurers; imposing an assessment.

**HB 2163** was passed by (Record 788): 107 Yeas, 29 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bell; Bohac; Bonnen, G.; Branch; Burnam; Callegari; Carter; Coleman; Collier; Cook; Cortez; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farrar; Fletcher; Frullo; Geren; Goldman; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Strama; Taylor; Thompson, S.; Toth; Turner, C.; Turner, S.; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Aycock; Burkett; Button; Capriglione; Craddick; Creighton; Crownover; Dale; Darby; Elkins; Flynn; Frank; Gonzales; Harless; Klick; Laubenberg; Leach; Lewis; Parker; Ratliff; Schaefer; Springer; Stephenson; Stickland; Turner, E.S.; Villalba; Zedler.

Present, not voting — Mr. Speaker; Bonnen, D.(C); Thompson, E.

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez.

Absent — Davis, S.; Farney; Lavender; Phillips.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 788. I intended to vote no.

Harper-Brown

I was shown voting yes on Record No. 788. I intended to vote no.

P. King

I was shown voting yes on Record No. 788. I intended to vote no.

Kolkhorst

I was shown voting yes on Record No. 788. I intended to vote no.

Morrison

### **HB 382 ON THIRD READING**

**(by Burnam, C. Turner, et al.)**

**HB 382**, A bill to be entitled An Act relating to certain limitations on settlement agreements with a governmental unit.

Representative Burnam moved to postpone consideration of **HB 382** until 11:56 a.m. today.

The motion prevailed.

### **LEAVE OF ABSENCE GRANTED**

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

Hilderbran on motion of Smithee.

### **HB 1340 ON THIRD READING**

**(by Rose, Zerwas, and J. Sheffield)**

**HB 1340**, A bill to be entitled An Act relating to consent to the immunization of certain children.

**HB 1340** was passed by (Record 789): 71 Yeas, 61 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Burnam; Callegari; Coleman; Collier; Cook; Cortez; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Frank; Geren; González, M.; Gonzalez, N.; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kolkhorst; Kuempel; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Wu; Zerwas.

Nays — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Capriglione; Carter; Craddick; Creighton; Crownover; Dale; Darby; Elkins; Fallon; Fletcher; Flynn; Frullo; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hughes; King, P.; Kleinschmidt; Krause; Larson; Laubenberg; Lavender; Leach; Miller, D.; Miller, R.; Parker; Patrick; Perry; Phillips; Pitts; Price; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Hilderbran; Longoria; Lucio; Márquez.

Absent — Huberty; Hunter; Kacal; Klick; Lewis; Lozano; Paddie; Ritter.

#### STATEMENTS OF VOTE

When Record No. 789 was taken, I was in the house but away from my desk. I would have voted no.

Huberty

When Record No. 789 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

I was shown voting yes on Record No. 789. I intended to vote no.

Isaac

When Record No. 789 was taken, my vote failed to register. I would have voted no.

Klick

#### LEAVE OF ABSENCE GRANTED

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

Ritter on motion of Crownover.

#### SB 2 - RECOMMITTED

Representative Aycock moved to recommit **SB 2** to the Committee on Public Education.

The motion prevailed.

#### POSTPONED BUSINESS

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

#### **HB 2753 ON THIRD READING** **(by Branch, Patrick, Pitts, et al.)**

**HB 2753**, A bill to be entitled An Act relating to excellence funding for health-related institutions of higher education.

**HB 2753** was read third time earlier today and was postponed until this time.

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

Representatives S. Turner and Zerwas offered the following amendment to **HB 2753**:

Amend **HB 2753** on third reading as follows:

(1) In SECTION 1 of the bill, in added Section 62.165(a), Education Code, strike "total points awarded under Subsection (b)" and substitute "total points awarded under this section".

(2) In SECTION 1 of the bill, in added Section 62.165, Education Code, immediately following added Subsection (c), insert the following:

(d) In addition to the points an eligible institution is awarded under Subsection (b), the institution is awarded one additional point for each 20 percentage points in growth from the first year to the second year of the preceding fiscal biennium in any of the categories listed under Subsection (b), not to exceed a total of five additional points for any category.

Amendment No. 1 was adopted.

(Hilderbran now present)

**HB 2753**, as amended, failed to pass by (Record 790): 62 Yeas, 73 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Branch; Burkett; Button; Capriglione; Carter; Coleman; Collier; Craddick; Davis, J.; Davis, Y.; Dukes; Eiland; Farrar; Gonzalez, N.; Gooden; Harper-Brown; Hernandez Luna; Howard; Hughes; Johnson; King, P.; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; Miles; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Patrick; Perez; Phillips; Pitts; Ratliff; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Smith; Stephenson; Strama; Taylor; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Walle; Wu; Zerwas.

Nays — Anderson; Ashby; Aycok; Bell; Bohac; Bonnen, G.; Burnam; Cook; Cortez; Creighton; Crownover; Dale; Davis, S.; Deshotel; Dutton; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gutierrez; Harless; Herrero; Hilderbran; Huberty; Hunter; Isaac; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; McClendon; Menéndez; Miller, D.; Miller, R.; Morrison; Orr; Otto; Paddie; Parker; Perry; Pickett; Price; Raney; Riddle; Sanford; Schaefer; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stickland; Thompson, E.; Toth; Villarreal; White; Workman; Zedler.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez; Ritter.

Absent — Callegari; González, M.; Guillen; Laubenberg.

#### STATEMENTS OF VOTE

When Record No. 790 was taken, my vote failed to register. I would have voted no.

M. González

When Record No. 790 was taken, I was excused for important business in the district. I would have voted yes.

Guerra

When Record No. 790 was taken, my vote failed to register. I would have voted yes.

Guillen

I was shown voting no on Record No. 790. I intended to vote yes.

Isaac

**GENERAL STATE CALENDAR**  
(consideration continued)

**HB 1843 ON THIRD READING**  
(by Branch)

**HB 1843**, A bill to be entitled An Act relating to limitations on the automatic admission of undergraduate students to general academic teaching institutions.

**HB 1843** was passed by (Record 791): 131 Yeas, 7 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gonzalez, N.; Gooden; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Collier; González, M.; Guillen; King, T.; Nevárez; Schaefer; White.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez; Ritter.

Absent — Lozano; Paddie.

**STATEMENT OF VOTE**

I was shown voting yes on Record No. 791. I intended to vote no.

Muñoz

**HB 2972 ON THIRD READING****(by K. King)**

**HB 2972**, A bill to be entitled An Act relating to exempting premiums for certain insurance covering stored or in-transit baled cotton from surplus lines insurance premium taxes.

**HB 2972** was passed by (Record 792): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez; Ritter.

Absent — Lozano.

**HB 1382 ON THIRD READING****(by Simpson, E. Rodriguez, Kolkhorst, Burnam, et al.)**

**HB 1382**, A bill to be entitled An Act relating to the regulation of food prepared, stored, distributed, or sold at farms and farmers' markets; limiting the applicability of a fee.

**HB 1382** was passed by (Record 793): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty;

Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez; Ritter.

Absent — Lozano; Pitts; Thompson, E.

### STATEMENT OF VOTE

When Record No. 793 was taken, I was in the house but away from my desk. I would have voted yes.

E. Thompson

### HB 1174 ON THIRD READING

(by Fallon, Farney, Carter, Ashby, Raymond, et al.)

**HB 1174**, A bill to be entitled An Act relating to the penalties for illegally passing a stopped school bus.

**HB 1174** was passed by (Record 794): 133 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Burkett; Simpson; Stickland.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez; Ritter.

Absent — Dukes; Geren; Pickett; Smith.

### **HB 741 ON THIRD READING**

**(by Walle, Hernandez Luna, Lucio, and S. King)**

**HB 741**, A bill to be entitled An Act relating to the right of a public employee to express breast milk in the workplace.

### **HB 741 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE WORKMAN: Representative Walle, we talked about this bill in our committee. I asked a question there about legislative intent, and I want to repeat that here on the record. And that is that, under this bill, is it true that there's no intent under this bill to force an employer of any kind to actually construct or actually dedicate specific space for this action?

REPRESENTATIVE WALLE: Yes, that's correct, because we're only dealing with public employees, so it's a smaller pool. But, in addition to that, salaried employees don't follow FLSA right now, so you also have hourly workers that are covered under FLSA that are protected with this protection. What we're doing here is just applying it to a salaried employee. So, what that means also is that if you're in a school, if you're a school teacher, you can also—you have the protection, say for instance, for the custodial staff or the cafeteria workers. They have the protection, but the teacher doesn't have it. So what we're doing here is just streamlining that protection.

WORKMAN: Okay, well my concern is just that we're not creating a situation where an employer has got to go out and build a room, add on, or building a separate building in order to comply with this.

WALLE: No, not at all, and I appreciate you clarifying that for us—particularly in committee, and, obviously, here on the house floor, that way we get some clarity on it.

(Kolkhorst in the chair)

### **REMARKS ORDERED PRINTED**

Representative Workman moved to print remarks between Representative Walle and Representative Workman.

The motion prevailed.

**HB 741** was passed by (Record 795): 90 Yeas, 46 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Burnam; Callegari; Coleman; Collier; Cook; Cortez; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Fletcher; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Kleinschmidt; Kuempel; Larson; Martinez; Martinez

Fischer; McClendon; Menéndez; Miles; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Patrick; Perez; Pickett; Pitts; Price; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheffield, J.; Simpson; Smith; Smithee; Strama; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Bell; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Capriglione; Carter; Craddick; Creighton; Crownover; Davis, J.; Elkins; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Harless; Harper-Brown; Klick; Krause; Laubenberg; Lavender; Leach; Lewis; Miller, D.; Miller, R.; Parker; Perry; Phillips; Ratliff; Schaefer; Sheets; Sheffield, R.; Simmons; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Turner, E.S.; Zedler.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Longoria; Lucio; Márquez; Ritter.

Absent — Farney; King, S.; Lozano; Paddie.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 795. I intended to vote no.

Gooden

When Record No. 795 was taken, I was temporarily out of the house chamber. I would have voted yes.

S. King

I was shown voting yes on Record No. 795. I intended to vote no.

Price

### LEAVE OF ABSENCE GRANTED

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

Hilderbran on motion of Smithee.

### COMMITTEE GRANTED PERMISSION TO MEET

Representative Callegari requested permission for the Committee on Pensions to meet while the house is in session, at 12:45 p.m. today, in 3W.9, to consider **SB 1458**.

Permission to meet was granted.

### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Pensions, 12:45 p.m. today, 3W.9, for a formal meeting, to consider **SB 1458**.

### HB 133 ON THIRD READING (by Raymond)

**HB 133**, A bill to be entitled An Act relating to the dissemination of criminal history record information by the Department of Public Safety concerning the offense of intoxication manslaughter.

**HB 133** was passed by (Record 796): 81 Yeas, 56 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Bohac; Burnam; Callegari; Carter; Coleman; Collier; Cook; Cortez; Crownover; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Fletcher; Frank; Gonzales; González, M.; Gonzalez, N.; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Johnson; King, K.; King, S.; King, T.; Kuempel; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Pickett; Pitts; Raney; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Strama; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Wu; Zerwas.

Nays — Anderson; Aycock; Bell; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Capriglione; Craddick; Creighton; Darby; Elkins; Fallon; Flynn; Frullo; Geren; Goldman; Gooden; Harper-Brown; Hughes; Isaac; Kacal; King, P.; Kleinschmidt; Klick; Krause; Larson; Laubenberg; Lavender; Leach; Lewis; Morrison; Murphy; Parker; Perry; Phillips; Price; Ratliff; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Turner, E.S.; White; Workman; Zedler.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Hilderbran; Longoria; Lucio; Márquez; Ritter.

Absent — Keffer; Lozano.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 796. I intended to vote no.

Crownover

I was shown voting yes on Record No. 796. I intended to vote no.

Gonzales

I was shown voting yes on Record No. 796. I intended to vote no.

Harless

I was shown voting yes on Record No. 796. I intended to vote no.

Huberty

I was shown voting yes on Record No. 796. I intended to vote no.

Kuempel

I was shown voting yes on Record No. 796. I intended to vote no.

J. Sheffield

**HB 3509 ON THIRD READING**  
**(by D. Bonnen and Villalba)**

**HB 3509**, A bill to be entitled An Act relating to endangered species habitat conservation and to the creation of a committee to oversee and guide the state's coordinated response to federal actions regarding endangered species.

**HB 3509** was passed by (Record 797): 118 Yeas, 16 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Callegari; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Elkins; Fallon; Farias; Farrar; Fletcher; Flynn; Frank; Frullo; Goldman; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Klick; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martínez; Martínez Fischer; Menéndez; Miles; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Branch; Button; Capriglione; Dale; Farney; Gonzales; King, S.; Kleinschmidt; Krause; Miller, D.; Schaefer; Simpson; Stickland; Toth; White; Zedler.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Hilderbran; Longoria; Lucio; Márquez; Ritter.

Absent — Carter; Dukes; Geren; McClendon; Paddie.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 797. I intended to vote no.

Aycock

I was shown voting no on Record No. 797. I intended to vote yes.

Capriglione

When Record No. 797 was taken, my vote failed to register. I would have voted yes.

Carter

I was shown voting no on Record No. 797. I intended to vote yes.

D. Miller

I was shown voting yes on Record No. 797. I intended to vote no.

Phillips

**HB 690 ON THIRD READING**  
**(by Lewis and Naishtat)**

**HB 690**, A bill to be entitled An Act relating to reimbursing public institutions of higher education for tuition and fee exemptions for certain military personnel and their dependents.

**Amendment No. 1**

Representative Fletcher offered the following amendment to **HB 690**:

Amend **HB 690** on third reading as follows:

(1) Strike the introductory clause to SECTION 1 of the bill and substitute the following:

Section 54.341, Education Code, is amended by adding Subsections (o) and (p) to read as follows:

(2) Insert the following new subsection immediately after added Section 54.341(o), Education Code:

(p) Notwithstanding Subsection (o), the coordinating board may not provide a reimbursement described by that subsection to an institution of higher education in any academic year unless the institution's governing board has certified that the institution has set aside a portion of the tuition set aside under Sections 56.011 and 56.012 in an amount sufficient to fully fund tuition and fee exemptions required under Section 54.341 for veterans and other military personnel and their dependents and surviving family members enrolled as students at the institution in that academic year. Tuition set aside under Sections 56.011 and 56.012 may be used for funding those exemptions in addition to any purpose provided under Subchapter B, Chapter 56.

Amendment No. 1 was withdrawn.

**HB 690** was passed by (Record 798): 134 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith;

Smithee; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Springer; Stickland.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Hilderbran; Longoria; Lucio; Márquez; Ritter.

Absent — Lozano; Martinez; Moody.

### STATEMENTS OF VOTE

When Record No. 798 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

I was shown voting no on Record No. 798. I intended to vote yes.

Springer

I was shown voting no on Record No. 798. I intended to vote yes.

Stickland

### POSTPONED BUSINESS

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

#### **HB 382 ON THIRD READING** (by Burnam, C. Turner, et al.)

**HB 382**, A bill to be entitled An Act relating to certain limitations on settlement agreements with a governmental unit.

**HB 382** was read third time earlier today and was postponed until this time.

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

Representative Burnam offered the following amendment to **HB 382**:

Amend **HB 382** on third reading (second reading engrossment) on page 1, line 21, after the period, by inserting the following:

A governmental unit may not disclose the personal information of the party seeking affirmative relief unless the party agrees to the disclosure.

Amendment No. 1 was adopted.

**HB 382**, as amended, was passed by (Record 799): 86 Yeas, 50 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Burnam; Button; Callegari; Capriglione; Coleman; Collier; Cook; Cortez; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Frullo; González, M.; Gutierrez; Hernandez Luna; Herrero; Howard; Huberty; Johnson; Kacal; King, K.; King, S.; King, T.; Krause; Kuempel; Larson; Leach; Lewis; Martinez; Martinez Fischer; McClendon;

Menéndez; Miles; Miller, D.; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Pickett; Pitts; Price; Ratliff; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Simmons; Simpson; Smithee; Stickland; Strama; Taylor; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Anderson; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Carter; Craddick; Creighton; Dale; Elkins; Fletcher; Flynn; Frank; Geren; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Hughes; Hunter; Isaac; King, P.; Kleinschmidt; Klick; Laubenberg; Lavender; Lozano; Miller, R.; Morrison; Murphy; Parker; Perry; Phillips; Riddle; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Smith; Springer; Stephenson; Thompson, E.; Toth; Turner, E.S.; Zedler.

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

Absent, Excused — Canales; Clardy; Giddings; Guerra; Hilderbran; Longoria; Lucio; Márquez; Ritter.

Absent — Gonzalez, N.; Keffer; Raney.

#### STATEMENTS OF VOTE

I was shown voting no on Record No. 799. I intended to vote yes.

Sheets

I was shown voting yes on Record No. 799. I intended to vote no.

Workman

#### LEAVE OF ABSENCE GRANTED

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

Geren on motion of Sheets.

#### CSHB 2971 - OBJECTIONS WITHDRAWN

Objections were withdrawn to **CSHB 2971** which was previously withdrawn from the local, consent, and resolutions calendar.

#### CSHB 2971 ON SECOND READING

(by Alonzo)

#### RULES SUSPENDED

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time **CSHB 2971**.

The motion prevailed.

The chair laid before the house, on its second reading and passage to engrossment,

**CSHB 2971**, A bill to be entitled An Act relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection.

**CSHB 2971** was read second time.

**Amendment No. 1**

On behalf of Representative S. Thompson, Representative Alonzo offered the following amendment to **CSHB 2971**:

Amend **CSHB 2971** (house committee printing) as follows:

(1) On page 1, line 8, between "HOLDERS." and "A" insert "(a)".

(2) On page 1, between lines 14 and 15, insert the following:

(b) This section does not prohibit a municipal employee from performing a duty that may be classified as a wildland fire-fighting duty if the municipal employee:

(1) is not acting as an employee of a municipality when performing the duty; and

(2) is acting as a member of a volunteer fire department when performing the duty.

Amendment No. 1 was adopted.

**CSHB 2971**, as amended, was passed to engrossment. (Creighton, E. S. Turner, and White recorded voting no.)

**HB 2971 ON THIRD READING**

(by Alonzo)

**RULES SUSPENDED**

Representative Alonzo moved to suspend all necessary rules to take up and consider, on its third reading and final passage, **HB 2971**.

The motion prevailed.

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

**HB 2971**, A bill to be entitled An Act relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection.

**HB 2971** was read third time and was passed by (Record 800): 113 Yeas, 19 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycok; Bell; Bohac; Bonnen, D.; Burkett; Burnam; Button; Callegari; Carter; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Klick; Kuempel; Larson; Laubenberg; Leach; Lewis; Lozano; Martinez; Martinez Fischer; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Smith; Smithee; Springer; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Bonnen, G.; Branch; Capriglione; Fallon; Goldman; Isaac; Kleinschmidt; Krause; Lavender; Phillips; Sanford; Schaefer; Simmons; Simpson; Stephenson; Stickland; Toth; White; Zedler.

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

Absent, Excused — Canales; Clardy; Geren; Giddings; Guerra; Hilderbran; Longoria; Lucio; Márquez; Ritter.

Absent — Creighton; Dukes; Harper-Brown; McClendon; Riddle; Sheffield, R.

### STATEMENTS OF VOTE

When Record No. 800 was taken, I was in the house but away from my desk. I would have voted yes.

Creighton

I was shown voting yes on Record No. 800. I intended to vote no.

R. Miller

I was shown voting yes on Record No. 800. I intended to vote no.

E. S. Turner

### GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

#### SB 377 ON THIRD READING

**(M. González, S. King, Guillen, and Walle - House Sponsors)**

**SB 377**, A bill to be entitled An Act relating to the determination of certain exemptions from the administration of state assessment instruments to public school students and to the consideration of the performance of certain students on state assessment instruments.

**SB 377** was passed by (Record 801): 135 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff;

Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Stephenson.

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

Absent, Excused — Canales; Clardy; Geren; Giddings; Guerra; Hilderbran; Longoria; Lucio; Márquez; Ritter.

Absent — Dukes; McClendon.

### STATEMENT OF VOTE

I was shown voting yes on Record No. 801. I intended to vote no.

Hunter

### SB 1142 ON THIRD READING

**(J. Davis, Deshotel, Huberty, Farney, and Murphy - House Sponsors)**

**SB 1142**, A bill to be entitled An Act relating to an adult high school diploma and industry certification charter school pilot program for adults 19 to 50 years of age.

**SB 1142** was passed by (Record 802): 99 Yeas, 36 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Burkett; Burnam; Callegari; Carter; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Gonzales; González, M.; Gonzalez, N.; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kuempel; Larson; Lavender; Lewis; Martinez; Martinez Fischer; Menéndez; Miles; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Sheffield, R.; Smith; Stephenson; Strama; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Anderson; Ashby; Bell; Bonnen, D.; Bonnen, G.; Branch; Button; Capriglione; Creighton; Fallon; Frank; Goldman; Gooden; Kacal; King, P.; Krause; Laubenberg; Leach; Miller, D.; Miller, R.; Parker; Perry; Phillips; Riddle; Sanford; Schaefer; Sheets; Simmons; Simpson; Smithee; Springer; Stickland; Taylor; Toth; Turner, E.S.; White.

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

Absent, Excused — Canales; Clardy; Geren; Giddings; Guerra; Hilderbran; Longoria; Lucio; Márquez; Ritter.

Absent — Dukes; Lozano; McClendon.

### **STATEMENT OF VOTE**

I was shown voting no on Record No. 802. I intended to vote yes.

Anderson

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Aycock requested permission for the Committee on Public Education to meet while the house is in session, at 1:25 p.m. today, in 3W.9, to consider **SB 2**.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Public Education, 1:25 p.m. today, 3W.9, for a formal meeting, to consider **SB 2**.

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Guillen requested permission for the Committee on Culture, Recreation, and Tourism to meet while the house is in session, at 1:30 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Culture, Recreation, and Tourism, 1:30 p.m. today, 3W.15, for a formal meeting, to consider pending business.

### **SB 914 ON THIRD READING**

**(Ratliff - House Sponsor)**

**SB 914**, A bill to be entitled An Act relating to a behavior improvement plan or a behavioral intervention plan adopted for certain students with an individualized education program.

**SB 914** was passed by (Record 803): 134 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.;

Kleinschmidt; Klick; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; Martinez Fischer; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Stickland.

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

Absent, Excused — Canales; Clardy; Geren; Giddings; Guerra; Hilderbran; Longoria; Lucio; Márquez; Ritter.

Absent — Dukes; McClendon; Turner, S.

### COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Energy Resources, upon final adjournment today, Desk 108, for a formal meeting, to consider pending business.

Defense and Veterans' Affairs, upon final adjournment today, Desk 11, for a formal meeting, to consider **SB 1200**, **SB 1536**, and pending business.

Economic and Small Business Development, upon final adjournment today, Desk 10, for a formal meeting, to consider **SB 1719** and pending business.

Higher Education, upon final adjournment today, Desk 94, for a formal meeting, to consider pending business.

### FIVE-DAY POSTING RULE SUSPENDED

Representative Herrero moved to suspend the five-day posting rule to allow the Committee on Criminal Jurisprudence to consider **SB 1172**, **SB 1416**, and the previously posted agenda at 10:30 a.m. or upon final adjournment/recess Monday, May 13 in E2.016.

The motion prevailed.

Representative Harper-Brown moved to suspend the five-day posting rule to allow the Committee on Government Efficiency and Reform to consider **SB 1563** at 11:30 a.m. Monday, May 13 in E1.026.

The motion prevailed.

### COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Criminal Jurisprudence, 10:30 a.m. or upon final adjournment/recess Monday, May 13, E2.016, for a public hearing, to consider **SB 1172**, **SB 1416**, and the previously posted agenda.

Government Efficiency and Reform, 11:30 a.m. Monday, May 13, E1.026, for a public hearing, to consider **SB 1563** and the previously posted agenda.

### **PROVIDING FOR ADJOURNMENT**

At 1:31 p.m., Representatives Patrick, Zedler, Otto, Kolkhorst, and Farrar moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 2 p.m. Monday, May 13 in memory of Jeanne and Donald Frosch of Mansfield and the Honorable Maria Lena Guerra.

The motion prevailed.

### **BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Cortez in the chair)

### **ADJOURNMENT**

In accordance with a previous motion, the house, at 1:32 p.m., adjourned until 2 p.m. Monday, May 13.

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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**

**HB 3954** (By Stephenson), Relating to the creation of Kendleton Improvement District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

To Special Purpose Districts.

**SB 861** to Licensing and Administrative Procedures.

**SB 930** to Culture, Recreation, and Tourism.

**SB 1175** to Public Health.

**SB 1253** to Transportation.

**SB 1334** to Investments and Financial Institutions.

**SB 1368** to Select Transparency in State Agency Operations.

**SB 1375** to Appropriations.

**SB 1400** to Urban Affairs.

**SB 1610** to Public Health.

**SB 1650** to Government Efficiency and Reform.

**SB 1890** to Special Purpose Districts.

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## APPENDIX

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### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

#### **May 9**

Agriculture and Livestock - **SB 818**

Business and Industry - **SB 247, SB 289, SB 529, SB 699, SB 946, SB 1120**

Corrections - **SB 345, SB 1772**

County Affairs - **HB 3912, SB 194, SB 634, SB 1479, SB 1480, SB 1481, SB 1596, SB 1861, SJR 54**

Criminal Jurisprudence - **SB 263, SB 264, SB 484, SB 1052**

Culture, Recreation, and Tourism - **SB 1395, SCR 26**

Defense and Veterans' Affairs - **SB 242, SB 563, SB 664, SCR 17**

Economic and Small Business Development - **SB 1415**

Elections - **SB 160**

Energy Resources - **SB 1240**

Homeland Security and Public Safety - **SB 284, SB 562, SB 877, SB 1393, SB 1394**

Human Services - **SB 1235**

Judiciary and Civil Jurisprudence - **SB 677, SB 893, SB 1237**

Natural Resources - **HB 2142, HB 2143, HB 3898, SB 322, SB 323, SB 324, SB 683, SB 1075, SB 1423, SB 1532, SB 1811, SB 1822, SB 1825, SB 1829, SB 1830, SB 1831, SB 1835**

Public Education - **SB 123, SB 185, SB 377, SB 435, SB 542**

Special Purpose Districts - **SB 1868**

Technology - **SB 1134**

Transportation - **SB 1225, SB 1411**

Urban Affairs - **SB 109, SB 286, SB 1437, SB 1771**

Ways and Means - **HB 1904, SB 1896**

**ENGROSSED**

May 9 - HB 30, HB 194, HB 628, HB 694, HB 705, HB 710, HB 724, HB 742, HB 793, HB 1021, HB 1022, HB 1180, HB 1223, HB 1318, HB 1398, HB 1581, HB 1659, HB 1726, HB 1773, HB 1775, HB 1790, HB 1878, HB 1951, HB 1966, HB 2012, HB 2036, HB 2038, HB 2061, HB 2075, HB 2090, HB 2100, HB 2117, HB 2118, HB 2123, HB 2133, HB 2138, HB 2148, HB 2150, HB 2153, HB 2158, HB 2201, HB 2211, HB 2240, HB 2269, HB 2305, HB 2371, HB 2396, HB 2570, HB 2590, HB 2595, HB 2612, HB 2679, HB 2719, HB 2742, HB 2767, HB 2770, HB 2781, HB 2792, HB 2795, HB 2818, HB 2824, HB 2862, HB 2872, HB 2895, HB 2907, HB 2921, HB 2924, HB 2929, HB 2930, HB 2952, HB 2982, HB 3015, HB 3017, HB 3038, HB 3042, HB 3043, HB 3086, HB 3102, HB 3126, HB 3159, HB 3169, HB 3211, HB 3240, HB 3276, HB 3401, HB 3454, HB 3471, HB 3520, HB 3569, HB 3573, HB 3574, HB 3648, HB 3687, HB 3714, HB 3731, HB 3743, HB 3792, HB 3838, HB 3903, HB 3929, HB 3946

**ENROLLED**

May 9 - HB 13, HB 278, HB 419, HB 487, HB 584, HB 597, HB 994, HB 1164, HB 1186, HB 1187, HB 1271, HB 1305, HB 1325, HB 1422, HB 1493, HB 1521, HB 1550, HB 1553, HB 1642, HB 1685, HB 1968, HB 1994, HB 2095, HB 2548, HB 2623, HCR 23, HCR 54

**SENT TO THE GOVERNOR**

May 9 - HB 278, HB 419, HB 584, HB 994, HB 1187, HB 1305, HB 1550, HB 1553, HB 1968, HB 2095, HB 2548, HCR 23, HCR 36

