HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-SECOND DAY — TUESDAY, APRIL 18, 2017

The house met at 10:05 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 260).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Absent, Excused — Oliveira; Workman; Wu.

Absent — Dukes.

The speaker recognized Representative Hefner who introduced Scot Wall, state minister, Capitol Commission, Austin, who offered the invocation.

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

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business in the district:

Workman on motion of Roberts.

Wu on motion of Turner.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 10:15 a.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 10:15 a.m. today, 3W.15, for a formal meeting, to set a calendar.

CAPITOL PHYSICIAN

The speaker recognized Representative Howard who presented Dr. James Brown of Austin as the "Doctor for the Day."

The house welcomed Dr. Brown and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Perez in the chair)

REGULAR ORDER OF BUSINESS SUSPENDED

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

RESOLUTIONS ADOPTED

Representative Lucio moved to suspend all necessary rules to take up and consider at this time the following congratulatory resolutions.

The motion prevailed.

The following resolutions were laid before the house:

HR 1467 (by Howard), Recognizing April 18, 2017, as Texas Meningitis Awareness Day.

HR 1469 (by Cyrier), Commending U.S. Air Force Lieutenant Colonel (Ret.) Richard Cole for his participation in the Doolittle Raid of World War II.

The resolutions were adopted.

On motion of Representative Lucio, the names of all the members of the house were added to the resolutions as signers thereof, with the understanding that a member may remove his or her name from any resolution.

HR 752 - INTRODUCTION OF GUESTS

The chair recognized Representative Alonzo who introduced representatives of the Echota Cherokee of Texas.

HR 703 - PREVIOUSLY ADOPTED (by Kacal and Raney)

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

HR 703, Commemorating the 20th anniversary of Texas Task Force 1.

INTRODUCTION OF GUESTS

The chair recognized Representative Kacal who introduced representatives of Texas Task Force 1 and the Texas A&M Engineering Extension Service.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today to attend a funeral:

Hunter on motion of Lozano.

HR 1349 - ADOPTED (by Darby)

Representative Darby moved to suspend all necessary rules to take up and consider at this time **HR 1349**.

The motion prevailed.

The following resolution was laid before the house:

HR 1349, In memory of Hadlee Anne Holik of Wall.

HR 1349 was unanimously adopted by a rising vote.

On motion of Representative Springer, the names of all the members of the house were added to **HR 1349** as signers thereof.

(Speaker in the chair)

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 3451 ON THIRD READING

(by Stucky, González, Ashby, Springer, Cyrier, et al.)

HB 3451, A bill to be entitled An Act relating to the study and approval of lethal pesticides for feral hog control.

HB 3451 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE SPRINGER: We visited earlier on this, and I'd like to have our conversation for the body, as well as for legislative intent going forward. Several of the folks in my district are concerned that we're setting a precedent where we're going to overrule everything that's already come out, and that's not your intent, is it?

REPRESENTATIVE STUCKY: No, sir.

SPRINGER: You look at this as a very rare circumstance where we have something that is beyond just affecting one group like hunters or whatever—that it could be detrimental to the cattle industry. Is that correct?

STUCKY: Yes, sir, it could be. If this product is put on there, they can't have cattle on there for 90 days. If the cattle eat it, they can't be sold for slaughter for six months

SPRINGER: You would probably agree that one of the issues that came up, that caused this bill to have to come up, is we really didn't have all of the stakeholders at the table before this moved forward. And that's the way most of these things always come, especially in the agriculture industry. We bring all those agriculture stakeholders, we bring everybody together, and we talk about how it would affect every single aspect of the agriculture and rural caucus when we're dealing with these type of issues. Is that correct?

STUCKY: Yes, sir. I believe we do have a hog problem in this state, and we need to help as legislators find a solution or at least another tool in the toolbox, but this one was not completely vetted, and the mechanism of action is a concern of mine.

SPRINGER: That's correct. And I think that you and I would both agree it's not our intent that everything as we see going forward that will be a new herbicide, a new this, that this legislative body has to weigh in—that we can trust that the stakeholders, the agriculture commissioner, and everybody else will vet those things through properly, and only in the extremely rare circumstances will this body have to be involved in these type of things.

STUCKY: Yes, sir, only in extreme, rare cases. We are here for the agriculture of the State of Texas, and they are extremely important to this state, and we're going to continue to support the agriculture.

SPRINGER: I appreciate your knowledge in this industry—being a veterinarian, knowing other types of solutions that are out there, knowing that this has to be vetted, that the cattle market's a huge part of this state, and the risk that this could pose if we went on. I appreciate you bringing this bill forward.

REMARKS ORDERED PRINTED

Representative Springer moved to print remarks between Representative Stucky and Representative Springer.

The motion prevailed.

HB 3451 was passed by (Record 261): 127 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons;

Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Nays — Anderson, C.; Burns; Burrows; Cain; Craddick; King, T.; Landgraf; Murr; Phillips; Schaefer; Stickland; Swanson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Allen; Deshotel; Dukes; Farrar; Giddings; Martinez.

STATEMENTS OF VOTE

When Record No. 261 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 261 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 261 was taken, my vote failed to register. I would have voted yes.

Giddings

When Record No. 261 was taken, my vote failed to register. I would have voted yes.

Martinez

HB 1090 ON THIRD READING (by Meyer, Button, and Fallon)

HB 1090, A bill to be entitled An Act relating to the criminal penalties for insider trading and other misuse of official information by public servants.

HB 1090 was passed by (Record 262): 137 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Flynn; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer;

Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Nays — Biedermann.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Allen; Deshotel; Dukes; Farrar; Frank; Giddings; Martinez.

STATEMENTS OF VOTE

When Record No. 262 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 262 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 262 was taken, my vote failed to register. I would have voted yes.

Giddings

When Record No. 262 was taken, my vote failed to register. I would have voted yes.

Martinez

HB 1270 ON THIRD READING (by Smithee, Blanco, Cyrier, et al.)

HB 1270, A bill to be entitled An Act relating to excused absences from public school for the purpose of visiting a military recruitment center.

HB 1270 was passed by (Record 263): 136 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Kacal; Keough; King, K.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert;

Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Allen; Deshotel; Dukes; Farrar; Giddings; Johnson, J.; King, P.; Martinez; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 263 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 263 was taken, my vote failed to register. I would have voted yes.

Giddings

When Record No. 263 was taken, my vote failed to register. I would have voted yes.

Martinez

HB 1526 ON THIRD READING (by P. King, Geren, Romero, S. Davis, Meyer, et al.)

HB 1526. A bill to be entitled An Act relating to the provision of state death benefits to peace officers employed by certain private institutions of higher education located in this state.

HB 1526 was passed by (Record 264): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Allen; Deshotel; Dukes; Farrar; Giddings; Minjarez.

STATEMENTS OF VOTE

When Record No. 264 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 264 was taken, my vote failed to register. I would have voted yes.

Giddings

HB 777 ON THIRD READING (by Ashby, Bernal, Murphy, Blanco, Guillen, et al.)

HB 777, A bill to be entitled An Act relating to the eligibility of land owned by certain members of the armed services of the United States for appraisal for ad valorem tax purposes as qualified open-space land.

HB 777 was passed by (Record 265): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Deshotel; Dukes; Farrar.

STATEMENT OF VOTE

When Record No. 265 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

HB 269 ON THIRD READING (by S. Thompson, Meyer, and E. Johnson)

HB 269, A bill to be entitled An Act relating to judicial proceedings on a petition to set aside a conviction or an order of expunction of criminal history record information for certain victims of trafficking of persons or compelling prostitution who are convicted of prostitution.

HB 269 was passed by (Record 266): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Deshotel; Dukes; Hinojosa.

STATEMENTS OF VOTE

When Record No. 266 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 266 was taken, I was in the house but away from my desk. I would have voted yes.

Hinojosa

HB 491 ON THIRD READING (by Frullo, Button, and Fallon)

HB 491, A bill to be entitled An Act relating to requiring registration as a sex offender of certain defendants convicted of the offense of continuous trafficking of persons.

HB 491 was passed by (Record 267): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Deshotel; Dukes; Johnson, J.

STATEMENT OF VOTE

When Record No. 267 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

HB 1116 ON THIRD READING (by Kacal)

HB 1116, A bill to be entitled An Act relating to the repeal of certain state procurement advisory and approval procedures.

HB 1116 was passed by (Record 268): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar;

Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 268 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

HB 2253 ON THIRD READING (by Darby)

HB 2253, A bill to be entitled An Act relating to the calculation of interest on an ad valorem tax refund resulting from the final determination of an appeal that decreases a property owner's liability.

HB 2253 was passed by (Record 269): 120 Yeas, 23 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zerwas.

Nays — Bell; Biedermann; Bonnen, G.; Burrows; Cain; Fallon; Goldman; Hefner; Isaac; Krause; Lang; Leach; Phillips; Rinaldi; Schaefer; Schofield; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Bailes; Dukes.

STATEMENTS OF VOTE

When Record No. 269 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 269 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 269 was taken, I was shown voting yes. I intended to vote no.

Faircloth

REASON FOR VOTE

While I recognize the issue this bill is attempting to solve, I believe that the discretion granted to the judge is too broad.

Burrows

EMERGENCY CALENDAR HOUSE BILLS SECOND READING

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

CSHB 1377 ON SECOND READING (by S. Davis)

CSHB 1377, A bill to be entitled An Act relating to the contents of and recordkeeping requirements relating to personal financial statements filed with the Texas Ethics Commission.

CSHB 1377 - REMARKS

REPRESENTATIVE STICKLAND: Representative Davis, is this, to your knowledge, the extent to which the house is going to handle emergency ethics legislation, these five bills?

REPRESENTATIVE S. DAVIS: I am not advised. As the chair of General Investigating and Ethics, we have certainly been voting out bills all session.

STICKLAND: Are these the bills that Governor Abbott directly referred to during the State of the State address?

S. DAVIS: They are not.

STICKLAND: They are not. Do any of these bills require greater disclosure of contracts held by elected officials?

S. DAVIS: None of these do. The bills dealing with contract disclosures are on their way.

STICKLAND: Do any of these bills limit the amount we can receive in gifts from lobbyists?

S. DAVIS: No, none of these bills do that.

STICKLAND: Do any of these bills remove pension benefits from elected officials who are convicted of abusing their office?

S. DAVIS: No. none of these bills do that.

STICKLAND: Do any of these bills end the revolving door between the legislature and the lobby?

S. DAVIS: None of these bills do that. Again, these are bills that come from the Texas Ethics Commission's recommendations for statutory changes. These are nut-and-bolt type bills to bring the agency into the modern day.

STICKLAND: What is the status of **SB 14**, the senate's major ethics legislation?

S. DAVIS: I'm not advised.

STICKLAND: Was that referred to your committee?

S. DAVIS: I really don't know. I'm not in charge of doing the referrals.

STICKLAND: But to your knowledge you don't have it yet?

S. DAVIS: Lam not advised if it has been referred.

STICKLAND: What has your committee done to advance **SB 14**? It was passed by the senate in early February.

S. DAVIS: The General Investigating and Ethics Committee has not heard **SB 14**, but the General Investigating and Ethics Committee has heard several bills filed by Representative Geren that are essentially—they cover every part of what is in, I believe **SB 14** but just—

STICKLAND: It just broke it up differently?

S. DAVIS: It's just broken it up, yes.

STICKLAND: Are you aware that in court cases, the Texas Ethics Commission has declared itself to be a part of the legislative branch?

S. DAVIS: I am not advised.

STICKLAND: These bills are a part of the Texas Ethics Commission's legislative agenda, correct?

S. DAVIS: Correct.

STICKLAND: Are you aware of any other legislative agency, such as Lege Council or the LBB, that puts forward a legislative agenda?

S. DAVIS: I'm not advised.

STICKLAND: You're not aware of any others?

S. DAVIS: I'm not advised one way or another.

STICKLAND: Which of these bills are in response to the court cases that declared existing state law enforced by the TEC unconstitutional?

S. DAVIS: Two.

STICKLAND: Which two?

S. DAVIS: **HB 1378** and **HB 1384**—both of those bills are in response to a court declaring that current code dealing with ethics are unconstitutional, violating of First Amendment rights.

STICKLAND: Do you know how much we have had to pay in damages and attorneys' fees in those cases?

S. DAVIS: I am not aware.

STICKLAND: Did the TEC litigate to have these laws upheld?

S. DAVIS: I would imagine that—and I'm just venturing about it—I would imagine that the attorney general's office defended the agency for these statutes which were enacted by the Texas Legislature at some point and then later challenged.

STICKLAND: Are there any other statutes enforced by the TEC that are currently being challenged in court as unconstitutional?

S. DAVIS: I am not advised.

STICKLAND: Are there any other TEC statutes that have been struck down that aren't addressed by these bills?

S. DAVIS: I am not advised. I can only talk to you about these five bills that I have that are on the calendar.

REMARKS ORDERED PRINTED

Representative Stickland moved to print remarks between Representative S. Davis and Representative Stickland.

The motion prevailed.

Amendment No. 1

Representative Turner offered the following amendment to **CSHB 1377**:

Amend **CSHB 1377** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering remaining SECTIONS of the bill accordingly:

SECTION _____. Section 572.032, Government Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Financial statements filed under this subchapter are public records. The commission shall maintain the statements in separate alphabetical files and in a manner that is accessible to the public during regular office hours and make the

statements available to the public on the commission's website not later than the 15th day after the date the statement is required to be filed or is actually filed, whichever is later.

(d) The commission is not required to continue to make available on its website a financial statement that may be destroyed under Subsection (c). The commission may not make available on its website a financial statement that the commission is required to destroy under Subsection (c).

SECTION . Section 572.032(b), Government Code, is repealed.

Amendment No. 1 was adopted by (Record 270): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 270 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

CSHB 1377, as amended, was passed to engrossment.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Anchia requested permission for the Committee on International Trade and Intergovernmental Affairs to meet while the house is in session, at 11:15 a.m. today, in 3W.9, to consider HCR 99, HCR 103, HR 1025, HR 1045, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

International Trade and Intergovernmental Affairs, 11:15 a.m. today, 3W.9, for a formal meeting, to consider HCR 99, HCR 103, HR 1025, HR 1045, and pending business.

HB 1378 ON SECOND READING (by S. Davis)

HB 1378, A bill to be entitled An Act relating to restrictions on political contributions and political expenditures by general-purpose political committees.

HB 1378 - REMARKS

REPRESENTATIVE CAIN: Ms. Davis, do you know the case name that's dealing with this repealing?

REPRESENTATIVE S. DAVIS: The case name of—?

CAIN: The court case—it was a Fifth Circuit Court case. Is that correct?

S. DAVIS: Yes, as I mentioned in the layout, the name of the case is *Catholic Leadership Coalition of Texas v. Reisman*, who is the former commissioner of TEC.

CAIN: And are we striking all of the Election Code or a portion of the Election Code?

S. DAVIS: We are striking the portion that requires the 60-day and 10-person waiting period for GPACs to be able to spend money, because that is a silencing of that political action committee that the courts have held unconstitutional. But the requirement of an appointment of a campaign treasurer is not affected by this; that is still a requirement in law.

CAIN: Are you referring to Subsection (b) about that requirement of the campaign treasurer?

S. DAVIS: I don't have that code in front of me.

CAIN: So do you know what Subsection (b) does?

S. DAVIS: Subsection (b) of what?

CAIN: Of the code you are amending—I believe that is Section 253.037 of the Election Code.

S. DAVIS: Yes, I only have the relevant part of the code that the bill is changing in front of me.

CAIN: My understanding is that if a general-purpose PAC was to make a contribution to another general-purpose PAC, before they make that contribution, they would have to file an amended treasurer appointment form.

S. DAVIS: I'm not advised.

CAIN: Which is a prior restraint. You were discussing silencing. It means they have to do something before they are allowed to speak, and under case law, it would go under strict scrutiny as political speech. Are you aware of that?

S. DAVIS: I'm not advised.

CAIN: So is there any reason that we're not repealing all of the statute?

S. DAVIS: If you have an amendment, I am happy to take a look at it.

CAIN: I'll bring one down.

Amendment No. 1

Representative Cain offered the following amendment to **HB 1378**:

Amend **HB** 1378 (house committee printing) as follows:

- (1) Strike page 1, lines 5 through 8.
- (2) On page 1, line 9, strike "Sections 253.037(a) and (c), Election Code, are" and substitute "Section 253.037, Election Code, is".
 - (3) Renumber remaining SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

(P. King in the chair)

HB 1378, as amended, was passed to engrossment.

HB 1379 ON SECOND READING (by S. Davis)

HB 1379, A bill to be entitled An Act relating to the reporting of political contributions and political expenditures by out-of-state political committees.

HB 1379 was passed to engrossment by (Record 271): 139 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Nays — Biedermann; Cain; Stickland; Tinderholt.

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

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 271 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

HB 1381 ON SECOND READING (by S. Davis)

HB 1381, A bill to be entitled An Act relating to the provision of notice by the Texas Ethics Commission.

HB 1381 was passed to engrossment.

HB 1384 ON SECOND READING (by S. Davis)

HB 1384, A bill to be entitled An Act relating to contributions and expenditures made in connection with a campaign for speaker of the house of representatives.

HB 1384 - REMARKS

REPRESENTATIVE LEACH: Chair Davis, just to be clear, a point of information here. Are you familiar with Texas Ethics Commission Rule 28.9 regarding the segregation of campaign accounts?

REPRESENTATIVE S. DAVIS: I'm not advised of that at this time.

LEACH: Just to answer—to clarify a point that was made by Representative Stickland—according to that Rule 28.9, "all contributed campaign funds shall be maintained in accounts separate and apart from any other accounts." And so is it your understanding that a speaker's campaign account cannot then be transferred or contributed to an officeholder campaign account?

S. DAVIS: Based on what you just said, yes, that does sound correct.

REMARKS ORDERED PRINTED

Representative Leach moved to print remarks between Representative S. Davis and Representative Leach.

The motion prevailed.

HB 1384 was passed to engrossment.

REMARKS ORDERED PRINTED

Representative Cain moved to print remarks between Representative S. Davis and Representative Cain on **HB 1378**.

The motion prevailed.

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

HB 2029 ON SECOND READING (by Lozano, S. Thompson, Villalba, et al.)

HB 2029, A bill to be entitled An Act relating to the exemption of certain commercial weighing or measuring devices from registration and inspection requirements.

HB 2029 was passed to engrossment by (Record 272): 142 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Geren; King, P.(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 272 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

(Speaker in the chair)

HB 29 ON SECOND READING (by S. Thompson, Huberty, Collier, Cook, Frullo, et al.)

HB 29, A bill to be entitled An Act relating to prostitution and the trafficking of persons, civil racketeering related to trafficking, the prosecution of and punishment for certain sexual offenses and offenses involving or related to

trafficking, reimbursement of certain costs for criminal victims who are children, and the release and reporting of certain information relating to a child; increasing a criminal penalty; creating a criminal offense.

Amendment No. 1

Representative S. Thompson offered the following amendment to **HB 29**:

Amend **HB 29** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 24A.001, Code of Criminal Procedure, is amended to read as follows:

- Art. 24A.001. APPLICABILITY OF SUBCHAPTER. This subchapter applies only to a subpoena, search warrant, or other court order that:
- (1) relates to the investigation or prosecution of a criminal offense under:
 - (A) Section 21.02, 21.11, 22.011, or 22.021, Penal Code;
 - (B) Chapter 20A, Penal Code;
 - (C) Section 33.021, Penal Code; or
 - (D) Chapter 43, Penal Code; and
- (2) is served on or issued with respect to an <u>online</u> [Internet] service provider that provides service in this state.

SECTION _____. Subchapter A, Chapter 24A, Code of Criminal Procedure, is amended by adding Article 24A.0015 to read as follows:

Art. 24A.0015. DEFINITION. In this chapter, "online service provider" means an Internet service provider, search engine, web hosting company, web browsing company, manufacturer of devices providing online application platforms, or company providing online social media platforms.

SECTION ____. Articles 24A.002(a) and (b), Code of Criminal Procedure, are amended to read as follows:

- (a) Except as provided by Subsection (b), not later than the 10th day after the date on which an <u>online</u> [Internet] service provider is served with or otherwise receives a subpoena, search warrant, or other court order described by Article 24A.001, the online [Internet] service provider shall:
 - (1) fully comply with the subpoena, warrant, or order; or
- (2) petition a court to excuse the <u>online</u> [Internet] service provider from complying with the subpoena, warrant, or order.
- (b) As soon as is practicable, and in no event later than the second business day after the date the <u>online [Internet]</u> service provider is served with or otherwise receives a subpoena, search warrant, or other court order described by Article 24A.001, the <u>online [Internet]</u> service provider shall fully comply with the subpoena, search warrant, or order if the subpoena, search warrant, or order indicates that full compliance is necessary to address a situation that threatens a person with death or other serious bodily injury.

SECTION _____. Article 24A.003, Code of Criminal Procedure, is amended to read as follows:

Art. 24A.003. DISOBEYING SUBPOENA, WARRANT, OR ORDER. An <u>online</u> [Internet] service provider that disobeys a subpoena, search warrant, or <u>other</u> court order described by Article 24A.001 and that was not excused from complying with the subpoena, warrant, or order under Article 24A.002(a)(2) may be punished in any manner provided by law.

SECTION _____. Article 24A.051, Code of Criminal Procedure, is amended to read as follows:

- Art. 24A.051. PRESERVING INFORMATION. (a) On written request of a law enforcement agency in this state or a federal law enforcement agency and pending the issuance of a subpoena or other court order described by Article 24A.001, an online [Internet] service provider that provides service in this state shall take all steps necessary to preserve all records or other potential evidence in a criminal trial that is in the possession of the online [Internet] service provider.
- (b) Subject to Subsection (c), an <u>online [Internet]</u> service provider shall preserve information under Subsection (a) for a period of 90 days after the date the <u>online [Internet]</u> service provider receives the written request described by Subsection (a).
- (c) An <u>online [Internet]</u> service provider shall preserve information under Subsection (a) for the 90-day period immediately following the 90-day period described by Subsection (b) if the requesting law enforcement agency in writing requests an extension of the preservation period.

SECTION _____. The change in law made by this Act to Chapter 24A, Code of Criminal Procedure, applies only to a subpoena, search warrant, or other court order issued on or after the effective date of this Act. A subpoena, search warrant, or other court order issued before the effective date of this Act is governed by the law in effect on the date the warrant was issued, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

Amendment No. 2

Representative S. Thompson offered the following amendment to **HB 29**:

Amend **HB 29** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 62.005(b), Code of Criminal Procedure, is amended to read as follows:

- (b) The information contained in the database, including the numeric risk level assigned to a person under this chapter, is public information, with the exception of any information:
- (1) regarding the person's social security number or driver's license number, or any home, work, or cellular telephone number of the person;
- (2) that is described by Article 62.051(c)(7) or required by the department under Article 62.051(c)(9) [62.051(e)(8)], including any information regarding an employer's name, address, or telephone number; or
- (3) that would identify the victim of the offense for which the person is subject to registration.

SECTION _____. Article 62.051(c), Code of Criminal Procedure, is amended to read as follows:

- (c) The registration form shall require:
- (1) the person's full name, date of birth, sex, race, height, weight, eye color, hair color, social security number, driver's license number, and shoe size;
- (1-a) the address at which the person resides or intends to reside or, if the person does not reside or intend to reside at a physical address, a detailed description of each geographical location at which the person resides or intends to reside:
- (1-b) each alias used by the person and any home, work, or cellular telephone number of the person;
- (2) a recent color photograph or, if possible, an electronic digital image of the person and a complete set of the person's fingerprints;
- (3) the type of offense the person was convicted of, the age of the victim, the date of conviction, and the punishment received;
- (4) an indication as to whether the person is discharged, paroled, or released on juvenile probation, community supervision, or mandatory supervision;
- (5) an indication of each license, as defined by Article 62.005(g), that is held or sought by the person;
- (6) an indication as to whether the person is or will be employed, carrying on a vocation, or a student at a particular public or private institution of higher education in this state or another state, and the name and address of that institution;
- (7) the identification of any online identifier established or used by the person;
- (8) the vehicle registration information, including the make, model, vehicle identification number, color, and license plate number, of any vehicle owned by the person, if the person has a reportable conviction or adjudication for an offense under:
 - (A) Section 20A.02(a)(3), (4), (7), or (8), Penal Code; or
- (B) Section 20A.03, Penal Code, if based partly or wholly on conduct that constitutes an offense under Section 20A.02(a)(3), (4), (7), or (8) of that code; and
 - (9) [8] any other information required by the department.

Amendment No. 2 was adopted.

HB 29, as amended, was passed to engrossment.

HB 2964 ON SECOND READING (by Meyer)

HB 2964, A bill to be entitled An Act relating to abandonment of shares of a mutual fund.

HB 2964 was passed to engrossment.

HB 2417 ON SECOND READING (by Frullo)

HB 2417, A bill to be entitled An Act relating to the composition of the Texas Historical Commission.

Representative Frullo moved to postpone consideration of HB 2417 until 10 a.m. Tuesday, April 25.

The motion prevailed.

CSHB 2335 ON SECOND READING (by Miller)

CSHB 2335, A bill to be entitled An Act relating to requiring evidence-based trauma training for certain attorneys, court-appointed volunteer advocates, child-care workers, and child protective services employees.

Amendment No. 1

Representative Miller offered the following amendment to **CSHB 2335**:

Amend CSHB 2335 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 264.015, Family Code, is amended by adding Subsections (d), $\overline{(e)}$, and (f) to read as follows:

- (d) Not later than September 1 of each year, the executive commissioner shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, the chair of the Senate Health and Human Services Committee, and the chair of the House Human Services Committee a report regarding the implementation and practice of the evidence-based trauma training program implemented under this section.
- (e) Not later than September 1, 2018, the executive commissioner shall develop a comprehensive training strategy and plan for the implementation of evidence-based trauma training for persons who are involved in the child protective services system, including child-placing agencies, persons who provide services under a contract with the department, and any other person who interacts with a child in the conservatorship of the department. This subsection expires September 1, 2019.
- (f) The executive commissioner shall fully implement evidence-based trauma training described by Subsection (e) not later than the earlier of the fifth anniversary after the date the executive commissioner develops the plan required by Subsection (e) or September 1, 2023. This subsection expires September 1, 2024.

Amendment No. 1 was adopted.

(Dukes now present)

Amendment No. 2

Representative Miller offered the following amendment to **CSHB 2335**:

Amend **CSHB 2335** (house committee printing) as follows:

- (1) On page 5, line 14, strike ", including a definition of trauma,".
- (2) On page 5, between lines 16 and 17, insert the following:
- (d) In this section:
- (1) "Evidence-based trauma training" means training related to the provision of services that provide a child or adolescent who has experienced trauma with:
 - (A) the notion of physical and emotional safety;
- (B) positive and comfortable relationships with caregivers, mentors, and any other persons who interact with the child or adolescent; and
- (C) the ability to manage the child's or adolescent's emotions and to self-regulate in the child's or adolescent's life experiences with others.
- (2) "Trauma" means any experience of maltreatment, interpersonal violence, abuse, or neglect encountered by a child or adolescent, including:
 - (A) familial physical, sexual, or emotional abuse;
- (B) community, peer, and school-based assault, molestation, and severe bullying;
 - (C) severe neglect;
 - (D) witnessing domestic violence;
- (E) the impact of serious and pervasive disruptions in caregiving for the child or adolescent resulting from severe caregiver mental illness, substance abuse, or criminal involvement or abrupt separation of the child or adolescent from the caregiver; and
 - (F) traumatic loss.

Amendment No. 2 was adopted by (Record 273): 121 Yeas, 21 Nays, 2 Present, not voting. (The vote was later reconsidered on April 20, and Amendment No. 2 was amended and was adopted.)

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wray; Zerwas.

Nays — Biedermann; Bonnen, G.; Cain; Cyrier; Faircloth; Gooden; Hefner; Krause; Lang; Leach; Phillips; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Hunter; Oliveira; Workman; Wu.

Absent — Bell; Laubenberg.

STATEMENT OF VOTE

When Record No. 273 was taken, I was shown voting yes. I intended to vote no.

Burrows

Amendment No. 3

Representative Keough offered the following amendment to **CSHB 2335**:

Amend **CSHB 2335** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 264.015, Family Code, is amended by adding Subsection (d) to read as follows:

- (d) The goals of evidence-based trauma training developed and provided by the department and the child protective services system are to:
- (1) train all persons who have substantial contact with children in the department's conservatorship regarding the concepts, strategies, and skills relating to trauma-informed care and services; and
 - (2) reduce:
- (A) the number of placement changes for children in the department's conservatorship;
 - (B) foster parent turnover;
- (C) the number of children in the department's conservatorship who are considered unsuitable to be placed with adoptive parents;
 - (D) the workload for child protective services caseworkers;
- (E) the amount of psychotropic medications prescribed to children in the department's conservatorship;
- (F) the number of young adults who have difficulty functioning independently after transitioning out of the department's conservatorship; and
- (G) the amount of money the department spends on services that do not adequately serve children who have experienced trauma.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Frank offered the following amendment to **CSHB 2335**:

Amend **CSHB 2335** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 264.015, Family Code, is amended to read as follows:

Sec. 264.015. TRAINING. (a) The department shall include evidence-based trauma training [in trauma informed programs and services] in any training the department provides to foster parents, adoptive parents, kinship caregivers,

department caseworkers, and department supervisors. The department shall pay for the training provided under this subsection with gifts, donations, and grants and any federal money available through the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Pub. L. No. 110-351). The department shall annually evaluate the effectiveness of the training provided under this subsection to ensure progress toward a trauma-informed system of care.

- (b) The department shall require department caseworkers and department supervisors to complete an annual refresher evidence-based trauma training course [in trauma informed programs and services].
- (c) To the extent that resources are available, the department shall assist the following entities in developing evidence-based trauma training [intrauma informed programs and services] and in locating money and other resources to assist the entities in providing evidence-based trauma [trauma informed] programs and services:
 - (1) court-appointed special advocate programs;
 - (2) children's advocacy centers;
- (3) local community mental health centers created under Section 534.001, Health and Safety Code; and
 - (4) domestic violence shelters.

SECTION _____. The changes in law made by this Act to Section 264.015, Family Code, do not create additional training requirements for foster parents, adoptive parents, kinship caregivers, and Department of Family and Protective Services caseworkers and supervisors.

Amendment No. 4 was adopted.

Representative Miller moved to postpone consideration of **CSHB 2335** until 10 a.m. Thursday, April 20.

The motion prevailed.

HB 1600 ON SECOND READING (by S. Thompson, Price, Lucio, G. Bonnen, and Wu)

HB 1600, A bill to be entitled An Act relating to certain mental health screenings under the Texas Health Steps program.

HB 1600 was passed to engrossment by (Record 274): 119 Yeas, 26 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney;

Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wray; Zerwas.

Nays — Bell; Biedermann; Burrows; Cain; Cyrier; Dale; Fallon; Frank; Hefner; Isaac; Klick; Krause; Lang; Laubenberg; Leach; Murphy; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hunter; Oliveira; Workman; Wu.

STATEMENT OF VOTE

When Record No. 274 was taken, I was shown voting yes. I intended to vote no.

Dean

HB 2098 ON SECOND READING (by Geren)

HB 2098, A bill to be entitled An Act relating to allowing the holder of a brewpub license to sell ale and malt liquor to certain wholesalers.

HB 2098 was passed to engrossment.

COMMITTEES GRANTED PERMISSION TO MEET

Pursuant to Rule 4, Section 9 of the House Rules, Representative Raymond requested permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings. For purposes of this motion, those committees and subcommittees that are scheduled to meet upon adjournment or final recess today shall be considered to be scheduled to meet during bill referral today.

Permission to meet was granted.

(E. Johnson in the chair)

FIVE-DAY POSTING RULE SUSPENDED

Representative Morrison moved to suspend the five-day posting rule to allow the Committee on Transportation to consider **HB 1656**, **HB 2862**, **HB 3689**, and **HB 3995** at 8 a.m. Thursday, April 20 in E2.012.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Transportation, 8 a.m. Thursday, April 20, E2.012, for a public hearing, to consider **HB 1656**, **HB 2862**, **HB 3689**, and **HB 3995**.

FIVE-DAY POSTING RULE SUSPENDED

Representative S. Davis moved to suspend the five-day posting rule to allow the Committee on General Investigating and Ethics to consider **HB 1957** at 10:30 a.m. or upon final adjournment/recess Thursday, April 20 in E1.010.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

General Investigating and Ethics, 10:30 a.m. or upon final adjournment/recess Thursday, April 20, E1.010, for a public hearing, to consider **HB 1957** and the previously posted agenda.

Appropriations, during bill referral today, 1W.14, for a formal meeting, to consider SB 532 and pending business.

Economic and Small Business Development, during bill referral today, 1W.14, for a formal meeting, to consider pending business.

Human Services, during bill referral today, 3W.9, for a formal meeting, to consider pending business.

FIVE-DAY POSTING RULE SUSPENDED

Representative Lozano moved to suspend the five-day posting rule to allow the Committee on Higher Education to consider **HB 3585** and **HB 3629** at 10:30 a.m. or upon final adjournment/recess tomorrow in E2.030.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Higher Education, 10:30 a.m. or upon final adjournment/recess tomorrow, E2.030, for a public hearing, to consider **HB 3585**, **HB 3629**, and the previously posted agenda.

PROVIDING FOR ADJOURNMENT

At 12:18 p.m., Representative Geren moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in honor of the Doolittle Tokyo Raiders and the 75th anniversary of the Doolittle Raid.

The motion prevailed.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

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

(Farrar in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 12:29 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HR 223 (By Alonzo), Recognizing February 2-8, 2018, as Chicano History Week.

To Rules and Resolutions.

HR 273 (By Wu), Congratulating John Nechman and Ricardo Ruiz of Houston on their marriage.

To Rules and Resolutions.

HR 1470 (By Flynn), Honoring Jill Dutton for her service as a trustee of the Van ISD.

To Rules and Resolutions.

HR 1471 (By Herrero), Congratulating Oscar Ortiz on his retirement as Nueces County commissioner for Precinct 3.

To Rules and Resolutions.

HR 1472 (By Herrero), Congratulating the Class of 2017 at Richard King High School on their graduation.

To Rules and Resolutions.

HR 1473 (By Raney), Recognizing Texas A&M's BUILD program.

To Rules and Resolutions.

HR 1474 (By Herrero), Congratulating Carolyn Ramirez on her selection as a 2016-2017 Secondary Teacher of the Year finalist in the Robstown ISD.

To Rules and Resolutions.

HR 1475 (By Herrero), Congratulating Roxana Ybarra of Robert Driscoll Elementary School on her selection as a 2016-2017 Robstown Independent School District Elementary Teacher of the Year finalist.

To Rules and Resolutions.

HR 1476 (By Herrero), Congratulating Kirsten Crow of the Corpus Christi Caller-Times on her success at the Texas Associated Press Managing Editors convention.

To Rules and Resolutions.

HR 1477 (By Herrero), Congratulating Jodi Miskell on her award-winning design work for the Caller-Times.

To Rules and Resolutions.

HR 1478 (By Herrero), Congratulating Courtney Sacco of the Corpus Christi Caller-Times on his success at the 2017 Texas Associated Press Managing Editors convention.

To Rules and Resolutions.

HR 1479 (By Herrero), Congratulating Gabe Hernandez of the Corpus Christi Caller-Times on his success at the 2017 Texas Associated Press Managing Editors convention.

To Rules and Resolutions.

SB 9 to Appropriations.

SB 15 to Ways and Means.

SB 16 to Homeland Security and Public Safety.

SB 26 to Environmental Regulation.

SB 29 to State Affairs.

SB 42 to Judiciary and Civil Jurisprudence.

SB 46 to Judiciary and Civil Jurisprudence.

SB 102 to Defense and Veterans' Affairs.

SB 135 to Appropriations.

SB 138 to Homeland Security and Public Safety.

SB 139 to Public Health.

SB 203 to Human Services.

SB 256 to Criminal Jurisprudence.

SB 259 to Judiciary and Civil Jurisprudence.

SB 263 to Homeland Security and Public Safety.

SB 291 to Criminal Jurisprudence.

SB 325 to Criminal Jurisprudence.

SB 326 to Criminal Jurisprudence.

SB 347 to Government Transparency and Operation.

SB 402 to Transportation.

SB 407 to Government Transparency and Operation.

SB 408 to Government Transparency and Operation.

SB 440 to Ways and Means.

SB 452 to Economic and Small Business Development.

SB 510 to Ways and Means.

SB 539 to Juvenile Justice and Family Issues.

SB 570 to Environmental Regulation.

SB 578 to Defense and Veterans' Affairs.

SB 594 to Ways and Means.

SB 601 to Public Education.

SB 622 to Government Transparency and Operation.

SB 628 to Business and Industry.

SB 667 to Judiciary and Civil Jurisprudence.

SB 669 to Ways and Means.

SB 712 to Juvenile Justice and Family Issues.

SB 737 to Urban Affairs.

SB 750 to Licensing and Administrative Procedures.

SB 758 to State Affairs.

SB 790 to Public Health.

SB 799 to Ways and Means.

SB 823 to Criminal Jurisprudence.

SB 843 to Criminal Jurisprudence.

SB 887 to Higher Education.

SB 920 to Business and Industry.

SB 944 to Judiciary and Civil Jurisprudence.

SB 951 to Licensing and Administrative Procedures.

SB 1002 to State Affairs.

SB 1090 to Public Health.

SB 1096 to Judiciary and Civil Jurisprudence.

SB 1176 to Licensing and Administrative Procedures.

SB 1249 to Judiciary and Civil Jurisprudence.

SB 1390 to Ways and Means.

SB 1524 to Transportation.

SB 1539 to Ways and Means.

SB 1575 to Criminal Jurisprudence.

SB 1576 to Corrections.

SCR 25 to Rules and Resolutions.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 17

County Affairs - HB 2788, HB 4279, HB 4300

Criminal Jurisprudence - HB 731, HB 736, HB 1442, HB 1655, HB 2237, HB 2680

Economic and Small Business Development - HB 463

Environmental Regulation - HB 2582, HB 2798

General Investigating and Ethics - HB 1942

Government Transparency and Operation - HB 8, HB 1784

Human Services - HB 871

Investments and Financial Services - HJR 99

Judiciary and Civil Jurisprudence - HB 1258

Licensing and Administrative Procedures - HB 1457, HB 1657, HB 1708, HB 2216, HB 2578, HB 2949, HB 3215, HB 3257, HB 3277, HB 4126, HB 4127

Natural Resources - HB 31, HB 294, HB 922, HB 2802, HB 2803, HB 2943, HB 3225

Pensions - HB 2459, HB 2850

Public Education - HB 481, HB 743, HB 852, HB 1560, HB 1593, HB 2729, HB 2880, HB 3024, HB 3563

Special Purpose Districts - HB 2332

Ways and Means - HB 1299, HB 1529, HB 2227, HB 2356, HB 2475, HB 2562, HB 2669, HB 3557

ENGROSSED

April 17 - HB 71, HB 88, HB 217, HB 448, HB 457, HB 635, HB 1128, HB 1346, HB 1433, HB 1470, HB 1495, HB 1559, HB 1699, HB 2124